

issuing its amended final results in accordance with the CAFC's decision.

**EFFECTIVE DATE:** August 5, 2010.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Eastwood, AD/CVD Operations, Office 2, Import Administration International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230; telephone (202) 482-3874.

**SUPPLEMENTARY INFORMATION:**

#### Background

On November 6, 2007, the Department published its final results in the antidumping duty administrative review of rebar from Turkey covering the period of review from April 1, 2005, through March 31, 2006. *See Certain Steel Concrete Reinforcing Bars From Turkey; Final Results of Antidumping Duty Administrative Review and New Shipper Review and Determination To Revoke in Part*, 72 FR 62630 (Nov. 6, 2007) (*Final Results*). In November 2007, Ekinciler contested the Department's decision to impute an amount for depreciation related to an asset listed as "melt shop modernization" in Ekinciler's books and records, as had been done in prior segments of the proceeding. Ekinciler claimed that to avoid financial difficulties it had recorded expenses pertaining to foreign exchange gains and losses incurred in 2001 not as expenses in its books and records, but as an asset. Ekinciler alleged that these expenses, in fact, had nothing to do with the modernization of its melt shop facility and, therefore, the Department could not depreciate this amount.

On April 14, 2009, the Court of International Trade (CIT) determined that the Department's *Final Results* were not supported by substantial evidence on the record and remanded the issue of the imputed depreciation calculated for Ekinciler to the Department. *See Nucor Corporation, Gerdau Ameristeel Corporation, and Commercial Metals Company v. United States*, Court No. 07-00457 (Apr. 14, 2009) (*Nucor*).

On May 14, 2009, the Department issued its final results of redetermination pursuant to *Nucor*. The remand redetermination explained that, in accordance with the CIT's instructions, the Department recalculated the cost of production for Ekinciler, excluding the depreciation imputed on Ekinciler's reported melt shop modernization asset.

On May 22, 2009, the CIT found that the Department complied with the remand order and sustained the Department's remand redetermination.

*See Nucor Corporation, Gerdau Ameristeel, Inc., and Commercial Metals Company v. United States*, Slip Op. 09-50 (May 22, 2009). On June 5, 2009, consistent with the decision of the CAFC in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the CIT's decision was "not in harmony" with the Department's November 2007 *Final Results*. *See Certain Steel Concrete Reinforcing Bars from Turkey; Notice of Court Decision Not in Harmony with Final Results of Administrative Review*, 74 FR 27016 (June 5, 2009).

The domestic rebar industry appealed the CIT's decision. On April 12, 2010, the CAFC sustained the final redetermination made by the Department pursuant to the CIT's remand. *See CAFC Decision*. No party appealed the CAFC's decision. Because there is now a final and conclusive decision in the Court proceeding, we are issuing amended final results to reflect the results of the remand determination.

#### Amended Final Results of Review

We are amending the final results of the 2005-2006 administrative review on the antidumping duty order on rebar from Turkey to reflect a revised weighted-average margin of 0.11 percent for Ekinciler for the period April 1, 2005, through March 31, 2006.

#### Assessment

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.

Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is de minimis (*i.e.*, less than 0.50 percent). The Department will issue appraisal instructions directly to CBP.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: July 29, 2010.

**Paul Piquado,**

*Acting Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No.: 100630282-0307-02]

RIN 0648-ZC18

#### Availability of Grants Funds for Fiscal Year 2011

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice.

**SUMMARY:** NOAA publishes this notice to re-open the full proposal solicitation period for the Fiscal Year 2011 Bay Watershed Education and Training (B-WET) Hawaii Program. The original solicitation, which was announced in the **Federal Register** on July 16, 2010, gave an incorrect proposal due date of August 2, 2010. This notice corrects that error by re-opening the solicitation period for this program until September 15, 2010.

**DATES:** Full proposals must be submitted no later than 5:59 p.m., Hawaii Time, September 15, 2010.

**ADDRESSES:** Full proposal application packages should be submitted through Grants.gov. The standard NOAA funding application package is available at <http://www.grants.gov>.

If an applicant does not have Internet access, hard copies with original signatures may be sent to: NOAA Pacific Services Center, 737 Bishop Street, Suite 1550, Honolulu, Hawaii 96813, ATTN: Stephanie Bennett. Applicants submitting hard copy applications must submit one hard copy of the entire application package, a CD copy of the package, including all forms with original signatures. Any proposal packages received after the September 15 2010, submission deadline will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** For administrative or technical issues, contact Stephanie Bennett at 808-522-7481 (phone) or by e-mail at [Stephanie.Bennett@noaa.gov](mailto:Stephanie.Bennett@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NOAA publishes this notice to re-open the full proposal solicitation period for the Fiscal Year 2011 Bay Watershed Education and Training (B-WET) Hawaii Program announced in the **Federal Register** on July 16, 2010 (75 FR 41660). The new deadline for full proposals is September 15, 2010. The program re-opens the solicitation period due to a typo made in the deadline date published in the original announcement. Full proposals received

between 6 p.m. Hawaii Time, August 2, 2010 and August 5, 2010 will be considered timely and will be given full consideration. All other requirements published in the July 16, 2010 **Federal Register** notice for this program remain the same.

#### Limitation of Liability

In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if this program is cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. Applicants are hereby given notice that funding for the Fiscal Year 2011 program is contingent upon the availability of Fiscal Year 2011 appropriations.

#### Universal Identifier

Applicants should be aware they are required to provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number during the application process. See the October 30, 2002, **Federal Register**, (67 FR 66177) for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 or via the Internet at <http://www.dunandbradstreet.com>.

#### National Environmental Policy Act (NEPA)

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA Federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA Web site: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, [http://www.nepa.noaa.gov/NAO216\\_6\\_TOC.pdf](http://www.nepa.noaa.gov/NAO216_6_TOC.pdf), and the Council on Environmental Quality implementation regulations, [http://ceq.eh.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm). Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to

coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

The Department of Commerce Pre-award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on: October 30, 2002 (67 FR 66109); December 30, 2004 (69 FR 78389); and February 11, 2008 (73 FR 7696) are applicable to this solicitation.

#### Paperwork Reduction Act

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 has been approved by the Office of Management and Budget (OMB) under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

#### Executive Order 12866

This notice has been determined to be not significant for purposes of Executive Order 12866.

#### Executive Order 13132 (Federalism)

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### 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, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 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 has not been prepared.

Dated: July 30, 2010.

**Christopher C. Cartwright,**

*Associate Assistant Administrator for Management and CFO/CAO, Ocean Services and Coastal Zone Management.*

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**BILLING CODE 3510-JE-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Federal Consistency Appeal by Pan American Grain Co.

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of Stay—Closure of Administrative Appeal Decision Record.

**SUMMARY:** This announcement provides notice that the Secretary of Commerce has stayed, for a period of sixty (60) days, closure of the decision record in an administrative appeal filed by Pan American Grain Co. (Pan American).

**DATES:** The decision record for the Pan American Federal Consistency Appeal now closes on October 4, 2010.

**ADDRESSES:** NOAA, Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Gladys P. Miles, Attorney-Advisor, NOAA, Office of General Counsel, 301-713-7384, or at [gcos.inquiries@noaa.gov](mailto:gcos.inquiries@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

On January 27, 2010, Pan American Grain Co. filed notice of an appeal with the Secretary of Commerce (Secretary), pursuant to the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. The appeal is taken from an objection by the Puerto Rico Planning Board to Pan American's consistency certification for a U.S. Army Corps of Engineer permit for proposed improvements to its port facilities located in San Juan Bay, Puerto Rico. Notice of this appeal was published in