

date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for the reviewed companies will be the rates established in the final results of this administrative review (except no cash deposit will be required for those companies whose weighted-average margin is zero or *de minimis*, i.e., less than 0.5 percent); (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received an individual rate; (3) if the exporter is not a firm covered in this review, the previous review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 1.51 percent, the "all others" rate established in the LTFV investigation (58 FR 16397, March 26, 1993).

This notice serves as a preliminary reminder to importers of their responsibility to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with sections 751(a)(1) and 751(d) of the Act (19 U.S.C. 1675(a)(1)), 19 CFR 353.22, and 19 CFR 353.25.

Dated: December 1, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

ENVIRONMENTAL PROTECTION AGENCY

Coastal Nonpoint Pollution Control Program: Conditional Approvals, Findings Documents, Responses to Comments, and Records of Decision

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and the U.S. Environmental Protection Agency.

ACTION: Notice of Conditional Approval of Coastal Nonpoint Pollution Control Programs and Availability of Findings Documents, Responses to Comments, and Records of Decision for Florida, Mississippi, New Hampshire, New Jersey, New York, Puerto Rico and the U.S. Virgin Islands.

SUMMARY: Notice is hereby given of the conditional approval of the Coastal Nonpoint Pollution Control Programs (coastal nonpoint programs) and of the availability of the Findings Documents, Responses to Comments, and Records of Decision for Florida, Mississippi, New Hampshire, New Jersey, New York, Puerto Rico and the U.S. Virgin Islands. Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. section 1455b, requires states and territories with coastal zone management programs that have received approval under section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint programs. Coastal states and territories were required to submit their coastal nonpoint programs to the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) for approval in July 1995.

NOAA and EPA have approved, with conditions, the coastal nonpoint programs submitted by Florida, Mississippi, New Hampshire, New Jersey, New York, Puerto Rico, and the U.S. Virgin Islands.

NOAA and EPA have prepared a Findings Document for each 6217 program submitted for approval. The Findings Documents were prepared by NOAA and EPA to provide the rationale for the agencies' decision to approve each state and territory coastal nonpoint program. Proposed Findings Documents, Environmental Assessments, and Findings of No Significant Impact prepared for the coastal nonpoint programs submitted by Florida, Mississippi, New Hampshire, New Jersey, New York, Puerto Rico, and

the U.S. Virgin Islands were made available for public comment in the **Federal Register**. Public comments were received and responses prepared on the programs submitted by Mississippi, New Hampshire, New Jersey, New York, and Florida. No public comments were received on the programs submitted by Puerto Rico and the U.S. Virgin Islands.

In accordance with the National Environmental Policy Act (NEPA), NOAA has also prepared a Record of Decision on each program. The requirements of 40 CFR Parts 1500-1508 (Council on Environmental Quality (CEQ) regulations to implement the National Environmental Policy Act) apply to the preparation of a Record of Decision. Specifically, 40 CFR section 1505.2 requires an agency to prepare a concise public record of decision at the time of its decision on the action proposed in an environmental impact statement. The Record of Decision shall: (1) state what the decision was; (2) identify all alternatives considered, specifying the alternative considered to be environmentally preferable; and (3) state whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted.

In March 1996, NOAA published a programmatic environmental impact statement (PEIS) that assessed the environmental impacts associated with the approval of state and territory coastal nonpoint programs. The PEIS forms the basis for the environmental assessments NOAA has prepared for each state and territorial coastal nonpoint program submitted to NOAA and EPA for approval. In the PEIS, NOAA determined that the approval and conditional approval of coastal nonpoint programs will not result in any significant adverse environmental impacts and that these actions will have an overall beneficial effect on the environment. Because the PEIS served only as a "framework for decision" on individual state and territorial coastal nonpoint programs, and no actual decision was made following its publication, NOAA has prepared a EPA Record of Decision on each individual state and territorial program submitted for review.

Copies of the Findings Documents, Responses to Comments, and Records of Decision may be obtained upon request from: Joseph A. Uravitch, Chief, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, tel. (301) 713-3155, x195.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: December 1, 1997.

Captain Evelyn J. Fields,

Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.

Robert H. Wayland, III,

Director, Office of Wetlands, Oceans and Watersheds, Environmental Protection Agency.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Settlement Agreement on the R/V Columbus Iselin Grounding Between the United States on Behalf of the National Oceanic and Atmospheric Administration (NOAA) and the University of Miami

AGENCY: The U.S. Department of Justice on behalf of NOAA, Department of Commerce.

ACTION: Notice of settlement between the United States, on behalf of NOAA acting as the natural resource trustee, and the University of Miami.

SUMMARY: The United States, on behalf of NOAA, and the University of Miami (collectively referred to as the "Parties") enter into this Settlement Agreement ("Agreement") to settle civil claims for damages for injury to Sanctuary resources, civil penalties, response costs, and forfeiture arising from the August 10 to 12, 1994, grounding of the R/V COLUMBUS ISELIN ("ISELIN") in the Looe Key National Marine Sanctuary, now part of the Florida Keys National Marine Sanctuary. This settlement is entered into by the Parties pursuant to section 312 of the National Marine Sanctuaries Act (NMSA), 16 U.S.C. § 1431 *et seq.*

Proposed Action

Notice is hereby given that on November 22, 1997 a settlement has been entered into between the Parties to resolve claims against the University of Miami and the R/V COLUMBUS ISELIN for destruction or loss of, or injury to, Sanctuary resources pursuant to section 312 of the NMSA, as amended, as a result of the August 10 to 12, 1994, grounding of the R/V COLUMBUS ISELIN in the Looe Key National Marine Sanctuary. The Agreement provides for

cash payments to NOAA for implementation of structural and biological restoration of the grounding site, compensatory restoration, and long term monitoring, and to reimburse NOAA for damage assessment costs and emergency response costs incurred by NOAA.

A. Cash Payments

(1) The University of Miami shall pay to NOAA, two million and nine hundred thousand dollars (\$2,900,000.00). This sum will pay for the implementation of restoration, monitoring, damage assessment costs, compensatory restoration for interim losses of sanctuary resources, permitting and environmental compliance costs, as a result of the ISELIN grounding. (2) The amount identified in A. (1) above is in addition to payment already received by NOAA from the University of Miami in the amounts of: (a) Two hundred thousand dollars (\$200,000) in civil penalties; (b) one hundred and forty six thousand, forty seven dollars and sixty cents (\$146,047.60); and one hundred and fourteen thousand, ninety nine dollars and seventy-seven cents (\$114,099.77) for response and damage assessment costs; and (c) six hundred thousand dollars (\$600,000.00) for restoration planning.

B. Use of Funds

(1) *Restoration of Natural Resources.* Funds received by NOAA identified in A.(1) above will be used for (a) structural and biological restoration of coral reef injured at the grounding site, (b) biological monitoring, (c) off-site compensatory restoration, and (d) project management and oversight. Restoration activities at the grounding site will include: (i) Stabilizing the underlying physical structure of the coral reef habitat; (ii) re-creating the physical structure of the coral reef habitat; and, (iii) enhancing the rate of recovery of the biological community through the transplantation of coral, sponges, and sea fans. Biological monitoring will be used to evaluate the effectiveness of the restoration at the site and design any mid-course corrections to those restoration measures. Off-site compensatory restoration projects will be designed to enhance the long-term health of the coral reefs. The projects will include field and lab-based methods for enhancing the recovery rates of coral and other benthic invertebrates through the transplantation and culture of corals and benthic invertebrates. Projects also will be designed to minimize the risk of

future major vessel groundings in the vicinity of coral reef habitats.

(2) *Restoration of Cultural Resources.* Artifacts which were dislodged by the vessel during the grounding and subsequent rubble and ship debris removal activities have been conserved by NOAA. The parties agree that NOAA shall be the permanent custodian and conservator of the cultural resources. Funds received from the University will reimburse NOAA for costs incurred to conserve the artifacts as well as to ensure long-term curation.

(3) *Reimbursement of Costs Incurred by the Government.* Funds identified in A.(2) above will be used to reimburse NOAA for costs incurred for emergency response activities during the grounding, rubble and ship debris removal, and damage assessment costs.

Public Comment

NOAA will receive comments from the public on the settlement agreement for a period of thirty (30) days from the date of this publication. Comments on the settlement agreement should be addressed to Sharon Shutler, Office of General Counsel for Natural Resources, NOAA, 1315 East-West Highway, SSMC#3, Silver Spring, MD 20910-3282.

Effective Date of the Agreement.

The effective of the settlement agreement will be upon completion of the public comment period, notification to the University from NOAA that it has accepted the settlement agreement, and payment by the University to NOAA of \$2.9 million. Payment from the University will be made within 15 days of receipt of such notice.

For Further Information Contact: Copies of the settlement agreement may be obtained from Harriet Sopher, Sanctuaries and Reserves Division, National Ocean Service, NOAA, SSMC#4, 11th floor, 1305 East-West Highway, Silver Spring, MD 20910; or Billy Causey, Marathon office of the Florida Keys National Marine Sanctuary, P.O. Box 500368, 5550 Overseas Highway, Main House, Marathon, FL 33050.

Dated: November 22, 1997.

Monica Medina,

General Counsel, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

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