

also requests that the scope of FTZ manufacturing authority be expanded to include the additional production capacity (new total would be 610 million feet per year). Uponor uses foreign-origin polyethylene (HDPE) resin (HTSUS 3901.10, 6.5%) to manufacture the PEX tubing, which represents about 21 percent of the finished tubing's value. The company distributes certain foreign parts and materials used to construct the radiant heating systems, including thermostats, fittings, aluminum pipe, polyethylene pipe, polymers and resins, plastic foil, insulation, packaging materials, polyester tape, fasteners, mounting tracks, valves, transformers, fuses, relays, junction boxes, flow meters, and regulators.

Expanded FTZ procedures could continue to exempt Uponor from customs duty payments on the foreign-origin resin used in production for export (about 1% of shipments). On its domestic shipments, the company would be able to elect the duty rate that applies to finished PEX tubing (3.1%) for the foreign resin used in the manufacturing process. Customs duties also could possibly be deferred or reduced on foreign status production equipment.

In accordance with the Board's regulations, Pierre Duy of the FTZ Staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002. The closing period for receipt of comments is January 5, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to January 20, 2009.

A copy of the application will be available for public inspection at each of the following locations: U.S. Department of Commerce Export Assistance Center, Suite 210-C, 100 North 6th Street, Minneapolis, MN 55403; and, at the Office of the Foreign-Trade Zones Board's Executive Secretary at the address listed above. For further information, contact Pierre Duy, examiner, at: Pierre\_Duy@ita.doc.gov, or (202) 482-1378.

Dated: October 28, 2008.

**Andrew McGilvray,**  
*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 58-2008]

#### Foreign-Trade Zone 163 – Ponce, Puerto Rico, Application for Expansion

##### Correction

The **Federal Register** notice published on October 17, 2008 (73 FR 61780) describing the application by CODEZOL, C.D., grantee of FTZ 163, requesting authority to expand the zone to include an additional site in Ponce is corrected as follows:

In paragraph 4, line 3, the correct address for proposed Site 10 is Road 506 and Road 14, Coto Laurel Ward, Ponce, Puerto Rico.

Dated: October 28, 2008.

**Andrew McGilvray,**  
*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 62-2008]

#### Foreign-Trade Zone 57 – Charlotte, North Carolina, Application for Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the North Carolina Department of Commerce, grantee of FTZ 57, requesting authority to expand its zone in the Charlotte, North Carolina, area, adjacent to the Charlotte CBP port of entry. The application was submitted pursuant to the provisions of the FTZ Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on October 28, 2008.

FTZ 57 was approved on April 28, 1980 (Board Order 156, 45 FR 30466, 05/08/80). The zone was expanded on September 23, 1982 (Board Order 199, 47 FR 43103, 09/30/82), on July 29, 2002 (Board Order 1240, 67 FR 51535, 08/08/02), and on February 9, 2005 (Board Order 1369, 70 FR 9613, 02/28/05).

The general-purpose zone currently consists of the following sites in the Charlotte, North Carolina, area: *Site 1*

(100,000 sq. ft.)--at 11425 Granite Street, Mecklenburg County; *Site 1A* (23 acres)--located at 1411 and 1701 Continental Boulevard, Mecklenburg County; *Site 2* (137,368 sq. ft.)--located at 14620 Carowinds Boulevard, Mecklenburg County; *Site 3* (26 acres)--located at International Airport Center, 3401 International Airport Drive, Charlotte; *Site 4* (542 acres)--proposed industrial park (Great Meadows), located between US Highway 70 and Interstate 40, Burke County; *Site 5* (78 acres, 2 parcels): *Parcel 1* (40 acres)--Lenoir Business Park and *Parcel 2* (38 acres)--J&M Industrial Park, located on NC Highway 18 in Lenoir (Caldwell County); *Site 6* (160 acres)--Alexander County Rail Park, located on NC Highway 90, one mile east of Taylorsville, Alexander County; *Site 7* (619 acres, 2 parcels) *Parcel 1* (576 acres)--Hickory Regional Airport/Lakepark, located on Clement Boulevard, City of Hickory (Catawba/Burke Counties) and *Parcel 2* (43 acres)--Consolidation Services distribution facility, 543 12<sup>th</sup> Street Drive, NW in Hickory, Catawba County; *Site 8* (1 acre)--Conwareco Logistics, Inc., warehouse facility, 1070 Main Avenue NW, Hickory, Catawba County; *Site 9* (4 acres)--Diamante Group LLC warehouse/industrial facility at 406 20th Street SE, Hickory, Catawba County; *Site 10* (330 acres)--within the 700-acre Conover West Business Park in Hickory, Catawba County; *Site 11* (311 acres, 11 parcels)--City of Newton industrial park, Newton, Catawba County; *Site 12* (85 acres)--Lakemont West Business Park located on Carowinds Boulevard, Charlotte; *Site 13* (12 acres)--West Logistics facility located at 2301 Nevada Boulevard, Charlotte; *Site 14* (69 acres)--West Pointe Business Park located on West Pointe Drive, Charlotte; and, *Site 15* (70 acres)--Ridge Creek Distribution Center, located at the intersection of General Drive and Ridge Creek Drive, Charlotte (includes 14 acres located at 10230 Ridge Creek Drive).

The applicant is now requesting authority to expand the general-purpose zone to include an additional site in the Charlotte, North Carolina, area:

*Proposed Site 16* (351 acres)--Monroe Corporate Center, Airport Road and Goldmine Road, Monroe. The site is owned by multiple owners. The site will provide public warehousing and distribution services to area businesses. No specific manufacturing authority is being requested at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Kathleen Boyce of the FTZ Staff is 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 listed below. The closing period for their receipt is January 5, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 20, 2009).

A copy of the application and accompanying exhibits will be available for public inspection at the U.S. Department of Commerce Export Assistance Center, 521 E. Morehead St., Suite 435, Charlotte, North Carolina 28202; and, Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.

For further information, contact Kathleen Boyce at Kathleen\_Boyce@ita.doc.gov or (202) 482-1346.

Dated: October 29, 2008.

**Andrew McGilvray,**  
*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-836]

#### Glycine From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review

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

**DATES:** *Effective Date:* November 4, 2008.

**SUMMARY:** The Department of Commerce (the Department) has determined that a request for a new shipper review (NSR) of the antidumping duty order on glycine from the People's Republic of China (PRC), received on September 24, 2008, meets the statutory and regulatory requirements for initiation. The period of review (POR) of this new shipper review is March 1, 2008, through August 31, 2008.

**FOR FURTHER INFORMATION CONTACT:** Stephen Bailey or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230;

*telephone:* (202) 482-0193 and (202) 482-3019, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice announcing the antidumping duty order on glycine from the PRC was published on March 29, 1995.<sup>1</sup> *See Antidumping Duty Order: Glycine From the People's Republic of China*, 60 FR 16116 (March 29, 1995). On September 24, 2008, we received a timely request for a new shipper review from Jiangxi Ansun Chemical Technology Co., Ltd. (Jiangxi Ansun) in accordance with 19 CFR 351.214(c). Jiangxi Ansun made its request during the semiannual anniversary month. *See* 19 CFR 351.214(d)(2). Jiangxi Ansun certified that it produced and sold the glycine it exported to an unaffiliated U.S. purchaser, which is the basis for its request for a NSR.

The Department conducted queries of the U.S. Customs and Border Protection (CBP) database in order to confirm that Jiangxi Ansun's reported shipment of subject merchandise entered the United States for consumption and that liquidation of such shipment had been properly suspended for antidumping duties. *See* Memorandum to the File from Stephen Bailey, Customs and Border Protection Data for Entries of Glycine from the People's Republic of China, dated October 28, 2008. In reviewing the CBP data, we identified the Jiangxi Ansun's August 2008 sale to the United States and matched it with the documentation submitted by Jiangxi Ansun. We also solicited further information from CBP on U.S. entries of glycine produced by Jiangxi Ansun.

##### Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B)(i)(I) of the Act, and 19 CFR 351.214(b)(2)(i), Jiangxi Ansun certified that it did not export glycine to the United States during the original POI. Pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Jiangxi Ansun certified that, since the initiation of the investigation, it has never been affiliated with any exporter or producer who exported glycine to the United States during the POI, including those not individually examined during the investigation. As required by 19 CFR 351.214(b)(2)(iii)(B), Jiangxi Ansun also certified that its export activities were not controlled by the central government of the PRC.

<sup>1</sup> Therefore, a request for a new shipper review based on the semiannual anniversary month, in this case September, was due to the Department by the final day of September. *See* 19 CFR 351.214(d)(1) and (2).

In addition to the certifications described above, Jiangxi Ansun submitted documentation establishing the following: (1) The date on which it first shipped glycine for export to the United States and the date on which the glycine was first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.

On September 29, 2008, the Department received comments from GEO Specialty Chemicals, Inc. (GEO), a domestic glycine producer and the successor company to one of the original petitioners, Hampshire Chemical Corporation, regarding Jiangxi Ansun's NSR request. In its comments, GEO argues that Jiangxi Ansun had two shipments of glycine that entered the United States in February 2008, prior to the single shipment of glycine that is the basis for this NSR request. GEO also notes that Jiangxi Ansun, by its own admission, is the successor company to Jiangxi Electrochemical Co., Ltd.

On October 3, 2008, Jiangxi Ansun submitted comments in rebuttal to GEO's September 29, 2008, comments. Jiangxi Ansun contends that since the February 2008 transactions occurred in Canada, they are not United States transactions and do not constitute Jiangxi Ansun's first shipment to the United States. It also maintains that neither the Tariff Act of 1930, as amended (the Act), nor the Department's regulations contain a requirement that the shipment made by the new exporter, upon which the NSR request is based, be the first shipment made by that exporter to the United States.

In accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we find that the request submitted by Jiangxi Ansun meets the threshold requirements for initiation of a NSR of its shipment of glycine from the PRC produced and exported by Jiangxi Ansun. *See* Memorandum to the File through Richard O. Weible, Director, AD/CVD Operations, Office 7, from Stephen Bailey, entitled "Initiation Checklist of AD New Shipper Review: Glycine from the People's Republic of China," dated concurrently with this notice. Therefore, we are initiating a NSR for the shipment of glycine produced and exported by Jiangxi Ansun to the United States. With respect to the issues raised by the parties, we intend to evaluate them further in the context of this NSR. We intend to issue the preliminary results of this review no later than 180 days from the date of initiation, and the final results of this review no later than 270