

conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice of rescission is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act, as amended, and 19 CFR 351.213(d)(4).

Dated: December 12, 2011.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2011-32547 Filed 12-19-11; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-807]

#### Final Results of Expedited Sunset Review: Ferrovandium and Nitrided Vanadium From Russia

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

**SUMMARY:** On September 1, 2011, the Department of Commerce (the Department) initiated the third sunset review of the antidumping duty order on ferrovanadium and nitrided vanadium from the Russian Federation (Russia), pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). The Department has conducted an expedited (120-day) sunset review for this order pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of this sunset review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping.

**FOR FURTHER INFORMATION CONTACT:** David Goldberger, 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) 482-4136.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 1, 2011, the Department published the notice of initiation of the third sunset review of the antidumping duty order on ferrovanadium and nitrided vanadium from Russia, pursuant to section 751(c) of the Act. *See Initiation of Five-Year ("Sunset") Review*, 76 FR 54430 (September 1, 2011).

The Department received notices of intent to participate from the following domestic parties within the deadline

specified in 19 CFR 351.218(d)(1)(i): AMG Vanadium Inc., and Gulf Chemical and Metallurgical Corporation and its wholly owned subsidiary, Bear Metallurgical Corporation (collectively "the domestic interested parties"). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act, as manufacturers or wholesalers of a domestic like product in the United States.

The Department received complete substantive responses to the notice of initiation from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). We received no response from any respondent interested parties. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited (120-day) sunset review of the antidumping duty order.

##### Scope of the Order

The products covered by the order are ferrovanadium and nitrided vanadium, regardless of grade, chemistry, form or size, unless expressly excluded from the scope of the order. Ferrovanadium includes alloys containing ferrovanadium as the predominant element by weight (*i.e.*, more weight than any other element, except iron in some instances) and at least 4 percent by weight of iron. Nitrided vanadium includes compounds containing vanadium as the predominant element, by weight, and at least 5 percent, by weight, of nitrogen.

Excluded from the scope of the order are vanadium additives other than ferrovanadium and nitrided vanadium, such as vanadium-aluminum master alloys, vanadium chemicals, vanadium waste and scrap, vanadium-bearing raw materials, such as slag, boiler residues, fly ash, and vanadium oxides.

The products subject to the order are currently classifiable under subheadings 2850.00.20, 7202.92.00, 7202.99.5040, 8112.40.3000, and 8112.40.6000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope is dispositive.

##### Analysis of Comments Received

All issues raised in this review are addressed in the "Issues and Decision Memorandum for the Expedited Sunset Review of the Antidumping Duty Order on Ferrovanadium and Nitrided Vanadium from Russia" from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty

Operations, to Paul Piquado, Assistant Secretary for Import Administration (Decision Memorandum), which is hereby adopted by, and issued concurrently with, this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order were revoked. The Decision Memorandum is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Services System ("IA ACCESS"). Access to IA ACCESS is available in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed on the Internet at <http://www.trade.gov/ia/>. The signed Decision Memorandum and the electronic versions of the Decision Memorandum are identical in content.

##### Final Results of Review

We determine that revocation of the antidumping duty order on ferrovanadium and nitrided vanadium from Russia would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

<i>Exporter/Manufacturer</i>	<i>Margin Percentage</i>
Galt Alloys, Inc .....	3.75
Gesellschaft für Elektrometallurgie m.b.H. (and its related companies Shieldalloy Metallurgical Cor- poration and Metallurg, Inc.)	11.72
Odermet .....	10.10
All Other Russian Manufactur- ers and Exporters <sup>1</sup> .....	108.00

<sup>1</sup> Prior to Russia's graduation to market-economy status, this rate was referred to as the Russia-wide rate.

This notice also serves as 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 notification of the return or destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing the results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: December 13, 2011.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket Number: 111208744-1741-01]

#### Alternative Personnel Management System (APMS) at the National Institute of Standards and Technology

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** This notice informs the public that the National Institute of Standards and Technology (NIST) is extending for six (6) months beginning on January 5, 2012, its APMS direct-hire authority pilot. NIST will continue piloting direct-hire authority under Title 5, CFR, Part 337, Subpart B for all positions within NIST in the Scientific and Engineering (ZP) career path at the Pay Band III and above, for Nuclear Reactor Operator positions in the Scientific and Engineering (ZT) career path at Pay Band III and above, and for all occupations for which there is a special rate under the General Schedule pay system.

**DATES:** This notice is effective on December 20, 2011.

**FOR FURTHER INFORMATION CONTACT:** Janet Hoffman at the National Institute of Standards and Technology, (301) 975-3185; or Valerie Smith at the U.S. Department of Commerce, (202) 482-0272.

#### SUPPLEMENTARY INFORMATION:

##### Background

In accordance with Public Law 99-574, the NIST Authorization Act for 1987, the Office of Personnel Management (OPM) approved a demonstration project plan, "Alternative Personnel Management System (APMS) at the National Institute of Standards and Technology (NIST)," and published the plan in the **Federal Register** on October 2, 1987. 52 FR 37082. The project plan has been modified twice to clarify certain NIST authorities (54 FR 21331 of May 17, 1989, and 55 FR 39220 of Sept. 25, 1990). The project plan and subsequent amendments were consolidated in the final APMS plan, which became

permanent on October 21, 1997, 62 FR 54604. NIST amended the plan on May 6, 2005, 70 FR 23996, which became permanent on June 6, 2005. NIST amended the plan again on July 15, 2008, 73 FR 40502, and that amendment became permanent on October 1, 2008.

On December 3, 2010, the Department of Commerce approved NIST's request to pilot direct-hire under Title 5, CFR, Part 337, Subpart B, for a period of one year for all positions within the Scientific and Engineering (ZP) career path at the Pay Band III and above, for Nuclear Reactor Operator positions in the Scientific and Engineering Technician (ZT) career path at Pay Band III and above, and for all occupations for which there is a special rate under the General Schedule (GS) pay system.

NIST received approval to gather data on the impact of direct-hire authority on preference eligibles, as well as information supporting the finding of a severe shortage of candidates for the positions covered under the direct-hire authority. On January 5, 2011, NIST published a **Federal Register** notice implementing the direct-hire pilot for a period of one year.

The APMS plan provides for modifications to be made as experience is gained, results are analyzed, and conclusions are reached on how the system is working. This notice formally modifies the APMS plan to align direct-hire procedures with OPM's direct-hire authority on a pilot basis for an additional six months. During this extended pilot period, NIST will be submitting a request to the Department of Commerce to implement direct-hire authority under Title 5, CFR, Part 337, Subpart B, on a permanent basis. The request will include a statistical analysis determining the impact of direct-hire authority on preference eligibles as well as a justification supporting the finding of a severe shortage of candidates in the covered positions. If additional time is required to complete review of NIST's request, the pilot may be extended for an additional six (6) months.

Dated: December 15, 2011.

**Kevin Kimball,**  
*Chief of Staff.*

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##### I. Executive Summary

The National Institute of Standards and Technology's (NIST) Alternative Personnel Management System (APMS) is designed to (1) improve hiring and allow NIST to compete more effectively for high-quality researchers through

direct hiring, selective use of higher entry salaries, and selective use of recruiting allowances; (2) motivate and retain staff through higher pay potential, pay-for-performance, more responsive personnel systems, and selective use of retention allowances; (3) strengthen the manager's role in personnel management through delegation of personnel authorities; and (4) increase the efficiency of personnel systems through installation of a simpler and more flexible classification system based on pay banding through reduction of guidelines, steps, and paperwork in classification, hiring, and other personnel systems, and through automation.

Since implementing the APMS in 1987, according to findings in the Office of Personnel Management's "Summative Evaluation Report National Institute of Standards and Technology Demonstration Project: 1988-1995," NIST has accomplished the following: NIST is more competitive for talent; NIST retained more top performers than a comparison group; and NIST managers reported significantly more authority to make decisions concerning employee pay. This modification builds on this success by extending the pilot on direct-hire authority under Title 5, CFR, Part 337, Subpart B, for a period of six (6) additional months.

This amendment modifies the October 21, 1997 **Federal Register** notice. Specifically, it enables NIST to hire, after public notice is given, any qualified applicant without regard to 5 U.S.C. 3309-3318, 5 CFR part 211, or 5 CFR part 337, subpart A for an additional period of six (6) months.

During this extended pilot period, NIST will be submitting a request to the Department of Commerce to implement direct-hire authority under Title 5, CFR, Part 337, Subpart B, on a permanent basis. The request will include a statistical analysis determining the impact of direct-hire authority on preference eligibles as well as a justification supporting the finding of a severe shortage of candidates in the covered positions. If additional time is required to complete review of NIST's request, the pilot may be extended for an additional six (6) months.

NIST will continually monitor the effectiveness of this amendment.

##### II. Basis for APMS Plan Modification

Section 3304 (c) of title 5, United States Code, provides agencies with the authority to appoint candidates directly to jobs for which OPM determines that there is a severe shortage of candidates or a critical hiring need.