

Dated: December 4, 2008.

Andrew McGilvray,

Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 53-2008]

Foreign-Trade Zone 242—Boundary County, ID; Application for Subzone; Hoku Materials, Inc.; Notice of Public Hearing and Extension of Comment Period

Pursuant to a timely request from a directly affected party showing good cause (15 CFR 400.51(b)), a public hearing will be held on the application for subzone status at the Hoku Materials, Inc., facility in Pocatello, Idaho, submitted by Boundary County, Idaho, grantee of Foreign-Trade Zone 242 (73 FR 59597, 10/9/08). The public hearing will take place on January 8, 2009, at 2 p.m., at the U.S. Department of Commerce, Room 4830, 1401 Constitution Ave., NW., Washington, DC. Interested parties should indicate their intent to participate in the hearing and provide a summary of their remarks no later than January 6, 2009.

Pursuant to 15 CFR 400.27(c)(2), the comment period for this case is being extended to January 23, 2009. Rebuttal comments may be submitted during the subsequent 15-day period, until February 9, 2009. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at: Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2111, 1401 Constitution Ave., NW., Washington, DC 20230.

For further information, contact Diane Finver at *Diane_Finver@ita.doc.gov* or (202) 482-1367.

Dated: December 5, 2008.

Andrew McGilvray,

Executive Secretary.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Action Affecting Export Privileges; Galaxy Aviation Trade Company Ltd; Hooshang Seddigh; Hamid Shakeri Hendi; Hossein Jahan Peyma; Iran Air; Dunyaya Bakis Hava Tasimaciligi A.S.; Yavuz Cizmeci; Sam David Mahjoobi; Intelligent Aviation Services Ltd.

In the Matter of:

Galaxy Aviation Trade Company Ltd., 15 Moreland Court, Lyndale Avenue, Finchley Road, London, UK NW2 2PJ;

Hooshang Seddigh, 15 Moreland Court, Lyndale Avenue, Finchley Road, London, UK, NW2 2PJ;

Hamid Shaken Hendi, 5th Floor, 23 Nafisi Avenue, Shabrak Ekbatan, Karaj Special Road, Tehran, Iran;

Hossein Jahan Peyma, 2/1 Makran Cross, Heravi Square, Moghan Ave, Pasdaran Cross, Tehran, Iran;

Iran Air, Second Floor, No. 23 Nafisi Avenue, Ekbatan, Tehran, Iran;

Dunyaya Bakis Hava Tasimaciligi A.S., a/k/a Dunyaya Bakis Air Transportation Inc. d/b/a Ankair, Yesilkoy Asfalti Istanbul No. 13/4, Florya, Istanbul, Turkey TR-34810; Respondents; and

Yavuz Cizmeci, Chief Executive Officer, Ankair, Yesilkoy Asfalti Istanbul No. 13/4, Florya, Istanbul, Turkey TR-34810.

Sam David Mahjoobi, 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN. Intelligent Aviation Services Ltd., 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN; Related Persons; Order Renewing Order Temporarily Denying Export Privileges and also Making that Temporary Denial of Export Privileges Applicable to Related Persons.

Pursuant to sections 766.24 of the Export Administration Regulations, 15 CFR Parts 730-774 (2008) ("EAR" or the "Regulations"), I hereby grant the request of the Bureau of Industry and Security ("BIS") to renew for 180 days the Order Temporarily Denying the Export Privileges ("TDO") of Respondents Galaxy Aviation Trade Company Ltd., Hooshang Seddigh, Hamid Shaken Hendi, Hossein Jahan Peyma, Iran Air, and Ankair.¹ Based on the record, I find that BIS has met its burden under Section 766.24 and that renewal of the TDO is necessary and in the public interest to prevent an imminent violation of the EAR.

Additionally, after having been given notice and an opportunity to respond in accordance with Section 766.23 of the

¹ Evidence presented by Ankair shows that its legal corporate name is Dunyaya Bakis Hava Tasimaciligi AS, a/k/a Dunyaya Bakis Air Transportation Inc. ("DBHT"). DBHT is doing business as Ankair and therefore this order modifies Ankair's listing to properly reflect this information.

Regulations, I find it necessary to add the following entities as Related Persons:

Yavuz Cizmeci, Chief Executive Officer, Ankair, Yesilkoy Asfalti Istanbul No. 13/4, Florya, Istanbul, Turkey TR-34810.

Sam David Mahjoobi, 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN. Intelligent Aviation Services Ltd., 5 Jupiter House, Calleva Park Aldermaston, Reading, Berkshire, United Kingdom RG7 8NN.

I. Factual Background

Based upon evidence submitted by BIS through its Office of Export Enforcement ("OEE"), I issued an Order on June 6, 2008, which was effective immediately and temporarily denied for 180 days the export privileges of the Galaxy Aviation Trade Company Ltd. ("Galaxy Aviation"), Hooshang Seddigh, Hamid Shaken Hendi, Hossein Jahan Peyma, as well as of Iran Air of Tehran, Iran, and Ankair of Istanbul, Turkey. Based on additional evidence submitted by BIS, on July 10, 2008, I issued a modified Order expanding the scope of the denial as to Respondent Ankair.² The TDO and modified TDO were published in the **Federal Register** on, respectively, June 17 and July 22, 2008.³

On July 22, 2008, BIS notified Yavuz Cizmeci, that it intended to add him as a Related Person to the TDO based on his position as Chief Executive Officer and a shareholder of Ankair in accordance with Section 766.23 of the Regulations. Mr. Cizmeci submitted a response through counsel opposing his addition to the TDO as a Related Person.

On August 27, 2008, Respondent Galaxy Aviation, along with Respondents Hooshang Seddigh, Hamid Shaken Hendi, and Hossein Jahan Peyma, filed an appeal of the TDO with an administrative law judge ("AU") pursuant to Section 766.24(e)(1)(i). In a one-page, unsworn letter, Galaxy Aviation and its shareholders claimed not to be involved in the reexport of the Boeing 747 as alleged by BIS. In a recommended decision dated September 16, 2008, the AU recommended that Respondents' motion be denied and that the TDO remain in effect in order to prevent future

² The original order only denied Ankair's export privileges involving Boeing 747, tail number TC-AKZ and manufacturer's serial number 24134. The modified Order expanded the scope of Ankair's denial to include all items subject to the Regulations.

³ 73 FR 34,249 (June 17, 2008); 73 FR 42,544 (July 22, 2008). On June 7, 2008, a copy of the TDO was provided to the Turkish Ministry of Foreign Affairs for service on Ankair. An additional copy was sent to Ankair by Federal Express on June 10, 2008.