

subject merchandise that is appealing to customers in the United States, *i.e.*, not certified to meet ASTM, and its capacity to produce subject merchandise is relatively small when compared to both former Hylsa facilities, we preliminarily determine that although production facilities for LWRPT have changed between pre-transfer Hylsa and post-transfer Ternium (which includes both the former Hylsa facilities and the facility formerly operated by IMSA), the post-transfer Ternium's production facilities are not so significantly different from the former Hylsa production facilities that Ternium would be precluded from being a successor to Hylsa.

The documentation and analysis thereof described above, both with regard to the transfer of production and sales operations from Hylsa to Ternium as well as Ternium Luxemburg's acquisition of Grupo IMSA (and its subsidiary IMSA), demonstrates that there was little to no change in management structure, supplier relationships, production facilities, or customer base between pre-acquisition Hylsa and post-acquisition (after the acquisitions of Hylsamex and Grupo IMSA) Ternium. For these reasons, we preliminarily find that Ternium is the successor-in-interest to Hylsa and, thus, should be accorded the same antidumping duty treatment with respect to LWRPT from Mexico as Hylsa. If the above preliminary results are affirmed in the Department's final results, the cash deposit rate from this changed circumstances review will apply to all entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this changed circumstances review. *See Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Changed Circumstances Review*, 68 FR 25327 (May 12, 2003).

#### Public Comment

In accordance with 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice. Any hearing, if requested, will be held no later than 37 days after the date of publication of this notice, or the first workday thereafter. Case briefs from interested parties may be submitted not later than 30 days after the date of publication of this notice, in accordance with 19 CFR 351.309(c)(ii). Rebuttal briefs, limited to the issues raised in those comments, may be filed not later than 5 days after the time limit for filing the case brief, in accordance with 19 CFR 351.309(d). All

written comments shall be submitted in accordance with 19 CFR 351.303. Persons interested in attending the hearing, if one is requested, should contact the Department for the date and time of the hearing. In accordance with 19 CFR 351.216(e), the Department will issue the final results of its antidumping duty changed circumstances review not later than 270 days after the date on which the review is initiated.

During the course of this antidumping duty changed circumstances review, deposit requirements for the subject merchandise exported and manufactured by Ternium will continue to be the all-others rate established in the investigation. *See Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea (Korea): Antidumping Duty Orders; Light-Walled Rectangular Pipe and Tube from Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value*, 73 FR 45403 (August 5, 2008). The cash deposit rate will be altered, if warranted, pursuant only to the final results of this review.

We are issuing and publishing these preliminary results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Act and 19 CFR 351.216.

Dated: June 11, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

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#### DEPARTMENT OF COMMERCE

##### Foreign-Trade Zones Board

[Order No. 1615]

##### Expansion and Reorganization of Foreign-Trade Zone 147, Reading, Pennsylvania Area

Pursuant to its authority under the Foreign-Trade Zones (FTZ) Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zone Corporation of Southern Pennsylvania, grantee of Foreign-Trade Zone No. 147, submitted an application to the Board for authority to expand and reorganize FTZ 147 by deleting Site 4—Parcels A and C (632 acres total) and adding four additional sites (Sites 16-19) in Franklin and Cumberland Counties, Pennsylvania, adjacent to the Harrisburg Customs and Border Protection port of entry (FTZ Docket 35-2008, filed 5/27/2008);

*Whereas*, notice inviting public comment was given in the **Federal Register** (73 FR 31812, 6/4/2008) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby orders:

The application to expand and reorganize FTZ 147 is approved, subject to the Act and the Board's regulations, including Section 400.28, subject to the Board's standard 2,000-acre activation limit for the overall general-purpose zone project, and further subject to a sunset provision that would terminate authority on May 31, 2014, for Sites 16-19 where no activity has occurred under FTZ procedures before that date.

Signed at Washington, DC, this 29th day of May 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

RIN 0648-XO99

##### Incidental Takes of Marine Mammals During Specified Activities; Low-Energy Marine Seismic Survey in the Northwest Atlantic Ocean, August 2009

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

**ACTION:** Notice; proposed incidental take authorization; request for comments.

**SUMMARY:** NMFS has received an application from Rice University (Rice), for an Incidental Harassment Authorization (IHA) to take small numbers of marine mammals, by harassment, incidental to conducting a marine seismic survey in the Northwest Atlantic during August 2009. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS requests comments on its proposal to authorize Rice to