

calendar day of publication of this notice. Comments should be filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by the time and date noted above. Documents excepted from the electronic submissions requirements must be filed manually (*i.e.*, paper form) with the Import Administration's APO/Dockets Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the deadline noted above.

We intend to make our decision regarding respondent selection within 20 days of publication of this **Federal Register** notice.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on the Department's Web site at: <http://ia.ita.doc.gov/apo>.

#### Distribution of Copies of the Petition

In accordance with section 702(b)(4)(A)(i) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition and amendments thereto have been provided to representatives of the GOC. Because of the particularly large number of producers/exporters identified in the Petition, the Department considers the service of the public version of the Petition to the foreign producers/exporters satisfied by the delivery of the public version to the GOC, consistent with 19 CFR 351.203(c)(2).

#### ITC Notification

We have notified the ITC of our initiation, as required by section 702(d) of the Act.

#### Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of subsidized utility scale wind towers from the PRC are causing material injury, or threatening to cause material injury, to a U.S. industry. See section 703(a)(2) of the Act. A negative ITC determination will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.

#### Notification to Interested Parties

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. Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (*e.g.*, the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

Any party submitting factual information in an AD or CVD 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 AD or CVD proceedings initiated on or after March 14, 2011. See *Certification of Factual Information to 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*. Foreign governments and their officials may continue to submit certifications in either the format that was in use prior to the effective date of the *Interim Final Rule*, or in the format provided in the *Interim Final Rule*. See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Supplemental Interim Final Rule*, 76 FR 54697 (September 2, 2011). 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.

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: January 18, 2012.

**Paul Piquado,**  
Assistant Secretary for Import Administration.

#### Appendix I

##### Scope of the Investigation

The merchandise covered by the investigation are certain wind towers, whether or not tapered, and sections thereof. Certain wind towers are designed to support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (*i.e.*, where the top of

the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (*e.g.*, flooring/decking, ladders, lifts, electrical bus boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with nonsubject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof.

Merchandise covered by the investigation are currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 7308.20.0020<sup>5</sup> or 8502.31.0000.<sup>6</sup> Prior to 2011, merchandise covered by this investigation was classified in the HTSUS under subheading 7308.20.0000 and may continue to be to some degree. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive. [FR Doc. 2012-1342 Filed 1-23-12; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric Administration**

**RIN 0648-XA937**

#### Guidelines for Assessing Marine Mammal Stocks

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** NMFS solicits public comments on draft revisions to the guidelines for preparing marine mammal stock assessment reports (SARs).

<sup>5</sup> Wind towers are classified under HTSUS 7308.20.0020 when imported as a tower or tower section(s) alone.

<sup>6</sup> Wind towers may also be classified under HTSUS 8502.31.0000 when imported as part of a wind turbine (*i.e.*, accompanying nacelles and/or rotor blades).

**DATES:** Comments must be received by March 26, 2012.

**ADDRESSES:** The following draft revisions to the guidelines for preparing marine mammal stock assessment reports are contained in full in Appendix IV of the Guidelines for Assessing Marine Mammal Stocks: Report of the GAMMS III Workshop; the workshop report is available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/sars/>. Copies of the workshop report may be requested from Shannon Bettridge, Office of Protected Resources, (301) 427-8402, [Shannon.Bettridge@noaa.gov](mailto:Shannon.Bettridge@noaa.gov).

You may submit comments, identified by [NOAA-NMFS-2012-0007], by any of the following methods:

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

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

**Instructions:** 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:** Shannon Bettridge, Office of Protected Resources, (301) 427-8402, [Shannon.Bettridge@noaa.gov](mailto:Shannon.Bettridge@noaa.gov); Jeffrey Moore, (858) 546-7000, [jeff.e.moore@noaa.gov](mailto:jeff.e.moore@noaa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 117 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) requires NMFS and the U.S. Fish and Wildlife Service (FWS) to prepare stock assessments for each stock of marine mammals occurring in waters under the jurisdiction of the United States. These reports must contain information regarding the distribution and abundance of the stock, population

growth rates and trends, estimates of annual human-caused mortality and serious injury from all sources, descriptions of the fisheries with which the stock interacts, and the status of the stock. Initial stock assessment reports (SARs, or Reports) were completed in 1995.

NMFS convened a workshop in June 1994, including representatives from NMFS, FWS, and the Marine Mammal Commission (Commission), to prepare draft guidelines for preparing SARs. The report of this workshop (Barlow *et al.*, 1995) included the guidelines for preparing SARs and a summary of the discussions upon which the guidelines were based. The draft guidelines were made available, along with the initial draft SARs, for public review and comment (59 FR 40527, August 9, 1994) and were finalized August 25, 1995 (60 FR 44308).

In 1996, NMFS convened a second workshop (referred to as the Guidelines for Assessing Marine Mammal Stocks, or "GAMMS," workshop) to review the guidelines and to recommend changes to them, if appropriate. Workshop participants included representatives from NMFS, FWS, the Commission, and the three regional scientific review groups (SRGs). The report of that workshop (Wade and Angliss, 1997) summarized the discussion at the workshop and contained revised guidelines. The revised guidelines represented minor changes from the initial version. The revised guidelines were made available for public review and comment along with revised stock assessment reports on January 21, 1997 (62 FR 3005) and later finalized.

In September 2003, NMFS again convened a workshop (referred to as GAMMS II) to review guidelines for SARs and again recommend minor changes to the guidelines. Participants at the workshop included representatives of NMFS, FWS, the Commission, and the regional SRGs. Changes to the guidelines resulting from the 2003 workshop were directed primarily toward identifying population stocks and estimating PBR for declining stocks of marine mammals. The revised guidelines were made available for public review and comment on November 18, 2004 (69 FR 67541), and the revisions were completed and finalized on June 20, 2005 (70 FR 35397).

In February 2011, NMFS convened another workshop (referred to as GAMMS III) to review guidelines for preparing SARs and again recommends changes to the guidelines. Participants at the workshop included representatives from NMFS, FWS, the

Commission, and the three regional SRGs. NMFS solicits public comments on the draft revisions to the guidelines for preparing SARs, contained in Appendix IV of the GAMMS III workshop report. The GAMMS III workshop report is available at <http://www.nmfs.noaa.gov/pr/sars/>. Below are brief summaries of the recommended revisions to the guidelines based on the most recent workshop.

#### **Revisions to Guidelines**

The objectives of the GAMMS III workshop were to (1) consider methods for assessing stock status (i.e., how to apply the Potential Biological Removal framework, or PBR) when abundance data are outdated, nonexistent, or only partially available; (2) develop policies on stock identification and application of PBR to small stocks, transboundary stocks, and situations where stocks mix; and (3) develop consistent national approaches to a variety of other issues, including reporting mortality and serious injury (M&SI) information in assessments. Nine specific topics were discussed at the workshop. The deliberations of these nine topics resulted in a series of suggested modifications to the current Report guidelines (NMFS, 2005). The report of the GAMMS III workshop includes summaries of the presentations and discussions for each of the agenda topics, as well as suggested revisions to the guidance document for preparing Reports. Appendices of the workshop report provide a variety of supporting documents, including the full suggested text revision of the Guidelines for Preparing the Stock Assessment Reports (Appendix IV).

**PBR calculations with outdated abundance estimates:** For an increasing number of marine mammal stocks, the most recent abundance estimates are more than 8 years old. Under existing guidelines (NMFS, 2005), these are considered to be outdated and thus not used to calculate PBR. The current practice is to consider the PBR for a stock "undetermined" after supporting survey information is more than eight years old, unless there is compelling evidence that the stock has not declined. However, "undetermined" PBR is confusing, does not support management decisions, and may be interpreted in such a way that there is no limit to the level of allowable mortality. The following revisions to calculate PBRs for stocks with old abundance information are: (1) During years 1–8 after the most recent abundance survey, "uncertainty projections" will be used, based on uniform distribution assumptions, to

serially reduce the  $N_{min}$  estimate by a small increment each year; (2) After 8 years, and assuming no new estimate of abundance has become available, then a worst-case scenario is assumed (i.e., a plausible 10 percent decline per year since the most recent survey), and so a retroactive 10 percent decline per year is applied; and (3) If data to estimate a population trend model are available, such a model can be used to influence the uncertainty projections during the first 8 years.

*Improving stock identification:* For most marine mammal species, few stock definition changes have been made since the initial SARs were written. Most stocks were defined at scales that were larger than major eco-regions, suggesting that the scale is likely too large. A recommended addition to the guidelines is the direction that each Report will state in the “Stock Definition and Geographic Range” section whether it is plausible the stock contains multiple demographically independent populations that should be separate stocks, along with a brief rationale. If additional structure is plausible and human-caused mortality or serious injury is concentrated within a portion of the range of the stock, the Reports should identify the portion of the range in which the mortality or serious injury occurs.

*Assessment of very small stocks:* The PBR estimate for some stocks may be very small (just a few animals or even less than one). In such cases, low levels of observer coverage may introduce substantial small-sample bias in bycatch estimates. A draft revision to the guidelines is the inclusion of a table that provides recommendations for the amount of sampling effort (observer coverage and/or number of years of data pooling) required to limit small-sample bias, given a certain PBR level, in the Technical Details section of the SARs guidelines. Further, if suggested sampling goals (per the table) cannot be met, then mortality should be estimated and reported, but the estimates should be qualified in the SARs by stating they very well could be biased.

*Assessment of small endangered stocks:* Some endangered species, like Hawaiian monk seals, are declining with little to no direct human-caused mortality and the stock’s dynamics therefore do not conform to the underlying model for calculating PBR. Thus, PBR estimates for some endangered species stocks have not been included, or have been considered “undetermined” in SARs. In such cases, if feasible, PBR should still be calculated and included in the SARs to comply with the MMPA, but a draft

revision to the guidelines is that Report authors may depart from these guidelines if sound reasons are given in the SAR.

*Apportioning PBR across feeding aggregations, allocating mortality for mixed stocks, and estimating PBR for transboundary stocks:* In some cases, mortality and serious injury occur in areas where more than one stock of marine mammals occur. The draft revised guidelines specify that when biological information is sufficient to identify the stock from which a dead or seriously injured animal came, the mortality or serious injury should be associated only with that stock. When one or more deaths or serious injuries cannot be assigned directly to a stock, then those deaths or serious injuries may be partitioned among stocks within the appropriate geographic area, provided there is sufficient information to support such partitioning (e.g., based on the relative abundances of stocks within the area). The Reports will contain a discussion of the potential for over or under-estimating stock-specific mortality and serious injury. In cases where mortalities and serious injuries cannot be assigned directly to a stock and available information is not sufficient to support partitioning those deaths and serious injuries among stocks, the draft revised guidelines state that the total unassigned mortality and serious injuries should be assigned to each stock within the appropriate geographic area. When deaths and serious injuries are assigned to each overlapping stock in this manner, the Reports will contain a discussion of the potential for over-estimating stock-specific mortality and serious injury.

NMFS strengthened the language in the draft guidelines regarding trans-boundary stocks, cautioning against extrapolating abundance estimates from one surveyed area to another unsurveyed area to estimate range-wide PBR. However, informed interpolation (e.g., based on habitat associations) may be used, as appropriate and supported by existing data, to fill gaps in survey coverage and estimate abundance and PBR over broader areas. If estimates of mortality or abundance from outside the U.S. EEZ cannot be determined, PBR calculations should be based on abundance in the EEZ and compared to mortality within the EEZ.

*Clarifying reporting of mortality and serious injury incidental to commercial fishing:* Currently, SARs do not consistently summarize mortality and serious injury incidental to commercial fishing. The draft revised guidelines specify that SARs include a summary of all human-caused mortality and serious

injury including information on all sources of mortality and serious injury. Additionally, a summary of mortality and serious injury incidental to U.S. commercial fisheries should be presented in a table, while mortality and serious injury from other sources (e.g., recreational fisheries, other sources of M&SI within the U.S. EEZ, foreign fisheries on the high seas) should be clearly distinguished from U.S. commercial fishery-related mortality. Finally, the draft revised guidelines contain the addition of a subsection entitled “Summary of the most important potential Human-caused Mortality and Serious Injury threats that are unquantified” in the SARs, and the SARs should also indicate if there are no known major sources of unquantifiable human-caused mortality and serious injury.

*When stock declines are sufficient for a strategic designation:* There is no formal process to periodically evaluate the depleted status of non-ESA listed marine mammal stocks, and the current Report guidelines (NMFS, 2005) do not provide any guidance for recommending that a stock be designated as depleted. Therefore, the draft revised guidelines include the following: “Stocks that have evidence suggesting at least a 50 percent decline, either based on previous abundance estimates or historical abundance estimated by back-calculation, should be noted in the Status of Stocks section as likely to be below OSP. The choice of 50 percent does not mean that OSP is at 50 percent of historical numbers, but rather that a population below this level would be below OSP with high probability. Similarly, a stock that has increased back to levels pre-dating the known decline may be within OSP; however, additional analyses may determine a population is within OSP prior to reaching historical levels.”

Additionally, the draft revised guidelines include the following clarification: “A stock shall be designated as strategic if it is declining and has a greater than 50 percent probability of a continuing decline of at least 5 percent per year. Such a decline, if not stopped, would result in a 50 percent decline in 15 years and would likely lead to the stock being listed as threatened. The estimate of trend should be based on data spanning at least 8 years. Alternative thresholds for decline rates and duration, as well as alternative data criteria, may also be used if sufficient rationale is provided to indicate that the decline is likely to result in the stock being listed as threatened within the foreseeable future. Stocks that have been designated as

strategic due to a population decline may be designated as non-strategic if the decline is stopped and the stock is not otherwise strategic.”

And finally, to the draft revised guidelines include the following direction regarding recovery factors for declining stocks: “A stock that is strategic because, based on the best available scientific information, it is declining and is likely to be listed as a threatened species under the ESA within the foreseeable future (sec. 3(19)(B) of the MMPA) should use a recovery factor between 0.1 and 0.5.”

**Assessing stocks without abundance estimates or PBR:** For many stocks, data are so sparse that it is not possible to produce an  $N_{min}$  or therefore not possible to estimate PBR. When mortality and/or population abundance estimates are unavailable, the PBR approach cannot be used to assess populations, in spite of a statutory mandate to do so. The draft revised guidelines include the addition to the Status of Stocks section the following sentence: “Likewise, trend monitoring can help inform the process of determining strategic status.”

**Characterizing uncertainty in key SAR elements:** It is difficult to infer the overall uncertainty for key parameters as they are currently reported in the SARs. The draft revised guidelines direct that in the Stock Definition and Geographic Range, Elements of the PBR Formula, Population Trend, Annual Human-Caused Mortality and Serious Injury and Status of the Stock sections, SAR authors are to provide a description of key uncertainties associated with parameters in these sections and evaluate the effects of these uncertainties in sufficient detail to support a synthesis of how accurately stock status could be assessed.

**Including non-serious injuries and disturbance in SARs:** A final draft revision to the guidelines is the addition that if there are no known habitat issues or other factors causing a decline or impeding recovery, this should be stated in the Status of Stocks section.

Dated: January 18, 2012.

**James H. Lecky,**

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

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**COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION**  
[OJP (OJJDP) Docket No. 1581]

**Meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention**

**AGENCY:** Coordinating Council on Juvenile Justice and Delinquency Prevention.

**ACTION:** Notice of meeting.

**SUMMARY:** The Coordinating Council on Juvenile Justice and Delinquency Prevention (Council) announces its winter meeting.

**DATES:** Friday, February 10, 2012 from 10 a.m. to 12:30 p.m.

**ADDRESSES:** The meeting will take place in the third floor main conference room at the U.S. Department of Justice, Office of Justice Programs, 810 7th St. NW., Washington, DC 20531.

**FOR FURTHER INFORMATION CONTACT:** Visit the Web site for the Coordinating Council at [www.juvenilecouncil.gov](http://www.juvenilecouncil.gov) or contact Robin Delany-Shabazz, Designated Federal Official, by telephone at (202) 307-9963 [Note: this is not a toll-free telephone number], or by email at [Robin.Delany-Shabazz@usdoj.gov](mailto:Robin.Delany-Shabazz@usdoj.gov) or [Geroma.Void@usdoj.gov](mailto:Geroma.Void@usdoj.gov). The meeting is open to the public.

**SUPPLEMENTARY INFORMATION:** The Coordinating Council on Juvenile Justice and Delinquency Prevention, established pursuant to Section 3(2)(A) of the Federal Advisory Committee Act (5 U.S.C. app. 2) will meet to carry out its advisory functions under Section 206 of the Juvenile Justice and Delinquency Prevention Act of 2002, 42 U.S.C. 5601, et seq. Documents such as meeting announcements, agendas, minutes, and reports will be available on the Council’s Web page, [www.juvenilecouncil.gov](http://www.juvenilecouncil.gov), where you may also obtain information on the meeting.

Although designated agency representatives may attend, the Council membership is composed of the Attorney General (Chair), the Administrator of the Office of Juvenile Justice and Delinquency Prevention (Vice Chair), the Secretary of Health and Human Services (HHS), the Secretary of Labor, the Secretary of Education, the Secretary of Housing and Urban Development, the Director of the Office of National Drug Control Policy, the Chief Executive Officer of the Corporation for National and Community Service, and the Assistant Secretary of Homeland Security for U.S.

Immigration and Customs Enforcement. The nine additional members are appointed by the Speaker of the House of Representatives, the Senate Majority Leader, and the President of the United States. Other federal agencies take part in Council activities including the Departments of Agriculture, Defense, the Interior, and the Substance and Mental Health Services Administration of HHS.

**Meeting Agenda**

The preliminary agenda for this meeting includes: (a) A presentation on and discussion of the import of the Pathways to Desistance study, research conducted by Dr. Edward Mulvey on serious youth offending; (b) a demonstration by the U. S. Department of Housing and Urban Development and GreatSchools of their initiative to provide evidence-based data to help inform families’ decisions about housing and schools; and (c) other agency announcements.

**Registration**

For security purposes, members of the public who wish to attend the meeting must pre-register online at [www.juvenilecouncil.gov](http://www.juvenilecouncil.gov) no later than Friday, February 3, 2012. Should problems arise with web registration, call Daryel Dunston at (240) 221-4343 or send a request to register to Mr. Dunston. Include name, title, organization or other affiliation, full address and phone, fax and email information and send to his attention either by fax to (301) 945-4295, or by email to [ddunston@edjassociates.com](mailto:ddunston@edjassociates.com). [Note: these are not toll-free telephone numbers.] Additional identification documents may be required. Space is limited.

**Note:** Photo identification will be required for admission to the meeting.

**Written Comments:** Interested parties may submit written comments and questions by Friday, February 3, 2012, to Robin Delany-Shabazz, Designated Federal Official for the Coordinating Council on Juvenile Justice and Delinquency Prevention, at [Robin.Delany-Shabazz@usdoj.gov](mailto:Robin.Delany-Shabazz@usdoj.gov). The Coordinating Council on Juvenile Justice and Delinquency Prevention expects that the public statements presented will not repeat previously submitted statements. Written questions from the public may also be invited at the meeting.

**Melodee Hanes,**

Acting Administrator.

[FR Doc. 2012-1362 Filed 1-23-12; 8:45 am]

**BILLING CODE 4410-18-P**