

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Availability of Grant Funds and Proposed Implementation Guidelines; Withdrawal of Solicitation for the Marine Aquaculture Initiative

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of withdrawal.

SUMMARY: The National Oceanic and Atmospheric Administration publishes this notice to announce the withdrawal of the solicitation of applications for the NOAA Marine Aquaculture Initiative 2010, which was published in the NOAA "Availability of Grant Funds for Fiscal Year 2010" on January 19, 2010. A new funding opportunity with revised requirements and goals is under development and will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Dr. Gene Kim, National Sea Grant College Program, National Oceanic and Atmospheric Administration, 1315 East-West Highway, SSMC3, R/SG, Silver Spring, Maryland 20910, (301) 734-1281.

SUPPLEMENTARY INFORMATION: On January 19, 2010, the National Oceanic and Atmospheric Administration published its annual notice entitled "Availability of Grant Funds for Fiscal Year 2010" (75 FR 3092). Included in that notice, beginning on page 3110, was a solicitation of applications for the NOAA Marine Aquaculture Initiative 2010 (Catalog of Federal Domestic Assistance Number: 11.417, Sea Grant Support).

NOAA publishes this notice to announce that it is withdrawing the solicitation of applications for the program, due to incorrect guidance being published. A new funding opportunity with revised requirements

and goals is under development and will be published in the **Federal Register**. Any applications received by the program will be returned to the applicant.

Classification Executive Order 12866: It has been determined that this notice is not significant for purposes of Executive Order 12866.

Administrative Procedure Act/Regulatory Flexibility Act: Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comments are not required pursuant to U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and none has been prepared.

Dated: January 25, 2010.

Mark E. Brown,

Chief Financial Officer/Chief Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-891]

Hand Trucks and Certain Parts Thereof From The People's Republic of China: Notice of Decision of the Court of International Trade Not in Harmony

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

SUMMARY: On October 22, 2008, the United States Court of International Trade ("CIT" or "Court") sustained the final remand determination made by the Department of Commerce ("the Department") pursuant to the Court's remand of the scope ruling of the antidumping duty order on hand trucks from the People's Republic of China ("PRC"). *See Gleason Industrial Products, Inc. v. United States*, Ct. No. 06-00089, Slip Op. 08-115 (Ct. Int'l Trade October 22, 2008) ("*Gleason III*"). This case arises out of the Department's antidumping duty order on hand trucks

and certain parts thereof from the People's Republic of China. The final judgment in this case was not in harmony with the Department's February 2006 final scope ruling.

DATES: *Effective Date:* November 1, 2008.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482-4243.

SUPPLEMENTARY INFORMATION: In December 2004, the Department placed an antidumping duty order on certain varieties of hand trucks manufactured in the People's Republic of China. *See Antidumping Duty Order on Hand Trucks and Certain Parts Thereof from the People's Republic of China*, 69 FR 70122 (December 2, 2004) ("Order"). In December 2005, Central Purchasing, LLC ("Central Purchasing"), requested the Department to determine whether two of the welding carts that it imported, models 93851 and 43615, were within the scope of the order. *See Central Purchasing's Scope Ruling Request* (December 19, 2005). The Petitioners, Gleason Industrial Products, Inc. and Precision Products, Inc. ("Gleason"), responded that both models of Central Purchasing's carts should be included within the scope of the Order. *See Gleason's Response to Central Purchasing's Scope Request* (January 4, 2006).

In an unpublished ruling, the Department found that both models of Central Purchasing's carts were outside the scope of the antidumping duty order. *See Memorandum from Hilary E. Sadler, Case Analyst, though Wendy J. Frankel, Office Director, to Stephen J. Claeys, Acting Deputy Assistant Secretary for AD/CVD Operations: "Final Scope Ruling for Central Purchasing, LLC's Two Models of Welding Carts," dated February 15, 2006 ("Final Scope Ruling").*

On March 17, 2006, Gleason filed its summons with the Court alleging that the Final Scope Ruling was not supported by substantial evidence or otherwise in accordance with law. The Department requested a voluntary remand in November 2006 to reconsider its original determination, which the trial court granted. *See Gleason Indus.*