

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia v. United States*, 291 F.3d 806 (Fed Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures “gap” period, of the order, if such a gap period is applicable to the period of review.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures*, 73 FR 3634 (January 22, 2008). Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (e.g., the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Any party submitting factual information in an antidumping duty or countervailing duty proceeding must certify to the accuracy and completeness of that information. See section 782(b) of the Act. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all segments of any antidumping duty or countervailing duty proceedings initiated on or after March 14, 2011. See *Certification of Factual Information to*

deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

*Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule*, 76 FR 7491 (February 10, 2011) (“*Interim Final Rule*”), amending 19 CFR 351.303(g)(1) and (2). The formats for the revised certifications are provided at the end of the *Interim Final Rule*. The Department intends to reject factual submissions in any proceeding segments initiated on or after March 14, 2011 if the submitting party does not comply with the revised certification requirements.

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: December 23, 2011.

**Christian Marsh,**

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

[FR Doc. 2011–33594 Filed 12–29–11; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–938]

#### **Citric Acid and Certain Citrate Salts From the People’s Republic of China: Extension of Time Limit for Preliminary Results of Countervailing Duty Administrative Review**

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

**DATES:** *Effective Date:* December 30, 2011.

**FOR FURTHER INFORMATION CONTACT:** Patricia Tran, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1503.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On May 29, 2009 the Department of Commerce (the Department) published in the **Federal Register** the countervailing duty order on citric acid and certain citrate salts from the People’s Republic of China (PRC). See *Countervailing Duty Orders and Amendments of Final Affirmative Countervailing Duty Determinations: Citric Acid and Certain Citrate Salts*, 74 FR 25705 (May 29, 2009). On May 2, 2011, the Department published a notice of “Opportunity to Request Administrative Review” of this countervailing duty order. See *Antidumping or Countervailing Duty*

*Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 76 FR 24460 (May 2, 2011). In accordance with 19 CFR 351.221(c)(1)(i), we published a notice of initiation of the administrative review on June 28, 2011, for the January 1, 2010, through December 31, 2010, period of review (POR). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 76 FR 37781 (June 28, 2011). The preliminary results for this review are currently due no later than January 31, 2012.

#### **Extension of Time Limits for Preliminary Results**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested. If it is not practicable to issue the preliminary results within 245 days, section 751(a)(3)(A) of the Act allows the Department to extend this deadline to a maximum of 365 days.

Because the Department will require additional time to review and analyze questionnaire responses from the Government of the People’s Republic of China and the respondent, RZBC Co., Ltd., and its affiliates, and may issue supplemental questionnaires, it is not practicable to complete the preliminary results within the original deadline (i.e., January 31, 2012). Therefore, the Department is extending the time limit for completion of the preliminary results by 120 days to not later than May 30, 2012, in accordance with section 751(a)(3)(A) of the Act.

We are issuing and publishing this notice in accordance with sections 751(a)(3)(A) and 777(i)(1) of the Act.

Dated: December 21, 2011.

**Christian Marsh,**

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

[FR Doc. 2011–33596 Filed 12–29–11; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648–XA885

#### **Notice of Availability of a Draft Environmental Impact Statement for Effects of Oil and Gas Activities in the Arctic Ocean**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of availability of a Draft Environmental Impact Statement; request for comments.

**SUMMARY:** NMFS announces the availability of the "Draft Environmental Impact Statement (DEIS) for the Effects of Oil and Gas Activities in the Arctic Ocean." Publication of this notice begins the official public comment period for this DEIS. The purpose of the DEIS is to evaluate, in compliance with the National Environmental Policy Act (NEPA), the potential direct, indirect, and cumulative impacts of implementing the alternative approaches for authorizing the take of marine mammals incidental to oil and gas exploration activities in the Arctic Ocean pursuant to the Marine Mammal Protection Act (MMPA). The U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) is a cooperating agency on this DEIS, and as such, this DEIS also evaluates the potential direct, indirect, and cumulative impacts of implementing the alternative approaches for authorizing geological and geophysical (G&G) surveys and ancillary activities under the Outer Continental Shelf Lands Act (OCSLA) in the Arctic Ocean. The North Slope Borough (NSB) is also a cooperating agency on this DEIS.

**DATES:** All comments and written statements must be received no later than Monday, February 13, 2012.

**ADDRESSES:** Written comments and statements on the DEIS must be postmarked by February 13, 2012. Comments on the DEIS may be submitted by:

- *Email:*

*arcticeis.comments@noaa.gov.*

- *Mail:* Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910.

- *Fax:* (301) 713-0376.

- *Public Hearings:* Oral and written comments will be accepted during the upcoming public hearings. See

**SUPPLEMENTARY INFORMATION,** Public Hearings (below) for more information.

Comments sent via email, including all attachments, must not exceed a 25-megabyte file size. Information on this project can also be found on the Protected Resources Web page at: <http://www.nmfs.noaa.gov/pr/permits/eis/arctic.htm>.

**FOR FURTHER INFORMATION CONTACT:**

Candace Nachman, Jolie Harrison, or Michael Payne, Office of Protected Resources, NMFS, at (301) 427-8401 or via email at [arcticeis.comments@noaa.gov](mailto:arcticeis.comments@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

Sections 101 (a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of proposed authorization is provided to the public for review. The term "take" under the MMPA means "to harass, hunt, capture, kill or collect, or attempt to harass, hunt, capture, kill or collect." Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as "any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment]."

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as ". . . an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

NMFS, as the lead federal agency, prepared this DEIS to evaluate a broad range of reasonably foreseeable levels of exploration activities and associated mitigation measures that may occur within the five-year period from the date of completion of the Final EIS and Record of Decision. BOEM and the NSB are serving as formal cooperating agencies; the Environmental Protection Agency (EPA) is serving as a consulting agency; and NMFS is coordinating with the Alaska Eskimo Whaling Commission (AEWC) pursuant to our co-management agreement under the MMPA.

NMFS has published this EIS to disclose the potential impacts associated with their issuance of ITAs

for seismic surveys, ancillary activities, and exploratory drilling under section 101(a)(5) of the MMPA and BOEM's authorization of G&G permits and ancillary activities under the OCSLA.

**Scoping**

On February 8, 2010, NMFS provided public notice (75 FR 6175) that it would prepare an EIS to analyze the environmental impacts of issuing ITAs pursuant to the MMPA to the oil and gas industry for the taking of marine mammals incidental to offshore exploration activities (*e.g.*, seismic surveys and exploratory drilling) in Federal and state waters of the U.S. Chukchi and Beaufort Seas off Alaska. The 60-day public scoping period ended on April 9, 2010.

Scoping was the first step in this NEPA process (as required under 40 CFR 1501.7). Scoping provided an opportunity for the public and agencies to express their views and identify issues to be addressed in the DEIS.

As part of scoping, NMFS hosted public meetings to introduce the proposed action, describe the EIS process, and solicit input on the issues and alternatives to be evaluated. Public scoping meetings were held in February and March 2010 in the communities of Kotzebue, Point Hope, Point Lay, Wainwright, Barrow, Nuiqsut, and Kaktovik and in Anchorage, Alaska. During the scoping comment period, 73 public comments were received. A report summarizing these comments is available on the project Web site at: <http://www.nmfs.noaa.gov/pr/permits/eis/arctic.htm>.

Issues identified by the public during the scoping process include, but are not limited to, concerns regarding potential impacts to marine mammals and habitat, subsistence uses of marine mammals, and other wildlife, as well as concerns regarding the potential for an oil spill. Some commenters also expressed concerns about meeting national energy demands. Substantive comments received during the public scoping period have been addressed in the DEIS.

**Alternatives**

NMFS has evaluated five alternatives in the DEIS. NMFS has not identified a preferred alternative in the DEIS. In this DEIS, NMFS and BOEM present and assess a reasonable range of G&G, ancillary, and exploratory drilling activities expected to occur, as well as a reasonable range of mitigation measures, in order to accurately assess the potential consequences of issuing ITAs under the MMPA and permits under the OCSLA. The potential level of

activity described by each alternative is based on recent Federal and state lease planning and recent industry plans for both seismic surveys and exploratory drilling programs in the Beaufort and Chukchi Seas. Each alternative also includes an analysis of a suite of standard and additional mitigation measures that have been identified to help reduce impacts to marine mammals and to ensure no unmitigable adverse impact on the availability of marine mammals for subsistence uses. The suite of measures are considered and analyzed in all four of the action alternatives. The alternatives are summarized as follows:

*Alternative 1: No Action Alternative:* Under the No Action Alternative, NMFS would not issue any ITAs under the MMPA for seismic surveys or exploratory drilling in the Beaufort and Chukchi Seas, and BOEM would not issue G&G permits or authorize ancillary activities in the Beaufort and Chukchi Seas.

*Alternative 2: Authorization for Level 1 Exploration Activity:* Alternative 2 analyzes a certain amount of 2D/3D seismic, site clearance and high resolution shallow hazards, and on-ice seismic surveys and exploratory drilling programs to occur each year. Alternative 2 also evaluates a range of standard and additional mitigation measures that would be considered and incorporated into any issued authorization (on a case-by-case basis). Examples of standard and additional mitigation measures include measures to: reduce acoustic exposures (e.g., exclusion zones, flight altitude restrictions, time/area closures); reduce non-acoustic exposures (e.g., vessel speed restrictions, oil spill prevention plans, limited or zero discharge requirements); and ensure no unmitigable adverse impact to subsistence uses (e.g., time/area closures, communication centers).

*Alternative 3: Authorization for Level 2 Exploration Activity:* Alternative 3 analyzes a level of 2D/3D seismic, site clearance and high resolution shallow hazards, and on-ice seismic surveys and exploratory drilling programs to occur each year that is higher than the level contemplated under Alternative 2. The same suite of standard and additional mitigation measures that would be considered and incorporated into any issued authorization (on a case-by-case basis) under Alternative 2 is considered under Alternative 3.

*Alternative 4: Authorization for Level 2 Exploration Activity with Additional Required Time/Area Closures:* Alternative 4 considers the same level of activity contemplated under Alternative 3 and also evaluates the same suite of

standard and additional mitigation measures. However, certain time/area closures that would be considered on a case-by-case basis under the other alternatives would be required under Alternative 4. The time/area closures would be for specific areas important to biological productivity, life history functions for specific species of concern, and subsistence activities. Activities would not be permitted to occur in any of the time/area closures during the specific identified periods. Additionally, buffer zones around these time/area closures could potentially be included.

*Alternative 5: Authorization for Level 2 Exploration Activity with Use of Alternative Technologies:* Alternative 5 considers the same level of activity contemplated under Alternative 3 and also evaluates the same suite of standard and additional mitigation measures. However, Alternative 5 also includes specific additional mitigation measures that focus on the use of alternative technologies that have the potential to augment or replace traditional airgun-based seismic exploration activities in the future.

#### Public Involvement

Comments will be accepted at public hearings and during the public comment period, and must be submitted to NMFS by February 13, 2011 (see **FOR FURTHER INFORMATION CONTACT**). We request that you include in your comments: (1) Your name, address, and affiliation (if any); and (2) background documents to support your comments as appropriate.

Public scoping meetings will be held in late January and early February 2012, in the communities of Barrow, Kaktovik, Kivalina, Kotzebue, Nuiqsut, Point Hope, Point Lay, and Wainwright. However, the final dates and times have not yet been set. A supplement to this Notice of Availability will be published with the final meeting dates, times, and locations. Comments will be accepted at all public meetings, as well as during the public comment period and can be submitted via the methods described earlier in this document (see **ADDRESSES**).

Dated: December 20, 2011.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration (NOAA)

#### Nomination of Existing Marine Protected Areas to the National System of Marine Protected Areas

**AGENCY:** NOAA, Department of Commerce (DOC).

**ACTION:** Public notice and opportunity for comment on the list of nominations received from federal, state, territorial and tribal marine protected area programs to join the National System of Marine Protected Areas.

**SUMMARY:** In July 2011, NOAA and the Department of the Interior (DOI) invited federal, state, commonwealth, and territorial marine protected area (MPA) programs with potentially eligible existing MPAs to nominate their sites to the National System of MPAs (national system). The national system and the nomination process are described in the *Framework for the National System of Marine Protected Areas of the United States* (Framework), developed in response to Executive Order 13158 on Marine Protected Areas. The final Framework was published on November 19, 2008, (73 FR 69608) and provides guidance for collaborative efforts among federal, state, commonwealth, territorial, tribal and local governments and stakeholders to develop an effective and well coordinated national system of MPAs that includes existing MPAs meeting national system criteria as well as new sites that may be established by managing agencies to fill key conservation gaps in important ocean areas.

**DATES:** Comments on the nominations to the national system are due February 13, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Comments should be sent to Lauren Wenzel, NOAA, at (301) 713-3100, ext. 136 or via email at [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov). A detailed electronic copy of the List of National System MPAs is available for download at <http://www.mpa.gov>.

#### SUPPLEMENTARY INFORMATION:

##### Background on National System

The national system is made up of member MPA sites, networks and systems established and managed by federal, state, commonwealth, territorial, tribal and/or local governments that collectively enhance conservation of the nation's natural and cultural marine heritage and represent its diverse ecosystems and resources. Although participating sites continue to