

from Hawaii to a landfill in the State of Washington. Because we have been made aware of additional information that was not previously provided and we have an interest in examining that information to determine the potential impacts, we are withdrawing the finding of no significant impact effective immediately in order to reevaluate the potential for environmental impacts that may be associated with this action.

**DATES:** *Effective Date:* October 4, 2010.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Lamb, Import Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231; (301) 734-0627.

**SUPPLEMENTARY INFORMATION:**

**Background**

The importation and interstate movement of garbage is regulated by the Animal and Plant Health Inspection Service under 7 CFR 330.400 and 9 CFR 94.5 in order to protect against the introduction into and dissemination within the United States of plant and animal pests and diseases.

On January 19, 2010, we published in the **Federal Register** (75 FR 2845-2846, Docket No. APHIS-2006-0172) a notice<sup>1</sup> in which we announced the availability, for public review and comment, of an environmental assessment documenting our review and analysis of the environmental impacts associated with, and alternatives to, the movement of palletized or containerized baled municipal solid waste to three existing ports on the Columbia River via barge and the transfer and transportation of the waste via truck or rail to the landfill.

We solicited comments on the environmental assessment for 30 days ending on February 18, 2010. We received 37 comments by that date. The commenters raised several issues, including the potential for invasive species/pest introductions, impacts on air and water quality, impacts on fish and wildlife habitat, impacts on existing infrastructure (highway, rail, and barge), increased traffic at associated ports, and the adequacy of the environmental assessment's analysis of cumulative effects.

On May 27, 2010, we published in the **Federal Register** (75 FR 29706, Docket No. APHIS-2006-0172) a notice announcing the availability of a final

environmental assessment and our finding of no significant impact (FONSI).

Although the agency had requested public comment on the environmental assessment published on January 19, 2010, with comments due on February 18, 2010, we received new information regarding potential impacts from that action after the FONSI had been issued. Because APHIS had not previously had the opportunity to evaluate this new information, we have decided to withdraw the FONSI effective immediately and reevaluate the potential environmental impacts that may be associated with this action.

Done in Washington, DC, this 28th day of September 2010.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010-24817 Filed 10-1-10; 8:45 am]

**BILLING CODE 3410-34-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-552-802]

**Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Amended Final Results of Antidumping Duty Administrative Review**

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

**DATES:** *Effective Date:* October 4, 2010

**FOR FURTHER INFORMATION CONTACT:** Susan Pulongbarit, or Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4031, or (202) 482-0413.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 9, 2010, the Department of Commerce ("Department") published in the **Federal Register** the final results of the fourth administrative review of the antidumping duty order on certain frozen warmwater shrimp from the Socialist Republic of Vietnam ("Vietnam") for the period from February 1, 2008, through January 31, 2009.<sup>1</sup>

On August 10, 2010, Minh Phu Seafood Corporation (and its affiliates Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd. (collectively "Minh Phu Group")), Nha Trang Seaproduct Company ("Nha Trang Seafoods"), and Minh Hai-Joint Stock Seafoods Processing Company ("Seaprodex Minh Hai") (collectively "Respondents") filed a timely allegation that the Department made various ministerial errors in the *Final Results* and requested, pursuant to 19 CFR 351.224, that the Department correct the alleged ministerial errors. No other parties in this proceeding submitted comments on the Department's final margin calculations. Based upon our analysis of the comments and allegations of ministerial errors, we made changes to the margin calculation for Nha Trang Seafoods and the Minh Phu Group, and corrected Seaprodex Minh Hai's separate rate status. Furthermore, as a result of correcting the errors in the margin calculations for Nha Trang Seafoods and the Minh Phu Group, the margin for the companies granted separate-rate status were also revised because the margin for those companies were derived from Nha Trang Seafoods' and the Minh Phu Group's margins.

**Scope of the Antidumping Duty Order**

The scope of this order includes certain warmwater shrimp and prawns, whether frozen, wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, 3535 "Tails" in this context means the tail fan, which includes the telson and the uropods, deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

The frozen warmwater shrimp and prawn products included in the scope of this investigation, regardless of definitions in the Harmonized Tariff Schedule of the United States ("HTS"), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted

<sup>1</sup> To view the environmental assessment, the comments we received and our responses to the comments, and the finding of no significant impact, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2006-0172>.

<sup>1</sup> See Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results, Partial Rescission of Antidumping Duty Administrative Review, 75 FR 47771 (August 9, 2010) ("Final Results").

shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of this investigation. In addition, food preparations, which are not “prepared meals,” that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of this investigation.

Excluded from the scope are: (1) Breaded shrimp and prawns (HTS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTS subheading 1605.20.10.40); (7) certain dusted shrimp; and (8) certain battered shrimp. Dusted shrimp is a shrimp-based product: (1) That is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a “dusting” layer of rice or wheat flour of at least 95 percent

purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and 10 percent of the product’s total weight after being dusted, but prior to being frozen; and (5) that is subjected to individually quick frozen (“IQF”) freezing immediately after application of the dusting layer. Battered shrimp is a shrimp-based product that, when dusted in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by this investigation are currently classified under the following HTS subheadings: 0306.13.00.03, 0306.13.00.06, 0306.13.00.09, 0306.13.00.12, 0306.13.00.15, 0306.13.00.18, 0306.13.00.21, 0306.13.00.24, 0306.13.00.27, 0306.13.00.40, 1605.20.10.10, and 1605.20.10.30. These HTS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this investigation is dispositive.

**Amended Final Results of the Review**

The Act defines “ministerial error” as including “errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial.” See section

751(h) of the Act. After analyzing Respondents’ comments, we have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), that we made certain ministerial errors in our calculations for the final results with respect to certain surrogate values for Nha Trang Seafoods, the surrogate SG&A ratio for Nha Trang Seafoods and the Minh Phu Group, and Seaprodex Min Hai’s separate rate status. For a detailed discussion of these ministerial errors, as well as the Department’s analysis of these errors, see Memorandum to James C. Doyle, through Scot T. Fullerton, from Susan Pulongbarit, regarding “Fourth Antidumping Administrative Review of Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Ministerial Error Memorandum,” dated concurrently with this notice (“Ministerial Errors Memo”).

Because we have revised the rates for Nha Trang Seafoods and the Minh Phu Group, we are also revising the margin for the companies granted separate-rate status because the margin for those companies was calculated as the simple average of Nha Trang Seafoods’ and the Minh Phu Group’s margins. In accordance with section 751(h) of the Act, we are amending the final results of the fourth administrative review of certain warmwater shrimp from Vietnam. As a result of correcting the ministerial errors discussed above, we determine that the following dumping margins exist for the period February 1, 2008, through January 30, 2009:

Manufacturer/exporter	Original margin (percent)	Revised margin (percent)
Minh Phu Group:		
Minh Phat Seafood Co., Ltd., aka .....	2.96	2.95
Minh Phat Seafood aka		
Minh Phu Seafood Export Import Corporation (and affiliates Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd.) aka		
Minh Phu Seafood Corp. aka		
Minh Phu Seafood Corporation aka		
Minh Qui Seafood aka		
Minh Qui Seafood Co., Ltd.		
Nha Trang Seaproduct Company (“Nha Trang Seafoods”) <sup>2</sup> aka .....	5.58	4.89
Nha Trang Seafoods aka		
Nha Trang Seaproduct Company Nha Trang Seafoods		
Bac Lieu Fisheries Company Limited, aka .....	4.27	3.92
Bac Lieu Fisheries Company Limited (“Bac Lieu”) aka		
Bac Lieu Fisheries Joint Stock Company aka		
Bac Lieu Fisheries Limited Company aka		
Bac Lieu Fisheries Company Limited <sup>3</sup>		
C.P. Vietnam Livestock Company Limited (“C.P. Vietnam”) aka .....	4.27	3.92
C.P. Vietnam Livestock Company Limited aka		
C.P. Vietnam Livestock Corporation (“C.P. Vietnam”)		
Cadovimex Seafood Import-Export and Processing Joint Stock Company (“CADOVIMEX-VIETNAM”) aka .....	4.27	3.92
Cai Doi Vam Seafood Import-Export Company (“Cadovimex”) aka		
Cai Doi Vam Seafood aka		
Cai Doi Vam Seafood Im-Ex Company (Cadovimex) aka		
Cai Doi Vam Seafood Processing Factory aka		
Caidovim Seafood Company (Cadovimex) aka		
Caidovim Seafood Im-Ex Co.		

Manufacturer/exporter	Original margin (percent)	Revised margin (percent)
Cafatex Fishery Joint Stock Corporation (“Cafatex Corp.”) aka .....	4.27	3.92
Cantho Animal Fisheries Product Processing Export Enterprise (Cafatex), aka Cafatex, aka Cafatex Vietnam, aka Xi Nghiep Che Bien Thuy Suc San Xuat Kau Cantho, aka Cas, aka Cas Branch, aka Cafatex Saigon, aka Cafatex Fishery Joint Stock Corporation, aka Cafatex Corporation, aka Taydo Seafood Enterprise Cafatex Corp.		
Cam Ranh Seafoods Processing Enterprise Company (“Camranh Seafoods”) aka Camranh Seafoods .....	4.27	3.92
Camau Frozen Seafood Processing Import Export Corporation (“CAMIMEX”) 4 aka .....	4.27	3.92
Camimex aka Camau Seafood Factory No. 4 aka Camau Seafood Factory No. 5 aka Camau Frozen Seafood Processing Import & Export aka Camau Frozen Seafood Processing Import Export Corp. (CAMIMEX–FAC 25) aka Frozen Factory No. 4		
Can Tho Agricultural and Animal Products Import Export Company (“CATACO”) aka .....	4.27	3.92
Can Tho Agricultural Products aka CATACO aka Can Tho Agricultural and Animal Products Imex Company Can Tho Import Export Fishery Limited Company (“CAFISH”) .....	4.27	3.92
Coastal Fishery Development aka .....	4.27	3.92
Coastal Fisheries Development Corporation (“Cofidec”) aka COFIDEC aka Coastal Fisheries Development Corporation aka Coastal Fisheries Development Co., aka Coastal Fisheries Development Corp.		
Cuulong Seaproducts Company (“Cuu Long Seapro”) aka .....	4.27	3.92
Cuu Long Seaproducts Limited (“Cuulong Seapro”) aka Cuulong Seapro aka Cuulong Seaproducts Company (“Cuulong Seapro”) aka Cuu Long Seaproducts Company (“Cuu Long Seapro”) aka Cuu Long Seaproducts Company aka Cuu Long Seapro aka Cuulong Seaproducts Company (“Cuu Long Seapro”) aka Cuu Long Seaproducts Limited (Cuulong Seapro) aka Cuulong Seapro aka Cuulong Seaproduct Company		
Danang Seaproducts Import Export Corporation (“Seaprodex Danang”) aka .....	4.27	3.92
Danang Seaproducts Import Export Corporation aka Danang Seaproduct Import-Export Corporation aka Danang Seaproducts Import Export aka Tho Quang Seafood Processing & Export Company aka Seaprodex Danang aka Tho Quang Seafood Processing and Export Company aka Tho Quang, aka Tho Quang Co. <sup>5</sup>		
Gallant Ocean (Vietnam) Co., Ltd. (“Gallant Ocean Vietnam”) .....	4.27	3.92
Grobest & I–Mei Industrial Vietnam, aka .....	4.27	3.92
Grobest, aka Grobest & I–Mei Industrial (Vietnam) Co., Ltd.		
Investment Commerce Fisheries Corporation (“Incomfish”) aka .....	4.27	3.92
Incomfish aka Investment Commerce Fisheries Corp., aka Incomfish Corp., aka Incomfish Corporation aka Investment Commerce Fisheries aka Investment Commerce Fisheries Corporation		
Kim Anh Company Limited (“Kim Anh”) .....	4.27	3.92
Minh Hai Export Frozen Seafood Processing Joint Stock Company aka .....	4.27	3.92
Minh Hai Jostoco aka Minh Hai Export Frozen Seafood Processing Joint-Stock Company (“Minh Hai Jostoco”) aka Minh Hai Export Frozen Seafood Processing Joint-Stock Company aka Minh Hai Joint Stock Seafood Processing Joint-Stock Company aka Minh Hai Export Frozen Seafood Processing Joint-Stock Co., aka Minh-Hai Export Frozen Seafood Processing Joint-Stock Company Minh Hai Joint-Stock Seafoods Processing Company (“Seaprodex Minh Hai”) aka .....	4.27	3.92
Sea Minh Hai aka		



The Department will determine and the U.S. Bureau of Customs and Border Protection (“CBP”) shall assess antidumping duties on all appropriate entries. Except where the Court of International Trade has issued a preliminary injunction enjoining the liquidation of certain entries during the period of review, we intend to issue appropriate assessment instructions directly to CBP 15 days after publication of these amended final results of review. For a general discussion of the application of assessment rates, see *Final Results*, 75 FR at 47776.

#### Cash Deposit Requirements

For all shipments of certain warmwater shrimp from Vietnam entered, or withdrawn from warehouse, for consumption on or after the publication date of these *Amended Final Results*, as provided by section 751(a)(2)(C) of the Act: (1) For companies covered by this review, the cash deposit rate will be the rate listed above; (2) for previously reviewed or investigated companies other than those covered by this review, the cash deposit rate will be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the producer is a firm covered in this review, a prior review, or the investigation, the cash deposit rate will be 25.76 percent, the Vietnam-wide rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

#### Reimbursement of Duties

This notice also 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 review period. Failure to comply with this requirement

<sup>2</sup> See Letter from Thompson Hine representing the Minh Phu Group, Nha Trang Seafoods, Camimex, and Grobest, to Secretary of Commerce, regarding Certain Frozen Warmwater Shrimp from Vietnam: Case Brief on behalf of Certain Respondents, dated, April 21, 2010 (“Respondents Case Brief”) at 44 for proprietary name used by importer.

<sup>3</sup> See Respondents Case Brief at 24 for proprietary name used by importer.

<sup>4</sup> See Respondents Case Brief at 44 for proprietary names used by importers.

<sup>5</sup> See Respondents Case Brief at 44 for proprietary names used by importers.

could result in the presumption that reimbursement of antidumping duties occurred and the subsequent increase in antidumping duties by the amount of antidumping duties reimbursed.

#### Administrative Protective Order

This notice also is the only reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

These amended final results of administrative review and notice are issued and published in accordance with sections 751(h), and 777(i)(1) of the Act, and 19 CFR 351.224.

Dated: September 29, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-24997 Filed 10-1-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Virginia Commonwealth University, School of Medicine; Notice of Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Public Law 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Ave, NW., Washington, DC.

*Docket Number:* 10-022. *Applicant:* Virginia Commonwealth University, School of Medicine, Richmond, VA 23298-0551. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 75 FR 53271, August 31, 2010. *Comments:* None received. *Decision:* Approved. *Reasons:* The instrument will be used to investigate the three dimensional structure of biological macromolecules, which will be observed under cryogenic conditions. We know of no instruments of equivalent scientific value to the foreign instruments described above, for such purposes as this is intended to be used,

that was being manufactured in the United States at the time of its order.

Dated: September 28, 2010.

**Gregory W. Campbell,**

*Acting Director, Subsidies Enforcement Office, Import Administration.*

[FR Doc. 2010-24834 Filed 10-1-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-904]

#### Certain Activated Carbon From the People's Republic of China: Extension of Time Limit for Final Results of the Antidumping Duty Administrative Review

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

**DATES:** *Effective Date:* October 4, 2010.

**FOR FURTHER INFORMATION CONTACT:** Bob Palmer or Kathleen Marksberry, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-9068 or (202) 482-7906, respectively.

#### Background

On May 29, 2009, Department of Commerce (“Department”) published the notice of the initiation of the antidumping duty administrative review on certain activated carbon from the People’s Republic of China (“PRC”), covering the period April 1, 2008, through March 31, 2009. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 74 FR 25711 (May 29, 2009) (“*Initiation Notice*”).

On May 13, 2010, the Department published the preliminary results of this review. See *Certain Activated Carbon From the People's Republic of China: Notice of Preliminary Results of the Second Antidumping Duty Administrative Review, and Preliminary Rescission in Part*, 75 FR 26927 (May 13, 2010) (“*Preliminary Results*”). On July 13, 2010, the Department extended the final results by 45 days. See *Certain Activated Carbon From the People's Republic of China: Extension of Time Limit for Final Results of the Antidumping Duty Administrative Review*, 75 FR 39916 (July 13, 2010). The final results are currently due on October 25, 2010.