

International Trade Commission Notification

In accordance with section 705(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of the final affirmative determination of countervailable subsidies. Because the final determination in this proceeding is affirmative, in accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of biodiesel from Argentina no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue a CVD order directing CBP to assess, upon further instruction by the Department, countervailing duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the "Continuation of Suspension of Liquidation" section.

Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to 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 written notification of return/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 violation subject to sanction.

This determination is issued and published in accordance with sections 705(d) and 777(i) of the Act.

Dated: November 6, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Final Decision Memorandum

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Comment 1: Whether an Export Tax on Soybeans Is a Countervailable Subsidy

Comment 2: Whether Benefits Associated With Purchases of Soybeans for LTAR Are Tied to Sales of Soybean-Based Products

Comment 3: Whether the Department Should Add a Certain Expense to the Two-Tier Benchmark

Comment 4: Whether the Department's Benchmark Relates to the Prevailing Market Conditions in Argentina

Comment 5: Whether the Department Should Attribute Los Amores' Alleged Subsidies to Vicentin

Comment 6: Whether the Department Should Apply AFA Regarding Certain BNA Preferential Loans

Comment 7: Whether the Department Has the Authority to Investigate "All Other" Subsidies

Comment 8: Whether To Apply AFA to Los Amores' Use of a Ten-Year Tax Exemption Provided by the Province of Santiago del Estero

Comment 9: Whether the Department Correctly Calculated LDC Argentina's Benefit From the General Lagos DRel Convenio

Comment 10: Whether "Pacto Fiscal" Confers Countervailable Benefits to LDC Argentina

XI. Conclusion

Appendix II

Scope of the Investigation

The product covered by this investigation is biodiesel, which is a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, including biologically-based waste oils or greases, and other biologically-based oil or fat sources. The investigation covers biodiesel in pure form (B100) as well as fuel mixtures containing at least 99 percent biodiesel by volume (B99). For fuel mixtures containing less than 99 percent biodiesel by volume, only the biodiesel component of the mixture is covered by the scope of the investigation.

Biodiesel is generally produced to American Society for Testing and Materials International (ASTM) D6751 specifications, but it can also be made to other specifications. Biodiesel commonly has one of the following Chemical Abstracts Service (CAS) numbers, generally depending upon the feedstock used: 67784-80-9 (soybean oil methyl esters); 91051-34-2 (palm oil methyl esters); 91051-32-0 (palm kernel oil methyl esters); 73891-99-3 (rapeseed oil methyl esters); 61788-61-2 (tallow methyl esters); 68990-52-3 (vegetable oil methyl esters); 129828-16-6 (canola oil methyl esters); 67762-26-9 (unsaturated alkylcarboxylic acid methyl ester); or 68937-84-8 (fatty acids, C12-C18, methyl ester).

The B100 product subject to the investigation is currently classifiable under subheading 3826.00.1000 of the Harmonized Tariff Schedule of the United States (HTSUS), while the B99 product is currently classifiable under HTSUS subheading

3826.00.3000. Although the HTSUS subheadings, ASTM specifications, and CAS numbers are provided for convenience and customs purposes, the written description of the scope is dispositive.

[FR Doc. 2017-24857 Filed 11-15-17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-469-817]

Ripe Olives From Spain: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable November 16, 2017.

FOR FURTHER INFORMATION CONTACT: Catherine Cartsos at (202) 482-1757, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On July 12, 2017, the Department of Commerce (the Department) initiated a less-than-fair-value (LTFV) investigation of imports of ripe olives from Spain.¹ Currently, the preliminary determination is due no later than November 29, 2017.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a LTFV investigation within 140 days after the date on which the Department initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits the Department to postpone the preliminary determination until no later than 190 days after the date on which the Department initiated the investigation if: (A) The petitioner² makes a timely request for a postponement; or (B) the Department concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR

¹ See *Ripe Olives from Spain: Initiation of Investigation*, 82 FR 33054 (July 19, 2017) (*Initiation Notice*).

² The petitioner is the Coalition for Fair Trade in Ripe Olives.

351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. The Department will grant the request unless it finds compelling reasons to deny the request.

On October 11, 2017, the petitioner submitted a timely request that the Department postpone the preliminary determination in the LTFV investigation.³ The petitioner stated that it requests postponement because the respondents selected for individual examination are still filing their response to the Department's questionnaire and the Department needs additional time to fully analyze the questionnaire responses, request any necessary clarifications, and determine antidumping margins.⁴

For the reasons stated above and because there are no compelling reasons to deny the request, the Department, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination by 50 days (*i.e.*, 190 days after the date on which this investigation was initiated). As a result, the Department will issue its preliminary determination no later than January 18, 2018. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of publication of the preliminary determination, unless postponed at a later date.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 9, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF785

Magnuson-Stevens Fishery Conservation and Management Act; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit

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

ACTION: Notice; request for comments.

SUMMARY: NMFS has determined that twelve exempted fishing permit (EFP) applications warrant further consideration and is requesting public comment on the applications. All EFP applicants request an exemption from a single prohibition (the use of unauthorized gear to harvest HMS) under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP) to test the effects and efficacy of using deep-set buoy gear (DSBG) and deep-set linked buoy gear (DSLBG) to harvest swordfish and other highly migratory species (HMS) off of the U.S. West Coast.

DATES: Comments must be submitted in writing by December 18, 2017.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2017-0130, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0130, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments. EFP applications will be available under Relevant Documents through the same link.

- *Mail:* Attn: Chris Fanning, NMFS West Coast Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Include the identifier "NOAA-NMFS-2017-0130" in the comments.

Instructions: 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 by NMFS. 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.), confidential business information, or otherwise sensitive information

submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT:

Chris Fanning, NMFS, West Coast Region, 562-980-4198.

SUPPLEMENTARY INFORMATION: DSBG fishing trials have occurred for the past seven years (2011-2015, research years; 2015-2017, EFP years) in the U.S. West Coast Exclusive Economic Zone (EEZ) off California. The data collected from this fishing activity have demonstrated DSBG to achieve about a 95% marketable catch composition (75% swordfish, 3% opah, and 17% marketable sharks). Non-marketable catch rates have remained low and all non-marketable catch were released alive. Due to DSBG being actively tended, strikes are capable of being detected within minutes of a hook on the line; as a result, all catches can be tended quickly, with catch brought onboard the vessel in good condition. To date, DSBG has had two interactions with protected species, both elephant seals which were not seriously injured and were released alive due to the strike detection of the gear. These species are protected by the Marine Mammal Protection Act, but are not listed as threatened or endangered under the Endangered Species Act.

DSLBG trials produced similar data to DSBG activities with DSLBG fishing activity occurring over a 40-day period in 2015-2016. Swordfish and other marketable species have represented about 90% of the catch (68% swordfish, 2% opah, 5% escolar, and 16% marketable sharks). Non-marketable species are released alive due to quick DSLBG strike detection and active gear tending. Fishing is still occurring with DSLBG; however, no reports have been submitted from the 2016-2017 year. To date, there have been no interactions with protected species using DSLBG.

At its September 2017 meeting, the Pacific Fishery Management Council (Council) received twelve additional applications for EFPs in time for review and recommended that NMFS consider issuing these EFPs to authorize use of DSBG and/or DSLBG (see Table 1).

NMFS is requesting public comment on the twelve applications recommended for issuance by the Council. If all applications were approved, the EFPs would allow up to thirteen vessels to fish with DSBG and four vessels to fish with DSLBG, throughout the duration of each EFP, in the U.S. West Coast EEZ with permitted exemption from the prohibitions of the

³ See Letter from the petitioner titled "Ripe Olives from Spain Request for Postponement of Preliminary Determination," dated October 11, 2017.

⁴ *Id.*