

additional time is needed to develop the record.

For the reasons identified by the Petitioners, and because there are no compelling reasons to deny the request, the Department is postponing this preliminary determination under section 733(c)(1)(A) of the Tariff Act of 1930, as amended (the Act) by 50 days from June 25, 2008 to August 14, 2008. The deadline for the final determination will continue to be 75 days after the date of the preliminary determination, unless extended.

This notice is issued and published pursuant to sections 733(c)(2) and 777(i)(1) of the Act, and 19 CFR 351.205(f)(1).

Dated: June 4, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-570-846

#### **Brake Rotors From the People's Republic of China: Final Results of 2006-2007 Administrative and New Shipper Reviews and Partial Rescission of 2006-2007 Administrative Review**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On February 5, 2008, the Department of Commerce ("Department") published *Brake Rotors From the People's Republic of China: Preliminary Results of the 2006 2007 Administrative and New Shipper Reviews and Partial Rescission of the 2006 2007 Administrative Review*, 73 FR 6700 (February 5, 2008) ("Preliminary Results"). The period of review ("POR") is April 1, 2006, through March 31, 2007. The administrative review covers two mandatory respondents and 12 separate-rate respondents. The new shipper review covers one new shipper.

We invited interested parties to comment on our *Preliminary Results*. Based on our analysis of the comments received, we made certain changes to our calculations. The final dumping margins for the administrative and new shipper reviews are listed in the "Final Results of the Reviews" section, below.

**EFFECTIVE DATE:** June 10, 2008.

**FOR FURTHER INFORMATION CONTACT:** Frances Veith or Blanche Ziv, AD/CVD Operations, Office 8, Import

Administration, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> Street and Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-4295 or 202-482-4207, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On February 5, 2008, the Department published the *Preliminary Results* of the administrative and new shipper reviews of the antidumping duty order on brake rotors from the People's Republic of China ("PRC").

On March 6, 2008, the Department received a case brief from Trade Pacific PLLC on behalf of its clients Laizhou Auto Brake Equipment Company ("LABEC"), Yantai Winhere Auto-Part Manufacturing Co., Ltd. ("Winhere"), Longkou Haimeng Machinery Co., Ltd. ("Haimeng"), Laizhou Luqi Machinery Co., Ltd. ("Luqi"), Laizhou Hongda Auto Replacement Co., Ltd. ("Hongda"), Qingdao Meita Automotive Industry Co., Ltd. ("Meita"), Dixon Brake System (Longkou) Ltd. ("Dixon"), and Laizhou Wally Automobile Co., Ltd. ("Wally") (collectively, "the Trade Pacific respondents"). On March 11, 2008, we received a rebuttal brief from the Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers ("petitioner").

We conducted these reviews in accordance with sections 751 and 777(i)(1) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.213 and 19 CFR 351.221, as appropriate.

##### **Period of Review**

The POR is April 1, 2006, through March 31, 2007.

##### **Scope of the Order**

The products covered by this order are brake rotors made of gray cast iron, whether finished, semifinished, or unfinished, ranging in diameter from 8 to 16 inches (20.32 to 40.64 centimeters) and in weight from 8 to 45 pounds (3.63 to 20.41 kilograms). The size parameters (weight and dimension) of the brake rotors limit their use to the following types of motor vehicles: automobiles, all-terrain vehicles, vans and recreational vehicles under "one ton and a half," and light trucks designated as "one ton and a half."

Finished brake rotors are those that are ready for sale and installation without any further operations. Semifinished rotors are those on which the surface is not entirely smooth, and have undergone some drilling. Unfinished

rotors are those which have undergone some grinding or turning.

These brake rotors are for motor vehicles, and do not contain in the casting a logo of an original equipment manufacturer ("OEM") which produces vehicles sold in the United States (e.g., General Motors, Ford, Chrysler, Honda, Toyota, Volvo). Brake rotors covered in this order are not certified by OEM producers of vehicles sold in the United States. The scope also includes composite brake rotors that are made of gray cast iron, which contain a steel plate, but otherwise meet the above criteria. Excluded from the scope of this order are brake rotors made of gray cast iron, whether finished, semifinished, or unfinished, with a diameter less than 8 inches or greater than 16 inches (less than 20.32 centimeters or greater than 40.64 centimeters) and a weight less than 8 pounds or greater than 45 pounds (less than 3.63 kilograms or greater than 20.41 kilograms).

Brake rotors are currently classifiable under subheading 8708.39.5010 of the *Harmonized Tariff Schedule of the United States* ("HTSUS").<sup>1</sup> Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

##### **Analysis of Comments Received**

All issues raised in the case and rebuttal briefs filed by parties in these reviews are addressed in the Memorandum from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, "Issues and Decision Memorandum for the 2006-2007 Administrative and New Shipper Reviews of the Antidumping Duty Order on Brake Rotors From the People's Republic of China," dated June 4, 2008 ("Issues and Decision Memo"), which is hereby adopted by this notice. A list of the issues that parties raised and to which we responded in the *Issues and Decision Memo* follows as an appendix to this notice. The *Issues and Decision Memo* is a public document which is on file in the Central Records Unit ("CRU") in room 1117 of the main Department building, and is also accessible on the Web at <<http://ia.ita.doc.gov/frn/>>. The paper copy and electronic version of the *Issues and Decision Memo* are identical in content.

<sup>1</sup> As of January 1, 2005, the HTSUS classification for brake rotors (discs) changed from 8708.39.5010 to 8708.39.5030. As of January 1, 2007, the HTSUS classification for brake rotors (discs) changed from 8708.39.5030 to 8708.30.5030. See *Harmonized Tariff Schedule of the United States (2007) (Rev. 2)*, available at <[www.usitc.gov](http://www.usitc.gov)>.

**Partial Rescission of Administrative Review**

In the *Preliminary Results*, the Department issued a notice of intent to rescind the administrative review with respect to exporters in the following specified exporter or exporter/producer (manufacturer) combinations: (1) Shanxi Zhongding Auto Parts Co., Ltd. (“SZAP”), (2) Shandong Huanri Group Co., Ltd. (“Huanri”), (3) Longkou Qizheng Auto Parts Co. (“Qizheng”), (4) China National Industrial Machinery Import & Export Corporation (“CNIM”), (5) Xianghe Xumingyuan Auto Parts Co. (“Xumingyuan”), (6) Qingdao Golrich Autoparts Co., Ltd. (“Golrich”), (7) China National Automotive Industry Import & Export Corporation (“CAIEC”), manufactured by any company other than Shandong Laizhou CAPCO Industry (“CAPCO”), (8) CAPCO/ manufactured by any company other than CAPCO, (9) Laizhou Luyuan Automobile Fittings Co. (“Luyuan”), manufactured by any company other than Luyuan or Shenyang Honbase Machinery Co., Ltd. (“Honbase”), and (10) Honbase, manufactured by any company other than Honbase or Luyuan, in accordance with 19 CFR 351.213(d)(3), because we found no evidence that any of these companies made shipments of subject merchandise to the United States during the POR. See *Preliminary Results*, 73 FR at 6703. The Department received no comments on

this issue, and we did not receive any further information since the issuance of the *Preliminary Results* that provides a basis for reconsideration of this determination. Therefore, the Department is rescinding this administrative review with respect to these exporters in the following specified exporter or exporter/producer combinations: (1) SZAP, (2) Huanri, (3) Qizheng, (4) CNIM, (5) Xumingyuan, (6) Golrich, (7) CAIEC/manufactured by any company other than CAPCO, (8) CAPCO/manufactured by any company other than CAPCO, (9) Luyuan/ manufactured by any company other than Luyuan or Honbase, and (10) Honbase/manufactured by any company other than Honbase or Luyuan.

**Separate Rates**

In our *Preliminary Results*, we determined that the two mandatory respondents (*i.e.*, Haimeng and Meita), the 12 separate-rate respondents (*i.e.*, non-selected respondents),<sup>2</sup> and the new shipper (*i.e.*, Shanghai Tylon Company Ltd. (“Tylon”)) met the criteria for the assignment of a separate rate. See *Preliminary Results*, 73 FR at 6702, 6703. The Department received no comments on this issue, and we did not receive any further information since the issuance of the *Preliminary Results* that provides a basis for reconsideration of these determinations for the final results.

**Changes Since the Preliminary Results**

Based on our analysis of comments received from interested parties and information on the record of these reviews, we made changes to the margin calculations as noted below.

We have made certain changes to the financial ratio calculations for the final results. For further details, see the *Issues and Decision Memo* at Comment 3 and the Department’s memorandum entitled, “2006–2007 Administrative and New Shipper Reviews of the Antidumping Duty Order on Brake Rotors from the People’s Republic of China: Surrogate Values for the Final Results,” dated concurrently with this notice. We also applied the updated value for labor using the regression-based wage rate for the PRC published on Import Administration’s website. See <<http://ia.ita.doc.gov/wages/05wages/05wages-051608.html/>>, and see *Corrected 2007 Calculation of Expected Non-market Economy Wages*, 73 FR 27795 (May 14, 2008)>. For further details on company-specific calculations, see the company-specific analysis memoranda.<sup>3</sup>

**Final Results of the Reviews**

We determine that the following final weighted-average dumping margins exist for the period April 1, 2006, through March 31, 2007:

**BRAKE ROTORS FROM THE PRC**

Individually Reviewed Exporters 2006–2007 Administrative Review	Weighted–Average Percent Margin
Longkou Haimeng Machinery Co., Ltd. ....	0.02 ( <i>de minimis</i> )
Qingdao Meita Automotive Industry Co., Ltd. ....	0.00
Separate–Rate Applicant Exporters 2006–2007 Administrative Review	Weighted–Average Percent Margin
Laizhou Auto Brake Equipment Co., Ltd. ....	0.00
Yantai Winhere Auto–Part Manufacturing Co., Ltd. ....	0.00
Laizhou Hongda Auto Replacement Parts Co., Ltd. ....	0.00
Laizhou City Luqi Machinery Co., Ltd. ....	0.00
Laizhou Wally Automobile Co., Ltd. ....	0.00
Zibo Luzhou Automobile Parts Co., Ltd. ....	0.00
Zibo Golden Harvest Machinery Limited Company ....	0.00
Longkou TLC Machinery Co., Ltd. ....	0.00
Longkou Jinzheng Machinery Co., Ltd. ....	0.00
Qingdao Gren (Group) Co. ....	0.00
Shenyang Yinghao Machinery Co. ....	0.00

<sup>2</sup> The non-selected respondents are as follows: (1) Winhere; (2) LABEC; (3) Hongda; (4) Wally; (5) Dixon; (6) Qingdao Gren Co. (“Gren”); (7) Zibo Luzhou Automobile Parts Co., Ltd. (“ZLAP”); (8) Longkou TLC Machinery Co., Ltd. (“TLC”); (9) Zibo Golden Harvest Machinery Limited Company (“ZGOLD”); (10) Luqi; (11) Shenyang Yinghao Machinery Co. (“Yinghao”); and (12) Longkou Jinzheng Machinery Co. (“Jinzheng”).

<sup>3</sup> See the Department’s memorandum entitled, “2006–2007 Administrative and New Shipper Reviews of the Antidumping Duty Order on Brake Rotors from the People’s Republic of China: Analysis of the Final Results Margin Calculation for Longkou Haimeng Machinery Co., Ltd.,” dated concurrently with this notice; the Department’s memorandum entitled, “2006–2007 Administrative and New Shipper Reviews of the Antidumping Duty Order on Brake Rotors from the People’s

Republic of China: Analysis of the Final Results Margin Calculation for Qingdao Meita Automotive Industry Co., Ltd.,” dated concurrently with this notice; and the Department’s memorandum entitled, “2006–2007 Administrative and New Shipper Reviews of the Antidumping Duty Order on Brake Rotors from the People’s Republic of China: Analysis of the Final Results Margin Calculation for Shanghai Tylon Company Ltd.,” dated concurrently with this notice.

Separate-Rate Applicant Exporters 2006-2007 Administrative Review	Weighted-Average Percent Margin
Longkou Dixon Brake System Ltd. ....	0.00
2006-2007 New Shipper Review Exporter/Producer	Weighted-Average Percent Margin
Exporter: Shanghai Tylon Company Ltd. Producer: Shanghai Tylon Company Ltd. ....	0.00

The Department will disclose calculations performed for the final results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

#### Assessment Rates

The Department has determined, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries covered by these reviews. The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of these reviews. In accordance with 19 CFR

351.212(b)(1), for Haimeng and Meita, we calculated an exporter/importer (or customer)-specific assessment rate for the merchandise subject to these reviews. For Tylon, we calculated an exporter/producer/importer (or customer)-specific assessment rate for the merchandise subject to these reviews. Where the respondent has reported reliable entered values, we calculated importer (or customer)-specific *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to each importer (or customer) and dividing this amount by the total entered value of the sales to each importer (or customer). See 19 CFR 351.212(b)(1). Where an importer (or customer)-specific *ad valorem* rate is greater than *de minimis*, we will apply the assessment rate to the entered value of the importer's/customer's entries during the review period. See 19 CFR 351.212(b)(1). Where we do not have entered values for all U.S. sales, we calculated a per-unit assessment rate by aggregating the antidumping duties due for all U.S. sales to each importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer). See 19 CFR 351.212(b)(1). To determine whether the duty assessment rates are *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer (or customer)-specific *ad valorem* ratios based on the estimated entered value. Where an importer (or customer)-specific *ad valorem* rate is zero or *de minimis*, we will instruct CBP to liquidate

appropriate entries without regard to antidumping duties. See 19 CFR 351.106(c)(2).

For the companies receiving a separate rate that were not selected for individual review (*i.e.*, Winhere, LABEC, Hongda, Wally, Dixon, Gren, ZLAP, TLC, ZGOLD, Luqi, Yinghao, and Jinzheng), we will calculate an assessment rate based on the weighted average of the cash deposit rates calculated for the companies selected for individual review pursuant to section 735(c)(5)(B) of the Act. For further details, see the *Issues and Decision Memo* at Comment 1.

#### Cash-Deposit Requirements

The following cash deposit rates will be effective upon publication of this notice of final results for all shipments of subject merchandise exported by Tylon entered or withdrawn from warehouse, for consumption on or after publication date of this notice: (1) zero cash deposit will be required for subject merchandise manufactured and exported by Tylon; and (2) for subject merchandise exported by Tylon but not manufactured by Tylon, the cash deposit rate will be the PRC-wide rate of 43.32 percent.

The following cash deposit requirements will be effective upon publication of this notice of final results for all other shipments of brake rotors from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Act: (1) for Haimeng, Meita, Winhere, LABEC, Hongda, Wally, Dixon, Gren, ZLAP, TLC, ZGOLD, Luqi, Yinghao, and Jinzheng, zero cash deposit will be required; (2) the cash deposit rate for previously investigated or reviewed PRC and non-PRC exporters who received a separate rate in a prior segment of the proceeding (which were not reviewed in this segment of the proceeding) will continue to be the rate assigned in that segment of the proceeding; (3) the cash deposit rate for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate will be the PRC-wide rate of 43.32 percent; and (4) the cash deposit rate for all non-PRC exporters or exporter/

producer combination of subject merchandise which have not received their own rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These requirements shall remain in effect until further notice.

#### Notification to Interested Parties

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Pursuant to 19 CFR 351.402(f)(3), failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO, in accordance with 19 CFR 351.305 and as explained in the APO itself. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice of final results of the administrative and new shipper reviews is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 4, 2008.

**David M. Spooner,**  
Assistant Secretary for Import Administration.

#### Appendix

*List of Comments and Issues in the Issues and Decisions Memorandum*

*Comment 1* Calculation of Separate Rate for Non-Selected Respondents

*Comment 2* Voluntary Responses of Non-selected Respondents

*Comment 3* Financial Ratios: Calculation of Factory Overhead,

Selling, General, and Administrative Expenses and Profit  
[FR Doc. E8-13001 Filed 6-9-08; 8:45 am]  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA56

#### Marine Fisheries Advisory Committee; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of open public meeting.

**SUMMARY:** Notice is hereby given of a meeting of the Marine Fisheries Advisory Committee (MAFAC). This will be the first meeting to be held in calendar year 2008 to review and advise NOAA on management policies for living marine resources. Agenda topics are provided under the **SUPPLEMENTARY INFORMATION** section of this notice. All full Committee sessions will be open to the public.

**DATES:** The meetings will be held July 1, 2008, from 9 a.m. to 4 p.m., July 2, 2008, from 9 a.m. to 4:30 p.m., and July 3, 2008, from 9 a.m. to 4:30 p.m.

**ADDRESSES:** The meetings will be held at the Radisson Martinique Hotel, 49 West 32nd Street, New York, NY 10001; (212) 277-2702

**FOR FURTHER INFORMATION CONTACT:** Mark Holliday, Director, NMFS Office of Policy; telephone: (301) 713-2239 x120.

**SUPPLEMENTARY INFORMATION:** As required by section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, notice is hereby given of a meeting of MAFAC. MAFAC was established by the Secretary of Commerce (Secretary) on February 17, 1971, to advise the Secretary on all living marine resource matters that are the responsibility of the Department of Commerce. This committee advises and reviews the adequacy of living marine resource policies and programs to meet the needs of commercial and recreational fisheries, and environmental, State, consumer, academic, tribal, governmental and other national interests. The complete charter and summaries of former meetings are located online at <http://www.nmfs.noaa.gov/ocs/mafac/index.htm>.

#### Matters To Be Considered

The order in which these matters is considered is subject to change.

July 1, 2008

The meeting will begin with opening remarks and introductions to the full committee from Dr. Jim Balsiger, Acting Assistant Administrator for NOAA Fisheries. MAFAC administrative matters will be discussed, including findings and recommendations of the MAFAC charter working group. The afternoon is dedicated to separate Subcommittee and working group meetings, including Strategic Planning, Commerce (aquaculture, ecolabeling, and seafood safety/quality), and Recreational Fisheries Statistics improvements.

July 2, 2008

Updates will be presented on Aquaculture, Magnuson-Stevens Act Reauthorization, and International Fisheries, and legislative updates. Other topics to be discussed are the Vision 2020 Working Group; a Strategic Planning Subcommittee report on the present draft of a MAFAC Transition Paper; NOS/NMFS interactions; and National Monuments, Sanctuaries, and Marine Protected Areas.

July 3, 2008

The full Committee will reconvene from 9 a.m. to 4 p.m. to discuss findings and recommendations on Seafood Safety and Quality; receive a briefing on climate change impacts and NOAA Climate Service; and discuss findings and recommendations on Ecolabeling and Seafood Certification. The meeting will conclude with a review of action items and next steps, and the time and place of the Fall meeting.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mark Holliday, Director, NMFS Office of Policy; telephone: (301) 713-2239 x120 by 5 p.m., June 15, 2008.

Dated: June 5, 2008.

**James W. Balsiger**

*Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Availability of the Draft Environmental Impact Statement for the Proposed Stormwater Treatment Areas in Everglades Agricultural Area Located in Palm Beach and Hendry Counties, FL

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE) is issuing this notice to advise the public that a Draft Environmental Impact Statement (Draft EIS) has been completed and is available for review and comment.

**DATES:** In accordance with the National Environmental Policy Act (NEPA), we have filed the Draft EIS with the U.S. Environmental Protection Agency (EPA) for publication of their notice of availability in the **Federal Register**. The EPA notice officially starts the 45-day review period for this document. It is the goal of the USACE to have this notice published on the same date as the EPA notice. However, if that does not occur, the date of the EPA notice will determine the closing date for comments on the Draft EIS. Comments on the Draft EIS must be submitted to the address below under Further Contact Information and must be received no later than 5 p.m. Eastern Standard Time, Monday, July 21, 2008.

**Scoping:** Scoping Meetings were held in West Palm Beach, FL, and Belle Glade, FL, on July 25th and 26th, respectively, to gather information for the preparation of the Draft EIS. Public notices were posted in Broward, Palm Beach and Hendry County newspapers, and e-mailed and air-mailed to current stakeholder lists with notification of the public meetings and requesting input and comments on issues that should be addressed in the Draft EIS.

A public meeting for this Draft EIS will be held on Wednesday, June 25, 2008, from 6 to 9 p.m. at University of Florida, Institute of Food and Agricultural Sciences, Everglades Research and Education Conference Center, 3200 E. Palm Beach Road, Belle Glade, FL 33430. The purpose of this public meeting is to provide the public the opportunity to comment, either orally or in writing, on the Draft EIS. Notification of the meeting will be announced following same format as the Scoping Meetings announcements.

**ADDRESSES:** The Draft EIS can be viewed online at <http://>