

Secretary's presumption that reimbursement of the antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties.

Notifications to Interested Parties

This notice serves as the only 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 return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

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

Dated: October 15, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XX017]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an application submitted by the Cape Cod Commercial Fishermen's Alliance for an exempted fishing permit contains all of the required information and warrants further consideration. This exempted fishing permit would allow

two commercial fishing vessels participating in an electronic monitoring program to fish in the Southern New England Regulated Mesh Area with a 6-inch (15.24 cm) diamond mesh codend. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed exempted fishing permits.

DATES: Comments must be received on or before November 5, 2019.

ADDRESSES: You may submit written comments by either of the following methods:

- *Email:* nmfs.gar.efp@noaa.gov. Include in the subject line "6-INCH MESH CODEND EM EFP."
- *Mail:* Michael Pentony, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "6-INCH MESH CODEND EM EFP."

FOR FURTHER INFORMATION CONTACT:

Spencer Talmage, Fishery Management Specialist, 978-281-9232.

SUPPLEMENTARY INFORMATION: On May 1, 2019, NMFS granted an exempted fishing permit (EFP) to the Cape Cod Commercial Fishermen's Alliance, in partnership with The Nature Conservancy, the Maine Coast Fishermen's Association, the Gulf of Maine Research Institute, and fishermen to participate in an audit-model EM program for the groundfish fishery. Fifteen vessels using a variety of gear types (e.g., hook, benthic longline, sink gillnet, bottom trawl) are participating in the project.

Vessels participating in this EFP are required to use EM on 100 percent of groundfish trips. Camera systems are used in lieu of human at-sea monitors, and in addition to Northeast Fishery Observer Program (NEFOP) observers. Vessels must adhere to a vessel-specific monitoring plan detailing at-sea catch handling protocols. Vessels also submit haul-level electronic vessel trip reports (eVTR) with count and weight estimates for all groundfish discards.

The Alliance subsequently requested an exemption from the 6.5-inch (15.24 cm) minimum mesh size. This exemption request was treated as a separate EFP application, rather than an amendment to the audit model EM EFP. The requested EFP would allow two trawl vessels participating in the EM program to outfit their commercial otter trawl nets with 6-inch diamond mesh codends, in order to facilitate catch of haddock, reduce bycatch of flatfish species, and test the feasibility of EM

programs as a data collection tool for research. There would be no other modifications to the trawl gear. This EFP would exempt vessels from the codend minimum mesh size restriction in the Southern New England Regulated Mesh Area found at 50 CFR 648.80(b)(2)(i). While fishing on this EFP the participating vessels would also be participating in the audit-model EM EFP. They would continue to be required to use EM systems on 100 percent of groundfish trips and adhere to vessel-specific monitoring plans. Existing catch accounting, video review, and other EM protocols would remain in effect for these operations.

Participating vessels would conduct commercial fishing with the small mesh codend in Southern New England (SNE), specifically statistical areas 537, 539, 611, and 613. The application estimates that each of the two vessels participating with the exemption from minimum codend mesh size would take 35 day-trips during the project. The EFP would be active from January to April 2019. Of the 35 trips that each vessel plans to take during that time period, the number of trips taken with a 6-inch mesh codend under the proposed EFP would vary, based on the presence of haddock, the target species for the project. On EFP trips, four to five hauls would be made per day, with each tow length averaging 2 to 3 hours. While on these trips, vessels may switch back to a standard 6.5-inch mesh codend to retain operational flexibility.

The applicant states that a switch from a 6.5-inch square mesh codend to the 6-inch diamond mesh codend would improve catch of haddock, a healthy stock, while reducing catch of several flounder species. Based on a codend mesh selectivity study which compared retention length and size selection range for 6.5- and 6-inch square and diamond mesh, the applicant additionally states that 6-inch diamond mesh is unlikely to retain undersized haddock.

Additionally, the Alliance would compare the discard data collected from trips taken by vessels fishing with a 6-inch diamond mesh codend to trips with the standard 6.5-inch mesh codend. The Alliance states that this comparison would also demonstrate the usefulness of EM systems as tools for research.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the

initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: October 16, 2019.

Jennifer M. Wallace,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Membership of the National Oceanic and Atmospheric Administration Performance Review Board

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of membership of the NOAA Performance Review Board.

SUMMARY: NOAA announces the appointment of members who will serve on the NOAA Performance Review Board (PRB). The NOAA PRB is responsible for reviewing performance appraisals and ratings of Senior Executive Service (SES), Senior Level (SL), and Scientific and Professional (ST) members and making written recommendations to the appointing authority on retention and compensation matters, including performance-based pay adjustments, awarding of bonuses, and reviewing recommendations for potential Presidential Rank Award nominees. The appointment of members to the NOAA PRB will be for a period of two (2) years.

DATES: The ten appointees to the NOAA Performance Review Board were applicable October 15, 2019.

FOR FURTHER INFORMATION CONTACT:

James Triem, Director, Executive Resources Division, Office of Human Capital Services, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910, (301) 628-1882.

SUPPLEMENTARY INFORMATION: The names and positions of the members for the 2019 NOAA PRB are set forth below:

- *Irene Parker, Chair:* Assistant Chief Information Officer, National Environmental Satellite, Data, and Information Service, NOAA
- *Deborah H. Lee, Vice-Chair:* Director, Office of Great Lakes Environmental Research Laboratory, Office of Oceanic and Atmospheric Research, NOAA

- *Kevin Kimball:* Chief of Staff, National Institute of Standards and Technology
- *Kevin Wheeler:* Deputy Chief of Staff for Policy, National Oceanic and Atmospheric Administration
- *James A. St. Pierre:* Deputy Director, Information Technology Laboratory, National Institute of Standards and Technology
- *Albert B. Spencer:* Chief Engineer, National Weather Service, NOAA
- *Mary S. Wohlgenuth:* Director, National Centers for Environmental Information, National Environmental Satellite Data, and Information Service, NOAA
- *David Holst:* Chief Financial Officer, Office of Oceanic and Atmospheric Research, NOAA
- *John S. Luce, Jr.:* General Counsel, NOAA
- *Steve Thur:* Director, National Center for Coastal Ocean Services, National Ocean Service, NOAA
- *David Michaud:* Director, Office of Central Processing, National Weather Service, NOAA
- *Deidre Jones:* Chief Administrative Officer, Office of the Chief Administrative Officer, NOAA

Dated: October 10, 2019.

Neil A. Jacobs,

Assistant Secretary of Commerce for Environmental Observation and Prediction, Performing the Duties of Under Secretary of Commerce for Oceans and Atmosphere.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Federal Consistency Appeal by WesternGeco

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of appeal.

SUMMARY: This announcement provides notice that the Department of Commerce (Department) has received a “Notice of Appeal” filed by WesternGeco (Appellant) requesting that the Secretary override an objection by the South Carolina Department of Health and Environmental Control to a consistency certification for a proposed project to conduct a marine Geological and Geophysical seismic survey in the Atlantic Ocean.

ADDRESSES: NOAA intends to provide access to publicly available materials and related documents comprising the appeal record on the following website:

<http://www.regulations.gov/#!docketDetail;D=NOAA-HQ-2019-0118>.

FOR FURTHER INFORMATION CONTACT: For questions about this Notice, contact Jonelle Dilley, NOAA Office of General Counsel, Oceans and Coasts Section, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910, (301) 713-7383, jonelle.dilley@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Notice of Appeal

On September 20, 2019, the Secretary of Commerce (Secretary) received a “Notice of Appeal” filed by WesternGeco pursuant to the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. The “Notice of Appeal” is taken from an objection by the South Carolina Department of Health and Environmental Control to a consistency certification for a proposed project to conduct a marine Geological and Geophysical seismic survey in the Atlantic Ocean. This matter constitutes an appeal of an “energy project” within the meaning of the CZMA regulations, *see* 15 CFR 930.123(c).

Under the CZMA, the Secretary may override South Carolina’s objection on grounds that the project is consistent with the objectives or purposes of the CZMA, or is necessary in the interest of national security. To make the determination that the proposed activity is “consistent with the objectives or purposes of the CZMA,” the Department must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the national interest furthered by the proposed activity outweighs the activity’s adverse coastal effects, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the proposed activity to be conducted in a manner consistent with the enforceable policies of the applicable coastal management program. 15 CFR 930.121. To make the determination that the proposed activity is “necessary in the interest of national security,” the Secretary must find that a national defense or other national security interest would be significantly impaired if the proposed activity is not permitted to go forward as proposed. 15 CFR 930.122.

II. Public Availability of Appeal Documents

NOAA intends to provide access to publicly available materials and related