

unweighted workers and the Census 2000 average long form weight of six. The Disclosure Review Board, upon closer review for the ACS 5-year data products, decided that the key restriction to protect confidentiality for the ACS was the 50 unweighted workers, so the reference to a weighted number of workers has been dropped. Census Bureau staff also expanded the language on disclosure avoidance number six to clarify that in addition to workplace tables, the requirement for at least 50 unweighted workers in sample over the 5-year period applies to all non-residential geographies including residence 1 year ago and place-of-birth tables.

4. Frequency of Data Release

The Census Bureau received five comments on the proposed annual release of the ACS 5-year estimates. All five comments were in favor of the annual release.

III. ACS 5-year Data Products Plans

The Census Bureau is releasing its plans for the ACS 5-year data products via the Web. The plan provides a list of the tables and geographies expected to be included in the ACS 5-year products and will be updated periodically with new and expanded information. This information can be accessed at: <http://www.census.gov/acs>.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a current, valid Office of Management and Budget (OMB) control number. In accordance with the PRA, 44 United States Code, Chapter 35, the OMB approved the ACS under OMB Control Number 0607-0810. We will furnish report forms to organizations included in the survey, and additional copies will be available upon written request to the Director, U.S. Census Bureau, Washington, DC 20233-0001.

Dated: September 13, 2010.

Robert M. Groves,

Director, U.S. Census Bureau.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-837, A-570-954]

Certain Magnesia Carbon Bricks From Mexico and the People's Republic of China: Antidumping Duty Orders

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (the ITC), the Department is issuing antidumping duty orders on certain magnesia carbon bricks (MCB) from Mexico and the People's Republic of China (PRC). On September 8, 2010, the ITC notified the Department of its affirmative determinations of material injury to a U.S. industry. See *Certain Magnesia Carbon Bricks from China and Mexico* (Investigation Nos. 701-TA-468 and 731-TA-1166-1167 (Final), USITC Publication 4182, September 2010).

DATES: *Effective Date:* September 20, 2010.

FOR FURTHER INFORMATION CONTACT: David Goldberger (Mexico) or Paul Walker (PRC), AD/CVD Operations, Offices 2 and 9 respectively, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4136 or (202) 482-0413, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 2, 2010, the Department published its affirmative final determinations of sales at less than fair value in the antidumping duty investigations of MCB from Mexico and the PRC. See *Certain Magnesia Carbon Bricks from Mexico: Notice of Final Determination of Sales at Less Than Fair Value*, 75 FR 45097 (August 2, 2010); and *Certain Magnesia Carbon Bricks from the People's Republic of China: Final Determination of Sales at Less Than Fair Value and Critical Circumstances*, 75 FR 45468 (August 2, 2010) (*MCB from the PRC Final*).

On September 8, 2010, the ITC notified the Department of its final determinations pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured by reason of less-than-fair-value imports of MCB from Mexico and the PRC.¹ See

section 735(b)(1)(A)(i) of the Act. In addition, the ITC notified the Department of its final determination that critical circumstances do not exist with respect to imports of subject merchandise from the PRC that are subject to the Department's affirmative critical circumstances finding.² Pursuant to section 736(a) of the Act, the Department is publishing antidumping duty orders on the subject merchandise.

Scope of the Orders

The scope of these orders includes certain chemically-bonded (resin or pitch), magnesia carbon bricks with a magnesia component of at least 70 percent magnesia ("MgO") by weight, regardless of the source of raw materials for the MgO, with carbon levels ranging from trace amounts to 30 percent by weight, regardless of enhancements (for example, magnesia carbon bricks can be enhanced with coating, grinding, tar impregnation or coking, high temperature heat treatments, anti-slip treatments or metal casing) and regardless of whether or not antioxidants are present (for example, antioxidants can be added to the mix from trace amounts to 15 percent by weight as various metals, metal alloys, and metal carbides). Certain magnesia carbon bricks that are the subject of these orders are currently classifiable under subheadings 6902.10.1000, 6902.10.5000, 6815.91.0000, 6815.99.2000 and 6815.99.4000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). While HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive.

Provisional Measures

Section 733(d) of the Act states that suspension of liquidation instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that

between an affirmative determination of material injury and a negative determination, the Department is treating this vote, for purposes of duty assessment, as an affirmative finding of material injury consistent with section 771(11) of the Act. Likewise, because the vote of the ITC with respect to imports of MCB from the PRC was evenly divided between a determination of material injury and a determination of threat of material injury, the Department is treating this vote, for purposes of duty assessment, as an affirmative finding of material injury consistent with section 771(11) of the Act.

² Critical circumstances were not alleged with respect to imports of subject merchandise from Mexico.

¹ Because the vote of the ITC with respect to imports of MCB from Mexico was evenly divided

four-month period to no more than six months. At the request of the exporters that accounted for a significant proportion of exports of the subject merchandise in the investigations of MCB from Mexico and the PRC, we extended the four-month period to no more than six months. *See Certain Magnesia Carbon Bricks from Mexico: Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 75 FR 11517 (March 11, 2010) (*MCB from Mexico Prelim*); and *Certain Magnesia Carbon Bricks from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination* 75 FR 11847 (March 12, 2010) (*MCB from the PRC Prelim*).

In these investigations, the six-month period beginning on the date of the publication of the preliminary determinations (*i.e.*, March 11, 2010, for Mexico and March 12, 2010, for the PRC) will end on September 7, 2010, and September 8, 2010, respectively. Furthermore, section 737 of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination. Therefore, in accordance with section 733(d) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of MCB from Mexico and the

PRC entered, or withdrawn from warehouse, for consumption on or after September 7, 2010, for Mexico and September 8, 2010, for the PRC, and before the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will resume on or after the date of publication of the ITC's final injury determination in the **Federal Register**.

Antidumping Duty Orders

On September 8, 2010, in accordance with section 735(d) of the Act, the ITC notified the Department of its final determinations that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of MCB from Mexico and the PRC.

In accordance with section 736(a)(1) of the Act, the Department will direct CBP to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price or constructed export price of the merchandise for all relevant entries of MCB from Mexico and the PRC. These antidumping duties will be assessed on all unliquidated entries of MCB entered from Mexico and the PRC, or withdrawn from warehouse, for consumption on or after March 11, 2010 (Mexico), or March 12, 2010 (PRC), the date on which the Department published its notices of preliminary

determination in the **Federal Register**, but prior to September 7, 2010 (Mexico), or September 8, 2010 (PRC). *See MCB from Mexico Prelim*, 75 FR at 11521; and *MCB from the PRC Prelim*, 75 FR at 11848.

On or after the date of publication of the ITC's notice of final determinations in the **Federal Register**, CBP, pursuant to section 736(a)(3) of the Act, will require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated dumping margins listed below. The estimated dumping margins for imports of subject merchandise from the PRC will be adjusted for export subsidies found in the final determination of the companion countervailing duty investigation of this merchandise imported from the PRC. *See Certain Magnesia Carbon Bricks from the People's Republic of China: Final Affirmative Countervailing Duty Determination*, 75 FR 45472 (August 2, 2010). Specifically, for cash deposit purposes, we are subtracting from the applicable cash deposit rate that portion of the rate attributable to the export subsidies found in the affirmative countervailing duty determination on MCB from the PRC for respondent RHI Refractories Liaoning Co., Ltd. and for the separate-rate companies, whose rate is the calculated rate received by RHI Refractories Liaoning Co., Ltd. *See MCB from the PRC Final*, 75 FR at 45471.

Exporter	Producer	Margin
Mexico		
RHI-Refmex S.A. de C.V	RHI-Refmex S.A. de C.V	57.90
All Others	57.90
PRC		
RHI Refractories Liaoning Co., Ltd	RHI Refractories Liaoning Co., Ltd	128.10
Dashiqiao City Guancheng Refractor Co., Ltd	Dashiqiao City Guancheng Refractor Co., Ltd	128.10
Fengchi Imp. And Exp. Co., Ltd. Of Haicheng City	Fengchi Refractories Co., of Haicheng City	128.10
Jiangsu Sujia Group New Materials Co. Ltd	Jiangsu Sujia Group New Materials Co. Ltd	128.10
Liaoning Fucheng Refractories Group Co., Ltd	Liaoning Fucheng Refractories Group Co., Ltd	128.10
Liaoning Fucheng Special Refractory Co., Ltd	Liaoning Fucheng Special Refractory Co., Ltd	128.10
Liaoning Jiayi Metals & Minerals Co., Ltd	Liaoning Jiayi Metals & Minerals Co., Ltd	128.10
Yingkou Bayuquan Refractories Co., Ltd	Yingkou Bayuquan Refractories Co., Ltd	128.10
Yingkou Dalmond Refractories Co., Ltd	Yingkou Dalmond Refractories Co., Ltd	128.10
Yingkou Guangyang Co., Ltd	Yingkou Guangyang Co., Ltd	128.10
Yingkou Jiahe Refractories Co., Ltd	Yingkou Jiahe Refractories Co., Ltd	128.10
Yingkou Kyushu Refractories Co., Ltd	Yingkou Kyushu Refractories Co., Ltd	128.10
Yingkou New Century Refractories Ltd	Yingkou New Century Refractories Ltd	128.10
Yingkou Wonjin Refractory Material Co., Ltd	Yingkou Wonjin Refractory Material Co., Ltd	128.10
PRC-wide Entity*	236.00

* This rate also applies to Liaoning Mayerton Refractories Co., Ltd. and Dalian Mayerton Refractories Co., Ltd.

With regard to the ITC negative critical circumstances determination on imports of the subject merchandise from the PRC, we will instruct CBP to lift

suspension and to release any bond or other security, and refund any cash deposit made, to secure the payment of estimated antidumping duties with

respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption on or after December 12, 2009 (*i.e.*, 90 days prior to the date

of publication of the preliminary determination in the **Federal Register**), but before March 12, 2010.

This notice constitutes the antidumping duty orders with respect to MCB from Mexico and the PRC, pursuant to section 736(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room 7046 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

These orders are issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: September 13, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

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BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XY54

Atlantic Highly Migratory Species; Atlantic Shark Management Measures; 2011 Research Fishery

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

ACTION: Notice of intent; request for applications.

SUMMARY: NMFS announces its request for applications for the 2011 shark research fishery from commercial shark fishermen with a directed or incidental limited access permit. The shark research fishery allows for the collection of fishery-dependent data for future stock assessments while also allowing NMFS and commercial fishermen to conduct cooperative research to meet the shark research objectives for the Agency. The only commercial vessels authorized to land sandbar sharks are those participating in the shark research fishery. Shark research fishery permittees may also land non-sandbar large coastal sharks (LCS), small coastal sharks (SCS), and pelagic sharks. Commercial vessels not participating in the shark research fishery may only land only non-sandbar LCS, SCS, and pelagic sharks. Commercial shark fishermen who are interested in participating in the shark research fishery need to submit a completed Shark Research Fishery Permit Application in order to be considered.

DATES: Shark Research Fishery Applications must be received no later than 5 p.m., local time, on October 20, 2010.

ADDRESSES: Please submit completed applications to the HMS Management Division at:

- Mail: Attn: Guy DuBeck, HMS Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

- Fax: (301) 713-1917

For copies of the Shark Research Fishery Permit Application, please write to the HMS Management Division at the address listed above, or call (301) 713-2347 (phone), or (301) 713-1917 (fax). Copies of the Shark Research Fishery Application are also available at the HMS website at <http://www.nmfs.noaa.gov/sfa/hms/index.htm>.

FOR FURTHER INFORMATION CONTACT: Karyl Brewster-Geisz or Guy DuBeck, at (301) 713-2347 (phone) or (301) 713-1917 (fax).

SUPPLEMENTARY INFORMATION: The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Consolidated HMS Fishery Management Plan (FMP) is implemented by regulations at 50 CFR part 635.

The final rule for Amendment 2 to the Consolidated HMS FMP (73 FR 35778, June 24, 2008, corrected at 73 FR 40658, July 15, 2008) established, among other things, a shark research fishery to maintain time series data for stock assessments and to meet NMFS' research objectives. The shark research fishery also allows selected commercial fishermen the opportunity to earn revenue from selling more sharks, including sandbar sharks, than allowed outside of the commercial shark fishery. Only the commercial shark fishermen selected to participate in the shark research fishery are authorized to land/harvest sandbar sharks subject to the sandbar quota available each year. The base quota is 87.9 mt dw per year through December 31, 2012, although this number may be reduced in the event of overharvests, if any. The selected shark research fishery permittees will also have access to the non-sandbar LCS, SCS, and pelagic shark quotas. Commercial fishermen not participating in the shark research fishery may land non-sandbar LCS, SCS, and pelagic sharks subject to retention limits and quotas per 50 CFR 635.24 and 635.27, respectively.

The 2011 trip limits and number of trips per month will depend on the number of selected vessels, available

quota, objectives of the research fishery, and the actual vessels selected. The trip limits and the number of trips taken have changed each year the research fishery has been active. Participants may also be limited on the amount of gear they can deploy on a given set (e.g., number of hooks, length of longline). In 2010, selected vessels fishing outside of the Mid-Atlantic shark time/area closure off the coast of North Carolina were allowed a trip limit of 33 sandbar sharks and 33 non-sandbar large coastal sharks. Selected vessels fishing inside of the Mid-Atlantic shark time/area closure off the coast of North Carolina until July 31 were allowed a trip limit of 66 sandbar sharks and 33 non-sandbar large coastal sharks. The vessels participating in the shark research fishery fished an average of 1.5 trips per month.

In order to participate in the shark research fishery, commercial shark fishermen need to submit a completed Shark Research Fishery Application showing the vessel and owner(s) meet the specific criteria outlined below.

Research Objectives

Each year, NMFS determines the research objectives for the upcoming shark research fishery. The research objectives are developed by a shark board, which is comprised of representatives within NMFS, including representatives from the Southeast Fisheries Science Center (SEFSC) Panama City Laboratory, Northeast Fisheries Science Center (NEFSC) Narragansett Laboratory, the Southeast Regional Office, Protected Species Division (SERO\PSD), and the HMS Management Division. The research objectives for 2011 are similar to the research objectives for 2010, and the shark board based them on the Southeast Data, Assessment and Review (SEDAR) 11, 2005/2006 LCS stock assessment. The 2011 research objectives are:

- Collect reproductive and age data from sandbar sharks throughout the calendar year;
- Collect reproductive and age data for blacktip sharks for determination of the reproductive cycle (i.e., annual or biennial frequency);
- Collect reproductive and age data from all species of sharks for additional species-specific assessments;
- Monitor the size distribution of sandbar sharks and other species captured in the fishery;
- Continue on-going tagging programs for identification of migration corridors and stock structure;
- Maintain time-series of abundance from previously derived indices for the shark BLL observer program;