

published for the most recent period; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and, (4) the cash deposit rate for all other manufacturers or exporters will continue to be 12.61 percent, the all others rate made effective by the LTFV investigation. See *SSSSC Order*, 64 FR at 40557. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) 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 presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These preliminary results of administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.

Dated: July 30, 2009.

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

[FR Doc. E9-18722 Filed 8-4-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

C-489-502

#### Welded Carbon Steel Standard Pipe and Tube from Turkey: Intent to Rescind Countervailing Duty Administrative Review, in Part

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

**EFFECTIVE DATE:** August 5, 2009.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Ave., NW, Washington, DC 20230, telephone: (202) 482-4793

#### SUPPLEMENTARY INFORMATION:

#### Background

On March 2, 2009, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the countervailing duty (CVD) order on welded carbon steel pipe and tube from Turkey. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 74 FR 9077 (March 2, 2009). On March 31, 2009, we received from Wheatland Tube Company, a domestic producer of subject merchandise, a request that the Department conduct an administrative review of the Yucel Boru Group, Cayirova Boru Sanayi ve Ticaret A.S., Yucelboru Ihracat Ithalat ve Pazarlama A.S., and Yucel Boru ve Profil Endustrisi A.S. (collectively, Yucel).<sup>1</sup>

On April 27, 2009, the Department published the notice of initiation of the administrative review of the CVD order for the period January 1, 2008, through December 31, 2008, which covered Yucel. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 74 FR 19042, 19044 (April 27, 2009).

On June 15, 2009, Yucel notified the Department that it had no sales, shipments, or entries, directly or indirectly, of subject merchandise to the United States during the period of review (POR).<sup>2</sup>

#### Scope of the Order

The products covered by this order are certain welded carbon steel pipe and tube with an outside diameter of 0.375 inch or more, but not over 16 inches, of any wall thickness (pipe and tube) from Turkey. These products are currently provided for under the Harmonized Tariff Schedule of the United States (HTSUS) as item numbers 7306.30.10, 7306.30.50, and 7306.90.10. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

<sup>1</sup> Wheatland Tube Company also requested a review of the Borusan Group, Borusan Mannesmann Boru Sanayi ve Ticaret A.S., Borusan Istikbal Ticaret T.A.S., Tosyali dis Ticaret A.S., and Toscelik Profil ve Sac Endustrisi A.S. See Letter from King & Spalding on behalf of Wheatland Tube Company to the Department regarding "Request for Administrative Review," dated March 31, 2009. A copy of this public document is available on the public record in the Department's Central Records Unit (CRU), room 1117 of the main Commerce building.

<sup>2</sup> This document is available on the public record in the CRU.

#### Intent to Rescind the 2008 Administrative Review, in Part

Yucel submitted a letter to the Department on June 15, 2009, certifying that it had no sales, shipments, or entries, directly or indirectly, of subject merchandise to the United States during the POR. The petitioner did not comment on Yucel's claim of no sales, shipments, or entries.

On June 16, 2009, we conducted an internal customs data query. We also issued a "no shipments inquiry" message to U.S. Customs and Border Protection (CBP), which posted the message on June 19, 2009.<sup>3</sup> The customs data query indicated that Yucel had no sales, shipments, or entries of subject merchandise to the United States during the POR. We did not receive any information from CBP contrary to Yucel's claim of no sales, shipments, or entries of subject merchandise to the United States during the POR. See Memorandum to the File through Melissa Skinner, Director, AD/CVD Operations, Office 3, titled "Customs Data Query," (July 7, 2009).

Based on our analysis of the shipment data, we preliminarily determine that Yucel did not ship subject merchandise to the United States during the POR. Therefore, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice,<sup>4</sup> we preliminarily determine to rescind the review for Yucel. We will continue this administrative review with respect to the Borusan Group, Borusan Mannesmann Boru Sanayi ve Ticaret A.S., Borusan Istikbal Ticaret T.A.S., Tosyali dis Ticaret A.S., and Toscelik Profil ve Sac Endustrisi A.S.

#### Public Comment

The Department is setting aside a period for interested parties to raise issues regarding the preliminary determination to rescind the administrative review for Yucel. The Department encourages all interested parties to submit such comments within 20 calendar days of the publication of this notice. Comments should be addressed to Import Administration's APO/Dockets Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230. The period for public comment is intended to provide the Department with ample opportunity to consider all issues prior to the

<sup>3</sup> thnsp: See Message number 9170203, available at <http://addcvd.cbp.gov>.

<sup>4</sup> See, e.g., *Certain Welded Carbon Steel Pipe and Tube from Turkey: Notice of Rescission, in Part, of Antidumping Duty Administrative Review*, 74 FR 7394 (February 17, 2009).

issuance of the notice to rescind the administrative review in part.

We are issuing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4) of the Department's regulations.

Dated: July 28, 2009.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. E9-18598 Filed 8-4-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-AY12

#### Mid-Atlantic Fishery Management Council; Spiny Dogfish Amendment 3 Scoping Process

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

**ACTION:** Notice of intent to prepare an environmental impact statement (EIS); notice of public scoping meetings; requests for comments.

**SUMMARY:** The New England and Mid-Atlantic Fishery Management Councils (Councils) announce their intention to prepare, in cooperation with NMFS, an EIS in accordance with the National Environmental Policy Act to assess potential effects on the human environment of alternative measures to address several issues regarding the Spiny Dogfish Fishery Management Plan.

This notice announces a public process for determining the scope of issues to be addressed, and for identifying the significant issues related to amending the plan. This notice is to alert the interested public of the scoping process, the development of the Draft EIS, and to provide for public participation in that process.

**DATES:** Written comments must be received on or before 5 p.m., EST, on September 4, 2009. Four public scoping meetings will be held during this comment period. See Supplementary Information for dates, times, and locations.

**ADDRESSES:** Written comments may be sent by any of the following methods:

- E-mail to the following address: [dogfish3@noaa.gov](mailto:dogfish3@noaa.gov). Please note on your correspondence and in the subject line of e-mail comments the following

identifier: "Spiny Dogfish Amendment 3 Scoping Comments.";

- Mail or hand deliver to Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 South New Street, Dover, Delaware 19904-6790. Mark the outside of the envelope "Spiny Dogfish Amendment 3 Scoping Comments"; or

- Fax to (302) 674-5399.

The scoping document may also be obtained from the Council office at the previously provided address, or by request to the Council by telephone (302) 674-2331, or via the Internet at <http://www.mafmc.org/mid-atlantic/comments/comments.htm>.

Comments may also be provided verbally at any of the three public scoping meetings. See Supplementary Information for dates, times, and locations.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel T. Furlong, Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 S. New St., Dover, DE 19904-6790, (telephone 302-674-2331).

#### SUPPLEMENTARY INFORMATION:

##### Meetings

Four scoping meetings to facilitate public comment will be held on the following dates and locations:

- August 10, 2009, 7:00 p.m., Virginia Marine Fisheries Commission, 2600 Building Meeting Room, 2600 Washington Ave., Newport News, VA 23607;

- August 11, 2009, 7:00 p.m., Ocean County Administration Building, Public Hearing Room #119, 101 Hooper Ave, Toms River, NJ 08754;

- August 12, 2009, 6:30 p.m., New Hampshire Urban Forestry Center, 45 Elwyn Rd, Portsmouth, NH 03801;

- August 13, 2009, 7:00 p.m., Radisson Plymouth, 180 Water Street, Plymouth, MA 02360.

##### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Bryan (302-674-2331 ext 18) at least 5 days prior to the meeting date.

##### Issues Identified for Discussion Under this Amendment

- Research-Set-Aside (RSA) provision: Currently there is no option for allocating a portion of the spiny dogfish quota to support research projects. The Councils are considering adding an RSA provision to the FMP.

- Commercial Quota Allocation Alternatives: Currently, the commercial quota for spiny dogfish is allocated seasonally into two periods in the fishing year. Period 1 (May 1-Oct 31) is allocated 57.9 percent of the quota and Period 2 (Nov 1-Apr 30) is allocated 42.1 percent of the quota. The Councils are considering alternative allocation (i.e., geographic) schemes for the Federal quota.

- Specifying the spiny dogfish quota and/or trip limits by sex: The Councils are considering modifications to the FMP that would allow for sex-specific annual specification of spiny dogfish commercial quota and/or trip limits.

- Limited Access Spiny Dogfish Permit: Federal spiny dogfish permits are currently available to all vessels. The Councils are considering modifying the Federal permit to make it a limited access permit. It is possible that an incidental catch permit would also be established that would be open access.

- Recreational Spiny Dogfish Fishery: To the extent that recreationally caught spiny dogfish are retained, that component of the overall fishery is not acknowledged in the FMP. The Councils are considering adding management measures for the recreational fishery to the FMP.

Following the scoping process, the Councils may develop additional approaches and alternatives (including No Action) to address these issues, consistent with the Magnuson-Stevens Fishery Conservation and Management Act. The above issues under consideration are described in greater detail in the scoping document itself; copies may be obtained from the Council (see **ADDRESSES**) or via the Internet at <http://www.mafmc.org/comments/comments.htm>.

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

Dated: July 30, 2009.

**Kristen C. Koch,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XP99

#### Atlantic Highly Migratory Species; Meeting of the Atlantic Highly Migratory Species Advisory Panel

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and