

consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be the rate established in the final results of review (except, if the rate is zero or *de minimis*, i.e., less than 0.5 percent, a zero cash deposit rate will be required for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have a separate rate, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 118.04 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. The deposit requirements, when imposed, shall remain in effect until further notice.

#### Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

#### Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

#### Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, 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 violation which is subject to sanction.

We are issuing and publishing this administrative review and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: March 5, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

#### Appendix I—Issues and Decision Memorandum

##### General Issues

##### *Comment 1: Selection of Surrogate Country*

- A. Economic Comparability
- B. Significant Producer
- C. Reliability of Data from Ukraine
- D. Data Considerations
  - a. Parties' Contentions: Surrogate Financial Ratios
  - b. Parties' Contentions: Steel Plate
  - c. Parties' Contentions: Steel Wire Rod
  - d. Parties' Contentions: Labor

##### *Comment 2: Calculation Adjustments to the Surrogate Financial Ratios*

- A. L.S. Industry
- B. Bangkok Fastening

##### *Comment 3: Miscellaneous Surrogate Values*

- A. Hot-Dipped Galvanized Wire
- B. Metal Dies
- C. Zinc Chloride
- D. Sodium Chloride
- E. Sodium Sulfate
- F. Ammonium Citrate
- G. Plastic Quick Lock Tags
- H. Volatile Anti-Corrosion Paper
- I. Borax Powder
- J. Chemical-based Nail Coating
- K. Glass Balls
- L. Hydrochloric Acid
- M. Sodium Bicarbonate
- N. Trisodium Phosphate
- O. Corrugated Cardboard Tray
- P. Plastic Core
- Q. Plastic Strapping
- R. Brokerage and Handling

##### Respondent-Specific Issues

##### *Comment 4: Valuation of Hongli's Dies*

##### *Comment 5: Application of Partial Adverse Facts Available To Hongli's Factors of Production ("Fop")*

##### *Comment 6: Reporting of Stanley's Movement Costs*

##### *Comment 7: Stanley's Inland Freight*

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## DEPARTMENT OF COMMERCE

### International Trade Administration [A-570-904]

#### Certain Activated Carbon From the People's Republic of China: Continuation of Antidumping Duty Order

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

**SUMMARY:** As a result of the determinations by the Department of Commerce ("the Department") and the International Trade Commission ("ITC") that revocation of the antidumping duty order on certain activated carbon from the People's Republic of China ("PRC") would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the antidumping duty order.

**DATES:** Effective Date: March 18, 2013.

**FOR FURTHER INFORMATION:** Bob Palmer, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-9068.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 1, 2012, the Department initiated a sunset review of the antidumping duty order on certain activated carbon from the PRC, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act").<sup>1</sup> As a result of its review, the Department determined that revocation of the antidumping duty order on certain activated carbon from the PRC would likely lead to a continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the order be revoked.<sup>2</sup> On March 1, 2013, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on certain activated carbon from the PRC would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>3</sup>

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Review*, 77 FR 12562 (March 1, 2012).

<sup>2</sup> See *Certain Activated Carbon From the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 77 FR 33420 (June 6, 2012).

<sup>3</sup> See *Certain Activated Carbon from China: Determination*, 78 FR 13894 (March 1, 2013); see

*Scope of the Order*

The merchandise subject to the order is certain activated carbon. Certain activated carbon is a powdered, granular, or pelletized carbon product obtained by "activating" with heat and steam various materials containing carbon, including but not limited to coal (including bituminous, lignite, and anthracite), wood, coconut shells, olive stones, and peat. The thermal and steam treatments remove organic materials and create an internal pore structure in the carbon material. The producer can also use carbon dioxide gas (CO<sub>2</sub>) in place of steam in this process. The vast majority of the internal porosity developed during the high temperature steam (or CO<sub>2</sub> gas) activated process is a direct result of oxidation of a portion of the solid carbon atoms in the raw material, converting them into a gaseous form of carbon.

The scope of the order covers all forms of activated carbon that are activated by steam or CO<sub>2</sub>, regardless of the raw material, grade, mixture, additives, further washing or post-activation chemical treatment (chemical or water washing, chemical impregnation or other treatment), or product form. Unless specifically excluded, the scope of the order covers all physical forms of certain activated carbon, including powdered activated carbon ("PAC"), granular activated carbon ("GAC"), and pelletized activated carbon.

Excluded from the scope of the order are chemically activated carbons. The carbon-based raw material used in the chemical activation process is treated with a strong chemical agent, including but not limited to phosphoric acid, zinc chloride, sulfuric acid or potassium hydroxide, that dehydrates molecules in the raw material, and results in the formation of water that is removed from the raw material by moderate heat treatment. The activated carbon created by chemical activation has internal porosity developed primarily due to the action of the chemical dehydration agent. Chemically activated carbons are typically used to activate raw materials with a lignocellulosic component such as cellulose, including wood, sawdust, paper mill waste and peat.

To the extent that an imported activated carbon product is a blend of steam and chemically activated carbons, products containing 50 percent or more steam (or CO<sub>2</sub> gas) activated carbons are within the scope, and those containing more than 50 percent chemically

activated carbons are outside the scope. This exclusion language regarding blended material applies *only* to mixtures of steam and chemically activated carbons.

Also excluded from the scope are reactivated carbons. Reactivated carbons are previously used activated carbons that have had adsorbed materials removed from their pore structure after use through the application of heat, steam and/or chemicals.

Also excluded from the scope is activated carbon cloth. Activated carbon cloth is a woven textile fabric made of or containing activated carbon fibers. It is used in masks and filters and clothing of various types where a woven format is required.

Any activated carbon meeting the physical description of subject merchandise provided above that is not expressly excluded from the scope is included within the scope. The products subject to the order are currently classifiable under the Harmonized Tariff Schedule of the United States ("HTSUS") subheading 3802.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

*Continuation of the Order*

As a result of the determinations by the Department and the ITC that revocation of the antidumping duty order would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping order on certain activated carbon from the PRC. U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This five-year ("sunset") review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: March 11, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Draft Damage Assessment, Restoration Plan and Environmental Assessment for the T/B DBL 152 Oil Spill in the Gulf of Mexico**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of Availability of a Draft Damage Assessment and Restoration Plan and Environmental Assessment for the T/B DBL 152 Oil Spill in the Gulf of Mexico, Request for Comments.

**SUMMARY:** NOAA, the Natural Resource Trustee for this incident has written a Draft Damage Assessment and Restoration Plan and Environmental Assessment (Draft DARP/EA) that describes proposed alternatives for restoring natural resource injuries resulting from the November 11, 2005, T/B DBL 152 oil spill in the Gulf of Mexico. The purpose of this notice is to inform the public of the availability of the Draft DARP/EA and to seek written comments on the proposed restoration alternative.

**FOR FURTHER INFORMATION CONTACT:** Chris Plaisted, NOAA/GCNR, 501 W. Ocean Blvd., Suite 4470, Long Beach, CA 90802, 562-980-4080.

Written comments on the Draft DARP/EA should be submitted to: Chris Plaisted, NOAA/GCNR, FAX: 562-980-4065. Alternatively, comments may be submitted electronically at [www.regulations.gov](http://www.regulations.gov) (Docket I.D.: NOAA-NMFS-2013-0034). All comments received, including names and addresses will become a part of the administrative record.

The Draft DARP/EA is available at: <http://www.darp.noaa.gov/southeast/dbl152/admin.html>. Comments on the Draft DARP/EA must be submitted in writing on or before April 15, 2013.

**SUPPLEMENTARY INFORMATION:** On November 11, 2005, while en route from Houston, Texas, to Tampa, Florida, the integrated tug-barge unit comprised of the tugboat "Rebel" and the double-hull Tank Barge (T/B) DBL 152 struck the submerged remains of a pipeline service platform in the Gulf of Mexico that collapsed during Hurricane Rita. An