

Office of the Executive Secretary,
Foreign-Trade Zones Board, Room 2111,
U.S. Department of Commerce, 1401
Constitution Avenue, NW., Washington,
DC 20230-0002, and in the "Reading
Room" section of the Board's Web site,
which is accessible via <http://www.trade.gov/ftz>.

For further information, contact
Elizabeth Whiteman at
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482-0473.

Dated: July 1, 2010.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2010-16915 Filed 7-9-10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-825]

Stainless Steel Bar From Brazil: Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration,
International Trade Administration,
Department of Commerce.

SUMMARY: On March 16, 2010, the
Department of Commerce (the
Department) published the preliminary
results of its administrative review of
the antidumping duty order on certain
stainless steel bar from Brazil. The
review covers one producer/exporter of
the subject merchandise, Villares Metals
S.A. (VMSA). The period of review
(POR) is February 1, 2008, through
January 31, 2009. We gave interested
parties an opportunity to comment on
our preliminary results. We received
one comment. The final weighted-
average dumping margin for VMSA is
listed below in the "Final Results of
Review" section of this notice.

EFFECTIVE DATE: July 12, 2010.

FOR FURTHER INFORMATION CONTACT:
Catherine Cartos or Mino Hatten, AD/
CVD Operations, Office 5, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution
Avenue, NW, Washington, DC 20230,
telephone: (202) 482-1757 or (202) 482-
1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 16, 2010, the Department
published the preliminary results of its
administrative review of the
antidumping duty order on certain
stainless steel bar from Brazil. See
Stainless Steel Bar From Brazil:
Preliminary Results of Antidumping

Duty Administrative Review, 75 FR
12514 (March 16, 2010) (*Preliminary
Results*). We invited interested parties to
comment on the Preliminary Results.
On May 5, 2010, we released a post-
preliminary analysis in which we
altered the cost-of-production
methodology from that which we
applied for the *Preliminary Results*. See
discussion below. On May 13, 2010, we
received a case brief from the petitioners
(Carpenter Technology Corporation,
Valbruna Slater Stainless, Inc.,
Electralloy Corporation, a Division of
G.O. Carlson, Inc., and Universal
Stainless). We did not receive a request
for a hearing from any interested party.

The Department is conducting this
administrative review in accordance
with section 751 of the Tariff Act of
1930, as amended (the Act).

Scope of the Order

The scope of the order covers
stainless steel bar (SSB). The term SSB
with respect to the order means articles
of stainless steel in straight lengths that
have been either hot-rolled, forged,
turned, cold-drawn, cold-rolled or
otherwise cold-finished, or ground,
having a uniform solid cross section
along their whole length in the shape of
circles, segments of circles, ovals,
rectangles (including squares), triangles,
hexagons, octagons or other convex
polygons. SSB includes cold-finished
SSBs that are turned or ground in
straight lengths, whether produced from
hot-rolled bar or from straightened and
cut rod or wire, and reinforcing bars that
have indentations, ribs, grooves, or
other deformations produced during the
rolling process. Except as specified
above, the term does not include
stainless steel semi-finished products,
cut-length flat-rolled products (*i.e.*,
cut-length rolled products which if less
than 4.75 mm in thickness have a width
measuring at least 10 times the
thickness, or if 4.75 mm or more in
thickness having a width which exceeds
150 mm and measures at least twice the
thickness), wire (*i.e.*, cold-formed
products in coils, of any uniform solid
cross section along their whole length,
which do not conform to the definition
of flat-rolled products), and angles,
shapes and sections. The SSB subject to
the order is currently classifiable under
subheadings 7222.10.0005,
7222.10.0050, 7222.20.0005,
7222.20.0045, 7222.20.0075, and
7222.30.0000 of the Harmonized Tariff
Schedule of the United States (HTSUS).
Although the HTSUS subheadings are
provided for convenience and customs
purposes, the written description of the
scope of the order is dispositive.

Alternative Cost Methodology

In our Preliminary Results we relied
on our standard methodology of
comparing U.S. prices to monthly
home-market prices (see *Preliminary
Results*, 75 FR at 12516), and we
compared the home-market prices to
POR costs for the cost-of-production
test under section 773(b)(1) of the Act.
We indicated in the *Preliminary Results*
that we would consider applying an
alternative cost methodology after
analyzing product-specific quarterly
cost information. We announced in the
Preliminary Results that we would
release revised analysis if we found it
appropriate to use quarterly costs, based
on VMSA's supplemental cost data, and
that we would give the parties an
opportunity to comment on any revised
analysis prior to the final results. See
Preliminary Results, 75 FR at 12516.

Subsequent to our *Preliminary
Results*, we analyzed VMSA's quarterly
cost data and determined that the use of
the alternative cost methodology is
appropriate in this case because the
changes in the quarterly cost of
manufacture were significant and we
can reasonably link the prices of sales
made during the quarters with the
production costs during the same
quarters. See, *e.g.*, *Stainless Steel Plate
in Coils From Belgium: Final Results of
Antidumping Duty Administrative
Review*, 73 FR 75398, 75399 (December
11, 2008), and *Stainless Steel Sheet and
Strip in Coils from Mexico: Final Results
of Antidumping Duty Administrative
Review*, 74 FR 6365 (February 9, 2009).
Accordingly, we applied the cost test
using quarterly average costs and home-
market transaction prices. Further,
consistent with our practice in reviews,
we continued to compare monthly
average home-market prices to
individual U.S. prices in the calculation
of the margin but confined those
comparisons to the same quarter. See
*Stainless Steel Sheet and Strip in Coils
From Mexico: Preliminary Results of
Antidumping Duty Administrative
Review and Intent Not To Revoke Order
in Part*, 74 FR 39622, 39629 (August 7,
2009) (unchanged in *Stainless Steel
Sheet and Strip in Coils From Mexico:
Final Results of Antidumping Duty
Administrative Review*, 75 FR 6627
(February 10, 2010)). A detailed
explanation of our analysis can be found
in the May 5, 2010, memorandum
entitled "Cost of Production and
Constructed Value Calculation
Adjustments for the Post-Preliminary
Analysis" and the May 5, 2010,
memorandum entitled "Post Preliminary
Calculations Analysis Memorandum"

which were released to interested parties for comment.

Based on our cost-of-production analysis, we disregarded below-cost sales by VMSA in the home market.

Analysis of Comments Received

In their case brief, the petitioners claim that the Department made a ministerial error by neglecting to reduce the U.S. gross unit price for movement expenses VMSA reported under the computer variable for U.S. duties in calculating the net U.S. price for constructed export-price transactions, thereby resulting in an understatement of VMSA's dumping margin. The petitioners request that the Department correct this ministerial error for the final results of the review.

We reviewed the petitioners' allegation and agree that correction of the error is appropriate. Accordingly, for the final results we have recalculated the net U.S. price for constructed export-price transactions by reducing the U.S. gross unit price for these movement expenses. See Final Analysis Memorandum, dated concurrently with this notice, for detailed information on this change.

Final Results of Review

As a result of our review, we determine that the weighted-average dumping margin for VMSA is 3.70 percent for the period February 1, 2008, through January 31, 2009.

Assessment Rates

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated importer/customer-specific assessment rates for these final results of review. We divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each reported importer or customer. We will instruct CBP to assess the importer/customer-specific rate uniformly, as appropriate, on all entries of subject merchandise made by the relevant importer or customer during the POR. See 19 CFR 351.212(b).

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by VMSA for which VMSA did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries of VMSA-produced merchandise at the all-others rate if there is no rate for the intermediate

company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

The Department intends to issue instructions to CBP 15 days after the publication of these final results of review.

Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of SSB from Brazil entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash-deposit rate for VMSA will be 3.70 percent; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be the all-others rate for this proceeding, 19.43 percent. See *Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar From Brazil*, 59 FR 66914 (December 28, 1994). These deposit requirements shall remain in effect until further notice.

Notification to Parties

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a 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 the 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.

These final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 1, 2010.

Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010-16912 Filed 7-9-10; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1689]

Grant of Authority For Subzone Status Materials Science Technology, Inc. (Specialty Elastomers and Fire Retardant Chemicals) Conroe, Texas

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for " * * the establishment * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board's regulations (15 CFR part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the City of Conroe, Texas, grantee of FTZ 265, has made application to the Board for authority to establish a special-purpose subzone at the specialty elastomer manufacturing and distribution facility of Materials Science Technology, Inc., located in Conroe, Texas, (FTZ Docket 46-2009, filed October 27, 2009);

Whereas, notice inviting public comment has been given in the **Federal Register** (74 FR 57149, 11/4/2009) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and