

adequately explained why a profit cap was not available and, even assuming a profit cap could not be applied, the Department had not adequately explained why the profit methodology it selected was reasonable. *Id.* at 678–9.

On October 5, 2001, the Department submitted its *Final Results of Redetermination Pursuant to Court Remand* (“*Redetermination I*”) in response to the Court’s remand order in *Geum Poong I*. In that redetermination, the Department stated its view that as a matter of law none of the profit information on the record of this proceeding could be used as a profit cap because all of the profit rates under consideration included, or likely included, profits on non-Korean sales. The Department further provided an explanation of its decision to reject certain profit data and to combine other profit rates to calculate the CV profit rate for Geum Poong.

In *Geum Poong Corporation and Sam Young Synthetics Co., Ltd. v. United States v. E. I. Dupont De Nemours, Inc., et. al.*, Slip Op 02–26 (March 8, 2002) (“*Geum Poong II*”), the Court remanded again the issue of Geum Poong’s CV profit.

We released the *Draft Redetermination Pursuant to Court Remand* (“*Draft Results*”) to interested parties on April 16, 2002. Comments on the *Draft Results* were received from the petitioners, Geum Poong and Sam Young on April 23, 2002. On April 30, 2002, the Department responded to the Court’s Order of Remand by filing its *Final Results of Redetermination Pursuant to Court Remand* (“*Final Results of Redetermination*”).

In the *Final Results of Redetermination*, we calculated a “facts available profit cap” using the financial statements of Saehan and SK Chemical. As per the Court’s express instructions, we used this “facts available profit cap” as the CV profit rate for Geum Poong.

The CIT affirmed the Department’s *Final Results of Redetermination* on August 22, 2002. See *Geum Poong Corporation and Sam Young Synthetics Co., Ltd. v. United States v. E.I. Dupont De Nemours, Inc.*, Court No. 00–06–00298, Slip. Op. 02–95 (CIT 2002). The Department appealed this decision. On October 9, 2003, the CIT’s decision was affirmed by the United States Court of Appeals for the Federal Circuit. See *Geum Poong Corp. and Sam Young Synthetics Co. V. United States, et. al.*, Court No. 03–1056, 1057, 2003 U.S. App. LEXIS 21438 (Fed. Cir. 2003) (Nonprecedential). On September 30, 2002, the Department published *Certain Polyester Staple Fiber from the Republic of Korea: Notice of Court Decision and*

*Suspension of Liquidation* (“*Timken Notice*”). See 67 FR at 61316. No party appealed the Federal Circuit opinion. Accordingly, we are now publishing the *Amended Final Determination* as provided in the *Timken Notice*.

#### Amendment to the Final Determination

Because there is now a final and conclusive decision in the court proceeding, effective as of the publication date of this notice, we are amending the *Final Determination* and establishing the following revised weighted-average dumping margins:

Exporter/manufacture	Weighted-average margin percentage
Geum Poong Corporation Ltd. ....	0.12 (de minimis)
All-Others .....	7.91

The antidumping duty rates for respondents Sam Young and Samyang were unchanged from the *Final Determination*. The Department will issue appraisal instructions directly to U.S. Customs and Border Protection (“CBP”). The Department will instruct CBP to revise cash deposit rates for all parties subject to the All-Others rate, effective as of the publication of this notice. Furthermore, we will instruct CBP to liquidate entries from Geum Poong, which have been suspended pursuant to the antidumping duty order. In accordance with the Court’s decision, Geum Poong is now excluded from the antidumping duty order and its entries should be liquidated without regard to antidumping duties.

This notice is issued and published in accordance with section 751(a)(1) of the Act.

Dated: December 17, 2003.

**James J. Jochum,**

*Assistant Secretary for for Import Administration.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### Evaluation of Coastal Zone Management Programs and National Estuarine Research Reserves

**AGENCY:** Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), DOC.

**ACTION:** Notice of intent to evaluate and notice of availability of final evaluation findings.

**SUMMARY:** The NOAA Office of Ocean and Coastal Resource Management (OCRM) announces its intent to evaluate the performance of the Texas Coastal Management Program; the North Carolina National Estuarine Research Reserve; the Grand Bay National Estuarine Research Reserve, Mississippi; and the Guana/Tolomato/Matanzas National Estuarine Research Reserve, Florida.

The Coastal Zone Management Program evaluation will be conducted pursuant to section 312 of the Coastal Zone Management Act of 1972 (CZMA), as amended, and regulations at 15 CFR part 923, subpart L. The National Estuarine Research Reserve evaluations will be conducted pursuant to sections 312 and 315 of the CZMA and regulations at 15 CFR part 921, subpart E and part 923, subpart L.

The CZMA requires continuing review of the performance of states with respect to coastal program implementation. Evaluation of Coastal Zone Management Programs and National Estuarine Research Reserves requires findings concerning the extent to which a state has met the national objectives, adhered to its Coastal Management Program document or Reserve final management plan approved by the Secretary of Commerce, and adhered to the terms of financial assistance awards funded under the CZMA.

The evaluations will include a site visit, consideration of public comments, and consultations with interested Federal, state and local agencies and members of the public. Public meetings will be held as part of the site visits.

Notice is hereby given of the dates of the site visits for the listed evaluations, and the dates, local times, and locations of the public meetings during the site visits.

The Guana/Tolomato/Matanzas National Estuarine Research Reserve, Florida, evaluation site visit will be held February 9–12, 2004. One public meeting will be held during the week. The public meeting will be on Monday, February 9, 2004, at 6 p.m., at the Reserve’s offices at 9741 Ocean Shore Boulevard, Marineland, Florida.

The Texas Coastal Management Program evaluation site visit will be held March 22–26, 2004. One public meeting will be held during the week. The public meeting will be on Thursday, March, 25, 2004, at 1 p.m., at the Carlos F. Truan Natural Resources Center, Conference Room 1003, Texas