entity. As a result, the PRC-wide entity came under review. Further, we preliminarily applied adverse facts available to the PRC-wide entity because an element of the entity, Aifudi, failed to act to the best of its ability in complying with the Department’s request for information in this review.\(^3\) After issuing the Preliminary Results, the Department did not receive any comments from interested parties. Therefore, for these final results, in accordance with section 776(a) and (b) of the Act, and as explained in more detail in the Preliminary Results, the Department continues to find that because Aifudi, as part of the PRC-wide entity, failed to submit any responses to the Department’s questionnaire, it is appropriate to apply an adverse inference in selecting from the facts otherwise available to determine a margin for the PRC-wide entity and to assign to the PRC-wide entity the highest dumping margin on the record of any segment of this proceeding, i.e., 91.73 percent.\(^4\) Furthermore, as stated in the Preliminary Results, we continue to find that the 91.73 percent rate is both reliable and relevant, and continue to determine that it has probative value.\(^5\) Accordingly, we find that the rate of 91.73 percent, which is the current PRC-wide rate, is in accordance with the requirement of section 776(c) of the Act that secondary information be corroborated (i.e., that it have probative value). Thus, we have assigned this adverse facts available rate to exports of the subject merchandise from the PRC-wide entity, including Aifudi.

**Final Results of Review**

The Department determines that the following dumping margin exists for the period August 1, 2011, through July 31, 2012:

<table>
<thead>
<tr>
<th>Exporter</th>
<th>Margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRC-Wide Entity (including Zibo Aifudi Plastic Packaging Co., Ltd.)</td>
<td>91.73</td>
</tr>
</tbody>
</table>

\(^3\) See Preliminary Results and accompanying Decision Memorandum at 1, 4–6.


\(^5\) See Preliminary Results and accompanying Decision Memorandum at 6–7.

**Assessment**

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review. The Department recently announced a refinement to its assessment practice in non-market economy (“NME”) cases.\(^6\) Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the NME-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter’s case number (i.e., at that exporter’s rate) will be liquidated at the NME-wide rate.\(^7\)

**Cash Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (2) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 91.73 percent; and (3) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

**Notifications**

This notice serves as a final 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 POR. Failure to comply with this requirement could result in the Department’s presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

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

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

Dated: March 25, 2013.

Paul Piquado.
Assistant Secretary for Import Administration.

[FR Doc. 2013–07407 Filed 3–28–13; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**


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

**SUMMARY:** The Department of Commerce (the Department) has completed its administrative review of the countervailing duty (CVD) order on corrosion-resistant carbon steel flat products from the Republic of Korea for the period January 1, 2010, through December 31, 2010. On September 21, 2012, we published the preliminary results of this review.\(^8\) In these final results we find that the respondents, Dongbu Steel Co., Ltd. (Dongbu), Hyundai HYSCO Ltd. (HYSCO), and Pohang Iron & Steel Co. Ltd. (POSCO), received subsidies that result in *de minimis* net subsidy rates.

**DATES:** Effective Date: March 29, 2013.

FOR FURTHER INFORMATION CONTACT:
Robert Copyak or Andrew Medley, AD/CVD Operations, Office 8, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–2209 and (202) 482–4987, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 21, 2012, we published the Preliminary Results in the Federal Register. Following the Preliminary Results, from January 16 through January 25, 2013, we conducted verification of the questionnaire responses submitted by Dongbu, HYSCO, POSCO, and the Government of the Republic of Korea (GOK). We issued the verification reports in February. We received case briefs from POSCO, HYSCO, and Nucor Corporation (Nucor) on February 27, 2013, and rebuttal briefs from United States Steel Corporation (U.S. Steel), Nucor, and HYSCO on March 4, 2013. We did not hold a hearing in this review, as one was not requested.

Scope of the Order

Products covered by this order are certain corrosion-resistant carbon steel flat products from Korea. The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7210.30.0000, 7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0050, 7210.49.0090, 7210.49.0995, 7210.60.0000, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6090, 7210.90.1000, 7210.90.6090, 7210.90.9000, 7212.20.0000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.90.3030, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.20.1500, 7217.22.5000, 7217.23.5000, 7217.28.1000, 7217.29.5000, 7217.29.7000, 7217.31.5000, 7217.33.5000, 7217.39.1000, 7217.39.5000, 7217.90.1000 and 7217.90.5000.

Although the HTSUS numbers are provided for convenience and customs purposes, the written product description, available in the Preliminary Results, remains dispositive.

Analysis of Comments Received

All issues raised in the case briefs and rebuttal briefs are addressed in the Memorandum from Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, entitled “Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Corrosion-Resistant Carbon Steel Flat Products from Korea; 2010,” dated March 22, 2013 (Issues and Decision Memorandum), which is hereby adopted by this notice. A list of the issues raised is attached to this notice as Appendix I. The Issues and Decision Memorandum is a public document and is available on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at [http://iaaccess.trade.gov](http://iaaccess.trade.gov) and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at [http://www.trade.gov](http://www.trade.gov). The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of Review

In accordance with 19 CFR 351.221(b)(5), we calculated net subsidy rates for Dongbu, POSCO, and HYSCO of 0.12, 0.16, and 0.19 percent ad valorem, respectively, which are de minimis rates. See 19 CFR 351.106(c)(1).

Assessment Rates

The Department intends to issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results, to liquidate shipments of subject merchandise by Dongbu, POSCO, and HYSCO entered, or withdrawn from warehouse, on or after February 14, 2012. Further, as explained in the Revocation Notice, entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping and/or countervailing duty deposit requirements and assessments. Lastly, in the Revocation Notice, the Department explained that it will complete any pending or requested administrative reviews of these orders covering entries prior to February 14, 2012.

Thus, as a result of the revocation of the order, the Department will not issue cash deposit instructions in connection with this administrative review.

Administrative Protective Order

This notice serves as a 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(a)(3). Timely written notification of 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.

Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding, in accordance with 19 CFR 351.224(b).

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: March 22, 2013.

Paul Piquado,
Assistant Secretary for Import Administration.

Appendix—Issues in Decision Memorandum

Comment 1: Whether Two Additional R&D Projects for Which Information Was Collected during POSCO’s Verification Should be Included in the Benefit Calculation for the Industrial Technology Innovation Promotion Act (ITIPA) Program

Comment 2: Whether HYSCO’s Sales to Cross-Owned Affiliates Should be Included in the Sales Denominators

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* Id.
Comment 3: Whether to Apply Adverse
Facts Available with Regard to HYSCO’s D/
A Financing Under KEXIM’s Trade
Rediscount Program and HYSCO’s D/A
Loans Issued by the KDB and Other
Government-Owned Banks
Comment 4: Whether Three of HYSCO’s
R&D Grants are Tied to Non-Subject
Merchandise
Comment 5: Whether HYSCO’s Overseas
Development Loans are Tied to Non-
Subject Merchandise
[FR Doc. 2013–07402 Filed 3–28–13; 8:45 am]
BILLING CODE 3510–0S–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric
Administration
RIN 0648–XC587

Notice of Availability of a
Supplemental 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
Supplemental Draft Environmental
Impact Statement; request for
comments.

SUMMARY: NMFS announces the
availability of the “Supplemental Draft
Environmental Impact Statement
(Supplemental 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 Supplemental DEIS. The purpose
of the Supplemental DEIS is to evaluate,
in compliance with the National
Environmental Policy Act (NEPA), the
direct potential, 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. The
Environmental Protection Agency is
serving as a consulting agency, and
NMFS is coordinating with the Alaska
Eskimo Whaling Commission pursuant to
our co-management agreement under
the MMPA.

DATES: Written, telefaxed, or electronic
comments must be received on or before
May 28, 2013.

ADDRESSES: The Supplemental DEIS is
available for review online at [http://
www.nmfs.noaa.gov/pr/permits/eis/arctic.html] You may submit comments
on this document, identified by NOAA–
NMFS–2013–0054, by any of the
following methods:

• Electronic Submission: Submit all
electronic public comments via the
Federal e-Rulemaking Portal
[www.regulations.gov]. To submit
comments via the e-Rulemaking Portal, enter NOAA–NMFS–2013–0054 in the
keyword search. Locate the document
you wish to comment on from the
resulting list and click on the
“Comment Now” icon on the right of
that line.

• Mail: Office of Protected Resources,
1315 East-West Highway, Room 13115,
Silver Spring, MD 20910

• Fax: (301) 713–0376, Attn: Candace
Nachman

• Public Hearings: Oral and written
comments will be accepted during the
upcoming public meetings. See
SUPPLEMENTARY INFORMATION,
Public Meetings (below) for more information.

Instructions: Comments must be
submitted by one of the above methods
to ensure that the comments are
received, documented, and considered
by NMFS. Comments sent by any other
method, to any other address or
individual, or received after the end of
the comment period, may not be
considered. All comments received are
a part of the public record and will
generally be posted for public viewing
on [www.regulations.gov] without change.
All personal identifying information
(e.g., name, address, etc.) submitted
voluntarily by the sender will 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). Attachments to electronic
comments will be accepted in Microsoft
Word or Excel or Adobe PDF file
formats only.

FOR FURTHER INFORMATION CONTACT:
Candace Nachman, Jolie Harrison, or
Michael Payne, Office of Protected
Resources, NMFS, at (301) 427–8401.

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
generate 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
or kill, or attempt to harass, hunt,
capture, or kill.” 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 Supplemental DEIS to
evaluate a broad range of reasonably
foreseeable levels of exploration
activities and associated mitigation
measures that may occur in the U.S.
Beaufort and Chukchi Seas. 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
Supplemental DEIS to disclose the
potential impacts associated with their
issuance of incidental take