

**DEPARTMENT OF COMMERCE****International Trade Administration****University of Colorado; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments**

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 2104, U.S. Department of Commerce, 14th and Constitution Ave., NW., Washington, DC.

*Comments:* None received. Decision: Approved. We know of no instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, that was being manufactured in the United States at the time of its order.

*Docket Number:* 07-051. *Applicant:* Colorado College, Department of Physics, Colorado Springs, CO.

*Instrument:* Low Temperature Ultra-High Vacuum Scanning Tunneling Microscope. *Manufacturer:* Omicron Nanotechnology GmbH, Germany. *Intended Use:* See notice at 72 CFR 46037, August 16, 2007. *Reasons:* The instrument provides: (a) A scanning tunneling microscope mounted inside a 4 K liquid helium reservoir (with a 22-hour liquid helium refill time); (b) Operation at an equilibrium temperature of 4 K (with in-situ sample preparation and tip transfer capability); (c) Low drift rates of 1 angstrom/hour; (d) RMS vibration amplitudes of <0.005 angstrom in a 300 Hz bandwidth; and (e) Sample registry after deposition. There are no domestically manufactured low temperature ultra-high vacuum scanning tunneling microscopes.

*Docket Number:* 07-053. *Applicant:* University of Kentucky, Dept. Civil Engineering, Lexington, KY. *Instrument:* Soil Stiffness Testing System. *Manufacturer:* GDS Instruments, Ltd., UK. *Intended Use:* See notice at 72 CFR 46037, August, 16, 2007. *Reasons:* The instrument provides a vertically propagating S-wave transmitter and a P-wave receiver along with a vertically propagating P-wave transmitter and S-wave receiver and a master signal conditioning unit along with GDSBES software to control data acquisition and drive signal generation for S and P wave velocity tests as well as a Hall effect local strain set (2 axial, 1 radial) and mid-plane pore pressure kit. No domestic sources making similar

devices provide an integrated system of this type of testing with the resolution required for advanced geotechnical research.

**Faye Robinson,**

*Director, Statutory Import Programs Staff, Import Administration.*

[FR Doc. E7-17868 Filed 9-10-07; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****National Institute of Standards and Technology****Judges Panel of the Malcolm Baldrige National Quality Award**

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice of closed meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that the Judges Panel of the Malcolm Baldrige National Quality Award will meet Thursday, September 19, 2007. The Judges Panel is composed of twelve members prominent in the fields of quality, innovation, and performance excellence and appointed by the Secretary of Commerce. The purpose of this meeting is to review applicant consensus scores and select applicants for site visit review. The applications under review by Judges contain trade secrets and proprietary commercial information submitted to the Government in confidence.

**DATES:** The meeting will convene September 19, 2007 at 8:15 a.m. and adjourn at 4:30 p.m. on September 19, 2007. The entire meeting will be closed.

**ADDRESSES:** The meeting will be held at the National Institute of Standards and Technology, Administration Building, Lecture Room B, Gaithersburg, Maryland 20899.

**FOR FURTHER INFORMATION CONTACT:** Dr. Harry Hertz, Director, National Quality Program, National Institute of Standards and Technology, Gaithersburg, Maryland 20899, telephone number (301) 975-2361.

**SUPPLEMENTARY INFORMATION:** The Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on December 27, 2005, that the meeting of the Judges Panel will be closed pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. app. 2, as amended by section 5(c) of the Government in the Sunshine Act, Public Law 94-409. The meeting, which

involves examination of Award applicant data from U.S. companies and other organizations and a discussion of this data as compared to the Award criteria in order to recommend Award recipients, may be closed to the public in accordance with section 552b(c)(4) of Title 5, United States Code, because the meetings are likely to disclose trade secrets and commercial or financial information obtained from a person which is privileged or confidential.

Dated: August 30, 2007.

**James M. Turner,**

*Deputy Director.*

[FR Doc. E7-17863 Filed 9-10-07; 8:45 am]

**BILLING CODE 3510-13-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648-XC44**

**Endangered Species; File No. 1557-03**

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

**ACTION:** Notice; issuance of permit modification.

**SUMMARY:** Notice is hereby given that Molly Lutcavage has been issued a modification to scientific research Permit No. 1557.

**ADDRESSES:** The modification and related documents are available for review upon written request or by appointment in the following office: Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay or Kate Swails, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** On May 3, 2007, notice was published in the **Federal Register** (72 FR 24565) that a modification of Permit No. 1557 had been requested by the above-named individual. The requested modification has been granted under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The researchers will attach satellite-linked data recorders to the leatherback sea turtle's carapace and feed stomach temperature pills to the animals. These pills will record stomach temperatures

and transmit them to the satellite-linked data recorder for transmission to the researchers. Researchers will also attach diary tags using suction cups. This research will help better understand where, when, and under what environmental conditions leatherback sea turtles forage so as to better predict their movements. This information will be used to help predict leatherback movements and potential interactions with fisheries and other human activities to allow resource managers to design management strategies to protect this species.

Issuance of this modification, as required by the ESA was based on a finding that such permit (1) Was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: September 5, 2007.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E7-17899 Filed 9-10-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC41**

#### Endangered Species; File No. 10037

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Dr. Douglas Peterson, Warnell School of Forest Resources (Fisheries Division), University of Georgia, Athens, GA 30602, has applied in due form for a permit to take shortnose sturgeon (*Acipenser brevirostrum*) for purposes of scientific research on the Ogeechee River, GA.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 11, 2007.

**ADDRESSES:** The applications and related documents are available for review upon written request or by appointment in the following office(s): Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and Southeast Region, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701;

phone (727) 824-5312; fax (727) 824-5309.

Written comments or requests for a public hearing on these applications should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on the particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 10037.

**FOR FURTHER INFORMATION CONTACT:** Malcolm Mohead or Kate Swails, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Dr. Peterson seeks permission to conduct research on shortnose sturgeon for five years to assess the abundance, age structure, distribution, movement, and critical habitat and will also investigate the adverse effects of estrogenic compounds. Researchers propose to capture 300 shortnose sturgeon yearly using gill and trammel nets and to anesthetize, measure, weigh, tissue and fin-ray sample, and scan for PIT tags. A subset of 10 sturgeon annually (40 during permit) would be laparoscoped and implanted with internal radio tags; a subset of 5 sturgeon annually (20 during permit), would be laparoscoped and fitted with external radio tags; and a subset of 12 sturgeon would be health evaluated using laparoscopy and venipuncture annually. Up to 40 shortnose sturgeon eggs would be collected annually using buffer pads to document spawning. The unintentional mortality of 2 shortnose sturgeon annually is also requested.

Dated: September 5, 2007.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E7-17900 Filed 9-10-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC42**

#### Marine Mammals; File No. 10040

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Gary Matson, Matson's Laboratory, LLC, PO Box 308, 8140 Flagler Road, Milltown, MT 59851, has applied in due form for a permit to receive, import and export specimens for scientific research.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 11, 2007.

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

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and

Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206) 526-6150; fax (206) 526-6426.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 10040.