

7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.11.00.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTS subheadings are provided for convenience and BCBP purposes, the written description of the merchandise under investigation is dispositive.

Period of Review

The POR is May 1, 2001 through April 30, 2002.

Preliminary Rescission of Review in Part

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, in whole or with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, there were no entries, exports, or sales of the subject merchandise. Both Ta Chen and YUSCO certified on the record that they did not export subject merchandise to the United States during the POR. The Department then conducted a BCBP inquiry and pursued additional questions following the BCBP inquiry pertaining to Ta Chen and YUSCO. In response to our requests, BCBP supplied further information to the Department. For Ta Chen, all the documentation provided to the Department by BCBP indicates that there were no shipments of subject merchandise during the POR. *See* Memorandum to the File dated February 25, 2003.

Petitioners allege Ta Chen was affiliated with other Taiwanese companies during the POR. *See* Petitioners submission to the Department, dated April 4, 2003. Absent entries of subject merchandise produced and exported to the United States by Ta Chen during the POR, however, the Department has preliminarily determined to rescind this administrative review. *See* Memorandum to the File on February 25, 2003. The parties being reviewed in this case are Ta Chen and YUSCO, *not* the other parties which have been alleged to be affiliated with Ta Chen and YUSCO. Neither the Petitioners nor any other party requested an administrative review of Ta Chen's alleged affiliates. As it is, Ta Chen has been found preliminarily to have exported no subject merchandise to the United States during the POR. Therefore, absent entries, there is no reason for the

Department to conduct an affiliation analysis. If the Petitioners believe other parties potentially affiliated with Ta Chen and YUSCO are exporting subject merchandise to the United States, then a review in subsequent periods of reviews for those companies should be requested. However, for purposes of *this* administrative review, the Department preliminarily finds that Ta Chen had no entries of subject merchandise in the United States during the POR. *See* 19 CFR 351.213(b) providing that the domestic industry must specify the exporter or producer it wishes the Department to review in its request for an administrative review.

For YUSCO, the Department found a discrepancy in the BCBP database and contacted BCBP on this matter. BCBP agreed that a discrepancy existed and resolved it. *See* BCBP letter to Edward Yang from Alfred Morawski, placed on the record of this proceeding on March 20, 2003. As a result of BCBP's efforts, the BCBP's database now confirms that YUSCO had no shipments of subject merchandise to the United States during the POR.

Petitioners provided affiliation arguments for YUSCO as well, but again, absent entries to the United States by YUSCO during the POR, the Department has preliminarily determined to rescind this administrative review. Petitioners did not request a review of the alleged affiliated parties. Had they made such an allegation, we would have conducted a review accordingly. The record indicates YUSCO had no entries to the United States of subject merchandise during the POR. Thus, the Department has preliminarily determined to rescind this administrative review. *See* 19 CFR 351.213(b).

As discussed above, in this case the Department is satisfied, after a review of information on the record, certification from YUSCO and Ta Chen of no exports to the United States during the POR, the inquiry on data from BCBP, and further communications with BCBP, that there were no entries of stainless steel plate in coils produced or exported from Ta Chen or YUSCO during the POR to the United States. Therefore, the Department is preliminarily rescinding this administrative review. The cash deposit rate for YUSCO will remain at 8.02 percent, for Ta Chen the cash deposit rate will remain at 10.20 percent, and for "all other" producers/exporters of the subject merchandise the cash deposit rate will remain at 7.39 percent, the rates established in the most recently completed segment of this proceeding. *See Notice of Final Results and Rescission in Part of Antidumping*

Duty Administrative Review: Stainless Steel Plate in Coils From Taiwan, 67 FR 40914 (June 14, 2002).

Pursuant to 19 CFR 351.309, interested parties may submit written comments in response to this preliminary rescission. Case briefs must be submitted within 30 days after the date of publication of this notice and rebuttal briefs, limited to arguments raised in the case briefs, must be submitted no later than 7 days after the time limit for filing case briefs. Case and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f).

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

Dated: May 27, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 052303E]

Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan (ALWTRP)

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

ACTION: Notice.

SUMMARY: The Assistant Administrator for Fisheries (AA), NOAA, announces that lobster trap/pot and anchored gillnet fishermen are requested to remove on a voluntary basis their gear from an area totaling approximately 925 square nautical miles (nm²) (1,714 km²), northeast of Cape Cod, MA, for 15 days. These fishermen are also asked not to set additional gear during this period. The purpose of this action is to provide protection to an aggregation of North Atlantic right whales (right whales).

DATES: Effective beginning at 0001 hours May 29, 2003, through 2400 hours June 13, 2003.

ADDRESSES: Copies of the proposed and final Dynamic Area Management rules, Environmental Assessment (EA), Atlantic Large Whale Take Reduction Team (ALWTRT) meeting summaries, and progress reports on implementation