

purposes, the written description of the scope of these *Orders* is dispositive.

Final Results of Changed Circumstance Reviews and Revocation, In Part, of the Orders

Based on the Department's analysis in the *Preliminary Results* (which we incorporate herein by reference) and in light of the fact that no interested parties submitted any comments on the Department's *Preliminary Results* other than to express support for the partial revocation, the Department hereby determines to revoke, in part, the *Orders* with respect to the certain rectangular wire that is the subject of 3M's request, pursuant to sections 751(d)(1) and 782(h)(2) of the Tariff Act of 1930, as amended ("the Act") and 19 CFR 351.222(g).⁶ In addition, the Department has modified the scope of the AD and CVD orders, as reflected above, consistent with these final results.

We will instruct U.S. Customs and Border Protection (CBP) to liquidate without regard to ADs and CVDs, and to refund any estimated ADs and CVDs collected, on all unliquidated entries of the product in question that are not covered by the final results of an administrative review or automatic liquidation. Specifically, because there has been no completed administrative review of the *Orders*, we will instruct CBP to terminate suspension of liquidation of all unliquidated entries of aluminum extrusions meeting the specifications of the product in question, entered or withdrawn from warehouse, for consumption, on or after November 12, 2010 (for ADs) and September 7, 2010 (for CVDs) and liquidate such entries without regard to ADs and CVDs. Furthermore, the Department will instruct CBP to refund estimated ADs and CVDs collected on such entries, pursuant to 19 CFR 351.222(g)(4).

This notice is published in accordance with section 751(b)(1) of the Act and 19 CFR 351.221 and 19 CFR 351.222.

Dated: December 24, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-820]

Certain Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe From Germany: Rescission of Antidumping Duty Administrative Review; 2012-2013

AGENCY: Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

DATES: January 6, 2014.

FOR FURTHER INFORMATION CONTACT: Patrick Edwards or Angelica Mendoza, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-8029 or (202) 482-3019, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 1, 2013, the Department of Commerce (the Department) published in the *Federal Register* a notice of "Opportunity to Request Administrative Review" of the antidumping duty order on certain small diameter carbon and alloy seamless standard, line, and pressure pipe (seamless pressure pipe) from Germany for the period of review (POR) of August 1, 2012, through July 31, 2013.¹ The Department received a timely request from United States Steel Corporation (petitioner), filed in accordance with 19 CFR 351.213(b), for an administrative review of sales, shipments, or entries by certain companies subject to the antidumping duty order on seamless pressure pipe from Germany. On October 2, 2013, the Department published a notice of initiation of an administrative review of the antidumping duty order on seamless pressure pipe from Germany with respect to four companies: (1) Benteler Stahl/Rohr GmbH (also known as Benteler Steel/Tube GmbH); (2) ESW Roehrenwerke GmbH; (3) Vallourec & Mannesmann Tubes—V & M Deutschland GmbH; and (4) Voestalpine AG and all affiliates (including, but not limited to, Voestalpine Tubulars GmbH & Co. KG and Voestalpine Rotec GmbH & Co. KG).²

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 78 FR 46573 (August 1, 2013).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and*

The Department stated in its initiation of this review that it intended to rely on U.S. Customs and Border Protection (CBP) data to select respondents.³ We released the results of our CBP data query to the petitioners and one other interested party, Voestalpine AG, and invited them to comment on the CBP data.⁴ We received no comments on the CBP data. We did, however, receive a certification of no shipments from Voestalpine AG.⁵

Rescission of Review

19 CFR 351.213(d)(1) stipulates that the Secretary will rescind an administrative review under this section, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. As the only party that requested a review (the petitioners) withdrew the request within 90 days of the date of publication of the notice of initiation of the requested review, we are rescinding this review of the antidumping duty order on seamless pressure pipe from Germany pursuant to 19 CFR 351.213(d)(1).⁶

Assessment of Antidumping Duties

We intend to issue assessment instructions to CBP 15 days after the date of publication of this notice of rescission of administrative review. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

Notifications

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 presumption that reimbursement of antidumping duties

Request for Revocation in Part, 78 FR 60834 (October 2, 2013); see also, *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 78 FR 67104 (November 8, 2013).

³ *Id.*

⁴ See Letter to All Interested Parties, from Angelica Mendoza, Program Manager, regarding "Request for Comments on CBP Data," dated November 7, 2013.

⁵ See Letter to the Secretary of Commerce, from Voestalpine AG, titled "Voestalpine No Shipment Letter," dated November 17, 2013.

⁶ See Letter to the Secretary of Commerce, from Petitioner, titled "Withdrawal of Request for Administrative Review," dated December 5, 2013.

⁶ See *Preliminary Results*, 78 FR at 66897.

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 written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is published in accordance with section 751 of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: December 23, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XD056

Endangered Species; File No. 18600

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that the Hudson River Sloop Clearwater, Incorporated (hereinafter 'Clearwater') has applied in due form for a permit pursuant to the Endangered Species Act of 1973, as amended (ESA). The permit application is for the incidental take of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and shortnose sturgeon (*A. brevirostrum*) associated with the otherwise lawful environmental education program conducted on the Hudson River, New York. The education program uses small otter trawls and beach seines to collect fish and invertebrate specimens that are held onboard the vessels for educational purposes. The duration of the proposed permit is 10 years. NMFS is providing this notice in order to allow other agencies and the public an opportunity to review and comment on the application materials. All comments received will become part of the public record and will be available for review.

DATES: Written comments must be received at the appropriate address or

fax number (see **ADDRESSES**) on or before February 5, 2014.

ADDRESSES: The application is available for download and review at http://www.nmfs.noaa.gov/pr/permits/esa_review.htm under the section heading ESA Section 10(a)(1)(B) Permits and Applications. The application is also available upon written request or by appointment in the following office: Endangered Species Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13535, Silver Spring, MD 20910; phone (301) 427-8403; fax (301) 713-4060.

You may submit comments, identified by the following document number, NOAA-NMFS-2013-0104, by any of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0182. click the "Comment Now" icon, complete the required fields, and enter or attach your comments.

- **Fax:** (301) 713-4060; Attn: Therese Conant.

- **Mail:** Submit written comments to Endangered Species Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13535, Silver Spring, MD 20910; Attn: Therese Conant.

Instructions: You must submit comments by one of the above methods to ensure that we receive, document, and consider them. Comments sent by any other method, to any other address or individual, or received after the end of the comment period may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on <http://www.regulations.gov> without change. All personal identifying information (e.g., name, address, etc.) confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. We will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Therese Conant, (301) 427-856.

SUPPLEMENTARY INFORMATION: Section 9 of the ESA and Federal regulations prohibit the 'taking' of a species listed as endangered or threatened. The ESA defines "take" to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may

issue permits, under limited circumstances to take listed species incidental to, and not the purpose of, otherwise lawful activities. Section 10(a)(1)(B) of the ESA provides for authorizing incidental take of listed species. NMFS governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Background

NMFS received a draft permit application from Clearwater on April 16, 2013. Based on our review of the draft application, we requested further information and clarification. On December 18, 2013, Clearwater submitted an updated draft application. Based on review of the updated draft, NMFS requested clarification on lethal take and alternatives considered. On December 23, 2013, Clearwater submitted a redraft, and based on review of the draft, NMFS determined that the application contained sufficient information for review and consideration under section 10(a)(1)(B) of the ESA.

Clearwater is requesting incidental take of two sturgeon (either or combination of Atlantic and shortnose sturgeon) each year from 2014 through 2023 that may be caught in trawl or seine gear used to collect fish and invertebrate specimens from the Hudson River, New York. The take of ESA-listed Atlantic sturgeon is largely anticipated to be the New York Bight Distinct Population Segment (98 percent), but individuals may also originate from the Gulf of Maine, Chesapeake, Carolina, and South Atlantic Distinct Population Segments. Of the total 20 individual sturgeon anticipated to be taken for the duration of the permit, Clearwater does not anticipate lethal takes, but has applied for 2 lethal takes for the duration of the permit in the event that encounter conditions that lead to a mortality.

Conservation Plan

Clearwater's conservation plan describes measures to minimize, monitor, and mitigate the incidental take of ESA-listed Atlantic and shortnose sturgeon. Clearwater will regularly communicate New York State Department of Environmental Conservation to avoid known sturgeon habitat and spawning grounds. Clearwater will use small otter trawls (95.52 by 45.72 cm doors and weigh less than 0.45 kg) and short tow times (≤ 5 minutes). Beach seines, which allow for targeted catch, will be used where practicable (e.g., away from urban areas and where tides allow). If Clearwater incidentally captures a sturgeon in their