

deployment/logistics reports; 2 hours for reports of problems; and 4 hours for permit appeal.

**Needs and Uses:** The National Marine Fisheries Service (NMFS) North Pacific Groundfish Observer Program was implemented in early 1990. The observers in this Program collect and disseminate catch, bycatch, and biological data necessary to support in-season monitoring and stock assessment. Alaska Fisheries Science Center in Seattle, Washington provides the operational oversight of the Program, certification training, definition of observer sampling duties and methods, debriefing of observers, and management of the data. Owners of vessels, shoreside processors, or stationary floating processors required to carry observers must arrange for observer services from an observer provider.

**Affected Public:** Business or other for-profit organizations.

**Frequency:** Weekly and on occasion.

**Respondent's Obligation:** Required to obtain or retain benefits.

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395-7285, or [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov).

Dated: December 5, 2008.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E8-29289 Filed 12-10-08; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### Bureau of the Census

[Docket Number 0811171463-81465-01]

### Annual Retail Trade Survey

**AGENCY:** Bureau of the Census, Commerce.

**ACTION:** Notice of determination.

**SUMMARY:** The Bureau of the Census (Census Bureau) is conducting the Annual Retail Trade Survey (ARTS). The Census Bureau has determined to

collect data covering annual sales, e-commerce sales, percent of e-commerce sales to customers located outside the United States, year-end inventories, total operating expenses, purchases, accounts receivables, and for select industries, merchandise line sales and percent of sales by class of customer. The ARTS was not conducted in 2007 because these data were collected by the 2007 Economic Census—a detailed portrait of the Nation's economy conducted once every five years, from the national to the local level.

**ADDRESSES:** The Census Bureau will furnish report forms to organizations included in the survey. Additional copies are available upon written request to the Director, U.S. Census Bureau, Washington, DC 20233-0101.

**FOR FURTHER INFORMATION CONTACT:** Daniel Wellwood, Service Sector Statistics Division, at (301) 763-6816, or by e-mail at [daniel.wellwood@census.gov](mailto:daniel.wellwood@census.gov).

**SUPPLEMENTARY INFORMATION:** The ARTS is a continuation of similar retail trade surveys conducted each year since 1951 (except 1954). It provides, on a comparable classification basis, annual sales, e-commerce sales, purchases, and year-end inventories for 2008. These data are not available publicly on a timely basis from nongovernmental or other governmental sources.

The Census Bureau will require a selected sample of firms operating retail establishments in the United States (with sales size determining the probability of selection) to report in the 2008 ARTS. We will furnish report forms to the firms covered by this survey and will require their submissions within 30 days after receipt. The sample will provide, with measurable reliability, statistics on the subjects specified above.

The Census Bureau is authorized to take surveys that are necessary to furnish current data on the subjects covered by the major censuses authorized by Title 13, United States Code (U.S.C.), Sections 182, 224, and 225. This survey will provide continuing and timely national statistical data on retail trade for the period between economic censuses. For 2008, the survey will, as it has in the past, operate as a separate sample of retail companies. The data collected in this survey will be similar to that collected in the past and within the general scope and nature of those inquiries covered in the economic census. These data will provide a sound statistical basis for the formation of policy by various government agencies.

These data also apply to a variety of public and business needs.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a current valid Office of Management and Budget (OMB) control number. In accordance with the PRA, 44 U.S.C., Chapter 35, the OMB approved the Annual Retail Trade Survey under OMB Control Number 0607-0013.

Based upon the foregoing, I have directed that an annual survey be conducted for the purpose of collecting these data.

Dated: December 5, 2008.

**Steve H. Murdock,**

*Director, Bureau of the Census.*

[FR Doc. E8-29281 Filed 12-10-08; 8:45 am]

**BILLING CODE 3510-07-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[T-4-2008]

### Foreign-Trade Zone 267—Fargo, ND, Temporary/Interim Manufacturing Authority, CNH America, LLC (Construction Equipment); Notice of Approval

On September 30, 2008, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board filed an application submitted by the Fargo Municipal Airport Authority, grantee of FTZ 267, requesting temporary/interim manufacturing (T/IM) authority, on behalf of CNH America, LLC, to manufacture wheel loaders under FTZ procedures within FTZ 267—Site 2, in Fargo, North Dakota.

The application was processed in accordance with T/IM procedures, as authorized by FTZ Board Orders 1347 (69 FR 52857, 8/30/04) and 1480 (71 FR 55422, 9/22/06), including notice in the **Federal Register** inviting public comment (73 FR 60237, 10/10/08). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval under T/IM procedures. Pursuant to the authority delegated to the FTZ Board Executive Secretary in the above-referenced Board Orders, the application is approved, effective this date, until December 4, 2010, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Dated: December 4, 2008.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E8-29373 Filed 12-10-08; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 53-2008]

#### **Foreign-Trade Zone 242—Boundary County, ID; Application for Subzone; Hoku Materials, Inc.; Notice of Public Hearing and Extension of Comment Period**

Pursuant to a timely request from a directly affected party showing good cause (15 CFR 400.51(b)), a public hearing will be held on the application for subzone status at the Hoku Materials, Inc., facility in Pocatello, Idaho, submitted by Boundary County, Idaho, grantee of Foreign-Trade Zone 242 (73 FR 59597, 10/9/08). The public hearing will take place on January 8, 2009, at 2 p.m., at the U.S. Department of Commerce, Room 4830, 1401 Constitution Ave., NW., Washington, DC. Interested parties should indicate their intent to participate in the hearing and provide a summary of their remarks no later than January 6, 2009.

Pursuant to 15 CFR 400.27(c)(2), the comment period for this case is being extended to January 23, 2009. Rebuttal comments may be submitted during the subsequent 15-day period, until February 9, 2009. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at: Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2111, 1401 Constitution Ave., NW., Washington, DC 20230.

For further information, contact Diane Finver at *Diane\_Finver@ita.doc.gov* or (202) 482-1367.

Dated: December 5, 2008.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E8-29387 Filed 12-10-08; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### **Action Affecting Export Privileges; Galaxy Aviation Trade Company Ltd; Hooshang Seddigh; Hamid Shakeri Hendi; Hossein Jahan Peyma; Iran Air; Dunyaya Bakis Hava Tasimaciligi A.S.; Yavuz Cizmeci; Sam David Mahjoobi; Intelligent Aviation Services Ltd.**

In the Matter of:

Galaxy Aviation Trade Company Ltd., 15 Moreland Court, Lyndale Avenue, Finchley Road, London, UK NW2 2PJ;

Hooshang Seddigh, 15 Moreland Court, Lyndale Avenue, Finchley Road, London, UK, NW2 2PJ;

Hamid Shaken Hendi, 5th Floor, 23 Nafisi Avenue, Shabrak Ekbatan, Karaj Special Road, Tehran, Iran;

Hossein Jahan Peyma, 2/1 Makran Cross, Heravi Square, Moghan Ave, Pasdaran Cross, Tehran, Iran;

Iran Air, Second Floor, No. 23 Nafisi Avenue, Ekbatan, Tehran, Iran;

Dunyaya Bakis Hava Tasimaciligi A.S., a/k/a Dunyaya Bakis Air Transportation Inc. d/b/a Ankair, Yesilkoy Asfalti Istanbul No. 13/4, Florya, Istanbul, Turkey TR-34810; Respondents; and

Yavuz Cizmeci, Chief Executive Officer, Ankair, Yesilkoy Asfalti Istanbul No. 13/4, Florya, Istanbul, Turkey TR-34810.

Sam David Mahjoobi, 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN.

Intelligent Aviation Services Ltd., 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN; Related Persons; Order Renewing Order Temporarily Denying Export Privileges and also Making that Temporary Denial of Export Privileges Applicable to Related Persons.

Pursuant to sections 766.24 of the Export Administration Regulations, 15 CFR Parts 730-774 (2008) ("EAR" or the "Regulations"), I hereby grant the request of the Bureau of Industry and Security ("BIS") to renew for 180 days the Order Temporarily Denying the Export Privileges ("TDO") of Respondents Galaxy Aviation Trade Company Ltd., Hooshang Seddigh, Hamid Shaken Hendi, Hossein Jahan Peyma, Iran Air, and Ankair.<sup>1</sup> Based on the record, I find that BIS has met its burden under Section 766.24 and that renewal of the TDO is necessary and in the public interest to prevent an imminent violation of the EAR.

Additionally, after having been given notice and an opportunity to respond in accordance with Section 766.23 of the

Regulations, I find it necessary to add the following entities as Related Persons:

Yavuz Cizmeci, Chief Executive Officer, Ankair, Yesilkoy Asfalti Istanbul No. 13/4, Florya, Istanbul, Turkey TR-34810.

Sam David Mahjoobi, 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN. Intelligent Aviation Services Ltd., 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN.

#### **I. Factual Background**

Based upon evidence submitted by BIS through its Office of Export Enforcement ("OEE"), I issued an Order on June 6, 2008, which was effective immediately and temporarily denied for 180 days the export privileges of the Galaxy Aviation Trade Company Ltd. ("Galaxy Aviation"), Hooshang Seddigh, Hamid Shaken Hendi, Hossein Jahan Peyma, as well as of Iran Air of Tehran, Iran, and Ankair of Istanbul, Turkey. Based on additional evidence submitted by BIS, on July 10, 2008, I issued a modified Order expanding the scope of the denial as to Respondent Ankair.<sup>2</sup> The TDO and modified TDO were published in the **Federal Register** on, respectively, June 17 and July 22, 2008.<sup>3</sup>

On July 22, 2008, BIS notified Yavuz Cizmeci, that it intended to add him as a Related Person to the TDO based on his position as Chief Executive Officer and a shareholder of Ankair in accordance with Section 766.23 of the Regulations. Mr. Cizmeci submitted a response through counsel opposing his addition to the TDO as a Related Person.

On August 27, 2008, Respondent Galaxy Aviation, along with Respondents Hooshang Seddigh, Hamid Shaken Hendi, and Hossein Jahan Peyma, filed an appeal of the TDO with an administrative law judge ("AU") pursuant to Section 766.24(e)(1)(i). In a one-page, unsworn letter, Galaxy Aviation and its shareholders claimed not to be involved in the reexport of the Boeing 747 as alleged by BIS. In a recommended decision dated September 16, 2008, the AU recommended that Respondents' motion be denied and that the TDO remain in effect in order to prevent future

<sup>2</sup> The original order only denied Ankair's export privileges involving Boeing 747, tail number TC-AKZ and manufacturer's serial number 24134. The modified Order expanded the scope of Ankair's denial to include all items subject to the Regulations.

<sup>3</sup> 73 FR 34,249 (June 17, 2008); 73 FR 42,544 (July 22, 2008). On June 7, 2008, a copy of the TDO was provided to the Turkish Ministry of Foreign Affairs for service on Ankair. An additional copy was sent to Ankair by Federal Express on June 10, 2008.

<sup>1</sup> Evidence presented by Ankair shows that its legal corporate name is Dunyaya Bakis Hava Tasimaciligi AS, a/k/a Dunyaya Bakis Air Transportation Inc. ("DBHT"). DBHT is doing business as Ankair and therefore this order modifies Ankair's listing to properly reflect this information.