

any entries of subject merchandise during this period of review (POR). Consequently, in accordance with 19 CFR 351.213(d)(3) and consistent with our practice, we are rescinding this administrative review. For further discussion, see the "Rescission of Review" section of this notice, below. See also *Comment 1* of the "Issues and Decision Memorandum" (Decision Memo) from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated December 5, 2005.

### Scope of the Order

The product covered by this order is certain stainless steel plate in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject plate products are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness, in coils, and annealed or otherwise heat treated and pickled or otherwise descaled. The subject plate may also be further processed (e.g., cold-rolled, polished, etc.), provided that it maintains the specified dimensions of plate following such processing. Excluded from the scope of this order are the following: (1) plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled, (3) sheet and strip, and (4) flat bars.

The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7219110030, 7219110060, 7219120006, 7219120021, 7219120026, 7219120051, 7219120056, 7219120066, 7219120071, 7219120081, 7219310010, 7219900010, 7219900020, 7219900025, 7219900060, 7219900080, 7220110000, 7220201010, 7220201015, 7220201060, 7220201080, 7220206005, 7220206010, 7220206015, 7220206060, 7220206080, 7220900010, 7220900015, 7220900060, and 7220900080. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this order is dispositive.

### Period of Review

The POR is May 1, 2003, through April 30, 2004.

### Rescission of Review

As noted above, none of the companies listed in this review had any shipments and/or entries of subject merchandise into the United States

during the POR. We confirmed this with Customs and Border Protections (CBP) data. Therefore, in accordance with 19 CFR 351.213(d)(3) and consistent with the Department's practice, we are rescinding our review of the antidumping duty order on stainless steel plate in coils from Taiwan for the period of May 1, 2003, through April 30, 2004. See, e.g., *Certain Steel Concrete Reinforcing Bars From Turkey; Final Results, Rescission of Antidumping Duty Administrative Review in Part, and Determination To Revoke in Part*, 70 FR 67665, 67666 (Nov. 8, 2005).

We note that in *Brake Rotors From the People's Republic of China: Final Results and Partial Rescission of the Seventh Administrative Review; Final Results of the Eleventh New Shipper Review*, 70 FR 69937 (Nov. 18, 2005) (*Brake Rotors from the PRC*) and accompanying Issues and Decision Memorandum at *Comment 8*, the Department recently stated that it will not rely on CBP data as a "dispositive source of data on company exports. Accordingly, it is the responsibility of the respondent to report to the Department that it has not made any U.S. shipments." Because the Department previously relied on CBP data in this proceeding to demonstrate that the respondents made no U.S. shipments of subject merchandise during the POR, we will continue to do so for this final rescission. In future segments of this proceeding, however, the Department will apply the practice set forth in *Brake Rotors from the PRC*.

### Analysis of Comments Received

All issues raised in the case briefs by parties to this administrative review and to which we have responded are listed in the Appendix to this notice and addressed in the Decision Memo, which is adopted by this notice. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit, room B-099, of the main Department building.

In addition, a complete version of the Decision Memo can be accessed directly on the Department's website at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memo are identical in content.

This notice also serves as the only 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 351.305(a)(3). Timely notification of return/destruction of APO materials or conversion to judicial

protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: December 5, 2005.

**Joseph A. Spetrini,**  
Acting Assistant Secretary for Import Administration.

### Appendix – Issues in Decision Memorandum

#### Comment

#### 1. Entries by Affiliated Parties

[FR Doc. 05–23877 Filed 12–8–05; 8:45 am]

**BILLING CODE 3510–DS–S**

## DEPARTMENT OF COMMERCE

### National Oceanic And Atmospheric Administration

[Docket No. 050317077–5319–02]

### Environmental Literacy Grants

**AGENCY:** Office of Education (OEd), Office of the Undersecretary of Commerce for Oceans and Atmosphere (USEC), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice and request for proposals.

**SUMMARY:** The NOAA Office of Education (OEd) is issuing a request for applications for environmental literacy projects. Projects selected for funding will have a duration between one and five years and will (1) further the use and incorporation of the Ocean Literacy Essential Principles and Fundamental Concepts in formal and informal education and/or measure ocean literacy among the public; or (2) strengthen the capacity to develop a workforce knowledgeable in weather and climate. All projects shall employ the strategies articulated in the NOAA Education Plan and involve NOAA entities as partners. It is anticipated that final recommendations for funding under this announcement will be made by June 30, 2006, and that projects funded under this announcement will have a start date no earlier than September 1, 2006.

**DATES:** Letters of Interest are required for all applications and must be received by 5 p.m., e.s.t., January 25, 2006. The deadline for full applications is 5 p.m., e.s.t. on March 1, 2006.

**ADDRESSES:** Letters of Interest should be submitted to Sarah Schoedinger at [sarah.schoedinger@noaa.gov](mailto:sarah.schoedinger@noaa.gov). If an

applicant does not have Internet access, a hard copy of the letter of interest may be mailed to Sarah Schoedinger, DOC/NOAA, Office of Education, 1401 Constitution Avenue, NW., Room 6863, Washington, DC 20230. Please note: Hard copies submitted via the U.S. Postal Service can take up to 4 weeks to reach this office; applicants are recommended to send hard copies via expedited shipping methods (e.g., Airborne Express, DHL, Fed Ex, UPS).

Full applications should be submitted through Grants.gov APPLY (<http://www.grants.gov>). If an applicant does not have Internet access, one hard copy should be sent to Sarah Schoedinger, DOC/NOAA, Office of Education, 1401 Constitution Avenue, NW., Room 6863, Washington, DC 20230. If submitting a hard copy, applicants are requested to provide a CD—ROM of the application, including scanned signed forms or forms with electronic signatures. This announcement will also be available at: [http://www.oesd.noaa.gov/funding\\_opps.html](http://www.oesd.noaa.gov/funding_opps.html) or by contacting the program official identified in **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Sarah Schoedinger at [sarah.schoedinger@noaa.gov](mailto:sarah.schoedinger@noaa.gov), telephone 202-482-2893.

**SUPPLEMENTARY INFORMATION:** The NOAA Office of Education (OEd) is issuing a request for applications for environmental literacy projects. Projects selected for funding will have a duration between one and five years and will (1) further the use and incorporation of the Ocean Literacy Essential Principles and Fundamental Concepts ([http://www.coexploration.org/oceanliteracy/documents/OceanLitConcepts\\_10.11.05.pdf](http://www.coexploration.org/oceanliteracy/documents/OceanLitConcepts_10.11.05.pdf)) in formal and informal education and/or measure ocean literacy among the public; or (2) strengthen the capacity to develop a workforce knowledgeable in weather and climate. All projects shall employ the strategies articulated in the NOAA Education Plan ([http://www.oesd.noaa.gov/NOAA\\_Ed\\_Plan.pdf](http://www.oesd.noaa.gov/NOAA_Ed_Plan.pdf)) and involve NOAA entities as partners. It is anticipated that final recommendations for funding under this announcement will be made by June 30, 2006, and that projects funded under this announcement will have a start date no earlier than September 1, 2006. A detailed description for each program priority is in the full funding opportunity announcement that can be accessed via the Grants.gov Web site, the NOAA Web site at [http://www.oesd.noaa.gov/funding\\_opps.html](http://www.oesd.noaa.gov/funding_opps.html), or by contacting the

program official identified in **FOR FURTHER INFORMATION CONTACT**.

#### Electronic Access

The full text of the full funding opportunity announcement for this OED program can be accessed via the Grants.gov FIND Web site. That announcement will also be available at the NOAA Web site: [http://www.oesd.noaa.gov/funding\\_opps.html](http://www.oesd.noaa.gov/funding_opps.html) or by contacting the program officials identified under **FOR FURTHER INFORMATION CONTACT**. Applicants must comply with all requirements contained in the full funding opportunity announcement. This **Federal Register** notice is available through the NOAA Home page at: <http://www.noaa.gov/>.

**Statutory Authority:** 15 U.S.C. 1540; P.L. 109-108, Department of Commerce and Related Agencies Appropriations Act, 2006.

**CFDA:** 11.469, Congressionally Identified Awards and Projects

#### Funding Availability

NOAA announces the availability of approximately \$3,000,000 of Federal financial assistance in FY 2006 for Environmental Literacy projects. Approximately 5 to 10 awards in the form of grants or cooperative agreements will be made. NOAA will only consider projects that have a duration between 1 to 5 years. The total Federal amount for all years that may be requested from NOAA for the direct and indirect costs of the proposed project shall not exceed \$600,000. The minimum Federal amount that must be requested from NOAA for all years for the direct and indirect costs is \$100,000. Applications requesting Federal support from NOAA of less than \$100,000 total or more than \$600,000 total will not be considered for funding.

Publication of this notice does not oblige DOC/NOAA to award any specific project or to obligate any available funds. If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA Grants Officer, the applicant would do so solely at one's own risk of such costs not being included under the award.

#### Eligibility

Eligible applicants are accredited institutions of higher education, other nonprofits, commercial organizations, and state, local and Indian tribal governments. Federal agencies are not eligible to receive Federal assistance under this announcement, but may be project partners. Among those eligible applicants are K through 12 public and independent schools and school

systems, and science centers and museums. The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to increasing the participation of Minority Serving Institutions (MSIs), i.e., Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal colleges and universities, Alaskan Native and Native Hawaiian institutions, and institutions that work in underserved communities. Applications are encouraged that involve any of the above institutions.

#### Cost Sharing Requirements

There are no cost-sharing requirements.

#### Evaluation and Selection Procedures

NOAA published its agency-wide solicitation entitled "Omnibus Notice Announcing the Availability of Grant Funds for Fiscal Year 2005" for projects for Fiscal Year 2005 in the **Federal Register** on June 30, 2004 (69 FR 39417). The evaluation criteria and selection procedures for projects contained in that omnibus notice are applicable to this solicitation. Copies of the notice are available on the Internet at: <http://www.ago.noaa.gov/grants/funding.shtml>. Further details on evaluation and selection criteria can be found in the full funding opportunity announcement.

#### Intergovernmental Review

Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

#### Limitation of Liability

In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

#### National Environmental Policy Act (NEPA)

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA Web site: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, <http://www.nepa.noaa.gov/>

NAO216\_6\_TOC.pdf, and the Council on Environmental Quality implementation regulations, [http://ceq.eh.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm). Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

#### **The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements**

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of December 30, 2004 (69 FR 78389), are applicable to this solicitation.

#### **Paperwork Reduction Act**

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, and SF-LLL and CD-346 has been approved by the Office of Management and Budget (OMB) under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001.

Notwithstanding any other provision of law, no person is required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of

information displays a currently valid OMB control number.

#### **Executive Order 12866**

This notice has been determined to be not significant for purposes of Executive Order 12866.

#### **Executive Order 13132 (Federalism)**

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### **Administrative Procedure Act/Regulatory Flexibility Act**

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements for the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: December 5, 2005.

**Helen Hurcombe,**

*Director, NOAA Acquisitions and Grants, U.S. Department of Commerce.*

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**BILLING CODE 3510-KC-P**

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### **CONSUMER PRODUCT SAFETY COMMISSION**

[CPSC Docket No. 06-C0001]

#### **SMC Marketing Corp., a Corporation, Provisional Acceptance of a Settlement Agreement and Order**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20(e). Published below is a provisionally-accepted Settlement Agreement with SMC Marketing Corp., a corporation, containing a civil penalty of \$500,000.00.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by December 27, 2005.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 06-C0001, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:** Howard N. Tarnoff, Trial Attorney, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-7589.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: December 6, 2005.

**Todd A. Stevenson,**  
*Secretary.*

#### **Settlement Agreement and Order**

1. This Settlement Agreement is made by and between the staff (the "staff") of the U.S. Consumer Product Safety Commission (the "Commission") and SMC Marketing Corp. ("SMC"), a corporation, in accordance with 16 CFR 1118.20 of the Commission's procedures for Investigations, Inspections, and Inquiries under the Consumer Product Safety Act ("CPSA"). This Settlement Agreement and the incorporated attached Order settle the staff's allegations set forth below.

#### **The Parties**

2. The Commission is an independent federal regulatory agency responsible for the enforcement of the Consumer Product Safety Act, 15 U.S.C. 2051-2084.

3. SMC is a corporation organized and existing under the laws of the State of Texas with its principal corporate office located in Grand Prairie, Texas. At all times relevant herein, SMC imported, sold, and marketed oscillating floor fans, ceiling fans, vacuum cleaners, and DVD players, among other consumer products. SMC is a wholly-owned subsidiary of Shell Electric Mfg. (Holdings) Co. Ltd. ("Shell Electric Holdings"), a foreign corporation.

#### **Staff Allegations**

4. From April 1998 through April 2001, SMC imported into the United States and sold approximately 2,342 Model SR-18 Fans. From January 1997 through October 2001, Shell Electric Mfg. (China) Co. Ltd., a foreign corporation and also a wholly-owned subsidiary of Shell Electric Holdings, exported to the United States approximately 2.2 million 18-inch pedestal oscillating floor fans with model numbers SR-18 and SP-18 bearing the SMC label ("the Fans").