

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

(Docket 57-2005)

Foreign-Trade Zone 181 - Akron/Canton, Ohio**Application for Expansion**

SUPPLEMENTARY INFORMATION: An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Northeast Ohio Trade & Economic Consortium (NEOTEC), grantee of FTZ 181, requesting authority to expand and reorganize its zone in the seven-county northeast Ohio area, and to add two new sites in and adjacent to the Cleveland Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on November 14, 2005.

FTZ 181 was approved by the Board on December 23, 1991 (Board Order 546, 57 FR 41; 1/2/92). On March 13, 1998, the grant of authority was reissued to NEOTEC (Board Order 965, 63 FR 13837; 3/23/98). The zone was expanded in 1997 (Board Order 902, 62 FR 36044; 7/3/97), in 1998 (Board Order 968, 63 FR 16962; 4/7/98), in 1999 (Board Order 1053, 64 FR 51291; 9/22/99), in 2002 (Board Order 1260, 67 FR 71933; 12/3/02), and in 2004 (Board Order 1334, 69 FR 30281; 5/27/04). FTZ 181 currently consists of seven sites in the northeast, Ohio area covering the Counties of Summit, Trumbull, Mahoning, Columbiana, Stark, Ashtabula, and Portage.

The applicant is now requesting authority to update, expand and reorganize the zone as described below. The proposal also requests authority to reduce certain existing sites, and to add several new industrial park sites. Overall, the zone would be increased by 647 acres.

Site 1 (Summit County) will be reorganized and expanded by transferring 12 acres from the northwestern and central portions of the Cuyahoga Falls Industrial Park to the southern portion of the Park; by deleting the 20-acre Terex Road parcel; and, adding 88 acres to the southwestern portion of the Hudson Drive/Prosper Industrial Park. Site 1 would cover 736 acres.

Site 4 (Stark County) will be reorganized by deleting 9 acres from the southwestern portion of the 819-acre Intermodal Facility, located at 5000 Maryland Avenue, SW, Navarre; and adding three new

parcels (150 acres total) as follows: (5 acres) I-77 - SR 30 Center, located at 1411 Navarre Road, SW; (142 acres) Canton Commerce Development LLC, I-77 & Faircrest Road; and, (3 acres) Dillard Property/RRR Development, located at 8817 Pleasantwood Avenue, NW, Lake Township. Site 4 would cover 1,338 acres.

Site 5 (City of Mansfield) will be expanded by adding 29 acres at 20-40 South Airport and 21 acres at 41 Cairns Road, Mansfield.

Proposed Site 8 (Medina County, 4 Parcels, 247 acres total) would involve the Beacon Transportation Park (111 acres) between Interstate Routes 71 & 76, Seville; the Brunswick Commerce Center (38 acres) on Interstate Parkway, Brunswick; the Portside Corporate Park (51 acres) 2200 Akron-Medina Road, Sharon Township; and, the Wadsworth Corporate Park (47 acres), Wadsworth, Medina County, Ohio.

Proposed Site 9 (Wayne County, 141 acres) would involve the Route 30 Industrial Park, State Route 30, Wooster, Wayne County, Ohio.

No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by case basis.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is [60 days from date of publication]. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to [75 days from date of publication]).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce, Export Assistance Center, 600 Superior Avenue, East Suite 700, Cleveland, Ohio, 44114.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, FCB - Suite 4100W, 1099 14th St. NW, Washington, D.C. 20005.

Dated: November 16, 2005.

Dennis Puccinelli,

Executive Secretary.

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DEPARTMENT OF COMMERCE**International Trade Administration**

(A-549-812)

Notice of Final Results of Antidumping Duty Administrative Review: Furfuryl Alcohol from Thailand

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

SUMMARY: On July 21, 2005, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on furfuryl alcohol from Thailand. The period of review is July 1, 2003, through June 30, 2004. The final results do not differ from the preliminary results of this review, in which we found that sales of the subject merchandise have not been made below normal value. We will instruct the U.S. Bureau of Customs and Border Protection not to assess antidumping duties on the subject merchandise exported by this company.

EFFECTIVE DATE: November 25, 2005.

FOR FURTHER INFORMATION CONTACT:

Andrew Smith or Brandon Farlander, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1276 and (202) 482-0182, respectively.

SUPPLEMENTARY INFORMATION:**Background**

Since the July 21, 2005, publication of the preliminary results in this review (see *Notice of Preliminary Results of Antidumping Duty Administrative Review: Furfuryl Alcohol from Thailand*, 70 FR 42029 (July 21, 2005) ("Preliminary Results")), the following events have occurred:

We invited parties to comment on the *Preliminary Results* of the review. On August 22, 2005, the respondent, Indorama Chemicals (Thailand) Ltd. ("IRCT"), and the petitioner, Penn Specialty Chemicals, Inc. ("petitioner"), each filed case briefs. On August 29, 2005, the respondent and petitioner each filed rebuttal briefs. On October 27, 2005, the Department rejected the petitioner's case brief and IRCT's rebuttal brief on the basis that these briefs contained new factual

information. The deadline for submission of new factual information was October 20, 2004. On November 2, 2005, the petitioner and IRCT each filed a new case brief and rebuttal brief, respectively, absent the information the Department deemed to be new information.

Scope of the Order

The merchandise covered by this order is furfuryl alcohol (C4H3OCH₂OH). Furfuryl alcohol is a primary alcohol, and is colorless or pale yellow in appearance. It is used in the manufacture of resins and as a wetting agent and solvent for coating resins, nitrocellulose, cellulose acetate, and other soluble dyes.

The product subject to this order is classifiable under subheading 2932.13.00 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Period of Review

The period of review is July 1, 2003, through June 30, 2004.

Analysis of Comments Received

All issues raised in the case brief filed by parties to this review are addressed in the "Issues and Decision Memorandum for 2003–2004 Administrative Review of Furfuryl Alcohol from Thailand" from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration to Joseph A. Speirini, Acting Assistant Secretary for Import Administration, dated November 18, 2005 ("Decision Memo"), which is hereby adopted by this notice. Attached to this notice as an appendix is a list of the issues that parties have raised and to which we have responded in the *Decision Memo*. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Department of Commerce's ("the Department") Central Records Unit, located in Room B–099 of the main Department building ("CRU"). In addition, a complete version of the *Decision Memo* can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the *Decision Memo* are identical in content.

Fair Value Comparisons

To determine whether sales of furfuryl alcohol by IRCT to the United States were made at less than normal

value ("NV"), we compared export price ("EP") to NV. Our calculations followed the methodologies described in the *Preliminary Results*, except as noted below and in the final results calculation memorandum cited below, which is on file in the CRU.

Export Price

We calculated EP in accordance with section 772(a) of the Tariff Act of 1930, as amended ("the Act"), because the merchandise was sold to the first unaffiliated purchaser in the United States prior to importation by the exporter/producer outside the United States and because constructed export price methodology was not otherwise warranted. We calculated EP based on the same general methodology described in the *Preliminary Results*.

Normal Value

Except as noted below, we used the same methodology as that described in the *Preliminary Results* to determine the cost of production and the NV. As discussed in the *Decision Memo*, we used IRCT's reported interest expense ratio in these final calculations.

Changes from the Preliminary Results

Based on our review of the comments received, we have made certain changes to the calculations for the final results. Specifically, we re-calculated the cost of manufacture, general and administrative expenses, duty drawback adjustment, and U.S. packing expense for the final results. These changes are discussed in the *Decision Memo* and in the final results calculation memorandum. See "Final Results Calculation Memorandum for Indorama Chemicals (Thailand) Ltd.," dated November 18, 2005, which is on file in the CRU.

Final Results of the Review

We determine that the following margin percentage exists for the period July 1, 2003, through June 30, 2004:

Exporter/manufacturer	Weighted-average margin percentage
Indorama Chemicals (Thailand) Ltd.	0.00

Assessment Rates

The Department shall determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated exporter/importer (or customer)-specific assessment rates for merchandise subject to this review. To determine whether the duty

assessment rate is *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer-specific (or customer-specific) *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to that importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer).

The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of these final results of review.

Cash Deposit Rates

The following antidumping duty deposits will be required on all shipments of furfuryl alcohol from Thailand entered, or withdrawn from warehouse, for consumption, effective on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for the reviewed company will be the rate listed above (except no cash deposit will be required if a company's weighted-average margin is *de minimis*, *i.e.*, less than 0.5 percent); (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, the previous review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 7.82 percent, the "all others" rate established in *Furfuryl Alcohol from Thailand: Notice of Amended Final Antidumping Duty Determination and Order*, 60 FR 38035 (July 25, 1995).

These cash deposit requirements shall remain in effect until publication of the final results of the next administrative review. See section 751(a)(2)(C) of the Act.

Notification to Importers

This notice serves as a final 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 this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of 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 return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. 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 sanctions.

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

Dated: November 18, 2005.

Joseph A. Speirini,
Acting Assistant Secretary for Import Administration.

APPENDIX I

List of Comments in the Issues and Decision Memorandum

Comment 1: Certain Loss Related to General and Administrative Expenses (Cost Adjustment #1)

Comment 2: Changes in Inventory (Cost Adjustment #2)

Comment 3: Cost Adjustment #3

Comment 4: Financial Expenses

Comment 5: Technical Services Adjustment

Comment 6: Duty Drawback

Comment 7: Packing Costs

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 111605E]

Receipt of an Application for Incidental Take Permit 1554

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

ACTION: Notice; application for permit.

SUMMARY: NMFS has received an application from the Washington Department of Fish and Wildlife (WDFW) for an incidental take permit pursuant to the Endangered Species Act of 1973, as amended (ESA). The duration of the proposed Permit is 10 years. NMFS is furnishing this notice in order to allow other agencies and the public an opportunity to review and comment on the document. All comments received will become part of the public record and will be available for review pursuant to the ESA.

DATES: Written comments from interested parties on the Permit application must be received at the appropriate address or fax number no later than 5 p.m. Pacific standard time on December 27, 2005.

ADDRESSES: Written comments on the application should be sent to Kristine Petersen, Salmon Recovery Division, NWR1, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232. Comments may also be sent via fax to (503) 872-2737. The mailbox address for providing e-mail comments is *UCRFisheries.nwr@noaa.gov*. Include in the subject line the following document identifier: "Upper Columbia fisheries". Requests for copies of the permit application should be directed to the Salmon Recovery Division, 1201 N.E. Lloyd Blvd., Suite 1100, Portland, OR 97232. The documents are also available on the Internet at *www.nwr.noaa.gov/1srd*. Comments received will be available for public inspection, by appointment, during normal business hours by calling (503) 230-5409.

FOR FURTHER INFORMATION CONTACT: Kristine Petersen, Portland, OR (ph: (503) 230-5409, fax: (503) 872-2737, e-mail: *kristine.petersen@noaa.gov*).

SUPPLEMENTARY INFORMATION: Section 9 of the ESA and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. The term "take" is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits, under limited circumstances, to take listed species if such taking is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Species Covered in this Notice

The following evolutionarily significant units (ESUs) are included in the Permit application:

Steelhead (*Oncorhynchus mykiss*): endangered Upper Columbia River (UCR).

Chinook salmon (*O. tshawytscha*): endangered Upper Columbia River spring-run and threatened Snake River spring/summer-run.

Application received:

On September 21, 2005, the WDFW submitted an application to NMFS for an ESA section 10(a)(1)(B) permit for the incidental take of ESA-listed anadromous fish species associated with recreational fisheries on non-ESA-listed fish species in the middle and upper Columbia River Basin in Washington State.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of section 10(a)(1)(B) of the ESA. If it is determined that the requirements are met, a permit will be issued to the WDFW for the purpose of carrying out the proposed fisheries. NMFS will publish a record of its final action in the **Federal Register**.

Dated: November 21, 2005.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 102705A]

Marine Mammals; File No. 774-1649-03

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

ACTION: Issuance of permit amendment.

SUMMARY: Notice is hereby given that Permit No. 774-1649-02 issued to the Southwest Fisheries Science Center, National Marine Fisheries Service, 8604 La Jolla Shores Drive, La Jolla, California 92038 (Principle Investigator: Rennie Holt, Ph.D.) has been amended.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and