Therefore, Petitioners contend that, because the Department used the value it intended to use for valuation of No. 2 flux, there is no ministerial error.

Department's Position: First, we agree with petitioners that Tianjin's clerical error allegation with respect to No. 2 flux is not clear and that Tianjin does not specify exactly what clerical error it is alleging nor how to remedy the error. With respect to the valuation of No. 2 flux, the Department recognizes that the surrogate value used in the preliminary and final determinations may relate to only one of the three components which comprise No. 2 flux. As stated in the *Final Determination*, however, we find that this value constitutes the most appropriate information available on the record of this proceeding for purposes of valuing No. 2 flux.

While Tianjin argued in its case brief that ''No. 2 flux consists of 0.46 kg of magnesium chloride, 0.49 kg of potassium chloride, and 0.08 kg of barium chloride,'' citing RSM's September 14, 2004 submission at Exhibit 11, pages 2.13 2.15, it provides no record evidence to substantiate its allocation methodology with respect to Tianjin. There is no information on the record of this proceeding concerning the chemical specifications of the No. 2 flux used by Tianjin in the production of subject merchandise. Therefore, in our *Final Determination*, we made no changes to the valuation methodology used in the preliminary determination. *See Issues and Decision Memorandum* at Comment 10.

It appears that Tianjin's allegation of a clerical error with respect to the valuation of No. 2 flux constitutes a request for a methodological change and, as such, does not meet the definition of ministerial error under section 735(c) of the Act, and 19 CFR 351.224(f). Consequently, we have made no changes to the valuation of No. 2 flux in this amended final determination.

Allegation 3: Surrogate Value for Packing Unskilled Labor

Tianjin states the Department used a surrogate value of $1.90/hour for unskilled packing labor. Tianjin contends that this price is above the one listed on the Department's website for surrogate wage calculations.

The Petitioners did not comment on this issue.

Department's Position: We have determined that we made an inadvertent error in our *Final Determination* in calculating the unskilled packing labor rate. Our preliminary determination stated that ''in accordance with 19 C.F.R. 351.408(c)(3), we applied the 2001 regression–based wage rate of US$ 0.90/hour calculated by the Department for the PRC, as posted on the Department's website at http://ia.ita.doc.gov/wages/01wages/01wages.html.'' *See Preliminary Factor–Valuation Memorandum*, at 4. However, in our preliminary and final determinations, we inadvertently used a $1.90/hour rate to value unskilled packing labor. Therefore, for the amended final determination, we have revised the $1.90/hour rate to be $0.90/hour for valuation of unskilled packing labor.

Amended Final Determination

After analyzing all interested party comments and rebuttals, we have determined, in accordance with 735(e) of the Act and 19 CFR 351.224(e), that we made ministerial errors in our calculations performed for the final determination. Therefore, we are amending the final determination of sales at LTFV in the antidumping duty investigation of magnesium metal from the PRC. The revised dumping margins are as follows:

MAGNESIUM METAL FROM THE PRC

Manufacturer/Exporter	Weighted–Average Margin
Tianjin	49.66%
Guangling	49.66%

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we will instruct U.S. Customs and Border Protection (''CBP'') to continue to suspend liquidation of all entries of subject merchandise from the PRC, entered or withdrawn from warehouse, for consumption on or after October 4, 2004, the date of publication of the *Preliminary Determination*. We will also instruct CBP to require cash deposit or the posting of a bond equal to the estimated amount by which the normal value exceeds the U.S. price as indicated in the chart above. These instructions suspending liquidation will remain in effect until further notice.

This determination is issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: March 21, 2005.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. E5–1388 Filed 3–28–05; 8:45 am]

BILLING CODE: 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

[C–475–821]

Certain Stainless Steel Wire Rod from Italy: Notice of Court Decision and Suspension of Liquidation

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

SUMMARY: On March 9, 2005, in *AL Tech Specialty Steel Corp., Carpenter Technology Corp., Republic Engineered Steels, Talley Metals Technology, Inc. and United Steel Workers of America, AFL–CIO/CLC v. United States* and *Acciaierie Valbruna S.r.l. and Acciaierie Di Bolzano S.p.A. v. United States*, Slip Op. 05–30 (*AL Tech II*), the Court of International Trade (CIT) affirmed the Department of Commerce's *Final Results of Redetermination Pursuant to Remand (Remand Results*), dated October 27, 2004. Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit (CAFC) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department will continue to order the suspension of liquidation of the subject merchandise, where appropriate, until there is a ''conclusive'' decision in this case. If the case is not appealed, or if it is affirmed on appeal, the Department will instruct U.S. Customs and Border Protection (CBP) to liquidate all relevant entries from Acciaierie Valbruna S.r.l. (Valbruna) and Acciaierie Di Bolzano S.p.A. (Bolzano) and revise the cash deposit rates as appropriate.

EFFECTIVE DATE: March 29, 2005.

FOR FURTHER INFORMATION CONTACT: Darla Brown, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

Following publication of the *Final Affirmative Countervailing Duty Determination: Certain Stainless Steel Wire Rod from Italy*, 63 FR 40474 (July 29, 1998) (*Final Determination*) and *Notice of Countervailing Duty Order: Stainless Steel Wire Rod from Italy*, 63 FR 49334 (September 15, 1998), AL Tech Specialty Steel Corp., Carpenter Technology Corp., Republic Engineered Steels, Talley Metals Technology, Inc. and United Steel Workers of America, AFL–CIO/CLC (collectively, AL Tech), the petitioners in this case, and the

respondents, Valbruna and Bolzano (collectively, Valbruna/Bolzano), challenged the Department's *Final Determination* before the CIT.

In *AL Tech Specialty Steel Corp., et al. v. United States*, Slip. Op. 04–114 (CIT, September 8, 2004), the CIT Court affirmed (1) the Department's finding that the Province of Bolzano's purchase of a particular industrial site did not confer a subsidy; (2) the Department's use of a nationwide, rather than a region–specific benchmark for measuring the adequacy of remuneration of Valbruna's lease of an industrial site from the Province of Bolzano; and (3) the Department's determination that its ''tying'' practice was inapplicable to plant closure assistance provided under Law 193/84.

However, the Court remanded the following issues to the Department for further consideration: (1) the Department's determination that a two–year rent abatement granted to Valbruna on its lease of an industrial site from the Province of Bolzano conferred a subsidy; (2) the Department's determination not to adjust the benchmark used to determine adequacy of remuneration under Valbruna's lease of the Bolzano site to account for Valbruna's assumption of future extraordinary maintenance expenses; (3) the Department's determination not to adjust the lease benchmark to account for depreciation of buildings on the Bolzano industrial site; (4) the Department's determination that aid under Law 25/81 continued to confer a subsidy despite evidence that the subsidy had been repaid; (5) the Department's determination to treat Articles 2 and 4 of Law 193/84 as a single program for purposes of the small grants test; thus, allocating the aid over time rather than expensing it in the year of receipt; (6) the Department's finding that EU/European Social Fund (''ESF'') Objective 4 funding was regionally specific to Italy, and (7) the Department's finding that Italian ESF Objective 4 funding was regionally specific to Bolzano.

The *Draft Final Results Pursuant to Remand (Draft Results)* were released to parties on October 18, 2004. On October 22, 2004, the Department received comments from respondents on the *Draft Results*. Petitioners did not submit comments on the *Draft Results*. There were no substantive changes made to the *Remand Results* as a result of comments received on the *Draft Results*. On October 27, 2004, the Department responded to the CIT's Order of Remand by filing the *Remand Results*. In its *Remand Results*, the Department determined on remand that the two–year lease abatement was a bargained–for exchange and, therefore, did not constitute a countervailable subsidy and that no countervailable benefit under Law 25/81 existed for Valbruna after January 1, 1986. As a result of the remand redetermination, the net subsidy rate for Valbruna/Bolzano was revised from 1.28 to 0.65 percent *ad valorem*, which is *de minimis*.

On December 1, 2004, the CIT received comments from petitioners and respondents. On December 21, 2004, the Department responded to these comments.

On March 9, 2005, the CIT affirmed the Department's findings in the *Remand Results*. Specifically, the CIT upheld the Department's finding on remand that the rent abatement did not constitute a countervailable subsidy and the Department's treatment of Law 25/81. *AL Tech II*, Slip Op. 05–30 (CIT March 9, 2005).

Suspension of Liquidation

The CAFC, in *Timken*, held that the Department must publish notice of a decision of the CIT or the CAFC which is not ''in harmony'' with the Department's final determination or results. Publication of this notice fulfills that obligation. The CAFC also held that the Department must suspend liquidation of the subject merchandise until there is a ''conclusive'' decision in the case. Therefore, pursuant to *Timken*, the Department must continue to suspend liquidation pending the expiration of the period to appeal the CIT's March 9, 2005, decision or, if that decision is appealed, pending a final decision by the CAFC. The Department will instruct CBP to revise cash deposit rates, as appropriate, and to liquidate relevant entries covering the subject merchandise effective March 29, 2005, in the event that the CIT's ruling is not appealed, or if appealed and upheld by the CAFC.

Dated: March 21, 2005.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. E5–1386 Filed 3–28–05; 8:45 am]

BILLING CODE: 3510–DS–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 032405C]

New England Fishery Management Council; Public Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Habitat Advisory Panel in April 2005. Recommendations from the panel will be brought to the full Council for formal consideration and action, if appropriate.

DATES: The meeting will held on Wednesday, April 13, 2005, from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will be held at the Coastal Institute University of Rhode Island-Bay Campus, 218 South Ferry Road, Narragansett, RI 02882.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council (978) 465–0492. Requests for special accommodations should be addressed to the New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION: The advisory panel will continue work on developing detailed descriptions of the gears used in fisheries of the Northeastern United States as requested by the Habitat Committee. If time allows they will review Habitat Area of Particular Concern (HAPC) proposals and prepare advice for the committee and develop Dedicated Habitat Research Areas (DHRA) sites based on the Habitat Committee's request.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least five days prior to the meeting dates.

Dated: March 24, 2005.

Peter H. Fricke,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 05–6189 Filed 3–28–05; 8:45 am]

BILLING CODE 3510–22–S