data are lacking, the porbeagle sharks in the southern hemisphere do not appear to be isolated (ICES/ICCAT, 2009). Considering the highly migratory nature of this species, isolation does not appear to be a factor for decline. Low productivity is an aspect of the species' life history that has the potential to make the species more vulnerable to specific threats; however, this trait along with all other life history parameters is evaluated and addressed in management and conservation actions. As indicated by literature cited in the HSUS petition, female porbeagle sharks mature at approximately 13 years and males at 8 years in the Northwest Atlantic Ocean (Campana and Gibson, 2005; Campana *et al.*, 2003; Natanson *et al.*, 2001). They produce an average litter size ranging from two to six pups, and reproduce annually (Jensen *et al.*, 2002; Gibson and Campana, 2005). A recent Ecological Risk Assessment for Atlantic pelagic sharks found that porbeagle sharks ranked among the less vulnerable species in terms of their biological productivity and susceptibility to pelagic longline fisheries (Cortes *et al.*, 2010). Available information is insufficient to indicate that there has been any decrease in productivity of porbeagle sharks.

Conclusion

Although the petitions contend that "biological vulnerability" is a natural factor that is affecting the continued existence of porbeagle sharks, available information does not indicate that these factors pose a significant threat to the species. It does not appear that porbeagle populations are isolated, and the most recent stock assessment reports that biomass is either stable or increasing. In addition, available information does not indicate that there has been any decrease in porbeagle shark productivity. While much of the life history information presented is specific to Northwest Atlantic population, it is reasonable to assume that life history parameters for other porbeagle shark populations are similar to those of the Northwest Atlantic population. Therefore, the petitions do not present substantial information indicating that the petitioned actions for either DPSs proposed by WEG or HSUS or the full species may be warranted at this time.

Petition Finding

After reviewing the information contained in the petitions, as well as information readily available in our files, we have determined that the petitions do not present substantial scientific or commercial information indicating that the petitioned actions may be warranted. While the petitions assert that porbeagle sharks have suffered disastrous declines and that they are continuing to decline, we do not believe that the information presented in the petitions is substantial. This finding is supported by information contained within the ICES/ICCAT Stock Assessment Report (2009), which indicates increases in biomass in some stocks and stability in others. As stated previously, the United States has managed porbeagle shark through the HMS FMP since 2006. The Federal commercial fishery for porbeagle sharks is regulated by a base commercial quota of 1.7 mt dw per year. This quota can be harvested only by fishermen who possess a Federal limited access shark permit when the fishing season, as announced by NMFS, is open. In addition, Canada and the EU are increasing protections for porbeagle sharks internationally. Increasing numbers and stability in these stocks, coupled with new and continuing national and international management efforts, also support our conclusion that the petition does not present substantial information indicating that the petitioned actions may be warranted. If new information becomes available to suggest that porbeagle sharks may, in fact, warrant listing under the ESA, we will reconsider conducting a status review of the species.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: July 7, 2010.

Eric C. Schwaab,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–16933 Filed 7–9–10; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 43–2010]

Foreign-Trade Subzone 116A—Port Arthur, TX; Expansion of Manufacturing Authority; Motiva Enterprises, LLC (Oil Refinery)

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Foreign-Trade Zone of Southeast Texas, Inc., grantee of FTZ 116, requesting an expansion of the scope of manufacturing authority approved within Subzone 116A, on behalf of Motiva Enterprises, LLC in Port Arthur, Texas. The application was submitted pursuant to the provisions of 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 July 1, 2010.

Subzone 116A (1,005 employees, 250,000 barrel per day capacity) was approved by the Board in 1993 for the manufacture of fuel products and certain petrochemical feedstocks (Board Order 668, 59 FR 61, 12–3–1994, as amended by Board Order 740, 60 FR 26716–26717, 5–18–1995 and Board Order 1116, 65 FR 52696–52697, 9–30–2000). The subzone consists of six sites in Jefferson and Hardin Counties, Texas: *Site 1:* (3,036 acres) Port Arthur refinery complex, Jefferson County; *Site 2:* (402 acres) Port Neches Terminal, Jefferson County; *Site 3:* (126 acres) Port Arthur Terminal, Jefferson County; *Site 4:* (37 acres) Sour Lake underground LPG storage facility, Hardin County; *Site 5:* (63 acres) Seventh Street tank facility, Jefferson County; and, *Site 6:* (97 acres) National Station Extension Tank Farm, Jefferson County.

The current request involves the construction of additional crude distillation, coking, integrated hydrocracker/diesel hydrocracker, naphtha, catalytic feed, sulfur recovery, power generation and storage units within Site 1. The proposed expansion would increase the overall crude distillation capacity allowed under FTZ procedures to 600,000 barrels per day. No additional feedstocks or products have been requested.

Zone procedures would exempt production associated with the proposed expansion from customs duty payments on the foreign products used in exports. On domestic sales, the company would be able to choose the customs duty rates for certain petrochemical feedstocks (duty-free) by admitting foreign crude oil in non-privileged foreign status. The application indicates that the savings from zone procedures help improve the refinery's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman 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 September 10, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to September 27, 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 Elizabeth Whiteman at *Elizabeth.Whiteman@trade.gov* or (202) 482–0473.

Dated: July 1, 2010.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2010–16915 Filed 7–9–10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–825]

Stainless Steel Bar From Brazil: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On March 16, 2010, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on certain stainless steel bar from Brazil. The review covers one producer/exporter of the subject merchandise, Villares Metals S.A. (VMSA). The period of review (POR) is February 1, 2008, through January 31, 2009. We gave interested parties an opportunity to comment on our preliminary results. We received one comment. The final weighted–average dumping margin for VMSA is listed below in the "Final Results of Review" section of this notice.

EFFECTIVE DATE: July 12, 2010.

FOR FURTHER INFORMATION CONTACT: Catherine Cartsos or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482–1757 or (202) 482–1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 16, 2010, the Department published the preliminary results of its administrative review of the antidumping duty order on certain stainless steel bar from Brazil. *See Stainless Steel Bar From Brazil: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 12514 (March 16, 2010) (*Preliminary Results*). We invited interested parties to comment on the Preliminary Results. On May 5, 2010, we released a post–preliminary analysis in which we altered the cost–of-production methodology from that which we applied for the *Preliminary Results*. See discussion below. On May 13, 2010, we received a case brief from the petitioners (Carpenter Technology Corporation, Valbruna Slater Stainless, Inc., Electralloy Corporation, a Division of G.O. Carlson, Inc., and Universal Stainless). We did not receive a request for a hearing from any interested party.

The Department is conducting this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The scope of the order covers stainless steel bar (SSB). The term SSB with respect to the order means articles of stainless steel in straight lengths that have been either hot–rolled, forged, turned, cold–drawn, cold–rolled or otherwise cold–finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons or other convex polygons. SSB includes cold–finished SSBs that are turned or ground in straight lengths, whether produced from hot–rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process. Except as specified above, the term does not include stainless steel semi–finished products, cut–length flat–rolled products (*i.e.*, cut–length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.*, cold–formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat–rolled products), and angles, shapes and sections. The SSB subject to the order is currently classifiable under subheadings 7222.10.0005, 7222.10.0050, 7222.20.0005, 7222.20.0045, 7222.20.0075, and 7222.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Alternative Cost Methodology

In our Preliminary Results we relied on our standard methodology of comparing U.S. prices to monthly home–market prices (see *Preliminary Results*, 75 FR at 12516), and we compared the home–market prices to POR costs for the cost–of-production test under section 773(b)(1) of the Act. We indicated in the *Preliminary Results* that we would consider applying an alternative cost methodology after analyzing product–specific quarterly cost information. We announced in the *Preliminary Results* that we would release revised analysis if we found it appropriate to use quarterly costs, based on VMSA's supplemental cost data, and that we would give the parties an opportunity to comment on any revised analysis prior to the final results. See *Preliminary Results*, 75 FR at 12516.

Subsequent to our *Preliminary Results*, we analyzed VMSA's quarterly cost data and determined that the use of the alternative cost methodology is appropriate in this case because the changes in the quarterly cost of manufacture were significant and we can reasonably link the prices of sales made during the quarters with the production costs during the same quarters. See, *e.g., Stainless Steel Plate in Coils From Belgium: Final Results of Antidumping Duty Administrative Review*, 73 FR 75398, 75399 (December 11, 2008), and *Stainless Steel Sheet and Strip in Coils from Mexico; Final Results of Antidumping Duty Administrative Review*, 74 FR 6365 (February 9, 2009). Accordingly, we applied the cost test using quarterly average costs and home–market transaction prices. Further, consistent with our practice in reviews, we continued to compare monthly average home–market prices to individual U.S. prices in the calculation of the margin but confined those comparisons to the same quarter. See *Stainless Steel Sheet and Strip in Coils From Mexico; Preliminary Results of Antidumping Duty Administrative Review and Intent Not To Revoke Order in Part*, 74 FR 39622, 39629 (August 7, 2009) (unchanged in *Stainless Steel Sheet and Strip in Coils From Mexico: Final Results of Antidumping Duty Administrative Review*, 75 FR 6627 (February 10, 2010)). A detailed explanation of our analysis can be found in the May 5, 2010, memorandum entitled "Cost of Production and Constructed Value Calculation Adjustments for the Post–Preliminary Analysis" and the May 5, 2010, memorandum entitled "Post Preliminary Calculations Analysis Memorandum"