

Decision Memorandum" (Decision Memorandum) from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated April 6, 2007, which is hereby adopted by this notice. A list of the issues which the parties have raised and to which we have responded is attached to this notice as an appendix. Parties can find a complete discussion of all issues raised in this review and corresponding recommendations in this public memorandum which is on file in Import Administration's Central Records Unit, Room B-099 of the main Department building. In addition, a complete version of the Decision Memorandum is available on the Internet at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made a methodological change to our calculations as reflected in our *Preliminary Results* (see Comment 2 of the Decision Memorandum).

### Final Results of Review

As a result of our review, we determine that the following weighted-average percentage margin exists for the period November 1, 2004, through October 31, 2005:

Manufacturer/exporter	Margin (percent)
Mittal Steel Galati S.A.	0.00

### Assessment Rate

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. We intend to issue appropriate assessment instructions directly to CBP 15 days after publication of these final results of review. In accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate. We will direct CBP to liquidate the appropriate entries at this rate. See 19 CFR 351.212(b)(1).

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by the company included in these final results of review for which the reviewed company did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate

unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash-Deposit Requirements

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 final results of administrative review, as provided by section 751(a) of the Tariff Act of 1930, as amended (the Act): (1) the cash-deposit rate for MS Galati will be 0.00 percent; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a previous segment of this proceeding, the cash-deposit rate will continue to be the company-specific rate published in the prior segment of the proceeding in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review or in any previous segment of this proceeding but the manufacturer is, the cash-deposit rate will be that established for the manufacturer of the merchandise in these final results of review or in the most recent segment of the proceeding in which that manufacturer participated; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash-deposit rate will be the "All Others" rate made effective on June 14, 2005, which is 17.84 percent. See *Certain Hot-Rolled Carbon Steel Flat Products From Romania: Final Results of Antidumping Duty Administrative Review*, 70 FR 34448, 34450 (June 14, 2005). These deposit requirements shall remain in effect until further notice.

### Notification

This notice also serves as the final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 in the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the

return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO.

These final results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 4, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

### Appendix

*Comment 1: Date of Sale*

*Comment 2: Sales and Cost Data from Different Periods*

*Comment 3: Calculation of Credit Expense*

*Comment 4: Offsetting of Negative Margins*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-580-825)

### Oil Country Tubular Goods, Other Than Drill Pipe, from Korea: Amended Final Results of Antidumping Duty Administrative Review

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

**EFFECTIVE DATE:** April 11, 2007.

**FOR FURTHER INFORMATION CONTACT:** Scott Lindsay or Dara Iserson, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0780 or (202) 482-4052.

### SUPPLEMENTARY INFORMATION:

#### Amendment to Final Results of Review

In accordance with section 735(a) of the Tariff Act of 1930, as amended, (the Act), on March 6, 2007, the Department of Commerce (the Department) published its notice of final results of the administrative review of the antidumping duty order on oil country tubular goods ("OCTG"), other than drill pipe, from Korea for the period ("POR") August 1, 2004 through July 31, 2005. See *Oil Country Tubular Goods, Other Than Drill Pipe, from Korea: Final Results of Antidumping Duty Administrative Review*, 72 FR 9224

(March 6, 2007) and accompanying Issues and Decision Memorandum, dated February 27, 2007 (*Final Results*). On March 5, 2007, we extended the deadline to submit ministerial error allegations for SeAH Steel Corporation (SeAH) and United States Steel Corporation (Petitioner) to March 6, 2007. See Letter to Kaye Scholer, LLP from Thomas Gilgunn, Program Manager, Office of AD/CVD Operations VI, Import Administration, dated March 5, 2007; see also Letter to Skadden, Arps, Slate, Meagher & Flom, LLP from Thomas Gilgunn, Program Manager, Office of AD/CVD Operations VI, Import Administration, dated March 5, 2007. On March 6, 2007, SeAH and Petitioner filed timely allegations that the Department made ministerial errors in the *Final Results*. On March 12, 2007, Petitioner filed a timely response to the ministerial error allegations submitted by SeAH.

After analyzing parties' comments, we have determined, in accordance with 19 CFR 351.224(e), that we made the following ministerial errors in our calculations performed for the final results of review: (1) we incorrectly merged and matched SeAH's further manufacturing cost file with its U.S. sales database; (2) we incorrectly double-counted the general and administrative expenses incurred by SeAH's affiliate, Pusan Pipe America, Inc., in connection to the further manufacturing performed in the United States; (3) when conducting the cost test, we incorrectly compared the comparison market net price (CMNPRICOP) (inclusive of comparison market indirect selling expenses), to the average cost of production, (which excludes indirect selling expenses); and (4) we assigned incorrect values to U.S. inland freight from port to warehouse (INLFPWU) on SeAH's U.S. sales that were both further manufactured and sent directly from Korea to unaffiliated customers in the United States.

For a detailed discussion of the ministerial errors listed above, as well as the Department's analysis, see *Memorandum from Scott Lindsay, Senior Analyst, AD/CVD Operations, Office 6, to Thomas Gilgunn, Program Manager, AD/CVD Operations, Office 6, concerning Oil Country Tubular Goods, Other Than Drill Pipe, from Korea: Analysis of Ministerial Error Allegations for SeAH Steel Corporation*, dated April 5, 2007, a public version of which is on file in the Central Records Unit, Room B-099 of the main Commerce Building.

Therefore, in accordance with 19 CFR 351.224(e), we are amending the final results of administrative review of OCTG from Korea for the period August

1, 2004 through July 31, 2005. As a result of correcting the ministerial errors discussed above, SeAH's weighted-average dumping margin changed from 4.73 percent to 0.77 percent. For the remaining respondents, the weighted-average dumping margin remains the same. See *Final Results*.

#### Continuation of Suspension of Liquidation

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated importer-specific assessment rates by dividing the dumping margin found on the subject merchandise examined by the entered value of such merchandise. Where the importer-specific assessment rate is above de minimis, we will instruct CBP to assess antidumping duties on that importer's entries of subject merchandise. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

Furthermore, the following deposit requirements will be effective upon publication of these amended final results of the administrative review for shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these amended final results of administrative review, as provided by section 751(a) of the Act: (1) for subject merchandise exported by SeAH, the cash deposit rate will be 0.77 percent; (2) for Husteel Corporation, Ltd., the cash deposit rate will remain as established in the *Final Results*. These cash deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This determination is issued and published pursuant to sections 751(h) and 771(i)(1) of the Act.

Dated: April 4, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[I.D. 032707C]

##### Endangered Species; Permit No. 1589

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; Issuance of a permit.

**SUMMARY:** Notice is hereby given that The Riverbanks Zoo and Garden, 500 Wildlife Parkway, P.O. Box 1060, Columbia, SC 29202-1060 [Charles Scott Pfaff, Responsible Party] has been issued a permit to take shortnose sturgeon (*Acipenser brevirostrum*) for purposes of enhancement.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and

Southeast Region, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

**FOR FURTHER INFORMATION CONTACT:** Kate Swails or Jennifer Skidmore at (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The requested permit has been issued under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

On September 20, 2006, notice was published in the **Federal Register** (71 FR 54979) that a request for an enhancement permit to take shortnose sturgeon had been submitted by the above mentioned organization. The Riverbanks Zoo and Garden will obtain and maintain a total of eight captive-bred, non-releaseable adult shortnose sturgeon. This sturgeon display will be used to increase public awareness of the shortnose sturgeon and its status. The proposed project will educate the public on shortnose sturgeon life history and the reasons for the species decline. The proposed project to display endangered cultured shortnose sturgeon responds directly to a recommendation from the NMFS recovery plan outline for this species. The permit is issued for 5 years.

Issuance of this permit, as required by the ESA, was based on a finding that the permit (1) Was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.