

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

#### Description of Amended Certificate

Export Trade Certificate of Review No. 88-00013 was issued to CISA ETG on October 19, 1988 (53 FR 43253, October 26, 1988) and previously amended on May 31, 1990 (55 FR 23123, June 6, 1990); and December 16, 1991 (57 FR 883, January 9, 1992).

CISA ETG's Export Trade Certificate of Review has been amended. The only change in the CISA ETG Certificate was in its membership. The members of the CISA ETG Certificate are as follows:

- (a) Ajax Magnethermic Corporation of Warren, OH;
- (b) Allied Minerals Products, Inc. of Columbus, OH;
- (c) American Colloid Company of Arlington Heights, IL;
- (d) Ashland Chemical Company of Columbus, OH, and its controlling entity Ashland Oil, Inc. of Ashland, KY;
- (e) Borden Chemical, Inc. for the activities of its Foundry and Industrial Products Divisions of Westchester, IL;
- (f) Centrifugal Casting Machine Company, Inc. of Tulsa, OK;
- (g) Delta Resins & Refractories, Inc. of Milwaukee, WI;
- (h) Didion Manufacturing Company of St. Peters, MO;
- (i) Eirich Machines, Inc. of Gurnee, IL;
- (j) Equipment Merchants Int'l, Inc. of Cleveland, OH;
- (k) Fargo Wear, Inc. of Detroit, MI;
- (l) General Kinematics Corporation of Barrington, IL;
- (m) George Fischer Disa, Inc. of Holly, MI;
- (n) Hartley Controls Corporation of Neenah, WI, and its controlling entity the Neenah Corporation of Neenah, WI;
- (o) Hickman, Williams & Company of Livonia, MI;
- (p) Hunter Automated Machinery Corporation of Schaumburg, IL;
- (q) Palmer Manufacturing Company of Springfield, OH;
- (r) Roberts Sinto Corporation of Lansing, MI;
- (s) Sand Mold Systems, Inc. of Newaygo, MI;
- (t) Simpson Technologies Corp. of Aurora, IL;

(u) Superior Graphite Company of Chicago, IL;

(v) Thermtronix Corporation of Adelanto, CA;

(w) Vulcan Engineering Company of Helena, AL; and

(x) U.S. Filter/Wheelabrator Corp. of LaGrange, GA;

A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: October 16, 1997.

**Morton Schnabel,**

*Acting Director, Office of Export Trading Company Affairs.*

[FR Doc. 97-27925 Filed 10-21-97; 8:45 am]

BILLING CODE 3510-DR-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews

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

**ACTION:** Notice of Binational Panel decision.

**SUMMARY:** On September 15, 1997 the Binational Panel issued its second decision in the review of the final antidumping duty administrative review made by the Secretaria de Comercio y Fomento Industrial de Mexico (SECOFI) respecting Flat Coated Sheet Products from the United States, Secretariat File No. MEX-94-1904-01. The Binational Panel unanimously affirmed in part and remanded in part the agency's remand determination. A copy of the complete Panel decision in Spanish or English is available from the NAFTA Secretariat.

#### FOR FURTHER INFORMATION CONTACT:

James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 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 Binational Panel review in this matter was conducted in accordance with these Rules.

**BACKGROUND:** On September 1, 1994 Inland Steel Company and USX Corporation filed a First Request for Panel Review with the Mexican Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final antidumping determination that was published in the *Diario Oficial* on August 2, 1994. Complaints were filed by Inland, USX, Bethlehem Steel Corporation, LTV Steel Company, New Process Steel Corporation and Industrias Monterrey, S.A. de C.V. (IMSA). Briefs were filed by all participants and oral argument was held in accordance with the Rules.

#### First Panel Decision

In its first decision, issued on September 27, 1996, the Binational Panel unanimously affirmed in part and remanded in part the final determination. In its Order the panel affirmed all aspects of the final determination except for several specific instructions to SECOFI to take further actions. The Panel Order then enumerated specific actions involving competence and formality requirements, dumping issues, and injury issues. The Panel directed SECOFI, on remand, to comply with the specific instructions within 120 days of the date of the Decision.

#### Second Panel Decision

On April 30, 1997, SECOFI filed its determination on remand. Challenges were timely filed by two interested parties, New Process Steel Corp. and Inland Steel. New Process challenged certain dumping findings and Inland sought to have its dumping margin conformed to any recalculation of New Process's dumping margin. After review of all relevant information and written arguments made by counsel for the participants, the Panel issued its second decision on September 15, 1997. The Panel remanded the determination on remand to SECOFI to do the following:

(1) Fully inform New Process of all missing information and of all needed clarifications regarding proposed calculations of hand labor cost, overhead expense, profit and credit expenses for New Process, and regarding product exclusions for New Process;

(2) Give New Process an opportunity to provide additional information and to make clarifications regarding proposed calculations of hand labor cost, overhead expense, profit and credit expense, and regarding product exclusions;

(3) Based on the above, make new dumping calculations for New Process and for Inland.

The panel affirmed SECOFI's Remand Results of April 30, 1997, with respect to the allocation of raw material costs of New Process and in all other respects not addressed above. The Panel ordered the second remand determination to be completed within 120 days of the date of the opinion (by not later than January 13, 1998).

Dated: October 14, 1997.

**James R. Holbein,**

*United States Secretary, NAFTA Secretariat.*  
[FR Doc. 97-27721 Filed 10-21-97; 8:45 am]

BILLING CODE 3510-GT-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review

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

**ACTION:** Notice of First Request for Panel Review.

**SUMMARY:** On September 29, 1997 Electroquímica Mexicana S.A. de C.V. filed a First Request for Panel Review with the Mexican Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final countervailing determination made by the Secretaria de Comercio y Fomento Industrial, respecting Hydrogen Peroxide Originating in the United States of America. This determination was published in the *Diario Oficial de la Federación* on September 2, 1997. The NAFTA Secretariat has assigned Case Number MEX-97-1904-01 to this request.

**FOR FURTHER INFORMATION CONTACT:** James R. Holbein, United States

Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 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).

A first Request for Panel Review was filed with the Mexican Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on September 29, 1997, requesting panel review of the final antidumping duty investigation described above.

The Rules provide that:

(a) a Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 29, 1997);

(b) a Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is November 13, 1997); and

(c) the panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: October 14, 1997.

**James R. Holbein,**

*United States Secretary NAFTA Secretariat.*  
[FR Doc. 97-27722 Filed 10-21-97; 8:45 am]  
BILLING CODE 3510-GT-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101497B]

#### American Lobster; Intent to Prepare an Environmental Impact Statement

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

**ACTION:** Notice of intent (NOI) to prepare an environmental impact statement (EIS); request for written comments.

**SUMMARY:** NMFS announces its intent to prepare an EIS to assess the impact on the natural and human environment of possible measures to manage fishing for American lobster in the U.S. Exclusive Economic Zone (EEZ). This NOI requests public input in the form of written comments on issues that NMFS should consider in preparing the EIS. Specifically, the EIS will examine alternatives available to NMFS in addressing the overfishing of American lobsters in the EEZ as well as state waters, including specific recommendations to the Secretary of Commerce (Secretary) by the Atlantic States Marine Fisheries Commission (ASMFC) in its proposed Amendment 3 to the Interstate Fishery Management Plan for Lobster. Public hearings for the EIS will be scheduled at a later date.

**DATES:** Written comments on the intent to prepare the EIS must be received on or before November 20, 1997. Public hearings will be announced in the **Federal Register** at a later date.

**ADDRESSES:** Comments should be sent to: Andrew A. Rosenberg, Ph.D., Regional Administrator, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-3799.

**FOR FURTHER INFORMATION CONTACT:** Paul H. Jones, Fishery Policy Analyst, 978-281-9273.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 27, 1996 (61 FR 13478), NMFS published a proposed rule requesting comments on its initial determination to withdraw approval of the American Lobster Fishery Management Plan (FMP) under the Magnuson-Stevens Fishery