

result in Commerce's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

#### Notification Regarding Administrative Protective Orders

This notice also serves as a 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), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or 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 sanctionable violation.

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

Dated: June 19, 2018.

**James Maeder,**

*Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2018-13671 Filed 6-25-18; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-864]

#### Steel Propane Cylinders From Taiwan: Termination of Less-Than-Fair-Value Investigation

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

**SUMMARY:** Based on Worthington Industries and Manchester Tank & Equipment Co.'s (the petitioners) withdrawal of the antidumping duty (AD) petition on steel propane cylinders from Taiwan, we are terminating the less-than-fair-value (LTFV) investigation.

**DATES:** Applicable June 26, 2018.

**FOR FURTHER INFORMATION CONTACT:** Laurel LaCivita, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482-4243.

**SUPPLEMENTARY INFORMATION:**

## Background

On May 22, 2018, Commerce received AD petitions concerning imports of steel propane cylinders from China, Taiwan and Thailand, filed on behalf of the petitioners.<sup>1</sup> On June 11, 2018, Commerce initiated the LTFV investigations of steel propane cylinders from China, Taiwan and Thailand, which were published in the **Federal Register** on June 18, 2018.<sup>2</sup> On June 14, 2018, the petitioners submitted a letter withdrawing the AD petition with respect to Taiwan.<sup>3</sup> Section 351.207(b)(1) of Commerce's regulations stipulates that the Secretary may terminate an investigation, provided it has concluded that termination of the investigation is in the public interest.<sup>4</sup> Because the petitioners have withdrawn their May 22, 2017, AD petition with respect to Taiwan, and have requested that Commerce terminate this investigation, we determine that termination of this investigation is in the public interest, pursuant to 19 CFR 351.207(b)(1).<sup>5</sup> Accordingly, pursuant to section 734(a)(1)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.207(b)(1), we are terminating the LTFV investigation with respect to Taiwan.

## Termination of Investigation

In accordance with section 734(a)(1)(A) of the Act and 19 CFR 351.207(b)(1), upon the petitioners' withdrawal of the Taiwan petition, we are terminating the LTFV investigation of steel propane cylinders from Taiwan.

Dated: June 20, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2018-13675 Filed 6-25-18; 8:45 am]

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<sup>1</sup> See the petitioners' letter, "Steel Propane Cylinders from the People's Republic of China, Taiwan, and Thailand: Petition for the Imposition of Antidumping and Countervailing Duties," dated May 22, 2018 (the Petition). For the purposes of the instant notice, all references to 'the Petition' refer specifically to the AD Petition with respect to Taiwan.

<sup>2</sup> See *Steel Propane Cylinders from the People's Republic of China, Taiwan, and Thailand: Initiation of Less-Than-Fair-Value Investigations*, 83 FR 28196 (June 18, 2018).

<sup>3</sup> See the petitioners' letter, "Steel Propane Cylinders from the People's Republic of China, Taiwan, and Thailand: Withdrawal of Taiwan Antidumping Duty Petition," dated June 14, 2018.

<sup>4</sup> See 19 CFR 351.207(b)(1).

<sup>5</sup> See Withdrawal Letter at 1-2.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-069, A-549-835]

#### Rubber Bands From the People's Republic of China and Thailand: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations

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

**DATES:** Applicable June 26, 2018.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Berger at (202) 482-2483 (People's Republic of China (China)) and Laurel LaCivita at (202) 482-4243 (Thailand), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

## SUPPLEMENTARY INFORMATION:

### Background

On February 20, 2018, the Department of Commerce (Commerce) initiated less-than-fair-value (LTFV) investigations of imports of rubber bands from China, Sri Lanka, and Thailand.<sup>1</sup> On March 19, 2018, the U.S. International Trade Commission (ITC) notified Commerce of its affirmative preliminary determination with respect to China and Thailand, its negligibility determination concerning imports of rubber bands from Sri Lanka, and its termination of its investigation of imports from Sri Lanka.<sup>2</sup> On March 22, the ITC published in the **Federal Register** a notice of its preliminary determination with respect to China and Thailand, and its determination that imports of rubber bands from Sri Lanka are negligible.<sup>3</sup> Because the ITC has terminated its investigation of rubber bands from Sri Lanka, Commerce's investigation is also terminated.<sup>4</sup> The preliminary determinations for China and Thailand

<sup>1</sup> See *Rubber Bands from the People's Republic of China, Sri Lanka, and Thailand: Initiation of Less-Than-Fair-Value Investigations*, 83 FR 8424 (February 27, 2018).

<sup>2</sup> See the ITC's letter dated March 19, 2018 (Notification of ITC Preliminary Determinations); see also *Rubber Bands from China, Sri Lanka, and Thailand; Determinations*, 83 FR 12594 (March 22, 2018); see also ITC publication 4770 (March 2018), *Rubber Bands from China, Sri Lanka, and Thailand, Investigation Nos. 701-TA-598-600 and 731-TA-1408-1410 (Preliminary)* at page 1.

<sup>3</sup> See *Rubber Bands from China, Sri Lanka, and Thailand; Determinations*, 83 FR 12594 (March 22, 2018).

<sup>4</sup> See 19 CFR 351.207(d) (stating that Commerce's investigation terminates automatically upon the publication in the **Federal Register** of the ITC's negative preliminary determination).

are currently due no later than July 10, 2017.

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) The petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.<sup>5</sup>

On June 11, 2018, Alliance Rubber Co. (the petitioner) submitted timely requests pursuant to section 703(c)(1)(A) of the Act and 19 CFR 351.205(e) to postpone the preliminary determinations in these LTFV investigations.<sup>6</sup> The petitioner stated that it requested postponement because Commerce is still conducting its antidumping investigations, and additional time is necessary for interested parties to respond to additional requests from Commerce.

For the reasons stated above and because there are no compelling reasons to deny the petitioner's request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determinations by 50 days (*i.e.*, 190 days after the date on which these investigations were initiated). As a result, Commerce will issue its preliminary determinations no later than August 29, 2018. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of publication of the preliminary determinations, unless postponed at a later date.

<sup>5</sup> See 19 CFR 351.205(e).

<sup>6</sup> See letter from the petitioner, "Petition for the Imposition of Antidumping and Countervailing Duties on Rubber Bands from Thailand and China—Petitioner's Request for Postponement of the Preliminary Determinations in the Antidumping Duty Cases," dated June 11, 2018.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: June 20, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2018-13672 Filed 6-25-18; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XF830**

#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction at the City Dock and Ferry Terminal, in Tenakee Springs, Alaska**

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

**ACTION:** Notice; Issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the Alaska Department of Transportation and Public Facilities (ADOT&PF) to incidentally harass, by Level B harassment only, marine mammals during construction activities associated with a city dock and ferry terminal improvement project in Tenakee Springs, Alaska.

**DATES:** This Authorization is applicable from June 1, 2019 through May 31, 2020.

#### **FOR FURTHER INFORMATION CONTACT:**

Jonathan Molineaux, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>. In case of problems accessing these documents, please call the contact listed above.

#### **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 (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 shall have a negligible impact on the species or stock(s), shall 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 October 23, 2017, NMFS received a request from ADOT&PF for an IHA to take marine mammals incidental to conducting improvements at the Tenakee Springs city dock and ferry terminal, in Tenakee Springs, Alaska. The application was considered adequate and complete on January 30, 2018. ADOT&PF's request is for take of seven species of marine mammals by Level B harassment only. Neither ADOT&PF nor NMFS expect mortality to result from this activity and, therefore, an IHA is appropriate. The planned activity is not expected to exceed one year, hence, we do not expect subsequent MMPA IHAs to be issued for this particular activity.