

*Issue 7:* Whether the Department's calculations correctly considered the weight of the green pipe caps.

*Issue 8:* Whether the Department should adjust the adverse facts available rate applied to TPCO's U.S. affiliate's downstream sales.

[FR Doc. 2010-12960 Filed 5-27-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 39-2010]

#### Foreign-Trade Zone 3—San Francisco, CA; Application for Reorganization under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the San Francisco Port Commission, grantee of FTZ 3, requesting authority to reorganize the zone under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 1/12/09; correction 74 FR 3987, 1/22/09). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new "usage-driven" FTZ sites for operators/users located within a grantee's "service area" in the context of the Board's standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to 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 21, 2010.

FTZ 3 was approved by the Board on March 10, 1948 (Board Order 12, 13 FR 1459, 3/19/48) and the boundaries were modified on July 31, 1950 (Board Order 25, 15 FR 1653, 9/8/50) and on December 20, 1956 (Board Order 43, 21 FR 10434, 12/28/56). FTZ 3 was relocated on May 5, 1958 (Board Order 46, 23 FR 3277, 5/14/58), an extension of the relocation granted May 5, 1965 (Board Order 66, 30 FR 6596, 5/13/65) and the zone was relocated again on July 13, 1977 (Board Order 121, 42 FR 38942, 8/1/77). FTZ 3 was expanded on November 21, 2000 (Board Order 1129, 65 FR 76217, 12/6/00).

*The current zone project includes the following sites:* *Site 1* (5.82 acres)—Pier 19, Pier 23, Pier 50 and Pier 80 port facilities on the Embarcadero, San Francisco; *Site 2* (42.50 acres)—San Francisco International Airport jet-fuel storage and distribution system, which consists of the airport hydrant and storage facilities, two adjacent off-

airport terminals, a pipeline and two off-site terminals and related pipelines in Brisbane and South San Francisco; *Site 3* (55 acres)—Selby Terminal petroleum facilities, 90 San Pablo Avenue, Crockett; and, *Site 4* (164 acres)—Martinez Terminal petroleum facilities, 2801 Waterfront Road, Martinez.

The grantee's proposed service area under the ASF would be the City and County of San Francisco and the County of San Mateo, California, as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies' needs for FTZ designation. The proposed service area is within and adjacent to the San Francisco Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize its existing zone project to include existing sites 2, 3 and 4 as "usage-driven" sites. The applicant is also requesting authority to remove Site 1 from the zone project due to changed circumstances. Because the ASF only pertains to establishing or reorganizing a general-purpose zone, the application would have no impact on FTZ 3's authorized subzones.

In accordance with the Board's regulations, Christopher Kemp of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations 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 below. The closing period for their receipt is July 27, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to August 11, 2010.

A copy of the application 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@trade.gov](mailto:Christopher.Kemp@trade.gov) or (202) 482-0862.

Dated: May 21, 2010.

**Andrew McGilvray,**  
Executive Secretary.

[FR Doc. 2010-12957 Filed 5-27-10; 8:45 am]

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## 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 17, 2010. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. at the U.S. Department of Commerce in Room 3720.

*Docket Number:* 10-010. *Applicant:* University of Maine System, 16 Central St., Bangor, ME 04401. *Instrument:* Live Color Cathodoluminescence detector accessory for Scanning Electron Microscope. *Manufacturer:* Gatan, UK. *Intended Use:* The instrument will be used to study the morphology and microstructure of primarily geological but also some archaeological and biological materials. Techniques include imaging using three components of light (red, green, blue) split from a panchromatic signal induced in the sample by an incident electron beam inside an SEM. This instrument offers live color detectors, *i.e.*, panchromatic cathodoluminescence detectors in which the intensity of the light across the entire visible spectrum is measured. *Justification for Duty-Free Entry:* There are no domestic manufacturers of this instrument. *Application accepted by Commissioner of Customs:* April 27, 2010.

*Docket Number:* 10-011. *Applicant:* Washington University in St. Louis, Purchasing Dept., 1 Brookings Drive, Campus Box 1069, St. Louis, MO 63130. *Instrument:* Electron Microscope. *Manufacturer:* Japanese Electron-Optics, Limited (JEOL), Japan. *Intended Use:* This instrument will be used to study a complete range of medically relevant cells, tissues, and molecules and understand the molecular and cellular basis of a wide range of human diseases. The instrument allows for techniques including advanced forms of biological specimen preparation, as well as more classical procedures for fixation,

dehydration, plastic embedding and thin-sectioning of biological materials. *Justification for Duty-Free Entry:* No instruments of same general category are manufactured in the United States.

*Application accepted by Commissioner of Customs:* April 30, 2010.

*Docket Number:* 10–012. *Applicant:* California Institute of Technology, 1200 E. California Blvd., M/C 127–72, Pasadena, CA 91125. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to improve researchers' understanding of the structural dynamics of materials like graphite, as well as ultrafast structural changes over time in microscopy.

Techniques used with the instrument include imaging, both in real space and using diffraction. Imaging is done using light as opposed to thermal heating or field ionization. *Justification for Duty-Free Entry:* There are no domestic manufacturers of this type of electron microscope. *Application accepted by Commissioner of Customs:* May 5, 2010.

*Docket Number:* 10–013. *Applicant:* Howard Hughes Medical Institute, 4000 Jones Bridge Road, Chevy Chase, MD 20815. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to examine portions of vertebrate and invertebrate organisms embedded in plastic resins and cut into thin sections mounted on support grids for examination. The objective is to examine, at high resolution, the ultrastructural organization of complex biological structures to help elucidate function. The instrument can be used for 2D and 3D imaging of stained or even unstained, low-contrast samples. The instrument also allows for observation and analyses of samples at both room and liquid-nitrogen temperature. *Justification for Duty-Free Entry:* There are no domestic manufacturers of this type of electron microscope. *Application accepted by Commissioner of Customs:* May 12, 2010.

*Docket Number:* 10–014. *Applicant:* Howard Hughes Medical Institute, 4000 Jones Bridge Road, Chevy Chase, MD 20815. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to examine portions of vertebrate and invertebrate organisms embedded in plastic resins and cut into thin sections mounted on support grids for examination. The objective is to examine, at high resolution, the ultrastructural organization of complex biological structures to help elucidate function. The instrument can be used for 2D and 3D imaging of stained or

even unstained, low-contrast samples. The instrument also allows for observation and analyses of samples at both room and liquid-nitrogen temperature. *Justification for Duty-Free Entry:* There are no domestic manufacturers of this type of electron microscope. *Application accepted by Commissioner of Customs:* May 14, 2010.

*Docket Number:* 10–016. *Applicant:* United States Geological Survey, 6th Ave. & Kipling St., P.O. Box 25046, MS973, Denver Federal Center, Building 20, Denver, CO 80225. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used for the microanalysis of rocks, minerals and other particulate matter. Analyses of the morphology, surface textures, grain boundaries, and other properties of the materials investigated include the use of chemical composition and crystallographic orientation and strain. The low vacuum and low voltage features of the instrument allows for the viewing of hydrated and un-coated samples with minimal sample degradation or alteration. The advantage of this instrument is that it can operate at high vacuum and high acceleration voltages as well as atmospheric pressures and/or low accelerating voltages while still maintaining high resolution and high beam currents.

*Justification for Duty-Free Entry:* There are no domestic manufacturers of this type of electron microscope. *Application accepted by Commissioner of Customs:* May 18, 2010.

*Docket Number:* 10–017. *Applicant:* University of Massachusetts Medical School, Department of Cell Biology, Rm. S7–210, 55 Lake Avenue North, Worcester, MA 01655. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will enable the study of tissue cell structures at high resolution, the recording of images on the Eagle CCD camera, and the observation of cryo-fixed specimens at low temperatures. *Justification for Duty-Free Entry:* There are no domestic manufacturers of this type of electron microscope. *Application accepted by Commissioner of Customs:* May 12, 2010.

*Docket Number:* 10–018. *Applicant:* Texas Tech University, Department of Mechanical Engineering, 7th Street and Boston Ave., Lubbock, TX 79409–1021. *Instrument:* Electron Microscope. *Manufacturer:* Japanese Electron-Optics, Limited (JEOL), Japan. *Intended Use:* The instrument will be used to probe the crystalline structure of materials at a magnification beyond that required to

image dislocation behavior of fully crystalline nanostructured metals. The instrument will provide detailed surface structures and faceting information. *Justification for Duty-Free Entry:* No instruments of same general category are manufactured in the United States. *Application accepted by Commissioner of Customs:* May 17, 2010.

*Docket Number:* 10–020. *Applicant:* Howard Hughes Medical Institute, 4000 Jones Bridge Road, Chevy Chase, MD 20815. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to examine portions of vertebrate and invertebrate organisms embedded in plastic resins and cut into thin sections mounted on support grids for examination. The objective is to examine, at high resolution, the ultrastructural organization of complex biological structures to help elucidate function. The instrument can be used for 2D and 3D imaging of stained or even unstained, low-contrast samples. The instrument also allows for observation and analyses of samples at both room and liquid-nitrogen temperature. *Justification for Duty-Free Entry:* There are no domestic manufacturers of this type of electron microscope. *Application accepted by Commissioner of Customs:* May 12, 2010.

Dated: May 24, 2010.

**Christopher Cassel,**

*Director, IA Subsidies Enforcement Office.*

[FR Doc. 2010–12962 Filed 5–27–10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1679]

#### Expansion of Foreign-Trade Zone 272; Lehigh Valley, Pennsylvania

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Lehigh Valley Economic Development Corporation, grantee of Foreign-Trade Zone 272, submitted an application to the Board for authority to expand FTZ 272 to include a site in Bethlehem, Pennsylvania, adjacent to the Philadelphia Customs and Border Protection port of entry (FTZ Docket 37–2009, filed 9/9/2009);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (74 FR 47920–47921, September 18, 2009) and the application