

DEPARTMENT OF COMMERCE**International Trade Administration**

[C-570-963]

Certain Potassium Phosphate Salts From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

FOR FURTHER INFORMATION CONTACT: Andrew Huston or Mark Hoadley, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4261 and (202) 482-3148, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On October 14, 2009, the Department of Commerce (the Department) initiated the countervailing duty investigation of certain sodium and potassium phosphate salts from the People's Republic of China. *See Certain Sodium and Potassium Phosphate Salts From the People's Republic of China: Initiation of Countervailing Duty Investigation*, 74 FR 54778 (October 23, 2009). Currently, the preliminary determination is due no later than December 18, 2009.

Postponement of Due Date for the Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a countervailing duty investigation within 65 days after the date on which the Department initiated the investigation. However, the Department may postpone making the preliminary determination until no later than 130 days after the date on which the administering authority initiated the investigation if, among other reasons, the petitioner makes a timely request for an extension pursuant to section 703(c)(1)(A) of the Act. In the instant investigation, the petitioners, ICL Performance Products LP and Prayon, Inc., made a timely request on November 20, 2009, requesting that the Department postpone the preliminary countervailing duty determination. *See* 19 CFR 351.205(e) and the petitioners' November 20, 2009, letter requesting postponement of the preliminary determination.

Therefore, pursuant to the discretion afforded the Department under

703(c)(1)(A) of the Act and because the Department does not find any compelling reason to deny the request, we are extending the due date for the preliminary determination to no later than 130 days after the date on which this investigation was initiated (*i.e.*, to February 21, 2010). However, February 21, 2010 falls on a Sunday, and it is the Department's long-standing practice to issue a determination the next business day when the statutory deadline falls on a weekend, federal holiday, or any other day when the Department is closed. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005). Accordingly, the deadline for the completion of the preliminary determination is now February 22, 2010, the first business day after the 130th day from initiation.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 25, 2009.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E9-29003 Filed 12-3-09; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration**

[C-570-917]

Laminated Woven Sacks From the People's Republic of China: Partial Rescission of Countervailing Duty Administrative Review

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

SUMMARY: The Department of Commerce ("the Department") is rescinding in part the administrative review of the countervailing duty order on laminated woven sacks ("LWS") from the People's Republic of China ("PRC") for the period December 3, 2007 to December 31, 2008, with respect to Changshu Xinsheng Bags Producing Company Ltd. ("Changshu"). This partial rescission is based on Changshu's withdrawal of its review.

DATES: *Effective Date:* December 4, 2009.

FOR FURTHER INFORMATION CONTACT: Martha Douthit, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW.,

Washington, DC 20230; telephone: (202) 482-5050.

SUPPLEMENTARY INFORMATION:**Background**

The Department of Commerce (the "Department") published a notice of opportunity to request an administrative review of the countervailing duty order on LWS from the PRC. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 74 FR 41120 (August 14, 2009), as amended. Changshu Xinsheng Bags Producing Company Ltd. ("Changshu") and Zibo Aifudi Plastic Packaging Co., Ltd. ("Zibo Aifudi") timely requested an administrative review of the countervailing duty order on LWS from the PRC for the period December 3, 2007 through December 31, 2008. In accordance with Section 751(a)(1) of the Tariff Act of 1930 ("the Act") and 19 CFR 351.221(c)(1)(i), of the Department's regulations, the Department published a notice initiating an administrative review of the countervailing duty order. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 74 FR 48224 (September 22, 2009).

Rescission, in Part, of Countervailing Duty Administrative Review

The Department's regulations provide that the Department will rescind an administrative review if the party that requested the review withdraws its request for review within 90 days of the date of publication of the notice of initiation. *See* 19 CFR 351.213(d)(1). Changshu, the only party to request a review of its particular sales of LWS, timely withdrew its request of the review within the 90-day deadline. Therefore, in accordance with 19 CFR 351.213(d)(1), the Department is rescinding this administrative review of the countervailing duty order with respect to Changshu. This administrative review will continue with respect to Zibo Aifudi.

Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess countervailing duties on all appropriate entries. For Changshu, countervailing duties shall be assessed, if applicable, at rates equal to the cash deposit or withdrawal from warehouse, for consumption. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protection orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3) of the Department's regulations, 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.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, as amended, and 19 CFR 351.213(d)(4).

Dated: November 30, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E9-29005 Filed 12-3-09; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XT18

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, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration and has made a preliminary determination that the activities authorized under this EFP would be consistent with the goals and objectives of the Monkfish Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. This EFP would grant exemptions from the Monkfish Day-at-Sea (DAS) Program, as well as

exempt vessels from the monkfish minimum size limits for onboard tagging purposes only.

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 EFPs.

DATES: Comments must be received on or before December 21, 2009.

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

- Email: NERO.EFP@noaa.gov.

Include in the subject line "Comments on the GMRI Monkfish Tagging EFP."

- Mail: Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on the GMRI monkfish tagging EFP, DA9-229."
- Fax: (978) 281-9135.

FOR FURTHER INFORMATION CONTACT:

Anna Macan, Fishery Management Specialist, 978-281-9165.

SUPPLEMENTARY INFORMATION: The Gulf of Maine Research Institute (GMRI), in response to a NMFS notice published in the **Federal Register** on June 17, 2009 (50 CFR 28668), submitted a request to use 51 unallocated 2009 Monkfish Research Set-Aside (RSA) DAS as exempted DAS to conduct research activities associated with an ongoing study to investigate large-scale movements and habitat use of monkfish. These 51 exempted DAS would allow GRMI to resume research activities for a 2008 monkfish RSA project that had to be scaled back due to a budget shortfall resulting from the inability to use all of the 2008 monkfish RSA DAS allocated to the project.

This EFP would allow up to 29 vessels to conduct tagging research in the Southern Fishery Management Area (SFMA) in conjunction with normal commercial fishing operations, using standard commercial gillnets. The goal of the project is to investigate large-scale movements of monkfish and to compare inferences about movement and habitat use from conventional and archival tags and otolith trace element analysis. Conventional tagging efforts would be conducted by trained captains or crew while under normal commercial fishing operations. Up to 25-50 monkfish per trip would be tagged, over the course of 51 fishing days. Data storage tags, up to 10 per trip, would only be deployed when GMRI staff is onboard.

This EFP would exempt the participating vessels from the monkfish DAS requirements found at 50 CFR 648.92(b)(1)(i) for a total of 51 DAS. A

DAS exemption would reduce the cost to participating vessels, by not requiring them to expend their DAS allocation to conduct the research. This EFP would also exempt participating vessels from the monkfish minimum size restrictions at \$ 648.93 for the purpose of tagging monkfish during research activities. No fish below the minimum size would be landed for sale. Aside from these exemptions, fishing activities would be conducted under normal commercial practices.

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: December 1, 2009.

Emily H. Menashes,

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

[FR Doc. E9-28992 Filed 12-3-09; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

Foreign-Trade Zone 2—New Orleans, Louisiana, Area

Site Renumbering Notice

Foreign-Trade Zone 2 was approved by the Foreign-Trade Zones Board on July 16, 1946 (Board Order 12), had eleven boundary changes from 1950-1969 (Board Orders 22, 36, 40, 45, 49, 52, 56, 64, 67, 70 and 79), and expanded on April 9, 1984 (Board Order 245), on May 8, 1986 (Board Order 331), on November 13, 1991 (Board Order 544), on August 25, 1998 (Board Order 1000), and on December 30, 2003 (Board Order 1310).

FTZ 2 currently consists of 24 "sites" totaling some 1301.74 acres in the New Orleans area. The current update does not alter the physical boundaries that have previously been approved, but instead involves an administrative renumbering of existing Site 5 to separate unrelated, non-contiguous sites for record-keeping purposes. Existing Site 5 consists of 37 separate "parcels" located at or adjacent to the Port of New Orleans. With this renumbering, the parcels will be designated as Sites 25 thru 61. Site