

No additional feedstocks or products have been requested.

Zone procedures would exempt production associated with the proposed expansion from customs duty payments on the foreign products used in exports. On domestic sales, the company would be able to choose the customs duty rates for certain petrochemical feedstocks (duty-free) by admitting foreign crude oil in non-privileged foreign status. The application indicates that the savings from zone procedures help improve the refinery's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman 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 address below. The closing period for their receipt is April 13, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 27, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>.

For further information, contact Elizabeth Whiteman at Elizabeth_Whiteman@ita.doc.gov or (202) 482-0473.

Dated: February 3, 2009.

Andrew McGilvray,
Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

Order No. 1603

Reorganization/Expansion of Foreign-Trade Zone 176, Rockford, Illinois, Area

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Greater Rockford Airport Authority, grantee of Foreign-Trade Zone 176, submitted an application to the Board for authority to reorganize

and expand FTZ 176-Site 1 to include additional acreage and Temporary Site 1A on a permanent basis, expand the zone to include five additional sites (Sites 8 - 12), and to formally delete existing Site 2 and Site 5 from the zone project within the Rockford Customs and Border Protection port of entry (FTZ Docket 31-2008, filed 5/9/08);

Whereas, notice inviting public comment was given in the **Federal Register** (73 FR 28429, 5/16/08) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to reorganize and expand FTZ 176 is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28, subject to the Board's standard 2,000-acre activation limit for the overall general-purpose zone project, and further subject to a sunset provision that would terminate authority on January 31, 2014, for Sites 8, 9, 10, 11 and 12 where no activity has occurred under FTZ procedures before that date.

Signed at Washington, DC, this 30th day of January 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Andrew McGilvray,
Executive Secretary.

[FR Doc. E9-2649 Filed 2-9-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-900, A-580-855]

Diamond Sawblades and Parts Thereof from the People's Republic of China and the Republic of Korea: Notice of Court Decision Not In Harmony With Final Determination of the Antidumping Duty Investigations

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

SUMMARY: On January 13, 2009, the United States Court of International Trade ("CIT") affirmed the International Trade Commission's ("ITC") amended

determination upon remand that an industry in the United States is threatened with material injury by reason of imports of diamond sawblades and parts thereof ("diamond sawblades") from the People's of China ("PRC") and the Republic of Korea ("Korea"). *Diamond Sawblades Mfrs. Coalition v. United States*, No. 06-00247, Slip Op. 09-05 (CIT January 13, 2009) ("DSMC"). The case arises out of the ITC's final determination in the antidumping duty investigations. See {Investigations Nos. 731-TA-1092 and 1093 (Final)} *Diamond Sawblades and Parts Thereof From China and Korea*, 71 FR 39128 (July 11, 2006) ("Final Determination"). The judgment in this case was not in harmony with the ITC's *Final Determination*. If the CIT's opinion in this case is not appealed, or is affirmed on appeal, then antidumping duty orders on diamond sawblades from the PRC and Korea will be issued. In accordance with the decision of the U.S. Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) ("*Timken*"), the Department will order the suspension of liquidation of the subject merchandise.

EFFECTIVE DATE: January 23, 2009.

FOR FURTHER INFORMATION CONTACT: Alex Villanueva, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-3208.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 2006, the ITC published its final determination that an industry in the United States was not materially injured or threatened with material injury by reason of imports of diamond sawblades from the PRC and Korea. *Final Determination*, 71 FR 39128. The petitioners¹ in the antidumping duty investigation instituted an action challenging the ITC's final determination. On February 6, 2008, the CIT issued *Diamond Sawblades Mfrs. Coalition v. United States*, No. 06-247, Slip Op. 2008-18 (CIT February 6, 2008), which remanded the determination to the ITC for reconsideration. Upon remand, the ITC changed its determination and found that a U.S. industry is threatened with material injury by reason of imports of diamond sawblades from the PRC and Korea. See ITC Pub. 4007 (May 2008), *Diamond Sawblades and Parts Thereof*

¹ The Diamond Sawblade Manufacturers' Coalition.