

exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all Vietnamese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the Vietnam-wide entity rate of 25.76 percent; and (4) for all non-Vietnam exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnamese exporters that supplied that non-Vietnamese exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

### Reimbursement of Duties

This notice also serves as a final 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 POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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 violation which is subject to sanction.

We are issuing and publishing this administrative review and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: July 3, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

### Appendix I—Decision Memorandum

#### I. Issues:

- Comment 1: Shrimp Surrogate Value ("SV")
- Comment 2: Surrogate Country
- Comment 3: Surrogate Financial Ratios
  - A. Gemini's Loading/Unloading Expenses
  - B. Gemini's Sales Commissions
  - C. Use of the Apex Financial Statements

- D. Use of the Beach, Gulf & Fine Foods Financial Statements
- Comment 4: Revocation
- Comment 5: Respondent Selection
- Comment 6: Exclusion of Imports from Bangladesh in SV Calculations
- Comment 7: Name Corrections for Certain Companies
- Comment 8: Separate Rate Companies
  - A. Margins for Separate Rate Companies
  - B. Fish One Margin
- Comment 9: SV for Labor
- Comment 10: Zeroing
- Comment 11: Amanda Foods Separate Rate Certification
- Comment 12: Exclusion of Imports from Unspecified Countries in SV Calculations
- Comment 13: Assessment Rate Calculation for the Minh Phu Group
- Comment 14: Liquidation Instructions

### Appendix II

- AAAS Logistics
- Agrimex
- Amerasian Shipping Logistics Corp.; American Container Line
- An Giang Fisheries Import and Export Joint Stock Company (Agifish)
- An Xuyen
- Angiang Agricultural Technology Service Aquatic Products Trading Company
- Bentre Aquaproduct Imports & Exports
- Bentre Forestry and Aquaproduct Import-Export Company ("FAQUIMEX")
- Bentre Frozen Aquaproduct Exports; Bentre Seafood Joint Stock and/or Beseaco Beseaco; Binh Dinh Fishery Joint Stock
- Ca Mau Seaproducts Exploitation and Service Corporation ("SES")
- Camau Seafood Pty
- Can Tho Seafood Exports
- Cantho Imp & Exp Seafood Join, a.k.a. Caseamex; Cautre Enterprises
- Cautre Export Goods Processing Joint Stock Company
- Chun Cheng Da Nang Co., Ltd.
- Co Hieu; Cong Ty D Hop Viet Cuong
- D & N Foods Processing Danang
- Da Van Manh
- Dong Phuc Huynh
- Dragon Waves Frozen Food Fty.
- Duyen Hai Bac Lieu Company ("T.K. Co.")
- Duyen Hai Foodstuffs Processing Factory ("COSEAFEX")
- Four Season Food
- Frozen Fty
- Frozen Seafoods Factory No. 32 and/or Frozen Seafoods FTy
- Frozen Seafoods Fty
- General Imports & Exports
- Hacota; Hai Ha Private Enterprise
- Hai Thuan Export Seaproduct Processing Co., Ltd.
- Hai Viet
- Hai Viet Corporation ("HAVICO")
- Hanoi Seaproducts Import Export Corporation ("Seaprodex Hanoi")
- Hatrang Frozen Seaproduct Fty; Hoa Nam Marine Agricultural
- Hoan An Fishery
- Hoan Vu Marine Product Co., Ltd.
- Hua Heong Food Ind Vietnam
- Khanh Loi Trading
- Kien Gang Sea Products Import-Export Company ("Kisimex")

- Kien Gang Seaproduct Import and Export Company ("KISIMEX")
- Kien Long Seafoods
- Konoike Vinatrans Logistics
- Lamson Import-Export Foodstuffs Corporation
- Long An Food Processing Export Joint Stock Company ("LAFOOCO")
- Lucky Shing
- Nam Hai
- Nha Trang Company Limited
- Nha Trang Fisheries Co., Ltd.
- Pataya Food Industry (Vietnam) Ltd.
- Phat Loc Seafood
- Phung Hung Private Business
- Quoc Viet Seaproducts Processing Trading Import and Export Co., Ltd.
- Saigon Orchide
- Sea Product
- Sea Products Imports & Exports
- Seafood Company Zone II ("Thusaco2")
- Seafood Processing Joint Stock Company No. 9 (previously Seafood Processing Imports Exports)
- Seaprodex and/or Seaprodex Hanoi
- Seaprodex Quang Tri; Sonacos
- Song Huong ASC Import-Export Company Ltd.
- Song Huong ASC Import-Export Company Ltd. and/or Song Huong ASC Joint Stock Company
- Song Huong ASC Joint Stock Company
- Special Aquatic Products Joint Stock Company ("Seaspimex")
- SSC
- T & T Co., Ltd.
- Tacvan Frozen Seafoods Processing Export
- Thami Shipping & Airfreight
- Thang Long
- Thanh Doan Seaproducts Import
- Thanh Long
- Thien Ma Seafood
- Tourism Material and Equipment Company (Matourimex Hochiminh City Branch)
- Truc An Company
- Trung Duc Fisheries Private Enterprise
- V N Seafoods; Vien Thang Private Enterprise
- Viet Nhan Company
- Vietfracht Can Tho
- Vietnam Fish-One Co., Ltd.
- Vietnam Northern Viking Technologie Co.
- Vietnam Northern Viking Technology Co., Ltd.
- Vietnam Tomec Co., Ltd.
- Vilfood Co.
- Western Seafood Processing and Exporting Factory.

[FR Doc. 2010-19577 Filed 8-6-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-475-826]

### Certain Cut-to-Length Carbon-Quality Steel Plate Products From Italy: Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On January 29, 2010, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on certain cut-to-length carbon-quality steel plate products from Italy. The review covers one manufacturer/exporter, Evraz Palini Bertoli S.p.A. (Palini). The period of review is February 1, 2008, through January 31, 2009.

Based on our analysis of the comments received, we have made changes in the margin calculation for Palini. Therefore, the final results are different from the preliminary results. The final weighted-average dumping margin for Palini is listed below in the section entitled "Final Results of the Review."

**EFFECTIVE DATE:** August 9, 2010.

**FOR FURTHER INFORMATION CONTACT:** Dmitry Vladimirov 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) 482-0665 or (202) 482-1690, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 29, 2010, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain cut-to-length carbon-quality steel plate products (CTL plate) from Italy. See *Certain Cut-to-Length Carbon-Quality Steel Plate Products From Italy: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 4779 (January 29, 2010) (*Preliminary Results*).

We invited interested parties to comment on the Preliminary Results. On March 9, 2010, we received a case brief from Palini. On March 16, 2010, we received a rebuttal brief from a domestic producer, Nucor Corporation (Nucor). No other parties submitted either a case brief or a rebuttal brief.

On May 28, 2010, we extended the due date for the final results of this administrative review to August 4, 2010. See *Certain Cut-to-Length Carbon-Quality Steel Plate Products From Italy: Extension of the Final Results of Antidumping Duty Administrative Review*, 75 FR 29976 (May 28, 2010).

We have conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

**Scope of the Order**

The products covered by the antidumping duty order are certain hot-

rolled carbon-quality steel: (1) Universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a nominal or actual thickness of not less than 4 mm, which are cut-to-length (not in coils) and without patterns in relief), of iron or non-alloy-quality steel; and (2) flat-rolled products, hot-rolled, of a nominal or actual thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are cut-to-length (not in coils). Steel products included in the scope of the order are of rectangular, square, circular, or other shape and of rectangular or non-rectangular cross-section where such non-rectangular cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been "worked after rolling") – for example, products which have been beveled or rounded at the edges. Steel products that meet the noted physical characteristics that are painted, varnished, or coated with plastic or other non-metallic substances are included within the scope. Also, specifically included in the scope of the order are high strength, low alloy (HSLA) steels. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. Steel products included in the scope, regardless of Harmonized Tariff Schedule of the United States (HTSUS) definitions, are products in which: (1) Iron predominates, by weight, over each of the other contained elements, (2) the carbon content is two percent or less, by weight, and (3) none of the elements listed below is equal to or exceeds the quantity, by weight, respectively indicated: 1.80 percent of manganese, or 1.50 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.41 percent of titanium, or 0.15 percent of vanadium, or 0.15 percent zirconium. All products that meet the written physical description, and in which the chemistry quantities do not equal or exceed any one of the levels listed above, are within the scope of the order unless otherwise specifically excluded. The following products are specifically excluded from the order: (1) Products clad, plated, or coated with metal, whether or not painted, varnished or coated with

plastic or other non-metallic substances; (2) SAE grades (formerly AISI grades) of series 2300 and above; (3) products made to ASTM A710 and A736 or their proprietary equivalents; (4) abrasion-resistant steels (*i.e.*, USS AR 400, USS AR 500); (5) products made to ASTM A202, A225, A514 grade S, A517 grade S, or their proprietary equivalents; (6) ball bearing steels; (7) tool steels; and (8) silicon manganese steel or silicon electric steel.

Imports of steel plate are currently classified in the HTSUS under subheadings 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.40.3050, 7225.40.7000, 7225.50.6000, 7225.99.0090, 7226.91.5000, 7226.91.7000, 7226.91.8000, and 7226.99.0000. The HTSUS subheadings are provided for convenience and customs purposes. The written description of the merchandise covered by the order is dispositive.

**Analysis of the Comments Received**

All issues raised in Palini's case brief and Nucor's rebuttal brief are addressed in the Issues and Decision Memorandum (Decision Memo) from Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations Edward C. Yang to Deputy Assistant Secretary for Import Administration Ronald K. Lorentzen, dated concurrently with this notice, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded is in the Decision Memo and attached to this notice as an Appendix. The Decision Memo, which is a public document, is on file in the Central Records Unit of the main Department of Commerce building, Room 1117, and is accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memo are identical in content.

**Final Results of the Review**

As a result of our review, we determine that a weighted-average dumping margin of 12.18 percent exists for Palini for the period February 1, 2008, through January 31, 2009.

**Assessment Rates**

The Department will determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. We have

calculated an importer/customer-specific assessment amount for subject merchandise. We divided the total dumping margins (calculated as the difference between normal value and the export price) for Palini's importer or customer by the total number of units the exporter sold to that importer or customer. We will direct CBP to assess the resulting per-unit dollar amount against each unit of merchandise on each of that importer's or customer's entries during the period of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the period of review produced by Palini for which Palini did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries 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).

We intend to issue appropriate assessment instructions directly to CBP 15 days after 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 CTL plate from Italy 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 Palini will be 12.18 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 7.64 percent, the all-others rate revised in *Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 72 FR 25261 (May 4, 2007). These deposit

requirements shall remain in effect until further notice.

#### Notifications

This notice serves as a final 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 as explained in the APO itself. See 19 CFR 351.305(a)(3). Timely written notification of the 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.

These final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(5).

Dated: July 30, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

#### List of Issues in the Issues and Decision Memorandum

1. Date of Sale
2. Conversion of U.S. Prices and U.S. Price Adjustments

[FR Doc. 2010-19578 Filed 8-6-10; 8:45 am]

**BILLING CODE 3510-DS-S**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

**RIN 0648-XO45**

##### Marine Mammals; File No. 14241

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

**ACTION:** Notice; issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Dr. Peter Tyack, Woods Hole Oceanographic Institution, Woods Hole, MA has been issued a major amendment

to Permit No. 14241 to conduct research on marine mammals.

**ADDRESSES:** The permit amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376;

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978)281-9300; fax (978)281-9333; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5309.

#### FOR FURTHER INFORMATION CONTACT:

Tammy Adams or Carrie Hubbard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On May 28, 2010, notice was published in the *Federal Register* (75 FR 29991) that a request for an amendment to the permit to conduct research on cetacean behavior, sound production, and responses to sound had been submitted by the above-named applicant. The requested permit amendment has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The permit has been amended to: (1) include authorization for collection of a skin and blubber biopsy sample from animals that are already authorized to be tagged; (2) add new species for existing projects involving tagging, playbacks, and behavioral observations; and (3) modify and clarify tagging and playback protocols and mitigation for when dependent calves are present. The new species for the Mediterranean Sea-based project are Blainville's beaked whale (*Mesoplodon densirostris*), Cuvier's beaked whale (*Ziphius cavirostris*), short-finned pilot whale (*Globicephala macrorhynchus*), long-finned pilot whale (*Globicephala melas*), Risso's dolphin (*Grampus griseus*), and false killer whale (*Pseudorca crassidens*). The new species for the project based off Cape Hatteras, North Carolina are True's beaked whale (*M. mirus*), Gervais' beaked whale (*M. europaeus*), Blainville's beaked whale, bottlenose dolphin (*Tursiops truncatus*), Risso's dolphin, short-beaked common dolphin (*Delphinus delphis*), and Cuvier's beaked whale. The amendment is valid through the expiration date of the original permit, July 31, 2014.