

figure. For a more detailed explanation, see Jiangxi Gangyuan Verification Report; see also Memorandum to the File from Scot T. Fullerton, Senior International Trade Compliance Analyst, through Christopher D. Riker, Program Manager, AD/CVD Operations, Office 9, regarding, Silicon Metal From the People's Republic of China - Analysis Memorandum for the Preliminary Results of New Shipper Review Jiangxi Gangyuan Industry Silicon Co., Ltd. Calculation Memorandum (May 11, 2007).

Finally, we also note that Shanghai Jinneng erred in reporting its silica fume bags, and labor consumption. Therefore, for purposes of these preliminary results, we are amending the calculated consumption of both the silica fume bags and labor calculation. For a more detailed explanation, see Datong Jinneng Verification Report; see also Memorandum to the File from Michael Quigley, International Trade Compliance Analyst, through Christopher D. Riker, Program Manager, AD/CVD Operations, Office 9, regarding, Silicon Metal From the People's Republic of China - Analysis Memorandum for the Preliminary Results of New Shipper Review Shanghai Jinneng International Trade Co., Ltd. Calculation Memorandum (May 11, 2007).

Currency Conversions

We made currency conversions using exchange rates obtained from the website of Import Administration at <http://ia.ita.doc.gov/exchange/index.html>.

Preliminary Results of Reviews

We preliminarily determine that the following margins exist for Shanghai Jinneng and Jiangxi Gangyuan during the period June 1, 2005, through May 31, 2006:

SILICON METAL FROM THE PRC

Company	Weighted-Average Margin (Percent)
Shanghai Jinneng International Trade Co., Ltd.	80.74
Jiangxi Gangyuan Silicon Industry Co., Ltd.	124.79

We will disclose the calculations used in our analysis to parties to these proceedings within five days of the date of publication of this notice.

Case briefs from interested parties may be submitted not later than 30 days of the date of publication of this notice, pursuant to 19 CFR 351.309(c). Rebuttal briefs, limited to issues raised in the

case briefs, will be due five days later, pursuant to 19 CFR 351.309(d). Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. Parties are also encouraged to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited.

Any interested party may request a hearing within 30 days of publication of this notice. Interested parties who wish to request a hearing or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. See 19 CFR 351.310(c). Issues raised in the hearing will be limited to those raised in the briefs.

The Department will issue the final results of these reviews, including the results of its analysis of issues raised in any such written briefs or at the hearing, if held, not later than 120 days after the date of publication of this notice.

Assessment Rates

Pursuant to 19 CFR 351.212(b), the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of these new shipper reviews. For assessment purposes, where possible, we calculated importer-specific assessment rates for silicon metal from the PRC via \ duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by these new shipper reviews if any assessment rate calculated in the final results of this review is above *de minimis*. The final results of these new shipper reviews shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of these reviews and for future deposits of estimated duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of these reviews for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or

after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) For the manufacturers/exporters listed above, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, no cash deposit will be required); (2) for subject merchandise exported by Shanghai Jinneng or Jiangxi Gangyuan, but not manufactured by Datong Jinneng or Jiangxi Gangyuan, respectively, the cash deposit rate will continue to be the PRC-wide rate (*i.e.*, 139.49 percent); and (3) for subject merchandise produced by Jiangxi Gangyuan or Datong Jinneng but not exported by Jiangxi Gangyuan or Shanghai Jinneng, respectively, the cash deposit rate will be the rate applicable to the exporter. These cash deposit requirements, when imposed, should remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary 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. 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.

These new shipper reviews and notice are in accordance with sections 751(a)(1), 751(a)(2)(B), and 777(i) of the Act and 19 CFR 351.213 and 351.214.

Dated: May 11, 2007.

David M. Spooner,
Assistant Secretary for Import
Administration.

[FR Doc. E7-9703 Filed 5-18-07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free Trade Agreement (NAFTA), Article 1904; Binational Panel Reviews: Notice of Termination of Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: On April 18, 2007, a Notice of Motion to Terminate the Panel Review of the Final Determination of the Antidumping Investigation on Imports of Fresh Apples, merchandise classified in tariff item 08.08.10.01 from the United States of America, independent

of the country of origin was filed on behalf of Domex Marketing, Inc., L&M Companies Inc., Nuchief Sales, Inc., Oneonata Trading Corporation, PAC Marketing International, LLC., Rainier Fruit Company and Sage Marketing LLC., “(las Reclamantes)”. Union Agrícola Regional de Fruticultores del Estado de Chihuahua A.C., filed a notice of motion requesting termination in support of Domex and the others regarding Secretariat File No. MEX-USA-2003-1904-02.

SUMMARY: Pursuant to the Notice of Motion to Terminate the Panel Review and support of that motion, the panel review is terminated as of May 3, 2007. A panel has not been appointed to this panel review. Pursuant to Rule 71(2) of the *Rules of Procedure for Article 1904 Binational Panel Review*, this panel review is terminated.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement (“Agreement”) establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* (“Rules”). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter was requested and terminated pursuant to these Rules.

Dated: May 15, 2007.

Caratina L. Alston,
United States Secretary, NAFTA Secretariat.
[FR Doc. E7-9662 Filed 5-18-07; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041307C]

Endangered and Threatened Species; Recovery Plans

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

ACTION: Notice of availability; request for comments.

SUMMARY: NMFS announces the availability of the Draft Revised Recovery Plan (Draft Revised Plan), dated May 2007, for the western and eastern distinct population segments (DPS) of Steller sea lion (*Eumetopias jubatus*). NMFS is soliciting review and comment on the Draft Revised Plan from all interested parties. Due to continued and substantial public interest in the recovery plan to-date, NMFS is releasing an updated version of the Draft Revised Plan for additional review and written comments.

DATES: Comments on the Draft Revised Plan must be received by close of business on August 20, 2007.

ADDRESSES: Send comments to Kaja Brix, Assistant Regional Administrator, Protected Resources Division, Alaska Region, NMFS, Attn: Ellen Walsh. Comments may be submitted by:

- E-mail: SSLRP@noaa.gov. Include in the subject line the following document identifier: Sea Lion Recovery Plan. E-mail comments, with or without attachments, are limited to 5 megabytes.

- Mail: P.O. Box 21668, Juneau, AK 99802.

- Hand delivery to the Federal Building: 709 West 9th Street, Juneau, AK.

- Fax: (907) 586 7012.

Interested persons may obtain the Draft Revised Plan for review from the above address or online from the NMFS Alaska Region website: <http://www.fakr.noaa.gov/>.

FOR FURTHER INFORMATION CONTACT: Kaja Brix, (907 586 7235), e-mail kaja.brix@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

Recovery plans are guidance documents that describe the actions considered necessary for the conservation and recovery of species listed under the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Development and implementation of a recovery plan helps

to ensure that recovery efforts utilize limited resources effectively and efficiently. The ESA requires the development of recovery plans for listed species, unless such a plan would not promote the recovery of a particular species. The ESA requires that recovery plans incorporate the following: (1) Objective, measurable criteria that, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time and costs required to implement recovery actions. NMFS will consider all substantive comments and information presented during the public comment period prior to finalizing the Steller Sea Lion Recovery Plan.

NMFS' goal is to restore endangered and threatened Steller sea lion (*Eumetopias jubatus*) populations to levels at which they are secure, self-sustaining components of their ecosystems and no longer require the protections of the ESA. The Steller sea lion was listed as a threatened species under the ESA on April 5, 1990 (55 FR 12645), due to substantial declines in the western portion of the range. Critical habitat was designated on August 27, 1993 (58 FR 45269), based on the locations of terrestrial rookeries and haulouts, the spatial extent of foraging trips, and availability of prey. In 1997, Steller sea lions were reclassified as two DPSs under the ESA, a western DPS and an eastern DPS, based on demographic and genetic dissimilarities (62 FR 24345, 62 FR 30772). Due to a persistent population decline, the western DPS was reclassified as endangered at that time. The increasing eastern DPS remained classified as threatened. Through the 1990s, the western DPS continued to decline. Then between 2000 and 2004, the western population showed a growth rate of approximately three percent per year — the first recorded increase in the population since the 1970s. Based on recent counts, the western DPS is currently about 44,800 animals. The eastern DPS is currently between 45,000 and 51,000 animals and has been increasing at a rate of approximately three percent per year for 30 years.

The first Steller sea lion recovery plan was completed in December 1992 and encompassed the entire range of the species. However, the recovery plan became obsolete after the split into two DPSs in 1997. By that time, nearly all of the recovery actions recommended in the original plan were completed. In 2001, NMFS assembled a new recovery team to update the plan. The team was