

the Central Records Unit, room 1117 of the Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at: <http://ia.ita.doc.gov/frn>. The paper copy and the electronic version of the Decision Memorandum are identical in content.

#### Changes Since the Preliminary Results

Based on the comments received from the interested parties, we have made changes to the margin calculations used in the *Preliminary Results*. Specifically, for the final results, we have revised the calculations to use the invoice date as the date of sale for all of Essar's U.S. sales. As a result of the date of sales change, the margin increased from the *Preliminary Results*.

The adjustments are discussed in detail in the Decision Memorandum.

#### Final Results of Review

We determine that the following weighted average antidumping margin exists:

Producer/Manufacturer	Weighted-Average Margin
Essar .....	5.01%

#### Assessment Rates

The Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries, pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended ("the Act") and 19 CFR 351.212(b). The Department calculated an assessment rate for each importer of the subject merchandise covered by the review. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the POR produced by Essar for which Essar did not know the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no company-specific rate for an intermediary involved in the transaction. See *id.*, for a full discussion of this clarification.

#### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of hot-rolled carbon steel flat products from India entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results, as provided by sections 751(a)(1) and (a)(2)(C) of the Act: (1) for companies covered by this review, the cash deposit rate will be the rate listed above; (2) for previously reviewed or investigated companies other than those covered by this review, the cash deposit rate will be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the manufacturer has its own rate, the cash deposit rate will be 38.72 percent, the all-others rate published in the *Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From India*, 66 FR 60194 (December 3, 2001).<sup>1</sup> These deposit requirements shall remain in effect until further notice.

#### Notification to Interested Parties

This notice also 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 and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping and/or countervailing duties.

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment

<sup>1</sup> The all-others cash deposit rate, applied by CBP, is reduced to account for the export subsidy rate found in the countervailing duty investigation. See *Final Affirmative Countervailing Duty Determination: Certain Hot-Rolled Carbon Steel Flat Products From India*, 66 FR 49635 (September 28, 2001). The adjusted all-others rate is 23.87 percent.

of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 13, 2009.

**Ronald K. Lorentzen,**  
Acting Assistant Secretary for Import Administration.

#### APPENDIX Issues in Decision Memorandum

*Comment 1:* Date of Sales

*Comment 2:* Commission

*Comment 3:* Duty Drawback

*Comment 4:* Treatment of Sales Tax

*Comment 5:* Interest Expense Ratio Calculation

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#### DEPARTMENT OF COMMERCE

##### Foreign-Trade Zones Board

[Docket 16-2009]

##### Foreign-Trade Zone 17—Kansas City, KS Area; Application for Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Greater Kansas City Foreign Trade Zone, Inc., grantee of FTZ 17, requesting authority to expand the zone in the Kansas City, Kansas, area, adjacent to the Kansas City Customs and Border Protection port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on April 13, 2009.

FTZ 17 was approved by the Board on December 20, 1973 (Board Order 97, 39 FR 26, 1/2/74) and expanded on January 31, 1989 (Board Order 428, 54 FR 5992, 2/7/89), on January 15, 1993 (Board Order 631, 58 FR 6122 1/26/93), and, on October 14, 1997 (Board Order 925, 62 FR 55574, 10/27/97). The general-purpose zone project currently consists of 7 sites (3,411 acres total): *Site 1* (7 acres)—located at 6500 Inland Drive in Kansas City; *Site 2* (5 acres)—located at 5203 Speaker Road in Kansas City; *Site 3* (5 acres)—within the Fairfax Industrial Park located at 30 Funston Road in Kansas City; *Site 4* (1 acre)—within the Fairfax Industrial Park located at 830 Kindleberger Road in Kansas City; *Site 5* (21 acres, 2 parcels)—within the Leavenworth Area

Business Center located at 13th and Eisenhower Road in Leavenworth; *Site 6* (2,400 acres)—located at the Forbes Field Airport/Topeka Air Industrial Park in Topeka; and, *Site 7* (972 acres)—the Philip Billard Airport/Industrial Park located at 6700 South Topeka Boulevard in Topeka.

The applicant is now requesting authority to expand the general-purpose zone to include the Midwest Commerce Center, located at 17150 Mercury Street in Gardner, Kansas (Johnson County). The proposed new site (156 acres) would be designated as *Site 8*. The site is owned by U.S. Industrial REIT II, and will be used for warehousing, storage and distribution activities. 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, Christopher Kemp 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 listed below. The closing period for their receipt is June 19, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to July 6, 2009).

A copy of the application and accompanying exhibits 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 Christopher Kemp at [christopher\\_kemp@ita.doc.gov](mailto:christopher_kemp@ita.doc.gov) or (202) 482-0862.

Dated: April 13, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-9041 Filed 4-17-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-X061**

#### New England Fishery Management Council; Public Meeting; Correction

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

**ACTION:** Notice; public meeting; correction.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Scientific and Statistical Committee on April 30–May 1, 2009 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate. This document corrects the meeting time for the scheduled April 30, 2009 meeting and both meeting agendas.

**DATES:** This meeting will be held on Thursday, April 30, 2009 at 9 a.m. and Friday, May 1, 2009 at 9 a.m.

**ADDRESSES:** *Meeting address:* The meeting will be held at the Sheraton Ferncroft Hotel, 55 Ferncroft Road, Danvers, MA 01923; telephone: (978) 777-2500; fax: (978) 750-7959.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

#### SUPPLEMENTARY INFORMATION:

##### Need for Correction

The original document published at 74 FR 16364, April 10, 2009. The time change for the April 30, 2009 meeting has been corrected in the **DATES** section in this document. The agendas are corrected as follows:

##### Thursday, April 30, 2009

The SSC will review methods proposed by the Groundfish Plan Development Team for determining acceptable biological catch, annual catch limits and accountability measures for the 19 stocks in the Northeast Multispecies complex and possibly discuss proposed rebuilding strategies for overfished groundfish stocks.

##### Friday, May 1, 2009

The Scientific and Statistical Committee (SSC) will review the Monkfish Plan Development Team's

analyses for determining monkfish acceptable biological catch, annual catch limits and accountability measures and proposed methods for the development of Atlantic herring acceptable biological catch, annual catch limits and accountability measures.

No additional changes have been made to the original and the text will not be repeated here.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: April 14, 2009

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-8893 Filed 4-17-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN: 0648-X079**

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting/workshop.

**SUMMARY:** The Groundfish Stock Assessment Review (STAR) Panel for petrale sole and splitnose rockfish will hold a work session which is open to the public.

**DATES:** The petrale sole and splitnose rockfish STAR Panel will be held beginning at 8:30 a.m., Monday, May 4, 2009. The meeting will continue on Tuesday, May 5, 2009 beginning at 8:30 a.m. through Friday, May 8, 2009. The meeting will end at 5:30 p.m. each day, or as necessary to complete business.

**ADDRESSES:** The petrale sole and splitnose rockfish STAR Panel meeting will be held at the NMFS Northwest Fisheries Science Center, Hatfield Marine Science Center, Captain R. Barry Fisher Building, Room 101, 2032 S.E. Oregon State University Drive, Newport, OR 97365-5296; telephone: (541) 867-0501.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stacey Miller, Northwest Fisheries Science Center (NWFSC); telephone: (206) 437-5670; or Mr. John DeVore, Pacific Fishery Management Council; telephone: (503) 820-2280.