

2, 1997, the Department published in the **Federal Register** (62 FR 15655) the opportunity to request an administrative review. On April 30, 1997, Proton requested a review for the period April 1, 1996 through March 31, 1997. On May 21, 1997, in accordance with 19 CFR 353.22(c), we initiated an administrative review for the period April 1, 1996 through March 31, 1997 (61 FR 27720).

We received a timely request for withdrawal for this request from Proton on June 26, 1997. Because there were no requests for review from other interested parties, we are terminating this review in accordance with 19 CFR 353.22(a)(5) of the Department's regulations.

Dated: August 14, 1997.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Enforcement, Group III.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-403-801]

#### Fresh and Chilled Atlantic Salmon From Norway, Amended Final Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of amended final results of antidumping duty administrative review.

**EFFECTIVE DATE:** August 20, 1997.

**FOR FURTHER INFORMATION CONTACT:** Todd Peterson or Thomas Futtner, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., N.W., Washington, D.C. 20230; telephone (202) 482-4106, or 482-3814, respectively.

#### Applicable Statute and Regulations

The Department is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

#### Scope of the Review

The merchandise covered by this review is fresh and chilled Atlantic salmon (salmon). It encompasses the species of Atlantic salmon (*Salmo salar*)

marketed as specified herein; the subject merchandise excludes all other species of salmon: Danube salmon; Chinook (also called "king" or "quinnat"); Coho ("silver"); Sockeye ("redfish" or "blueback"); Humpback ("pink"); and Chum ("dog"). Atlantic salmon is whole or nearly whole fish, typically (but not necessarily) marketed gutted, bled, and cleaned, with the head on. The subject merchandise is typically packed in fresh water ice (chilled). Excluded from the subject merchandise are fillets, steaks, and other cuts of Atlantic salmon. Also excluded are frozen, canned, smoked or otherwise processed Atlantic salmon. Fresh and chilled Atlantic salmon is currently provided for under Harmonized Tariff Schedule (HTS) subheading 0302.12.00.02.09. The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive.

#### Amendment of Final Results

On December 13, 1996, the Department of Commerce (the Department) published the final results of its administrative review of the antidumping duty order on fresh and chilled Atlantic salmon from Norway (61 FR 65522). The review covered 24 exporters, and the period April 1, 1993, through March 31, 1994.

On December 12, 1996, petitioners, The Coalition for Fair Atlantic Salmon Trade, filed allegations of clerical errors with regard to the final results with respect to two respondents, Skaarfish A/S (Skaarfish) and Norwegian Salmon A/S (Norwegian Salmon). We also received allegations from both respondents on December 18, 1996, and December 30, 1996. Petitioners submitted rebuttal briefs on January 6, 1997.

Petitioners contends that the Department made a ministerial error in the final results by not adding amounts for indirect selling expenses and interest expenses to the revised cost of cultivation for both Norwegian Salmon and Skaarfish. Respondents did not comment on petitioner's allegation. After a review of petitioner's allegation, we agree with petitioners and have corrected these errors for the amended final results.

Norwegian Salmon maintains that the Department made a ministerial error by incorrectly deducting duty and brokerage applicable to French sales from U.S. sales, rather than deducting these expenses from French sales. In addition, respondent maintains that the Department double-counted U.S. credit expense. Petitioners did not comment on respondents' allegations. After a

review of respondent's allegations, we agree with respondent and have corrected these errors for the amended final results.

Norwegian Salmon also maintains that the Department erroneously double-counted certain expenses associated with damages resulting from underwater explosions affecting Norwegian Salmon's Farm C. Respondent maintains that the indemnity that Farm C received covered all of Farm C's expenses associated with the explosion and that the Department erred by subtracting the amount Farm C claimed as a loss in its financial statement. Petitioner disagrees with respondent. Petitioner states that the Department should reject the allegation because it concerns a methodological determination rather than a ministerial error as described in section 353.28(d) of the Department's regulations. Moreover, petitioner states that the Department's cost of production calculations correctly reflect the actual amounts recorded in Farm C's income statement and accounting ledgers for the loss and indemnity associated with the fish killed by the underwater detonations.

We disagree with respondent that this is a ministerial error. Since 751(f) of the Act defines the term "ministerial error" as errors in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the Secretary considers ministerial. The error alleged by respondent does not fall within this definition, and therefore, we determine that it is not a ministerial error.

#### Amended Final Results of Review

As a result of comments received and programming errors corrected, we have revised our final results and determine that the following margins exist for the period April 1, 1993, through March 31, 1994:

Manufacturer/exporter	Margin (percent)
ABA A/S .....	<sup>1</sup> 31.81
Artic Group .....	<sup>2</sup> 31.81
Artic Products Norway A/S .....	<sup>1</sup> 31.81
Brodrene Sirevag A/S .....	<sup>1</sup> 23.80
Cocoon Ltd A/S .....	<sup>1</sup> 31.81
Delfa Norge A/S .....	<sup>1</sup> 31.81
Delimar A/S .....	( <sup>3</sup> )
Deli-Nor A/S .....	( <sup>3</sup> )
Fjord Trading LTD. A/S .....	<sup>1</sup> 23.80
Fresh Marine Co. Ltd .....	<sup>2</sup> 31.81
Greig Norwegian Salmon .....	<sup>2</sup> 31.81
Harald Mowinkel A/S .....	<sup>1</sup> 23.80
Imperator de Norvegia .....	<sup>1</sup> 31.81
More Seafood A/S .....	<sup>1</sup> 31.81
Nils Willksen A/S .....	<sup>1</sup> 31.81

Manufacturer/exporter	Margin (per-cent)
North Cape Fish A/S .....	<sup>1</sup> 31.81
Norwegian Salmon A/S .....	13.88
Norwegian Taste Company A/S .....	<sup>2</sup> 31.81
Olsen & Kvalheim A/S .....	<sup>1</sup> 23.80
Sekkingstad A/S .....	<sup>1</sup> 23.80
Skaarfish-Mowi A/S .....	2.30
Timar Seafood A/S .....	<sup>1</sup> 31.81
Victoria Seafood A/S .....	<sup>2</sup> 31.81
West Fish Ltd. A/S .....	<sup>1</sup> 23.80

<sup>1</sup>No shipments during the period; margin from the last administrative review.

<sup>2</sup>No response; highest margin from the original LTFV investigation.

<sup>3</sup>No shipments or sales subject to this review; the firm had no individual rate from any segment of this proceeding.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions concerning all respondents directly to the U.S. Customs Service.

Further, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these amended final results of this administrative review, as provided for by section 751(a)(1) of the Act: (1) The case deposit rates for the reviewed firms will be the rates indicated above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review or the original LTFV 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 review conducted by the Department or the LTFV investigation, the cash deposit rate will be 23.80 percent, all the others rate from the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 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 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 353.34(d). Timely written notification or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of the APO is a sanctionable violation.

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

Dated: August 5, 1997.

**Roberta S. LaRussa,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 970731187-7187-01]

RIN 0648-ZA32

### Financial Assistance for the Pribilof Environmental Restoration Program

**AGENCY:** Office of Finance and Administration (OFA), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of availability of federal assistance.

**SUMMARY:** NOAA issues this notice describing the procedures under which applications will be accepted, and how NOAA will determine which applications it will fund for environmental restoration work to be completed on the Pribilof Islands, Alaska. Pursuant to Public Law 104-91 (Pub. L. 104-91), Section 3(d) requires the use of local entities and residents of the Pribilof Islands, to the maximum extent practical for completion of environmental restoration work to be performed. Applications will be solicited for Part II of the NOAA's Pribilof Islands Environmental Cleanup Project. This notice implements environmental restoration work to commence in fiscal year 1997 (FY97). Specifically, Remediation of Petroleum Contaminated Soil as defined in the Pribilof Islands Expanded Site Investigation Report and in conjunction with the Two-Party Agreement executed between NOAA and Alaska Department

of Environmental Conservation (ADEC), State of Alaska. A maximum amount of \$8.8 Million is available for cooperative agreements awarded to implement Part II.

Complete applications must be received or postmarked by September 19, 1997. Applicants must submit one signed original and two copies of the complete application. No facsimile applications will be accepted. Generally, the time required to process applications is 60 days from the closing date of the solicitation.

**ADDRESSES:** Applications should be sent to Western Administrative Support Center (WASC), Facilities and Logistics Division, 7600 Sand Point Way NE, Seattle, WA 98115. Telephone: (206) 526-4434 or (206) 526-6160.

Application kits, with instructions for completion may be obtained from the NOAA Grants Management Division, SSMC2, Room 9358, 1325 East-West Highway, Silver Spring, MD 20910. Telephone (301) 713-0946.

### FOR FURTHER INFORMATION CONTACT:

For questions regarding grants management policies and interpretation contact: Steve Drescher at (301) 713-0946. For information regarding technical aspects of specific projects: Mary Moloseau Goetz at (206) 526-6647 or Anthony Mercadante at (206) 526-6674. Copies of the Pribilof Islands Expanded Site Investigation and the Two-Party Agreement may be obtained from the National Archives, Anchorage Regional Office, 645 West 3rd Ave., Anchorage, Alaska.

**SUPPLEMENTARY INFORMATION:** The *Catalog of Federal Domestic Assistance* (CFDA) number for this program is 11.469, Congressionally Identified Construction Projects.

## I. Introduction

### A. Background

Under the provisions of Public Law 104-91, the Secretary of Commerce shall, subject to the availability of appropriations, provide assistance for the cleanup of landfills, wastes, dumps, debris, storage tanks, property, hazardous or unsafe conditions, and contaminants including petroleum products and their derivatives, on lands which the U.S. Government abandoned, quitclaimed, or otherwise transferred or are obligated to transfer, to local entities or residents on the Pribilof Islands, Alaska pursuant to the Fur Seal Act of 1966 (16 U.S.C. 1151 *et seq.*), as amended, or other applicable law.

Work to commence in FY97 under section one of this notice will include Remediation of Petroleum