

requests for review, this review is rescinded with respect to Huatian and True Potential.

Intent To Rescind Review in Part

On March 4, 2009, New-Tec submitted a certification of no shipments of subject merchandise to the United States. We have not received comments on New-Tec's submission. We made inquiries with CBP as to whether any shipments were entered with respect to New-Tec during the POR. See message number 9120201 dated April 21, 2009. We received no response to that inquiry. We examined CBP information used in the selection of the mandatory respondents to further confirm no shipments by New-Tec during the POR. See "Letter from Robert James to All Interested Parties" dated February 9, 2009, containing CBP data on all entries of hand trucks and certain parts thereof during the POR. Based on the above, we preliminarily find that New-Tec had no shipments of subject merchandise during the POR, and we intend to rescind the review with respect to New-Tec pursuant to 19 CFR 351.213(d)(3).

Interested parties may submit comments on the Department's intent to rescind with respect to New-Tec no later than 30 days after the date of publication of this preliminary notice. The Department will issue the final notice, which will include the results of its analysis of issues raised in any such comments, in the preliminary results of the review.

Since Hardware

Because the Department is rescinding the review with respect to Huatian and True-Potential, and because the Department intends to rescind the review with respect to New-Tec, the Department has decided to make Since Hardware the mandatory respondent in this review. Since Hardware was issued a complete questionnaire to respond to on May 5, 2009. On May 26, 2009, Since Hardware entered its notice of appearance in this segment of the proceeding. The Department will issue appropriate assessment instructions regarding the rescinded companies directly to U.S. Bureau of Customs and Border Protection.

Extension of Preliminary Results

The Department has determined that it is not practicable to complete the preliminary results by the current 245-day deadline of September 2, 2009. The Department selected Since Hardware as a mandatory respondent on May 5, 2009, four days after petitioners withdrew their request for a review of

the two previously-selected mandatory respondents Huatian and True Potential. See Memorandum to the File, "Re: Selection of New Mandatory Respondent," dated May 5, 2009. Because May 5, 2009 was more than three months subsequent to the initiation of this review, we will need additional time to analyze Since Hardware's response and complete the antidumping calculation. Therefore, in accordance with section 751(a)(3)(A) of the Act, and 19 CFR 351.213(h)(2), the Department is extending the time limit for the preliminary results by 120 days to December 31, 2009.

Notification to Importers

This notice serves as a reminder to importers of their responsibility under section 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's assumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.

Notification Regarding APOs

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with section 351.305(a)(3) of the Department's regulations. Timely written notification of the return/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 section 777(i)(1) of the Tariff Act, and 19 CFR 351.213(d)(4) of the Department's regulations.

Dated: June 12, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XP86

Marine Mammals; File No.1032-1917

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

ACTION: Notice; receipt of application for amendment.

SUMMARY: Notice is hereby given that Robert A. Garrott, Ph.D, Ecology Department, Montana State University, 310 Lewis Hall, Bozeman, MT, 59717, has applied for an amendment to Scientific Research Permit No.1032-1917.

DATES: Written, telefaxed, or e-mail comments must be received on or before July 20, 2009.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov/>, and then selecting File No. 1032-1917-01 from the list of available applications.

These documents are also available upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this amendment request would be appropriate.

Comments may also be submitted by facsimile at (301) 427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is NMFS.Pr1Comments@noaa.gov. Include in the subject line of the e-mail

comment the following document identifier: File No. 1032-1917-01.

FOR FURTHER INFORMATION CONTACT: Kate Swails or Tammy Adams, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 1032-1917 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Permit No. 1032-1917, issued on September 4, 2007 (72 FR 51621), authorizes the permit holder to continue long-term studies of the Weddell seal (*Leptonychotes weddellii*) population in the Erebus Bay, McMurdo Sound, Ross Sea, and White Island areas of Antarctica. Up to 325 adults and 800 pups may be captured annually. Animals may be weighed, tissue sampled, flipper tagged, and released. Annually up to 2000 Weddell, 50 crabeater (*Lobodon carcinophagus*), and 50 leopard (*Hydrurga leptonyx*) seals may be incidentally disturbed as a result of the research activities. The permit authorizes up to 4 (2 adults and 2 pups) Weddell seal research-related mortalities annually. The permit holder is requesting the permit be amended to include authorization for use of a small temperature logging tag on pups. The additional tag would be used to measure the amount of time pups spend in the water. This information would be used as part of the mass dynamics studies.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: June 16, 2009.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E9-14476 Filed 6-18-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration [C-570-940]

Certain Tow-Behind Lawn Groomers and Certain Parts Thereof From the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (Department) has determined that countervailable subsidies are being provided to producers and exporters of certain tow-behind lawn groomers (lawn groomers) and certain parts thereof from the People's Republic of China (PRC). For information on the estimated countervailing duty rates, please see the "Suspension of Liquidation" section, below.

EFFECTIVE DATE: June 19, 2009.

FOR FURTHER INFORMATION CONTACT: Gene Calvert or Jun Jack Zhao, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3586 and (202) 482-1396, respectively.

SUPPLEMENTARY INFORMATION:

Period of Investigation

The period for which we are measuring subsidies, *i.e.*, the period of investigation (POI), is January 1, 2007 through December 31, 2007.

Case History

The following events have occurred since the announcement of the preliminary determination, which was published in the **Federal Register** on November 24, 2008. See *Certain Tow-Behind Lawn Groomers and Certain Parts Thereof from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination with Final Antidumping Duty Determination*, 73 FR 70971 (November 24, 2008) (*Preliminary Determination*).

The Department issued several supplemental questionnaires to the Government of the People's Republic of China (GOC), Princeway Furniture (Dong Guan) Co., Ltd. and Princeway Limited (collectively, Princeway) and Jiashan Superpower Tools Co., Ltd. (Superpower). The Department received responses to these questionnaires in November and December 2008. Public

versions of the questionnaires and responses, as well as the various memoranda cited below, are available at the Department's Central Records Unit (Room 1117 in the HCHB Building) (hereafter referred to as "CRU").

From January 5 through January 21, 2009, we conducted verification of the questionnaire responses submitted by the GOC, Superpower and Princeway. We issued verification reports on February 27, 2009. See *Verification of the Questionnaire Responses Submitted by the Government of the People's Republic of China (GOC), Verification of the Questionnaire Responses Submitted by Princeway Furniture (Dong Guan) Co., Ltd. & Princeway Limited, and Verification of the Questionnaire Responses Submitted by Jiashan Superpower Tools Co., Ltd.*

On May 13, 2009, we issued our post-preliminary determination regarding the "Provision of Hot-Rolled Steel at Less Than Adequate Remuneration," "Export Incentive Payments Characterized as VAT Rebates," "Patent Subsidy Authorized by the Administration Rule for Patent Specific Fund of Jiashan County, SHAN KE [2006] No. 58," "Foreign Trade Assistance Subsidy (Exhibition Attendance Incentive Policy of Jiashan County: Article II.24 of SZF 132)," and "Amortization of Startup Costs Under Article 49 of the FIE Tax Regulations." See Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary for Import Administration, "*Countervailing Duty Investigation of Certain Tow-Behind Lawn Groomers and Certain Parts Thereof from the People's Republic of China*" (May 13, 2009).

We received a case brief from the GOC on May 20, 2009. Agri-Fab, Inc. (Petitioner) and respondent companies did not submit case briefs or rebuttal briefs. On December 23, 2008, the GOC submitted a timely request for a hearing pursuant to 19 CFR 351.310(c). On May 27, 2009, the GOC withdrew its request for a hearing.

Scope of the Investigation

The scope of this investigation covers certain non-motorized tow behind lawn groomers, manufactured from any material, and certain parts thereof. Lawn groomers are defined as lawn sweepers, aerators, dethatchers, and spreaders. Unless specifically excluded, lawn groomers that are designed to perform at least one of the functions listed above are included in the scope of this investigation, even if the lawn groomer is designed to perform additional non-subject functions (*e.g.*, mowing).

All lawn groomers are designed to incorporate a hitch, of any