Memorandum to the Official File re: Adjustments to Cost of Production and Constructed Value (January 12, 1998).)

Accordingly, in reaching our preliminary determination we relied on the actual costs incurred to produce the subject merchandise during the six-month period contemporaneous to the reported sales. This approach is consistent with the Department's obligation to ensure that the calculations are based on costs which ''* * * reasonably reflects and accurately captures all of the actual costs incurred in producing * * * the product under investigation or review.'' (See, Statement of Administrative Action accompanying the URRA, H.R. 5110, H.R. Doc. No. 103–316, vol. 1 (1994) at 834 (SAA); see also Final Results of Antidumping Duty Administrative Reviews: Certain Cold-Rolled and Corrosion-Resistant Carbon Steel Flat Products From Korea, 63 FR 13170, 13192 (March 18, 1998), where the Department determined that the POR costs differed from the company's fiscal year costs, and after reviewing the information, based the margin calculations on the POR costs rather than on the fiscal year costs.) Accordingly, we continue to rely on costs incurred during the six-month period in these final results.

As to Ferbasa's comment that the Department's general practice of calculating SG&A and interest expense based on the fiscal year requires that COM be based on that same period, we disagree. The Department normally calculates SG&A and interest expenses over the closest corresponding fiscal year's audited financial statements. We then use these ratios to determine the per-unit SG&A and interest expense associated with each product. This calculation measures, over a full fiscal year, the level of G&A expenses associated with the company's sales. The basis for calculating these ratios over the full fiscal year is not because it is the exact same period as that examined for the cost calculation, but rather because using the annual ratio is most reflective of these type of expenses, which are typically incurred unevenly throughout the year. (See Final Determination of Sales at Less Than Fair Value: Oil Country Tubular Goods from Argentina, 60 FR 33,539, 33,549 (June 28, 1995); and Final Determination of Sales at Less Than Fair Value: Hot-Rolled Carbon Steel Flat Products, Cold-Rolled Carbon Steel Flat Products, Corrosion-Resistant Carbon Steel Flat Products, and Cut-to Length Carbon Steel Plate from Canada, 58 FR 37105, 37113 (July 9, 1993).)

Comment 2

Ferbasa contends that the Department should not have included valued added taxes (IPI and ICMS) in the calculation of constructed value (CV). According to Ferbasa, section 773(a)(6)(B) of the Act provides for the exclusion of home market consumption taxes from normal value (NV) in order to maintain a tax neutral comparison for purposes of measuring whether dumping has occurred.

The petitioners contend that the Department properly included the IPI and ICMS taxes in CV. According to the petitioners, section 773(e) of the Act provides that any home market tax imposed on export goods should be included in CV unless the tax is refunded or remitted upon exportation. The petitioner argues that Ferbasa has not stated nor did the verification conclude that these IPI and ICMS taxes have been remitted or refunded upon exportation.

Department's Position:

Because the NV in these final results was based on Ferbasa's home market prices and not on CV, this issue is moot. Therefore, we are not addressing it here.

Final Results of Review

Our final results are unchanged from those presented in our preliminary results. Therefore, the dumping margin for Ferbasa remains at zero percent for the period March 1, 1996, through February 28, 1997.

The following deposit requirement will be effective for all shipments of subject merchandise from Brazil entered, or withdrawn from warehouse, for consumption on or after the publication 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 company will be zero; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in previous reviews or the original less-than-fair-value (LTFV) investigation, the cash deposit rate will continue to be the rate published in the most recent final results or determination for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in this review, a previous review, or the LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the manufacturer of the merchandise in the final results of this review, earlier review or the LTFV investigation, whichever is the most recent; (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit will be 35.95 percent, the ''All Others'' rate made effective by the antidumping duty order (59 FR 11769, March 14, 1994).

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) of the Department's regulations. 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 terms of the APO is a sanctionable violation.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 14, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–13802 Filed 5–21–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–826]

Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Brazil; Notice of Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent to Revoke Order in Part

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

ACTION: Notice of initiation and preliminary results of changed circumstances antidumping duty administrative review, and intent to revoke order in part.

SUMMARY: In response to a request made on April 27, 1998, by the Gulf States Tube Division of Vision Metals (''Gulf

States'')[1], a petitioner in this case, the Department of Commerce (the Department) is initiating a changed circumstances antidumping duty administrative review and issuing a preliminary intent to revoke in part the antidumping duty order on small diameter circular seamless carbon and alloy steel standard, line and pressure pipe from Brazil, the scope of which currently includes certain glass-lined seamless pressure pipe. Gulf States and Koppel Steel Corporation, the petitioners in this case, have expressed no further interest in the relief provided by the antidumping duty order with respect to certain glass-lined seamless pressure pipe imported from Brazil. Accordingly, we intend to revoke this order in part.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: May 22, 1998.

FOR FURTHER INFORMATION CONTACT: Helen M. Kramer or Linda Ludwig, AD/CVD Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482–0405 or (202) 482–3833, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR Part 351 (62 FR 27296, May 19, 1997).

Background

On August 3, 1995, the Department published the amended final determination and antidumping duty order in the less-than-fair-value (LTFV) investigation of small diameter circular seamless carbon and alloy steel standard, line and pressure pipe from Brazil (60 FR 39707). On April 27, 1998, Gulf States, a petitioner, requested partial revocation of the antidumping duty order due to changed circumstances, pursuant to 19 U.S.C. 1675(b)(1) and 19 CFR 351.222(g), 62 FR 27,296 at 27,400–01 (May 19, 1997), with respect to imports from Brazil of certain glass-lined seamless pressure pipe. On May 1, 1998, the second petitioner, Koppel Steel Corporation, informed the Department by telephone that it has no interest in continuing the application of the order to glass-lined seamless pressure pipe. See Memorandum for the File from Helen M. Kramer, Case Analyst, to Linda Ludwig, Program Manager (May 1, 1998).

Scope of the Review

Imports covered by this review and partial revocation are shipments of seamless carbon and alloy (other than stainless) steel pipes, of circular cross-section, not more than 114.3 mm (4.5 inches) in outside diameter, regardless of wall thickness or manufacturing process (hot-finished or cold-drawn) that (1) has been cut into lengths of six to 120 inches, (2) has had the inside bore ground to a smooth surface, (3) has had multiple layers of specially formulated corrosion resistant glass permanently baked on at temperatures of 1,440 to 1,700 degrees Fahrenheit in thicknesses from 0.032 to 0.085 inch (40 to 80 mils), and (4) has flanges or other forged stub ends welded on both ends of the pipe. The special corrosion resistant glass referred to in this definition may be glass containing by weight (1) 70 to 80 percent of an oxide of silicone, zirconium, titanium or cerium (Oxide Group RO_2), (2) 10 to 15 percent of an oxide of sodium, potassium, or lithium (Oxide Group RO), (3) from a trace amount to 5 percent of an oxide of either aluminum, cobalt, iron, vanadium, or boron (Oxide Group R_2O_3, or (4) from a trace amount to 5 percent of a fluorine compound in which fluorine replaces the oxygen in any one of the previously listed oxide groups. These glass-lined pressure pipes are commonly manufactured for use in glass-lined equipment systems for processing corrosive or reactive chemicals, including acrylates, alkanolamines, herbicides, pesticides, pharmaceuticals and solvents.

The glass-lined pressure pipes subject to this review are currently classifiable under subheadings 7304.39.0020, 7304.39.0024 and 7304.39.0028 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and U.S. Customs' purposes only. The written description of the scope of this review remains dispositive.

Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent to Revoke in Part

At the request of the petitioner, Gulf States, in accordance with section 751(b) of the Act and section 351.216 of the Department's regulations, the Department is initiating a changed circumstances review of small diameter circular seamless carbon and alloy steel standard, line and pressure pipe from Brazil to determine whether partial revocation of the antidumping duty order is warranted with respect to glass-lined seamless pressure pipe. Section 782(h)(2) of the Act and section 351.222(g)(1)(i) of the Department's regulations provide that the Department may revoke an order if it determines that producers accounting for substantially all of the production of the domestic like product have no further interest in the order. In addition, in the event the Department determines that expedited action is warranted, section 351.221(c)(3)(ii) of the regulations permits the Department to combine the notices of initiation and preliminary results.

In accordance with section 751(b) of the Act and sections 351.222(g)(1)(i) and 351.221(c)(3), we are initiating this changed circumstances administrative review and have determined that expedited action is warranted. Our decision to expedite this review stems from the domestic industry's lack of interest in applying the antidumping duty order to glass-lined seamless pressure pipe.

Based on the expression of no interest by Gulf States and Koppel Steel and absent any objection by any other domestic interested parties, we have preliminarily determined that substantially all of the domestic producers of the like product have no interest in continued application of the antidumping duty order to glass-lined seamless pressure pipe from Brazil.

Because we have concluded that expedited action is warranted, we are combining these notices of initiation and preliminary results. Therefore, we are hereby notifying the public of our intent to revoke, in part, the antidumping duty order as it relates to imports of certain glass-lined seamless pressure pipe from Brazil.

Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication of these preliminary results. Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 37 days after the date of publication. The Department will issue the final results of this changed circumstances review, which will include the results of its analysis raised in any such written comments, no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our

[1] Gulf States was previously a division of Quanex Corporation.

preliminary determination. See section 351.216(e) of the Department's regulations.

If final revocation occurs, we will instruct the U.S. Customs Service to end the suspension of liquidation and to refund, with interest, any estimated antidumping duties collected for all unliquidated entries of glass-lined seamless pressure pipe from Brazil. The current requirement for a cash deposit of estimated antidumping duties on all subject merchandise will continue unless and until it is modified pursuant to the final results of this changed circumstances review.

This initiation of review and notice are in accordance with sections 751(b) of the Act, as amended (19 U.S.C. 1675(b)), and 19 CFR 351.216, 351.221, and 351.222 (62 FR 27396, 27398–9, May 19, 1997).

Dated: May 18, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–13801 Filed 5–21–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 011996A]

Endangered and Threatened Wildlife; Recovery Plans for Listed Sea Turtles

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

ACTION: Notice of availability.

SUMMARY: NMFS and the Fish and Wildlife Service (FWS), Department of the Interior, (collectively, the Services) announce the availability of the final recovery plans for U.S. Pacific populations of endangered and threatened sea turtles, as required by the Endangered Species Act of 1973 (ESA).

DATES: May 22, 1998.

ADDRESSES: Requests for copies of the recovery plans may be submitted to the Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Copies may be purchased from the U.S. Fish and Wildlife Reference Service, 5430 Grosvenor Lane, Suite 110, Bethesda, MD 20814, 1–800–582–3421. Electronic copies in .pdf format are also available at NMFS' Protected Resources internet website (www.nmfs.gov/prot_res/).

FOR FURTHER INFORMATION CONTACT: Barbara Schroeder, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, Phone: 301–713–1401, or Sandy MacPherson, FWS, 6620 Southpoint Dr. South, Jacksonville, FL 32216, Phone: 904–232–2580.

SUPPLEMENTARY INFORMATION:

Background

The ESA is administered jointly by the Services. NMFS has jurisdiction over most species in the marine system while FWS has jurisdiction elsewhere. Listed endangered and threatened species under NMFS jurisdiction are enumerated in 50 CFR 222.23(a) and 50 CFR 227.4, respectively. The List of Endangered and Threatened Wildlife, which contains species under the jurisdiction of both Services, is found in 50 CFR 17.11(h).

Pursuant to a Memorandum of Agreement between the two Services, the jurisdiction over listed sea turtles is shared: FWS has responsibility for sea turtles primarily in the terrestrial environment, while NMFS has responsibility for sea turtles primarily in the marine environment. Presently, all sea turtle species found in the United States are listed as follows: Kemp's ridley (*Lepidochelys kempii*), leatherback (*Dermochelys coriacea*), and hawksbill (*Eretmochelys imbricata*) are listed as endangered; loggerhead (*Caretta caretta*), green (*Chelonia mydas*), and olive ridley (*Lepidochelys olivacea*) turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific coast of Mexico, and for breeding populations of olive ridleys on the Pacific coast of Mexico, which are listed as endangered.

Section 4(f)(1) of the ESA requires that the Secretary of the Interior or the Secretary of Commerce develop and implement recovery plans for the conservation and survival of endangered and threatened species listed pursuant to section 4(c) of the ESA, unless such plans would not promote the conservation of the species. Pursuant to section 4(f)(4) of the ESA, prior to final approval and implementation of a new or revised recovery plan, the Secretary shall provide public notice and an opportunity for public review and comment. The Services published a notice of availability of the draft recovery plans in the **Federal Register** on March 12, 1996 (61 FR 9978). No comments were received during the 60-day comment period.

The recovery plans are for the U.S. Pacific populations of the loggerhead, olive ridley, leatherback, hawksbill, green turtle and the East Pacific population of the green turtle. These are the first comprehensive recovery plans for sea turtle populations in the U.S. Pacific. To accomplish the drafting of the recovery plans, a team was formed consisting of professional biologists with experience in the region and with marine turtles.

While similar in format to previous sea turtle recovery plans for the Atlantic and the Caribbean, the unique nature of the Pacific required some changes to that format. The geographic scope of these plans is much larger than any previously attempted, with over 5,000 islands and 3,000 miles (4,827 km) of ocean, as well as the mainland United States, to consider. Furthermore, the amount of jurisdictional overlap between nations, commonwealths, territories, and compact-of-free-association-states and the various turtle populations required a broader management perspective than has been attempted previously. Finally, sea turtles have not been studied as intensively in the Pacific as in other U.S. areas, and thus there is a large void in basic biological information. For these reasons, these plans have more extensive text on the general biology of the turtles, so that they might act as a resource to managers seeking a handy reference to the species. The plans are also subdivided into U.S. jurisdictional areas (i.e. the various commonwealths and territories), so that local managers can address issues within their respective regions more easily.

To implement these plans, NMFS will form implementation teams, where needed, consisting of representatives from Federal agencies, states, territories, and commonwealths. The team(s) will produce a plan that identifies solutions for achieving recovery of these populations.

Authority: 16 U.S.C. 1531–1543 *et seq.*

Dated: May 15, 1998.

Hilda Diaz-Soltero,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 98–13763 Filed 5–21–98; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051398F]

North Pacific Fishery Management Council; Public Meeting

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