

Transfer experiments over a range of objective lens magnifications. Furthermore, it is the only instrument that can rapidly interchange custom dichroic mirrors, which is essential for experiments relying on new fluorescent proteins. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* September 20, 2013.

Docket Number: 13–043. *Applicant:* University of Colorado at Boulder, 1111 Engineering Drive 428 UCB, ECOT 514, University of Colorado at Boulder, Boulder, CO 80309. *Instrument:* Cyclic Triaxial Testing Device. *Manufacturer:* Wille Geotechnik, Germany. *Intended Use:* The instrument will be used to study the response of soils under monotonic static loading compared to 1–D and 2–D cyclic loading, evaluate the influence of load amplitude and frequency content on the response of soils in terms of shear modulus and damping versus strain, and evaluate the influence of soil-content on its dynamic properties. It is critical to have the capability to simulate realistic static and dynamic stress conditions to the soil samples, which is facilitated by the instrument. The key specification in the research that was satisfied by the instrument is the ability to apply cyclic loading at high frequencies (up to about 30Hz) to simulate earthquake loading. The instrument is also capable of testing soil samples larger than 70mm, the pressure system/pressure controller has a resolution of 0.1 KPa which provides greater accuracy, and the load frame capacity for both static and dynamic loading is 25 KN. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* September 26, 2013.

Dated: November 19, 2013.

Gregory W. Campbell,
Director of Subsidies Enforcement,
Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

University of California, Berkely, et al.; Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and

Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Ave. NW., Washington, DC.

Docket Number: 13–002. *Applicant:* University of California, Berkeley, Berkeley, CA 94720. *Instrument:* High Speed Atomic Force Microscope (HSAFM). *Manufacturer:* Research Institute of Biomolecule Metrology (RIBM), Japan. *Intended Use:* See notice at 78 FR 7399–7400, February 1, 2013. *Comments:* None received. *Decision:* Approved. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of order. *Reasons:* The instrument will be used for a number of experiments including tracking the enzymatic activity of an RNA II polymerase along its template, a DNA gene, while synthesizing the messenger RNA. Having access to higher scan rates in an aqueous environment will provide an unprecedented view of transcription through nucleosomal DNA. By visualizing transcription steps, it is possible to precisely follow in real time the dynamics of events that accompany transcription by RNAP II through the nucleosome including spontaneous DNA unwrapping from the core particle, histone transfer, and histone dissociation under different conditions while determining the main factors that regulate nucleosome stability/instability during transcription. In addition to this capability, the instrument will have the time and spatial resolution to visualize individual tubulin subunits as they arrive at the microtubule end and will complement cryo-EM studies at near nanometer resolution on stabilized intermediates in the assembly process. The unique characteristics of this instrument are the ability to capture images at a rate of up to 15–20 frames per second, reading scan rates as high as 25 frames per second, resonant frequencies of 3.5 MHz in air and 1.2 MHz in water, spring constants of 0.2 N m⁻¹, a quality factor in water of ~2, and a response time in water of ~0.5 microseconds.

Dated: November 19, 2013.

Gregory W. Campbell,
Director, Subsidies Enforcement Office,
Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–BD80

Takes of Marine Mammals Incidental to Specified Activities; Target and Missile Launch Activities at San Nicolas Island, California

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

ACTION: Notice; receipt of application for letter of authorization; request for comments and information.

SUMMARY: NMFS has received a request from the U.S. Navy (Navy), Naval Air Warfare Center Weapons Division (NAWCWD) for authorization to take marine mammals incidental to missile launches from San Nicolas Island (SNI) from June 2014 through January 2019. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is announcing our receipt of the Navy's request for the development and implementation of regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on the Navy's application and request.

DATES: Comments and information must be received no later than December 26, 2013.

ADDRESSES: Comments on the application should be addressed to Michael Payne, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3225. The mailbox address for providing email comments is ITP.Magliocca@noaa.gov. NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 10-megabyte file size.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm> 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.

A copy of the Navy's application may be obtained by visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/>