

determinations by the International Trade Commission (“ITC”) that revocation of these AD and CVD orders would likely lead to a continuation or recurrence of material injury to an industry in the United States, the Department is publishing this notice of continuation of these AD and CVD orders.

DATES: *Effective Date:* November 19, 2010.

FOR FURTHER INFORMATION CONTACT: Minoo Hatten (AD orders) or Christopher Hargett (CVD order), AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1690 or (202) 482-4161, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 3, 2010, the Department initiated and the ITC instituted the third sunset reviews of the AD orders on castings from Brazil, Canada, and the PRC and the CVD order on castings from Brazil, pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (“the Act”), respectively. *See Initiation of Five-Year (“Sunset”) Review*, 75 FR 23240 (May 3, 2010). As a result of its reviews, the Department found that revocation of the AD orders would likely lead to continuation or recurrence of dumping and that revocation of the CVD order would be likely to lead to continuation or recurrence of subsidization, and the Department notified the ITC of the margins of dumping and the subsidy rates likely to prevail were the orders to be revoked. *See Certain Iron Construction Castings From Brazil, Canada, and the People’s Republic of China: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders*, 75 FR 54595 (September 8, 2010), and *Final Results of Expedited Sunset Review: Heavy Iron Construction Castings from Brazil*, 75 FR 54596 (September 8, 2010).

On November 2, 2010, the ITC determined that revocation of the AD orders on castings from Brazil, Canada, and the PRC and the CVD order on castings from Brazil would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. *See Iron Construction Castings From Brazil, Canada, and China; Determinations*, 75 FR 67395 (November 2, 2010), and USITC Publication 4191 (October 2010) entitled *Iron Construction Castings From Brazil, Canada, and China* (Investigation Nos.

701-TA-249 and 731-TA-262, 263, and 265 (Third Review)).

Scope of the Orders

The merchandise covered by the AD orders is as follows:

Brazil—Certain iron construction castings from Brazil, limited to manhole covers, rings, and frames, catch basin grates and frames, cleanout covers and frames used for drainage or access purposes for public utility, water and sanitary systems, classifiable as heavy castings under Harmonized Tariff Schedule (“HTS”) item number 7325.10.0010; and to valve, service, and meter boxes which are placed below ground to encase water, gas, or other valves, or water and gas meters, classifiable as light castings under HTS item number 7325.10.0050. The HTS item numbers are provided for convenience and customs purposes only. The written product description remains dispositive.

Canada—Certain iron construction castings from Canada, limited to manhole covers, rings, and frames, catch basin grates and frames, clean-out covers, and frames used for drainage or access purposes for public utility, water and sanitary systems, classifiable as heavy castings under HTS item number 7325.10.0010. The HTS item number is provided for convenience and customs purposes only. The written product description remains dispositive.

PRC—Certain iron construction castings from the PRC, limited to manhole covers, rings and frames, catch basin grates and frames, cleanout covers and drains used for drainage or access purposes for public utilities, water and sanitary systems; and valve, service, and meter boxes which are placed below ground to encase water, gas, or other valves, or water or gas meters. These articles must be of cast iron, not alloyed, and not malleable. This merchandise is currently classifiable under HTS item numbers 7325.10.0010 and 7325.10.0050. The HTS item numbers are provided for convenience and customs purposes. The written product description remains dispositive.

The merchandise subject to the CVD order consists of certain heavy iron construction castings from Brazil. The merchandise is defined as manhole covers, rings and frames; catch basin grates and frames; and cleanout covers and frames used for drainage or access purposes for public utility, water and sanitary systems. The merchandise is currently classified under HTS item number 7325.10.00. The HTS item number is provided for convenience and customs purposes. The written product description remains dispositive.

Determinations

As a result of the determinations by the Department and the ITC that revocation of these AD and CVD orders would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy and of material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the AD orders on castings from Brazil, Canada, and the PRC and the CVD order on castings from Brazil. U.S. Customs and Border Protection will continue to collect cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to sections 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year reviews of these orders not later than October 2015.

These five-year (sunset) reviews and notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: November 10, 2010.

Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010-29265 Filed 11-18-10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-807]

Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On July 14, 2010 the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping order on polyethylene terephthalate film, sheet and strip (PET film) from the Republic of Korea (Korea). *See Polyethylene Terephthalate Film, Sheet, and Strip from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 40784 (July 14, 2010) (*Preliminary Results*). This review covers one manufacturer/exporter of the subject merchandise to the United States, Kolon Industries, Inc. (Kolon).

The period of review (POR) is June 1, 2008, through May 31, 2009.

Based on our analysis of the comments received, we have made changes in the margin calculation for Kolon. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margin is listed below in the section entitled "Final Results of Review."

DATES: *Effective Date:* November 19, 2010.

FOR FURTHER INFORMATION CONTACT:

Tyler Weinhold or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5604 or (202) 482-0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

This review covers one manufacturer/exporter of the subject merchandise, Kolon. On July 14, 2010, the Department published in the **Federal Register** the preliminary results of the June 1, 2008, through May 31, 2009, administrative review of the antidumping order on PET film from Korea. *See Preliminary Results.*

We invited interested parties to comment on the preliminary results of review. On August 13, 2010, we received comments from DuPont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc. and Toray Plastics (America), Inc. (collectively petitioners) and Kolon. On August 18, 2010, we received rebuttal comments from Kolon. The Department has conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

Imports covered by this order are shipments of all gauges of raw, pretreated, or primed polyethylene terephthalate film, sheet, and strip, whether extruded or coextruded. The films excluded from this review are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer more than 0.00001 inches (0.254 micrometers) thick.

PET film is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 3920.62.00. The HTSUS subheading is provided for convenience and for customs purposes. The written description remains dispositive as to the scope of the product coverage.

Analysis of Comments Received

All issues raised in the case briefs submitted by Kolon and petitioners are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) from Susan H. Kuhbach, Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, dated November 12, 2010, which is adopted by this notice. A list of issues which parties have raised is in the Decision Memorandum and is attached to this notice as an appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in the Decision Memorandum which is on file in the Central Records Unit, Room 7046, of the main Commerce Building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://www.ia.ita.doc.gov/frn>. The paper copy and the electronic version of the Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we have made certain changes in the margin calculations which are discussed in the relevant sections of the Decision Memorandum and the Memorandum to the File, "Analysis of Data Submitted by Kolon Industries, Inc. (Kolon) for the Final Results of Polyethylene Terephthalate Film, Sheet, and Strip from Korea (A-580-807)", dated November 12, 2010.

Specifically, we have made the following changes to the margin calculation:

- We revised Kolon's general and administrative expense ratio to (1) exclude from the numerator a reported gain on the sale of land; and (2) offset the denominator by the reported scrap revenue sold during the POR.
- We also corrected clerical errors identified by Kolon which relate to SAS programming language in the U.S. Margin Program. In particular, we modified the U.S. Margin Program to reflect numeric values for certain product characteristics originally assigned a character value in the *Preliminary Results*.

Final Results of Review

We determine that the following weighted-average margin percentage exists for the period June 1, 2008, through May 31, 2009:

Manufacturer/exporter	Margin
Kolon Industries, Inc	<i>de minimis</i> (0.28 percent).

Assessment

Pursuant to 19 CFR 351.212(b), the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. The Department will issue appropriate assessment instructions directly to CBP 15 days after the date of publication of the final results of this review. For assessment purposes, where possible, we calculated importer-specific (or customer-specific) *ad valorem* assessment rates for PET film from Korea based on the ratio of the total amount of the dumping duties calculated for the examined sales to the total entered value of those same sales. *See* 19 CFR 351.212(b). However, where Kolon did not report the entered value for its sales, we will calculate importer-specific (or customer-specific) per unit duty assessment rates. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any assessment rate calculated in the final results of this review is above *de minimis*.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of this final results of review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) Because the rate for Kolon is *de minimis*, *i.e.*, less than 0.5 percent, no cash deposit will be required for Kolon; (2) if the exporter is not a firm covered in this review or the less than fair value (LTFV) 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; and (3) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash deposit rate will be the all-others rate of 21.50 percent from the LTFV investigation. *See Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea; Notice of Final Court Decision and Amended Final Determination of Antidumping Duty Investigation*, 62 FR 50557 (September 26, 1997).

Notification to Interested Parties

The Department will disclose calculations performed in connection with the final results of review within five days of the date of publication of

this notice in accordance with 19 CFR 351.224(b).

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/disposition 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.

We are issuing and publishing this determination in accordance with section 751(a)(1) and 777(i) of the Act.

Dated: November 12, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

Appendix—Comments in Decision Memo

Comment 1: Clerical Error

Comment 2: Kolon's Profit Ratios

Comment 3: G&A Expense Ratio (Gain on Sale of Land)

Comment 4: G&A Expense Ratio (Calculation of the Denominator)

Comment 5: U.S. Indirect Selling Expenses

Comment 6: Domestic Inland Freight

Comment 7: Offsetting of Negative Margins

[FR Doc. 2010-29271 Filed 11-18-10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA018

Eastern North Pacific Gray Whale; Notice of Extension of Public Comment Period on Marine Mammal Protection Act Petition

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notification of availability; extension of public comment period.

SUMMARY: On November 9, 2010, NMFS announced receipt of a petition to designate the Eastern North Pacific population of gray whales (*Eschrichtius robustus*) as a depleted stock under the Marine Mammal Protection Act (MMPA) and solicited comments on the petition. NMFS is extending the public comment period on the petition until December 8, 2010.

DATES: Comments must be received by close of business on December 8, 2010.

ADDRESSES: A copy of the petition may be requested from Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

You may submit comments, identified by 0648-XA018, by any one of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>.

- **Fax:** 301-713-0376, Attn: Chief, Marine Mammal and Sea Turtle Conservation Division.

- **Mail:** Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

Instructions: No comments will be posted for public viewing until after the comment period has closed. All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Dr. Shannon Bettridge or Dr. Gregory Silber, Office of Protected Resources, Silver Spring, MD, (301) 713-2322.

SUPPLEMENTARY INFORMATION:

Electronic Access

Interested persons may obtain the petition for review on the Internet at the following address: <http://www.nmfs.noaa.gov/pr/> or by contacting Dr. Shannon Bettridge or Dr. Gregory Silber (see **FOR FURTHER INFORMATION CONTACT**).

The 2008 stock assessment report for Eastern North Pacific gray whales is available on the Internet at the following address: <http://www.nmfs.noaa.gov/pr/pdfs/sars/ak2008whgr-en.pdf>. The Draft 2010 stock assessment report for Eastern North Pacific gray whales is available on the Internet at the following address: http://www.nmfs.noaa.gov/pr/pdfs/sars/ak2010_draft.pdf.

Background

The MMPA provides for interested parties to submit a petition to designate a population stock of marine mammals as depleted. Section 115(a)(3) of the MMPA (16 U.S.C. 1383b(a)(3)) requires NMFS to publish a notice in the **Federal Register** that such a petition has been received and is available for public review. Within 60 days of receiving a petition, NMFS must publish a finding in the **Federal Register** as to whether the petition presents substantial information indicating that the petitioned action may be warranted.

On November 9, 2010, NMFS published a notice announcing receipt of a petition to designate the Eastern North Pacific population of gray whales (*Eschrichtius robustus*) as a depleted stock under the Marine Mammal Protection Act (MMPA) and solicited comments on the petition (75 FR 68756). That **Federal Register** notice began NMFS' 15-day public comment period ending on November 24, 2010. NMFS received the petition on October 21, 2010, and therefore must publish its 60-day finding no later than December 20, 2010.

NMFS subsequently received a request by the petitioners, the California Gray Whale Coalition, to extend the public comment period by 15 days to provide interested parties additional time to review the petition, compile additional materials, and prepare comments for submission to the agency. Since then, NMFS has received other requests to extend the public comment period. In this notice NMFS is extending the public comment period until December 8, 2010, to allow adequate time for the public to review and comment on the petition while allowing the agency sufficient time to thoughtfully consider public comments. To provide a more extended public comment period would preclude NMFS from meeting its statutory requirements under the MMPA to provide a determination within 60 days.

Dated: November 16, 2010.

David Cottingham,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

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