

respond not later than 15 days after the date of publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with the Department's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review. See 19 CFR 351.218(d)(1)(iii).

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department's regulations provide that all parties wishing to participate in the Sunset Review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that the Department's information requirements are distinct from the Commission's information requirements. Please consult the Department's regulations for information regarding the Department's conduct of Sunset Reviews.<sup>1</sup> Please consult the Department's regulations at 19 CFR Part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: March 22, 2012.

**Christian Marsh,**

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

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<sup>1</sup> In comments made on the interim final sunset regulations, a number of parties stated that the proposed five-day period for rebuttals to substantive responses to a notice of initiation was insufficient. This requirement was retained in the final sunset regulations at 19 CFR 351.218(d)(4). As provided in 19 CFR 351.302(b), however, the Department will consider individual requests to extend that five-day deadline based upon a showing of good cause.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-898]

#### Chlorinated Isocyanurates From the People's Republic of China: Rescission of Antidumping Duty New Shipper Review

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

**DATES:** *Effective Date:* April 2, 2012.

**SUMMARY:** The Department of Commerce (the Department) initiated a new shipper review of the antidumping duty order on chlorinated isocyanurates (chlorinated isos) from the People's Republic of China (PRC) for the period of June 1, 2011, through February 29, 2012. As discussed below, we determine that the producer and exporter Puyang Cleanway Chemicals Ltd. (Puyang Cleanway) did not satisfy the regulatory requirements to request a new shipper review; therefore, we are rescinding this new shipper review.

**FOR FURTHER INFORMATION CONTACT:** Andrew Huston, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4261.

#### SUPPLEMENTARY INFORMATION

##### Background

The antidumping duty order on chlorinated isos from the PRC was published on June 24, 2005. See *Notice of Antidumping Duty Order: Chlorinated Isocyanurates from the People's Republic of China*, 70 FR 36561 (June 24, 2005). On December 30, 2011, the Department received a timely request for a new shipper review (NSR) from Puyang Cleanway in accordance with 19 CFR 351.214(c) and 19 CFR 351.214(d). On January 31, 2012, the Department initiated the NSR. See *Chlorinated Isocyanurates From the People's Republic of China: Initiation of New Shipper Review*, 77 FR 5773 (February 6, 2012) (*Initiation Notice*).

##### Period of Review

Usually, in accordance with 19 CFR 351.214(g)(1)(i)(B), the period of review (POR) for new shipper reviews initiated in the month immediately following the semi-annual anniversary month is the six-month period immediately preceding the semiannual anniversary month (in this instance, June 1, 2011, through November 30, 2011). Puyang Cleanway's sale, which took place in November of the POR, had not yet

entered by the end of the standard regulatory POR. The Department, however, has in the past extended a POR forward to capture entries for sales made during the POR that have not yet entered during the POR specified by the Department's regulations. Therefore, consistent with 19 CFR.214(f)(2)(ii), the Department stated, in the *Initiation Notice*, that it was extending the POR for the NSR forward to allow Puyang Cleanway to enter this sale. We stated that in no case, however, would we extend the POR past February 29, 2012. This decision allowed Puyang Cleanway more than three months to enter its November shipment.

##### Scope of the Order

The products covered by the order are chlorinated isocyanurates (chlorinated isos), which are derivatives of cyanuric acid, described as chlorinated s-triazine triones. There are three primary chemical compositions of chlorinated isos: (1) Trichloroisocyanuric acid (Cl<sub>3</sub>(NCO)<sub>3</sub>), (2) sodium dichloroisocyanurate (dihydrate) (NaCl<sub>2</sub>(NCO)<sub>3</sub>(2H<sub>2</sub>O)), and (3) sodium dichloroisocyanurate (anhydrous) (NaCl<sub>2</sub>(NCO)<sub>3</sub>). Chlorinated isos are available in powder, granular, and tableted forms. The order covers all chlorinated isos.

Chlorinated isos are currently classifiable under subheadings 2933.69.6015, 2933.69.6021, 2933.69.6050, 3808.40.50, 3808.50.40 and 3808.94.5000 of the Harmonized Tariff Schedule of the United States (HTSUS). The tariff classification 2933.69.6015 covers sodium dichloroisocyanurates (anhydrous and dihydrate forms) and trichloroisocyanuric acid. The tariff classifications 2933.69.6021 and 2933.69.6050 represent basket categories that include chlorinated isos and other compounds including an unfused triazine ring. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

##### Rescission of the Antidumping Duty New Shipper Review of Puyang Cleanway

In the *Initiation Notice*, the Department extended the POR to allow Puyang Cleanway to complete entry of its sale of subject merchandise. The Department stated in the *Initiation Notice* that, if this sale had not yet entered by February 29, 2012, the Department intended to rescind this NSR. The Department contacted Puyang Cleanway's counsel regarding this entry and received no indication that the

shipment had entered the country. See Memorandum to the File, "Information Regarding Entries of Subject Merchandise During the Period of Review," March 16, 2012. Entry data requested from U.S. Customs and Border Protection (CBP) does not indicate that this shipment has entered the country. *Id.* Because Puyang Cleanway has not demonstrated that this sale has entered the United States, there is no basis for conducting an NSR since there must be a suspended entry in order for the Department to conduct the review. Therefore, we are rescinding the NSR of Puyang Cleanway.

#### Assessment Rates

Any entries of exports made by Puyang Cleanway will be subject to the PRC-wide rate. The Department is currently conducting an administrative review for the POR, June 1, 2010, through May 31, 2011, in which the PRC-wide rate is under review. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews, Request for Revocations in Part and Deferral of Administrative Reviews*, 76 FR 45227 (July 28, 2011). We will instruct CBP to assess antidumping duties on entries exported by Puyang Cleanway at the appropriate PRC-wide rate determined in the 2010–2011 administrative review. Because there were no suspended entries at the time of initiation, no bonding option instructions were sent to CBP at the initiation of this NSR; therefore the Department does not need to issue instructions to CBP no longer allowing posting a bond in lieu of cash-deposit, as is typically done when an NSR is rescinded.

#### Notification Regarding Administrative Protective Orders

This notice is the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or 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.

#### Notification to Importers

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are publishing this determination and notice in accordance with sections 751(a)(2)(B) and 777(i) of the Act and 19 CFR 351.214(f)(3).

March 26, 2012.

**Gary Taverman,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA626

#### Marine Mammals; File No. 16111

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given John Calambokidis, Cascadia Research Collective, Waterstreet Building, 218 ½ West Fourth Avenue, Olympia, WA 89501, has applied in due form for a permit to conduct research on marine mammals.

**DATES:** Written, telefaxed, or email comments must be received on or before May 2, 2012.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 16111 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices: See **SUPPLEMENTARY INFORMATION.**

Written comments on these applications should be submitted to the Chief, Permits, and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301)713-0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The

request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Carrie Hubard or Laura Morse at (301)427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Mr. John Calambokidis requests a five-year permit to study cetaceans and pinnipeds in the eastern North Pacific, from Central America to Alaska. The research is a continuation of long-term studies designed to examine marine mammal abundance, distribution, population structure, habitat use, social structure, movement patterns, diving behavior, and diet. The proposed project would also assess the impact of human activities such as ship strikes, noise exposure, contaminants, and fishery interactions on marine mammals. Focal species are blue (*Balaenoptera musculus*), fin (*B. physalus*), humpback (*Megaptera novaeangliae*), eastern gray (*Eschrichtius robustus*), sperm (*Physeter macrocephalus*), and beaked (*Mesoplodon* spp.) whales. An additional 15 cetacean species and five pinniped species would also be studied, including the endangered sei whale (*B. borealis*), endangered Southern Resident stock of killer whales (*Orcinus orca*), and the threatened eastern stock of Steller sea lions (*Eumetopias jubatus*). Aerial surveys would be conducted to study abundance and distribution, and to track tagged animals. Ground surveys would consist of population counts and scat collection to study harbor seals (*Phoca vitulina*) and other pinnipeds at haul-out areas in Puget Sound and throughout Washington. Vessel surveys would include photo-identification, behavioral focal follows, underwater observations and filming, hydroacoustic prey determination, passive acoustic recording, breath sampling, biopsy sampling, collection of sloughed skin, and attachment of suction cup and dart tags. Tags would provide a variety of information such as video images, acoustic recordings, movement data, and physiology information.

A draft environmental assessment (EA) has been prepared in compliance with the National Environmental Policy