

Thus, if the record demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, the Department may assign the new company the cash deposit rate of its predecessor.<sup>12</sup> For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I of this notice.

#### Initiation and Preliminary Results of the Changed Circumstances Review

Pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d), the Department will conduct a CCR upon receipt of a request from an interested party or receipt of information concerning an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. Section 351.221(c)(3)(ii) of the Department's regulations permits the Department to combine the initiation and preliminary results of a CCR if the Department concludes that expedited action is warranted. In this instance, we have information on the record necessary to reach the preliminary results of CCR. As such, we find that expedited action is warranted. Accordingly, we have combined the preliminary results with the initiation.

We preliminarily determine that Beijing Dixon, under its new business license, (*i.e.*, Beijing Dixon is now registered as an exporter, and it exports pencils produced by Kunshan Dixon), is the successor-in-interest to Beijing Dixon for the purposes of administering the Order and its revocation with respect to Beijing Dixon. The Preliminary Decision Memorandum provides a full description of the analysis underlying our conclusions.

#### Public Comment

Interested parties are invited to comment on these preliminary results in accordance with 19 CFR 351.309(c)(1)(ii). Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice. Parties will be notified of the time and date of any hearing, if requested. Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs and/or written comments not later than 30 days after

the publication of this notice. Rebuttal briefs, and rebuttals to written comments, which must be limited to issues raised in such briefs or comments, may be filed not later than 5 days after the date of publication of this notice. Parties who submit case briefs or rebuttal briefs in this CCR are requested to submit with each argument: (1) A statement of the issue; and (2) a brief summary of the argument; and (3) a table of authorities. Interested parties who wish to comment on the preliminary results must file briefs electronically using ACCESS. An electronically-filed document must be received successfully in its entirety by the Department's electronic records system, ACCESS, by 5 p.m. Eastern Time on the date the document is due.

In accordance with 19 CFR 351.216(e), the Department intends to issue the final results of this changed circumstance review not later than 270 days after the date on which the review is initiated, or within 45 days if all parties agree to our preliminary finding.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 751(b) and 777(i)(1) of the Act, and 19 CFR 351.216 and 351.221(c)(3)(ii).

Dated: February 18, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Successor-in-Interest Analysis
  - a. Analytical Framework
  - b. Relevant Facts
    - i. Management
    - ii. Production Facilities
    - iii. Customer Base
    - iv. Suppliers
  - c. Analysis
    - i. Time Period
    - ii. Successorship Analysis
5. Recommendation
  1. Management
  2. Production Facilities
  3. Customer Base
  - Suppliers

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XD784

#### Fisheries of the Northeastern United States; Atlantic Herring Fishery; Notice of Intent To Prepare an Environmental Impact Statement; Scoping Process; Request for Comments

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

**ACTION:** Notice; intent to prepare an environmental impact statement and initiate scoping process; request for comments.

**SUMMARY:** The New England Fishery Management Council announces its intention to prepare, in cooperation with NMFS, an environmental impact statement in accordance with the National Environmental Policy Act. An environmental impact statement may be necessary to provide analytical support for Amendment 8 to the Atlantic Herring Fishery Management Plan. Amendment 8 would specify a long-term acceptable biological catch control rule for the herring fishery and consider acceptable biological catch control rule alternatives that account for herring's role in the ecosystem. This notice is to alert the interested public of the scoping process and potential development of a draft environmental impact statement and to outline opportunity for public participation in that process.

**DATES:** Written and electronic scoping comments must be received on or before 5 p.m., local time, April 30, 2015.

**ADDRESSES:** Written scoping comments on Amendment 8 may be sent by any of the following methods:

- Email to the following address: [comments@nefmc.org](mailto:comments@nefmc.org);
- Mail to Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; or
- Fax to (978) 465-3116.

Requests for copies of the Amendment 8 scoping document and other information should be directed to Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950, telephone (978) 465-0492. The scoping document is accessible electronically via the Internet at <http://www.nefmc.org>.

**FOR FURTHER INFORMATION CONTACT:** Thomas A. Nies, Executive Director, New England Fishery Management Council, (978) 465-0492.

*Forged Stainless Steel Flanges from India*, 71 FR 327, 327 (January 4, 2006).

<sup>12</sup> See, e.g., *Fresh and Chilled Atlantic Salmon From Norway; Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979, 9980 (March 1, 1999).

**SUPPLEMENTARY INFORMATION:****Background**

The New England Fishery Management Council (Council), working through its public participatory committee and meeting processes, anticipates the development of an amendment that may be analyzed through an environmental impact statement (EIS), dependent on addressing applicable criteria in the Council on Environmental Quality regulations and guidance for implementing the National Environmental Policy Act (NEPA). Amendment 8 to the Atlantic Herring Fishery Management Plan (Herring FMP) is anticipated to consider long-term harvest strategies for herring, including an acceptable biological catch (ABC) control rule, that address the biological needs of the herring resource and the role of herring in the ecosystem.

The herring fishery is managed as one stock complex along the east coast from Maine to Cape Hatteras, NC, although evidence suggests that separate spawning components exist within the stock complex. The Council and the Atlantic States Marine Fisheries Commission adopted management measures for the herring fishery in state and Federal waters in 1999 and the Federal Herring FMP became effective on January 10, 2001.

Following the re-authorization of the Magnuson-Stevens Conservation and Fishery Management Act (MSA) in 2007, the Council developed Amendment 4 to the Herring FMP and implemented a process for establishing annual catch limits and accountability measures in the herring fishery. Amendment 4 also defined the herring ABC control rule as the specified approach to setting the ABC for a stock or stock complex as a function of scientific uncertainty in the estimate of the overfishing limit (OFL) and any other scientific uncertainty. The ABC control rule provides guidance to the Council's Scientific and Statistical Committee (SSC) regarding how to specify an annual ABC for herring based on scientific uncertainty, stock status, and the Council's risk tolerance. The ABC control rule specifies a buffer between the OFL and ABC to account for scientific uncertainty, such that there is a low risk in any given year that the OFL for herring will be exceeded. Establishing an ABC control is consistent with National Standard 1 Guidelines for implementing the provisions of the MSA.

During the development of Amendment 4, there was considerable uncertainty surrounding the 2009

herring stock assessment. As part of the 2010–2012 herring fishery specifications process, the SSC recommended that the Council specify an ABC based on recent catch until a new benchmark stock assessment for herring could be completed. Consistent with the SSC advice, the Council specified the herring ABC for 2010–2012 as a three-year average catch level (2006–2008). This specification was adopted as the interim ABC control rule in Amendment 4, to serve as a placeholder until a benchmark stock assessment could be completed and a more appropriate long-term ABC control rule for herring could be developed.

Following a benchmark stock assessment for herring in 2012, the Council and its SSC considered several alternatives for establishing an ABC control rule for herring, including two ABC control rules that explicitly adjust for the role of a forage fish in the ecosystem, during the 2013–2015 fishery specifications process. At that time, the SSC recognized the herring stock assessment's accounting for herring's role in the ecosystem. The SSC recommended that using reference points and projections associated with explicit forage fish ABC control rules receive further evaluation prior to implementation in a long-term harvest strategy for managing the herring fishery. Ultimately, based on SSC advice, the Council adopted an ABC control rule that specified a constant ABC for 2013–2015. The ABC control rule was based on the annual catch projected to produce a less than or equal to 50 percent probability of exceeding the fishing mortality rate to support maximum sustainable yield in 2015. At the conclusion of the 2013–2015 specifications process, the Council recommended a further consideration of long-term harvest strategies for herring either during the next specifications process and/or through an amendment to the Herring FMP.

Amendment 8 is proposed to further consider long-term harvest strategies for herring, including an ABC control rule that addresses the biological needs of the herring resource and explicitly accounts for herring's role in the ecosystem, consistent with the requirements and intent of the MSA. The importance of herring as a forage species is underscored by the Council's specified intent to consider a wide range of alternatives for ABC control rules in this amendment, including those that explicitly account for herring's role in the ecosystem.

The Council's Herring Oversight Committee and the Council will be identifying the goals and objectives for

Amendment 8 following the scoping period and will then develop alternatives to meet the purpose and need of the action. Additionally, the Council's Ecosystem-Based Fisheries Management (EBFM) Plan Development Team and EBFM Committee will be developing guidance for managing forage fish within an ecosystem context and will be participating in the development of an ABC control rule and reference points for herring during this amendment. Following input from these Council bodies and the public, the Council will select a range of alternatives to consider long-term harvest strategies and ABC control rules for herring.

**Public Comment**

All persons affected by or otherwise interested in herring management are invited to participate in determining the scope and significance of issues to be analyzed by submitting written comments (see **ADDRESSES**) or by attending one of the four scoping meetings for this amendment. Scoping consists of identifying the range of actions, alternatives, and impacts to be considered. At this time in the process, the Council believes that the alternatives considered in Amendment 8 would consider long-term harvest strategies and ABC control rules for herring that explicitly account for herring's role in the ecosystem. After the scoping process is completed, the Council will begin development of Amendment 8 and will prepare an EIS to analyze the impacts of the range of alternatives under consideration. Impacts may be direct, individual, or cumulative. The Council will hold public hearings to receive comments on the draft amendment and on the analysis of its impacts presented in the Draft EIS.

In addition to soliciting comment on this notice, the public will have the opportunity to comment on the measures and alternatives being considered by the Council through public meetings and public comment periods consistent with NEPA, the MSA, and the Administrative Procedure Act. The following scoping meetings have been scheduled. The Council will take and discuss scoping comments on this amendment at the following public meetings:

1. Friday, March 6, 2015; 10:30 a.m.; Samoset Resort, Rockland Room, 220 Warrenton Street, Rockport, ME 04856; (207) 594–2511.
2. Thursday, March 26, 2015; 6 p.m.; DoubleTree by Hilton, 50 Ferncroft Road, Danvers, MA 01923; (978) 777–2500.

3. Monday, April 6, 2015; 6 p.m.; Webinar; Register to participate: <https://attendee.gotowebinar.com/register/700212250002809602>; call-in (631) 992-3221; Access Code 541-819-750.

4. Monday, April 20, 2015; 6 p.m.; Hilton Hotel, 20 Coogan Boulevard, Mystic, CT 06355; (860) 572-0731.

### Special Accommodations

The meetings are accessible to people with physical disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies (see **ADDRESSES**) at least five days prior to this meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: February 23, 2015.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD704**

### Whaling Provisions; Aboriginal Subsistence Whaling Quotas

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

**ACTION:** Notice; notification of quota for bowhead whales.

**SUMMARY:** NMFS notifies the public of the aboriginal subsistence whaling quota for bowhead whales that it has assigned to the Alaska Eskimo Whaling Commission (AEWC), and of limitations on the use of the quota deriving from regulations of the International Whaling Commission (IWC). For 2015, the quota is 75 bowhead whales struck. This quota and other applicable limitations govern the harvest of bowhead whales by members of the AEW.

**DATES:** Effective February 26, 2015.

**ADDRESSES:** Office for International Affairs and Seafood Inspection, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Melissa Garcia, (301) 427-8385.

**SUPPLEMENTARY INFORMATION:** Aboriginal subsistence whaling in the United States is governed by the Whaling Convention Act (WCA) (16 U.S.C. 916 *et seq.*). Under the WCA, IWC regulations shall generally become effective with respect

to all persons and vessels subject to the jurisdiction of the United States, within 90 days of notification from the IWC Secretariat of an amendment to the IWC Schedule (16 U.S.C. 916k). Regulations that implement the WCA, found at 50 CFR 230.6, require the Secretary of Commerce (Secretary) to publish, at least annually, aboriginal subsistence whaling quotas and any other limitations on aboriginal subsistence whaling deriving from regulations of the IWC.

At the 64th Annual Meeting of the IWC, the Commission set catch limits for aboriginal subsistence use of bowhead whales from the Bering-Chukchi-Beaufort Seas stock. The bowhead catch limits were based on a joint request by the United States and the Russian Federation, accompanied by documentation concerning the needs of two Native groups: Alaska Eskimos and Chukotka Natives in the Russian Far East.

The IWC set a 6-year block catch limit of 336 bowhead whales landed. For each of the years 2013 through 2018, the number of bowhead whales struck may not exceed 67, except that any unused portion of a strike quota from any prior year may be carried forward. No more than 15 strikes may be added to the strike quota for any one year. At the end of the 2014 harvest, there were 15 unused strikes available for carry-forward, so the combined strike quota set by the IWC for 2015 is 82 (67 + 15).

An arrangement between the United States and the Russian Federation ensures that the total quota of bowhead whales landed and struck in 2015 will not exceed the limits set by the IWC. Under this arrangement, the Russian natives may use no more than seven strikes, and the Alaska Eskimos may use no more than 75 strikes.

Through its cooperative agreement with the AEW, NOAA has assigned 75 strikes to the Alaska Eskimos. The AEW will in turn allocate these strikes among the 11 villages whose cultural and subsistence needs have been documented, and will ensure that its hunters use no more than 75 strikes.

### Other Limitations

The IWC regulations, as well as the NOAA regulation at 50 CFR 230.4(c), forbid the taking of calves or any whale accompanied by a calf.

NOAA regulations (at 50 CFR 230.4) contain a number of other prohibitions relating to aboriginal subsistence whaling, some of which are summarized here:

- Only licensed whaling captains or crew under the control of those captains may engage in whaling.

- Captains and crew must follow the provisions of the relevant cooperative agreement between NOAA and a Native American whaling organization.

- The aboriginal hunters must have adequate crew, supplies, and equipment to engage in an efficient operation.

- Crew may not receive money for participating in the hunt.

- No person may sell or offer for sale whale products from whales taken in the hunt, except for authentic articles of Native American handicrafts.

- Captains may not continue to whale after the relevant quota is taken, after the season has been closed, or if their licenses have been suspended. They may not engage in whaling in a wasteful manner.

Dated: February 19, 2015.

**Paul N. Doremus,**

*Acting Director, Office for International Affairs and Seafood Inspection, National Marine Fisheries Service.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

### Renewal of Department of Defense Federal Advisory Committees

**AGENCY:** DoD.

**ACTION:** Renewal of Federal Advisory Committee.

**SUMMARY:** The Department of Defense (DoD) is publishing this notice to announce that it is renewing the charter for the Missouri River (South Dakota) Task Force ("the Task Force").

**FOR FURTHER INFORMATION CONTACT:** Jim Freeman, Advisory Committee Management Officer for the Department of Defense, 703-692-5952.

**SUPPLEMENTARY INFORMATION:** This committee's charter is being renewed pursuant to section 905(a) of the Missouri River Restoration Act of 2000 ("the Missouri River Restoration Act") (Title IX of Pub. L. 106-541, the Water Resources Development Act of 2000) and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR 102-3.50(a).

The Task Force is a non-discretionary Federal advisory committee that shall provide independent advice and recommendations to the Secretary of the Army on plans and projects to reduce siltation of the Missouri River in the State of South Dakota and to meet the objectives of the Pick-Sloan Missouri River Basin Program authorized by