

Commerce building, Room 1117, and is accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memo are identical in content.

### **Changes Since the Preliminary Results**

As a result of our analysis of the comments, we have adjusted U.S. price by the export-subsidy countervailing-duty rate of 7.79 percent in accordance with section 772(c)(1)(C) of the Act. For more information, see the Decision Memo at Comment 1.

### **Final Results of Review**

As a result of our review, we determine that a margin of 58.90 percent exists for Alpanil for the period December 1, 2007, through November 30, 2008.

### **Assessment Rates**

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries of merchandise produced and/or exported by Alpanil. In accordance with 19 CFR 351.212(b)(1), we will issue importer-specific assessment instructions for entries of subject merchandise during the period of review.

We divided the total dumping margins for each importer by the total number of units Alpanil sold to that importer. We will direct CBP to assess the resulting per-unit dollar amount against each unit of merchandise on each of that importer's entries during the period of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the period of review produced by Alpanil for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate any unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of these final results of review.

### **Cash-Deposit Requirements**

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of CVP 23 entered, or withdrawn from warehouse, for consumption on or after

the publication date of the final results, as provided by section 751(a)(1) and (a)(2)(C) of the Act: (1) The cash-deposit rate for Alpanil will be 58.90 percent; (2) if the exporter is not a firm covered in this review, a previous review, or the less-than-fair-value 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; (3) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be 27.48 percent, the all-others rate published in the *Antidumping Duty Order*, 69 FR at 77989. These deposit requirements shall remain in effect until further notice.

### **Notification to Importers**

This notice serves as a final 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 period of review. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties. See 19 CFR 351.402(f)(3).

### **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 as explained in the APO itself. See 19 CFR 351.305(a)(3). Timely written notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

We are publishing these final results of administrative review and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 25, 2010.

**Paul Piquado,**

*Acting Deputy Assistant Secretary for Import Administration.*

### **Appendix**

1. Countervailing-Duty Offset.
2. Model-Match Methodology.

[FR Doc. 2010-16091 Filed 6-30-10; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **Foreign-Trade Zones Board**

[Order No. 1687]

### **Grant of Authority for Subzone Status; Abercrombie & Fitch (Footwear and Apparel Distribution); New Albany, OH**

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 Foreign-Trade Zones Act provides for “\* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Columbus Regional Airport Authority, grantee of Foreign-Trade Zone 138, has made application to the Board for authority to establish a special-purpose subzone at the warehouse and distribution facility of Abercrombie & Fitch, located in New Albany, Ohio, (FTZ Docket 39–2009, filed 9/25/09);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (74 FR 52454, 10/13/09) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to footwear and apparel warehousing and distribution at the facility of Abercrombie & Fitch, located in New Albany, Ohio (Subzone 138G), as described in the application and **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, June 22, 2010.

**Paul Piquado,**

*Acting Deputy Assistant Secretary for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Elizabeth Whiteman,**

*Acting Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XX16

#### Incidental Taking of Marine Mammals; Taking of Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico

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

**ACTION:** Notice; issuance of letters of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA) and implementing regulations, notification is hereby given that NMFS has issued a one-year Letters of Authorization (LOA) to take marine mammals incidental to the explosive removal of offshore oil and gas structures (EROS) in the Gulf of Mexico.

**DATES:** These authorizations are effective from July 1, 2010 through June 30, 2011.

**ADDRESSES:** The application and LOAs are available for review by writing to P. Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3235 or by telephoning the contact listed here (*see FOR FURTHER INFORMATION CONTACT*), or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Jolie Harrison, Office of Protected Resources, NMFS, 301-713-2289.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce (who has delegated the authority to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of

marine mammals by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made and regulations are issued. Under the MMPA, the term "take" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture, or kill any marine mammal.

Authorization for incidental taking, in the form of annual LOAs, may be granted by NMFS for periods up to five years if NMFS finds, after notice and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals, and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). In addition, NMFS must prescribe regulations that include permissible methods of taking and other means of effecting the least practicable adverse impact on the species and its habitat (i.e., mitigation), and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating rounds, and areas of similar significance. The regulations also must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of marine mammals incidental to EROS were published on June 19, 2008 (73 FR 34875), and remain in effect through July 19, 2013. For detailed information on this action, please refer to that **Federal Register** notice. The species that applicants may take in small numbers during EROS activities are bottlenose dolphins (*Tursiops truncatus*), Atlantic spotted dolphins (*Stenella frontalis*), pantropical spotted dolphins (*Stenella attenuata*), Clymene dolphins (*Stenella clymene*), striped dolphins (*Stenella coeruleoalba*), spinner dolphins (*Stenella longirostris*), rough-toothed dolphins (*Steno bredanensis*), Rissos dolphins (*Grampus griseus*), melon-headed whales (*Peponocephala electra*), short-finned pilot whales (*Globicephala macrorhynchus*), and sperm whales (*Physeter macrocephalus*).

Pursuant to these regulations, NMFS has issued an LOA to ExxonMobil Production Company. Issuance of the LOA is based on a finding made in the preamble to the final rule that the total taking by these activities (with monitoring, mitigation, and reporting measures) will result in no more than a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on subsistence uses. NMFS also finds that the applicant will meet the

requirements contained in the implementing regulations and LOA, including monitoring, mitigation, and reporting requirements.

Dated: June 24, 2010.

**James H. Lecky,**

*Director, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Manufacturing and Services' Manufacture America Initiative and Events

**ACTION:** Notice of series of regional events and supportive resources to promote growth and retooling in manufacturing.

**SUMMARY:** The International Trade Administration's Manufacturing and Services Unit is launching a series of regional seminars across the United States titled "Manufacture America: Rethink, Retool and Rebuild to Support Jobs." Information on federal, state and local resources responsive to U.S. manufacturers' needs will be available at each event.

**FOR FURTHER INFORMATION CONTACT:** Bruce Harsh at 202-482-4582 or [manufactureamerica@trade.gov](mailto:manufactureamerica@trade.gov).

**SUPPLEMENTARY INFORMATION:** In this era of increasing global competition and rising input costs, U.S. manufacturers seek new ways to remain competitive. By looking at new markets and emerging and growing industries, and by improving processes and equipment to be more productive, efficient and sustainable, companies can find new ideas to become more competitive.

To make these changes, manufacturers require access to capital, technical assistance, market research and advice, worker training and other resources. Many of these resources are available through federal, state and local government agencies as well as universities.

To address these challenges, the Manufacturing and Services division of the International Trade Administration will hold a series of regional manufacturing-focused programs. Manufacture America will link manufacturers to available resources and share best practices and ideas to help manufacturers retool and renew their businesses by exploring new products, markets, processes and sources of finance.