

○ the revocation of {EXPORTING COMPANY}'s privilege to certify that future imports of SSSS were not produced using stainless steel flat-rolled inputs sourced from China subject to these certifications.

I. This certification was completed at time of shipment or within 45 days of the date on which Commerce published notice of its preliminary scope and anti-circumvention findings in the **Federal Register**; and

J. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. government.

Signature

{NAME OF COMPANY OFFICIAL}

{TITLE}

{DATE}

[FR Doc. 2022–19966 Filed 9–14–22; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–791–827]

#### Certain Lemon Juice From the Republic of South Africa: Postponement of Final Determination and Extension of Provisional Measures

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) is postponing the deadline for issuing the final determination in the less-than-fair-value (LTFV) investigation of certain lemon juice (lemon juice) from the Republic of South Africa (South Africa) until December 19, 2022, and is extending the provisional measures from a four-month period to a period of not more than six months.

**DATES:** Applicable September 15, 2022.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Bremer or Zachary Shaykin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4987 or (202) 482–2638, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

Commerce initiated this investigation on January 19, 2022.<sup>1</sup> The period of investigation is October 1, 2020, through September 30, 2021. On August 4, 2022,

Commerce published its *Preliminary Determination*.<sup>2</sup>

#### Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.210(b)(2) provide that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters or producers who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Further, 19 CFR 351.210(e)(2) requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months, in accordance with section 733(d) of the Act.

On September 1, 2022, pursuant to 19 CFR 351.210(e), mandatory respondents Cape Fruit Processors (Pty) Ltd. (Cape Fruit) and Granor Passi (Pty). Ltd. (Granor Passi) requested that Commerce postpone the deadline for the final determination until no later than 135 days from the publication of the *Preliminary Determination*, and that provisional measures be extended to a period not to exceed six months.<sup>3</sup> In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the *Preliminary Determination* is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination until no later than 135 days after the date of the publication of the *Preliminary Determination*, and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will issue its final determination no later than December 19, 2022.<sup>4</sup>

<sup>2</sup> See *Certain Lemon Juice From the Republic of South Africa: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 87 FR 47707 (August 4, 2022).

<sup>3</sup> See Cape Fruit and Granor Passi's Letter, "Request for Postponement of the Final Antidumping Determination—Case Ref A–791–827," dated September 1, 2022.

<sup>4</sup> The actual deadline falls on December 17, 2022, which is a Saturday. Commerce's practice dictates that where a deadline falls on a weekend or Federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification*:

#### Notification to Interested Parties

This notice is issued and published in accordance with section 735(a)(2) of the Act and 19 CFR 351.210(g).

Dated: September 9, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2022–19967 Filed 9–14–22; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XC304]

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Elkhorn Slough Tidal Marsh Restoration Project, Phase III in Monterey County, California

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

**ACTION:** Notice; issuance of incidental harassment authorization.

**SUMMARY:** NMFS has received a request from the California Department of Fish and Wildlife (CDFW) for the re-issuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of Pacific harbor seals (*Phoca vitulina*), by Level B harassment only, incidental to the Elkhorn Slough Restoration Project, Phase III, at the Seal Bend Restoration Area in Monterey County, CA. The project has been delayed and none of the work covered in the initial IHA has been conducted. The initial IHA was effective from September 16, 2021, through September 15, 2022. CDFW has requested re-issuance with new effective dates of September 16, 2022, through September 15, 2023. The scope of the activities and anticipated effects remain the same, authorized take numbers are not changed, and the required mitigation, monitoring, and reporting remains the same as included in the initial IHA. NMFS is, therefore, issuing a second identical IHA to cover the incidental take analyzed and authorized in the initial IHA.

**DATES:** This authorization is effective from September 16, 2022, through September 15, 2023.

*Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to Tariff Act of 1930, as Amended*, 70 FR 24533 (May 10, 2005).

<sup>1</sup> See *Lemon Juice from Brazil and South Africa: Initiation of Less-Than-Fair-Value Investigations*, 87 FR 3768 (January 25, 2022).

**ADDRESSES:** An electronic copy of the final 2021 IHA previously issued to CDFW, CDFW's application, and the **Federal Register** notices proposing and issuing the initial IHA may be obtained by visiting <https://www.fisheries.noaa.gov/action/incidental-take-authorization-tidal-marsh-restoration-project-elkhorn-slough-phase-iii-2021>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:** Amy Fowler, Office of Protected Resources, NMFS, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:**

**Background**

Sections 101(a)(5)(A) and (D) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined "negligible impact" in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term "take" means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to,

migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

**Summary of Request**

On September 22, 2021, NMFS published final notice of our issuance of an IHA authorizing take of marine mammals incidental to the Elkhorn Slough Tidal Marsh Restoration Project, Phase III (86 FR 52644). The effective dates of that IHA were September 16, 2021, through September 15, 2022. On July 12, 2022, CDFW informed NMFS that the project was delayed. None of the work identified in the initial IHA (*i.e.*, restoration work at the Seal Bend Restoration Area) has occurred. CDFW submitted a request that we reissue an identical IHA that would be effective from September 16, 2022, through September 15, 2023, in order to conduct the construction work that was analyzed and authorized through the previously issued IHA. Therefore, re-issuance of the IHA is appropriate.

**Summary of Specified Activity and Anticipated Impacts**

The planned activities (including mitigation, monitoring, and reporting), authorized incidental take, and anticipated impacts on the affected stocks are the same as those analyzed and authorized through the previously issued IHA.

Phase III of the Elkhorn Slough Tidal Marsh Restoration Project will restore 28.6 acres (11.57 hectares) at the Seal Bend Restoration Area by relocating soil from an upland area called "the borrow" through use of heavy earth moving equipment, within a 12 month period. A detailed description of the planned restoration activities is found in the **Federal Register** notice for the proposed initial IHA (86 FR 43204, August 6, 2021). The location, timing, and nature of the activities, including the types of equipment planned for use, are identical to those described in the initial IHA. The mitigation and monitoring are also as prescribed in the initial IHA.

Construction activities are expected to produce airborne noise and visual disturbance that have the potential to result in behavioral harassment of Pacific harbor seals. A description of the methods and inputs used to estimate take anticipated to occur and, ultimately, the take that was authorized is found in the previous documents referenced above. The data inputs and methods of estimating take are identical to those used in the initial IHA. NMFS has reviewed recent Stock Assessment Reports, information on relevant Unusual Mortality Events, and recent

scientific literature, and determined that no new information affects our original analysis of impacts or take estimate under the initial IHA.

We refer to the documents related to the previously issued IHA, which include the **Federal Register** notice of the issuance of the initial 2021 IHA for Phase III of the Elkhorn Slough Tidal Marsh Restoration Project (86 FR 52644, September 22, 2021), CDFW's application, the **Federal Register** notice of the proposed IHA (86 FR 43204, August 6, 2021), and all associated references and documents.

**Determinations**

CDFW will conduct activities as analyzed in the initial 2021 IHA. As described above, the number of authorized takes of the same species and stocks of marine mammals are identical to the numbers that were found to meet the negligible impact and small numbers standards and authorized under the initial IHA and no new information has emerged that would change those findings. The reissued 2022 IHA includes identical required mitigation, monitoring, and reporting measures as the initial IHA, and there is no new information suggesting that our analysis or findings should change.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; and (4) CDFW's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action.

**National Environmental Policy Act**

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action with respect to environmental consequences on the human environment.

Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review. This action is consistent with categories of activities identified in CE B4 of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or

cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion.

### Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

However, no incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

### Authorization

NMFS has issued an IHA to CDFW for restoration activities at the Seal Bend Restoration Area in Elkhorn Slough (Monterey County, CA) from September 16, 2022, through September 15, 2023. All previously described mitigation, monitoring, and reporting requirements from the initial 2021 IHA are incorporated.

Dated: September 9, 2022.

**Kimberly Damon-Randall,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### Request for Public Comment on Report on Microfiber Pollution

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

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

**SUMMARY:** NOAA's Marine Debris Program and Environmental Protection Agency's (EPA) Trash Free Waters Program, on behalf of the Interagency Marine Debris Coordinating Committee (IMDCC), is soliciting public comments regarding the draft *Report on Microfiber Pollution*. The Save Our Seas 2.0 Act of

2020 requires the IMDCC to complete a report on microfiber pollution. This Report will provide Congress with an overview of the microfiber pollution issue, while also outlining a path forward for Federal agencies, in partnership with other stakeholders, to address this problem.

**DATES:** Comments must be received on or before October 17, 2022, 11:59 p.m. Eastern Time (ET).

**ADDRESSES:** Comments may be submitted by the following method: *Federal eRulemaking Portal:* <https://www.regulations.gov>. Submit electronic comments via the Federal eRulemaking Portal and search for Docket Number NOAA-NOS-2022-0061.

*Instructions:* All comments received are a part of the public record. All personal identifying information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA will accept anonymous comments (enter N/A in the required fields to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Ya'el Seid-Green, Executive Secretariat, IMDCC, Marine Debris Program; Phone 240-533-0399; Email [yael.seid-green@noaa.gov](mailto:yael.seid-green@noaa.gov) or visit the IMDCC website at <https://marinedebris.noaa.gov/IMDCC>.

### SUPPLEMENTARY INFORMATION:

#### Background

The IMDCC is a multi-agency body responsible for coordinating a comprehensive program of marine debris research and activities among Federal agencies, in cooperation and coordination with non-governmental organizations, industry, academia, States, Tribes, and other nations, as appropriate. Representatives meet to share information, assess and promote best management practices, and coordinate the Federal Government's efforts to address marine debris. The IMDCC was established in 2006 by the Marine Debris Act (33 U.S.C. 1954). The NOAA representative serves as the Chairperson of the Committee.

#### Why develop the report on microfiber pollution?

Section 132 of the Save Our Seas 2.0 Act of 2020 (Pub. L. 116-224) requires the IMDCC to complete a report on microfiber pollution that includes: (1) a definition of microfiber; (2) an assessment of the sources, prevalence, and causes of microfiber pollution; (3) a recommendation for a standardized methodology to measure and estimate the prevalence of microfiber pollution;

(4) recommendations for reducing microfiber pollution; and (5) a plan for how Federal agencies, in partnership with other stakeholders, can lead on opportunities to reduce microfiber pollution during the 5-year period beginning on the date of the Act's enactment. This Report will provide Congress with an overview of the microfiber pollution issue, while also outlining a path forward for Federal agencies, in partnership with other stakeholders, to address this problem.

Microfibers have been found almost everywhere that scientists look, including in surface waters and throughout the water column, sea ice, deep-sea and coastal sediments, terrestrial soils, and indoor and outdoor air and dust. These fibers are released from clothing, carpets, cigarette butts, and other fiber-based products and are one of the most pervasive types of microplastics found in many environmental compartments. However, additional research is needed to improve our understanding of microfiber sources, pathways, fates, and impacts so that effective mitigation strategies and prevention measures can be developed. Microfibers are a highly complex and diverse type of contaminant and research on the subject is particularly challenging due to a lack of standard definitions and research methods, which make comparisons across studies difficult. In the course of addressing the five requirements specified in Section 132 of the Save Our Seas 2.0 Act, this report also provides an in-depth review of these topics, recommendations for addressing research data gaps, and solutions to mitigate this source of pollution.

### Summary of the Report on Microfiber Pollution

NOAA's Marine Debris Program and the EPA's Trash Free Waters Program co-led the development of this report on behalf of the IMDCC, with support from the consulting firm, Materevolve. The draft report is approximately 90 pages in length. Section 1 of the report provides an introduction to the report and microfiber pollution issue. Section 2 focuses on establishing a proposed definition of 'microfiber'. This section summarizes existing definitions from the environmental science, textile industry, and government sectors, and explains the issues that complicate efforts to define the term 'microfiber'. It proposes an initial definition of microfiber that can serve as a starting point for building consensus around a standard definition that could be adopted by the United States Government. Section 3 of the report