

Dated: May 13, 2009.

**Christopher Cassel,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. E9-11670 Filed 5-18-09; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) for Duty-Free Entry of Scientific Instruments

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), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States. Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before June 8, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720.

Docket Number: 09-014. Applicant: Miami University, 500 E. High Street, Oxford, OH 45056. Instrument: Electron Microscope. Manufacturer: JEOL, Japan. Intended Use: The instrument will be used to characterize materials such as minerals, nano-materials, metals, ceramics, semiconductors, catalysts, and biological materials. This instrument provides improved resolution and contrast that will increase the types of samples that can be analyzed. Justification for Duty-Free Entry: No instrument of the same general category is manufactured within the United States. Application accepted by Commissioner of Customs: April 6, 2009.

Docket Number: 09-018. Applicant: Texas A & M University, College Station, TX 77843-4458. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: The instrument will be used to perform ultrastructural analysis of a variety of animal cells and tissues involved in research investigations and for more limited diagnostic purposes. The materials to be investigated will be fixed and embedded animal tissues and cells. Justification for Duty-Free Entry: No instrument of the same general category is manufactured within the

United States. Application accepted by Commissioner of Customs: April 27, 2009.

Docket Number: 09-020. Applicant: Columbia University, Department of Biochemistry, 650 W. 168<sup>th</sup> St., New York, NY 10032. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended Use: The instrument will be used study in cell-free in vitro systems, the structure and binding constellations of macromolecules and their ligands engaged in complex processes in the cell, such as translation, transcription, splicing, etc. Justification for Duty-Free Entry: No instrument of the same general category is manufactured within the United States. Application accepted by Commissioner of Customs: April 24, 2009.

Dated: May 13, 2009.

**Christopher Cassel,**

*Acting Director, IA Subsidies Enforcement Office.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 21-2009]

#### Foreign-Trade Zone 124—Gramercy, LA, Application for Subzone, Excalibar Minerals LLC (Barite Milling), New Iberia, LA

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Port of South Louisiana, grantee of Foreign-Trade Zone (FTZ) 124, requesting special-purpose subzone status for the barite milling facility of Excalibar Minerals LLC (Excalibar), located in New Iberia, Louisiana. 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 May 6, 2009.

The Excalibar facility (20 employees, 16 acres, 350,000 ton capacity for ground barite) is located at 4602 South Lewis Street, in New Iberia. The facility is used for activities related to the milling (heating, grinding, crushing), storage and distribution of ground barite, primarily for the U.S. market. The material that would be purchased from abroad (representing approximately 75 to 85 percent of the finished product's value) is raw barite (HTSUS number 2511.10), dutiable at \$1.25 per metric ton.

FTZ procedures could exempt the company from customs duty payments

on the foreign component used in export production. The company anticipates that less than 1 percent of the plant's shipments will be exported. On its domestic sales, Excalibar would be able to choose the duty rate during customs entry procedures that applies to the ground barite (duty-free) for the foreign input noted above. FTZ designation would further allow Excalibar to realize logistical benefits through the use of weekly customs entry procedures, as well as savings from the elimination of duties on materials that become scrap/waste during manufacturing. The application indicates that the FTZ-related savings would help improve the facility's international competitiveness.

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 July 20, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to August 3, 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: May 6, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**University of North Carolina at Charlotte, et al.**

#### Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational,