

In accordance with Commerce’s “automatic assessment” practice, for entries of subject merchandise during the POR produced by Oman Fasteners for which the company did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.¹⁹

Should we continue to apply facts available with an adverse inference to Oman Fasteners in the final results, we will instruct CBP to apply an assessment rate equal to the dumping margin of 154.33 percent, as indicated above, to all entries produced and/or exported by Oman Fasteners. The assessment rate for antidumping duties for each of the companies not selected for individual examination will be equal to the weighted-average dumping margin identified in the final results of review. We intend to issue instructions to CBP no earlier than 35 days after the publication date of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed in the final results of this review will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this review but

covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 9.10 percent, the all-others rate established in the less-than-fair-value investigation.²⁰ The cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary 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 the POR. Failure to comply with this requirement could result in Commerce’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: July 1, 2022.

Ryan Majerus,
Deputy Assistant Secretary for Policy and Negotiations.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Determination of No Shipments

V. Application of Facts Available and Use of Adverse Inferences
VI. Rate for Non-Selected Companies
VII. Recommendation
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DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews; Amendment of Notice

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

SUMMARY: The U.S. Department of Commerce (Commerce) is amending the notice of initiation of administrative reviews of antidumping duty (AD) and countervailing duty (CVD) orders with January 2021 anniversary dates to include a company that was inadvertently omitted from the AD administrative review of softwood lumber from Canada.

DATES: Applicable July 20, 2022.

FOR FURTHER INFORMATION CONTACT: Jeffrey Pedersen, 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) 482–2769.

SUPPLEMENTARY INFORMATION:

Correction

On March 4, 2021, Commerce published a notice of initiation of administrative reviews of AD and CVD orders with January 2021 anniversary dates.¹ Commerce inadvertently omitted from the *Initiation Notice* the initiation of a company from the administrative review of the AD order on softwood lumber from Canada. Commerce is hereby amending the *Initiation Notice* to initiate the request for review of the following company:

AD proceedings	Period to be reviewed
Canada: Softwood Lumber, A–122–857 Comox Valley Shakes (2019) Ltd.	1/1/20–12/31/20

¹⁹For a full description of this practice, see *Antidumping and Countervailing Duty Proceedings*:

Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003).
²⁰ See *Order*.

¹ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 12599 (March 4, 2021) (*Initiation Notice*).

Dated: July 14, 2022.

Scot Fullerton,

*Associate Deputy Assistant Secretary for
Antidumping and Countervailing Duty
Operations.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC186]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of Mexico

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

ACTION: Notice of issuance of Letter of
Authorization.

SUMMARY: In accordance with the
Marine Mammal Protection Act
(MMPA), as amended, its implementing
regulations, and NMFS' MMPA
Regulations for Taking Marine
Mammals Incidental to Geophysical
Surveys Related to Oil and Gas
Activities in the Gulf of Mexico,
notification is hereby given that a Letter
of Authorization (LOA) has been issued
to TGS–NOPEC Geophysical Company
(TGS) for the take of marine mammals
incidental to geophysical survey activity
in the Gulf of Mexico.

DATES: The LOA is effective from
September 15, 2022, through September
14, 2023.

ADDRESSES: The LOA, LOA request, and
supporting documentation are available
online at: [www.fisheries.noaa.gov/
action/incidental-take-authorization-oil-
and-gas-industry-geophysical-survey-
activity-gulf-mexico](http://www.fisheries.noaa.gov/action/incidental-take-authorization-oil-and-gas-industry-geophysical-survey-activity-gulf-mexico). In case of problems
accessing these documents, please call
the contact listed below (see **FOR
FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Ben
Laws, Office of Protected Resources,
NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the
MMPA (16 U.S.C. 1361 *et seq.*) direct
the Secretary of Commerce 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.

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).

On January 19, 2021, we issued a final
rule with regulations to govern the
unintentional taking of marine
mammals incidental to geophysical
survey activities conducted by oil and
gas industry operators, and those
persons authorized to conduct activities
on their behalf (collectively “industry
operators”), in Federal waters of the
U.S. Gulf of Mexico (GOM) over the
course of 5 years (86 FR 5322; January
19, 2021). The rule was based on our
findings that the total taking from the
specified activities over the 5-year
period will have a negligible impact on
the affected species or stock(s) of marine
mammals and will not have an
unmitigable adverse impact on the
availability of those species or stocks for
subsistence uses. The rule became
effective on April 19, 2021.

Our regulations at 50 CFR 217.180
et seq. allow for the issuance of LOAs
to industry operators for the incidental
take of marine mammals during
geophysical survey activities and
prescribe the permissible methods of
taking and other means of effecting the
least practicable adverse impact on
marine mammal species or stocks and
their habitat (often referred to as

mitigation), as well as requirements
pertaining to the monitoring and
reporting of such taking. Under 50 CFR
217.186(e), issuance of an LOA shall be
based on a determination that the level
of taking will be consistent with the
findings made for the total taking
allowable under these regulations and a
determination that the amount of take
authorized under the LOA is of no more
than small numbers.

Summary of Request and Analysis

TGS plans to conduct a 3D ocean
bottom node (OBN) survey in the
Mississippi Canyon, Atwater Valley,
Green Canyon, Ewing Bank, and South
Timbalier lease areas, with approximate
water depths ranging from 130 to 2,000
meters (m). See Figure 1 of the LOA
application for a map of the area.

TGS anticipates using two triple
source vessels, towing airgun array
sources consisting of 28 elements, with
a total volume of 5,200 cubic inches
(in³). Please see TGS's application for
additional detail.

Consistent with the preamble to the
final rule, the survey effort proposed by
TGS in its LOA request was used to
develop LOA-specific take estimates
based on the acoustic exposure
modeling results described in the
preamble (86 FR 5322, 5398; January 19,
2021). In order to generate the
appropriate take number for
authorization, the following information
was considered: (1) survey type; (2)
location (by modeling zone¹); (3)
number of days; and (4) season.² The
acoustic exposure modeling performed
in support of the rule provides 24-hour
exposure estimates for each species,
specific to each modeled survey type in
each zone and season.

No 3D OBN surveys were included in
the modeled survey types, and use of
existing proxies (*i.e.*, 2D, 3D NAZ, 3D
WAZ, Coil) is generally conservative for
use in evaluation of 3D OBN survey
effort, largely due to the greater area
covered by the modeled proxies.
Summary descriptions of these modeled
survey geometries are available in the
preamble to the proposed rule (83 FR
29212, 29220; June 22, 2018). Coil was
selected as the best available proxy
survey type in this case, because the
spatial coverage of the planned survey
is most similar to the coil survey
pattern. The planned 3D OBN survey
will involve two source vessels sailing
along survey lines approximately 75 km

¹ For purposes of acoustic exposure modeling, the
GOM was divided into seven zones. Zone 1 is not
included in the geographic scope of the rule.

² For purposes of acoustic exposure modeling,
seasons include Winter (December–March) and
Summer (April–November).