

review of Shanghai Now Again and Hi-King.

### Surrogate Country

In the *Preliminary Results*, we treated the PRC as a non-market-economy (NME) country and, therefore, we calculated normal value in accordance with section 773(c) of the Act. Also, we stated that we selected India<sup>1</sup> as the appropriate surrogate country to use in this review because it is a significant producer of merchandise comparable to subject merchandise and it is at a level of economic development comparable to the PRC, pursuant to section 773(c)(4) of the Act. See *Preliminary Results*, 74 FR at 27110. No interested party commented on our designation of the PRC as an NME country or the selection of India as the primary surrogate country. Therefore, for the final results of review, we have continued to treat the PRC as an NME country and have used the same primary surrogate country, India.

### Separate Rates

In proceedings involving NME countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

In the *Preliminary Results*, we found that Xiping Opeck demonstrated its eligibility for separate-rate status. See *Preliminary Results*, 74 FR at 27110–11. We received no comments from interested parties regarding the separate-rate status of this company. Therefore, in these final results of review, we continue to find that the evidence placed on the record of this review by Xiping Opeck demonstrates an absence of government control, both in law and in fact, with respect to its exports of the merchandise under review. Thus, we have determined that Xiping Opeck is eligible to receive a separate rate.

### Analysis of Comments Received

Two issues raised in the case brief by the petitioner in this review are

<sup>1</sup> We have selected India as the primary surrogate country in which to value all inputs with the exception of live crawfish, the primary input, and the by-product, crawfish scrap shell. See *Preliminary Results*, 74 FR at 27110, for a discussion regarding the valuation of live crawfish and the selection of Indonesia as the secondary surrogate country.

addressed in the "Issues and Decision Memorandum" (Decision Memo) from John M. Andersen, Acting Deputy Assistant Secretary, to Ronald K. Lorentzen, Acting Assistant Secretary, dated September 28, 2009, which is hereby adopted by this notice. A list of the issues which the petitioner has 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 CRU 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.

### Changes Since the Preliminary Results

There are no changes in the calculations from those we completed for the *Preliminary Results*.

### Final Results of the Review

The Department has determined that the final weighted-average dumping margin for Xiping Opeck for the period September 1, 2007, through August 31, 2008, is 0.00 percent.

### Assessment

The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review. Because we calculated a margin of zero percent for Xiping Opeck, we will instruct CBP to liquidate the entries of merchandise exported by Xiping Opeck without regard to antidumping duties.

### Cash-Deposit Requirements

The following cash-deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of the subject merchandise 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) for subject merchandise exported by Xiping Opeck, the cash-deposit rate will be 0.00 percent; (2) for previously reviewed or investigated companies not listed above that have separate rates, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) for all other PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash-deposit rate will be PRC-wide rate of 223.01 percent; (4) for all non-PRC exporters of subject merchandise the cash-deposit rate will be the rate applicable to the PRC entity that supplied that exporter. These

deposit requirements shall remain in effect until further notice.

### Notifications

This notice also 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 Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction 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 terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: October 2, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

### Appendix

1. Verification Requirement
2. Draft Liquidation Instructions

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket Number 0909291327–91328–01]

### Draft NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0; Request for Comments

**AGENCY:** National Institute of Standards and Technology (NIST), Department of Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** The National Institute of Standards and Technology (NIST) seeks two categories of comments on the draft *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0*:

(1) Comments on the overall document and the contents of all

chapters, except Chapter 4, Standards Identified for Implementation; and

(2) Comments on the 15 additional “Standards Identified for Implementation” (Chapter 4); the NIST-proposed “Guidance for Identifying Standards for Implementation”; and recommendations for adding or removing standards and specifications on the list of standards identified for implementation (Table 2), referencing relevant guidance criteria. In addition, NIST requests comments on the standards in Table 3—additional standards NIST has identified for further review.

**DATES:** Comments must be received on or before November 9, 2009.

**ADDRESSES:** Written comments may be sent to: George Arnold, 100 Bureau Drive, Stop 8100, National Institute of Standards and Technology, Gaithersburg, MD 20899–8100.

Electronic comments on the overall draft and the contents of chapters 1–3 and 5–7 may be sent to:

[nistsgframeworkcomments@nist.gov](mailto:nistsgframeworkcomments@nist.gov).

Comments on the 15 additional “Standards Identified for Implementation” (Chapter 4); the NIST-proposed “Guidance for Identifying Standards for Implementation;” recommendations for adding or removing standards and specifications on the list of standards identified for implementation (Table 2), referencing relevant guidance criteria; and comments on the standards in Table 3—additional standards NIST has identified for further review—may be sent to: [nistsgstandardscomments@nist.gov](mailto:nistsgstandardscomments@nist.gov). Comments on the standards in Table 3 should reference relevant guidance criteria.

The entire draft version of the *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0 (Draft)*, is available at: [http://www.nist.gov/public\\_affairs/releases/smartgrid\\_interoperability.pdf](http://www.nist.gov/public_affairs/releases/smartgrid_interoperability.pdf).

**FOR FURTHER INFORMATION CONTACT:** George Arnold, 100 Bureau Drive, Stop 8100, National Institute of Standards and Technology, Gaithersburg, MD 20899–8100, telephone (301) 975–5627.

**SUPPLEMENTARY INFORMATION:** Section 1305 of the Energy Independence and Security Act (EISA) of 2007 (Pub. L. 110–140, 121 Stat. 1492) requires the Director of NIST “to coordinate the development of a framework that includes protocols and model standards for information management to achieve interoperability of smart grid devices and systems.”

NIST recently issued the *NIST Framework and Roadmap for Smart*

*Grid Interoperability Standards, Release 1.0* (draft for public review and comment). The report is a result of NIST’s approach to expediting development of key standards and requirements necessary for Smart Grid interoperability.

It proposes:

- A conceptual reference model to facilitate design of an architecture for the Smart Grid overall and for each of its networked domains;
- An initial set of standards for the Smart Grid;
- Priorities for additional standards necessary to resolve important gaps and to assure the interoperability, reliability, and security of Smart Grid components;
- Initial steps toward a Smart Grid cyber security and requirements document; and
- Action plans and timetables for designated standards development organizations (SDOs) tasked to fill identified gaps.

The document is a draft release, and is an initial step in a standards development and harmonization process that ultimately will deliver the hundreds of communication protocols, standard interfaces, and other widely accepted and adopted technical specifications necessary to build an advanced, secure, and interoperable electric power grid. The final version of *Release 1.0*, which will be issued later in 2009, also will serve to guide the work of a Smart Grid Interoperability Panel that is being established as part of the NIST framework for achieving end-to-end interoperability.

Results of NIST’s ongoing work on interoperability and cyber security standards for the Smart Grid provide input to the Federal Energy Regulatory Commission (FERC). Under EISA, FERC is charged with instituting, once sufficient consensus is achieved, rulemaking proceedings to adopt the standards and protocols necessary to ensure Smart Grid functionality and interoperability in interstate transmission of electric power, and in regional and wholesale electricity markets.

On June 9, 2009, NIST issued a **Federal Register** notice (74 FR 27288), requesting comments on a preliminary set of 16 smart grid interoperability standards and specifications identified as applicable to Smart Grid interoperability and cyber security needs. After reviewing and evaluating the input it received, NIST increased this initial list to 31 standards and other specifications. The additional 15 standards and specifications are shaded in Table 2, Chapter 4, beginning with item 17 on page 34 of the report. In

addition, Table 3 lists additional standards NIST has identified for further review.

On May 19–20, 2009, NIST and its contractor, the Electric Power Research Institute (EPRI), convened a workshop, where more than 600 people engaged in sessions focused on developing and analyzing use cases, determining Smart Grid interoperability requirements, locating key interfaces, and identifying additional standards for consideration. The sessions yielded more than 70 candidate standards and emerging specifications, which were compiled in EPRI’s *Report to NIST on the Smart Grid Interoperability Standards Roadmap* (EPRI Report) ((Contract No. SB1341–09–CN–0031—Deliverable 7) Prepared by EPRI, June 17, 2009). The EPRI Report also was submitted for public review and comment. However, the additional standards constituted a small part of the lengthy report.

Excluding those already listed in Table 2, the standards compiled in the EPRI Report are listed in Table 3, Chapter 4 of the draft *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0*.

NIST solicits public comments on the 15 standards and other specifications added to the list of NIST-identified standards for implementation, as presented in Table 2, Chapter 4. Comments may include recommendations for removing specific items, or for adding new specifications, which may or may not be among those listed in Table 3, Chapter 4 of the *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0 (Draft)*. All recommendations should reference specific criteria in the supporting explanation, as described below.

NIST has developed a core set of criteria to provide initial guidance when evaluating prospective Smart Grid standards. This guidance also is presented in Chapter 4 of *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0 (Draft)*. NIST seeks public comments on the usefulness of the criteria as well as suggestions for improving the guidance for future evaluations of standards. Additionally, NIST asks that recommendations for adding or removing specifications from the list of standards identified for Smart Grid implementation cite guidance criteria relevant to specific recommendations.

**Request for Comments:** NIST seeks two sets of comments on the draft framework and roadmap report. The agency requests:

1. Comments on the overall draft and the contents of chapters 1–3 (“Purpose

and Scope,” “Smart Grid Vision,” and “Conceptual Reference Model”) and chapters 5–7 (“Priority Action Plans,” “Cyber Security Risk Management Framework and Strategy,” and “Next Steps”) of the draft *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0*.

2. Comments on the 15 additional “Standards Identified for Implementation” (Chapter 4); comments on the NIST-proposed “Guidance for Identifying Standards for Implementation;” and recommendations for adding or removing specifications on the list of standards identified for implementation (Table 2), which should reference relevant guidance criteria. In addition, comments on the standards in Table 3—additional standards NIST has identified for further review—are requested, and comments should reference relevant guidance criteria.

Comments should be submitted in accordance with instructions in the **ADDRESSES** section of this notice.

NIST advises that it also is seeking public review and comment on a companion draft document, NIST Interagency Report (NISTIR) 7628 *Smart Grid Cyber Security Strategy and Requirements*. (More than 200 pages long, this document is summarized in Chapter 6 of draft *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0*.) The request for comments on draft NISTIR 7628 will be published separately in the **Federal Register**.

Dated: October 5, 2009.

**Patrick Gallagher**,  
Deputy Director.

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**BILLING CODE 3510–13–P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket No. 0909301329–91332–01]

#### **Draft NIST Interagency Report (NISTIR) 7628, Smart Grid Cyber Security Strategy and Requirements; Request for Comments**

**AGENCY:** National Institute of Standards and Technology (NIST), Department of Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** The National Institute of Standards and Technology (NIST) seeks comments on draft NISTIR 7628, *Smart Grid Cyber Security Strategy and Requirements*. This initial draft of the document contains the overall security

strategy for the Smart Grid. Contents include: Development of vulnerability classes, identification of well-understood security problems that need to be addressed, selection and development of security-relevant use cases, initial privacy impact assessment, identification and analysis of interfaces identified in six functional priority areas, advanced metering infrastructure (AMI) security requirements, and selection of a suite of security documents that will be used as the base for determining and tailoring security requirements. This is the first draft of NISTIR 7628; NIST plans to post a subsequent draft of this report for additional public comments.

**DATES:** Comments must be received on or before December 1, 2009.

**ADDRESSES:** Written comments may be sent to: Annabelle Lee, National Institute of Standards and Technology, 100 Bureau Dr., Stop 8930, Gaithersburg, MD 20899–8930. Electronic comments may be sent to: [csctgdraftcomments@nist.gov](mailto:csctgdraftcomments@nist.gov).

The report is available at: <http://csrc.nist.gov/publications/PubsDrafts.html#NIST-IR-7628>.

**FOR FURTHER INFORMATION CONTACT:** Annabelle Lee, National Institute of Standards and Technology, 100 Bureau Dr., Stop 8930, Gaithersburg, MD 20899–8930, telephone (301) 975–8897.

**SUPPLEMENTARY INFORMATION:** Section 1305 of the Energy Independence and Security Act (EISA) of 2007 (Pub. L. 110–140) requires the Director of the National Institute of Standards and Technology (NIST) “to coordinate the development of a framework that includes protocols and model standards for information management to achieve interoperability of smart grid devices and systems.” EISA also specifies that, “It is the policy of the United States to support the modernization of the Nation’s electricity transmission and distribution system to maintain a reliable and secure electricity infrastructure that can meet future demand growth and to achieve each of the following, which together characterize a Smart Grid: \* \* \*

(1) Increased use of digital information and controls technology to improve reliability, security, and efficiency of the electric grid.

(2) Dynamic optimization of grid operations and resources, with full cyber-security.”

With the transition to the Smart Grid—the ongoing transformation of the nation’s electric system to a two-way flow of electricity and information—the information technology (IT) and telecommunications infrastructures

have become critical to the energy sector infrastructure.

NIST recently issued the *NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 1.0* (draft for public review and comment). The report is an output of NIST’s approach to expediting development of key standards and requirements necessary for Smart Grid interoperability and cyber security.

The report includes a high-level summary (Chapter 6) of draft NISTIR 7628, *Smart Grid Cyber Security Strategy and Requirements*. The report on the interoperability framework and standards roadmap, as well as the **Federal Register** notice soliciting public comments on the report, advised that NIST also was submitting this companion draft document on cyber security for public review and comment.

NIST has established a Smart Grid Cyber Security Coordination Task Group (CSCTG) which includes members from the public and private sectors, academia, regulatory organizations, and federal agencies. The CSCTG is identifying a comprehensive set of cyber security requirements. These requirements are being identified using a high-level risk assessment process that is defined in the cyber security strategy for the Smart Grid.

The DRAFT NIST Interagency Report (NISTIR) 7628, *Smart Grid Cyber Security Strategy and Requirements* includes the initial risk assessment documents (vulnerability classes and bottom-up analysis); security-relevant use cases; a base set of security requirements with cross-referenced security standards; diagrams of a set of functional priority areas and interfaces, including interface categories with constraints and issues and impacts; initial privacy impact assessment; and AMI security requirements.

**Request for Comments:** NIST seeks public comments on the report. The document will be revised on the basis of comments received, and a second draft will be published for public comment. In addition, the second draft will include the overall Smart Grid security architecture and the security requirements.

The final version of NISTIR 7628 will address all comments received to date. The document will have the final set of security controls and the final security architecture.

Comments on draft NISTIR 7628, *Smart Grid Cyber Security Strategy and Requirements* should be submitted in accordance with the **DATES** and **ADDRESSES** sections of this notice.