

publication of the notice of preliminary results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied AFA to the sole company that is still under review (Tianjin Leviathan), in accordance with section 776 of the Act, and because our calculation of the AFA subsidy rate is outlined in the Tianjin Leviathan AFA Memorandum,<sup>7</sup> there are no further calculations to disclose.

### Public Comment

Interested parties may submit case briefs not later than 30 days after the date of publication of this notice.<sup>8</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the time limit for filing case briefs.<sup>9</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>10</sup> Case and rebuttal briefs should be filed using ACCESS.<sup>11</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>12</sup> Hearing requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.<sup>13</sup> Commerce intends to issue the final results of this administrative review, including the results of its analysis of arguments raised in any written briefs, not later than 120 days after the publication of these

<sup>7</sup> See Memorandum, "Preliminary Results of the Countervailing Duty Administrative Review of Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Application of Adverse Facts Available for Tianjin Leviathan International Trade Co., Ltd.," (Tianjin Leviathan AFA Memorandum), dated concurrently with this notice.

<sup>8</sup> See 19 CFR 351.309(c)(ii).

<sup>9</sup> See 19 CFR 351.309(d)(1).

<sup>10</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>11</sup> See 19 CFR 351.303.

<sup>12</sup> See 19 CFR 351.310(c).

<sup>13</sup> *Id.*

preliminary results in the **Federal Register**, unless otherwise extended.<sup>14</sup>

### Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess CVDs on all appropriate entries. Shandong Huitong and Techking shall be assessed CVDs at rates equal to the cash deposit of estimated countervailing duties in effect at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2016, through December 31, 2016, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice.

### Notification Regarding Administrative Protective Orders

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 an APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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 terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: July 5, 2018.

**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

#### Proposed Information Collection; Comment Request; Application for Commercial Fisheries Authorization Under Section 118 of the Marine Mammal Protection Act

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

<sup>14</sup> See section 751(a)(3)(A) of the Act.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before September 10, 2018.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at [prcomments@doc.gov](mailto:prcomments@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Amy Sloan, 301-427.8401 ext 8432 or [amy.sloan@noaa.gov](mailto:amy.sloan@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The Marine Mammal Protection Act requires any commercial fisherman operating in Category I and II fisheries to register for a certificate of authorization that will allow the fisherman to take marine mammals incidental to commercial fishing operations. Category I and II fisheries are those identified by NOAA as having either frequent or occasional takings of marine mammals. All states have integrated the National Marine Fisheries Service (NMFS) registration process into the existing state fishery registration process and vessel owners do not need to file a separate federal registration. If applicable, vessel owners will be notified of this simplified registration process when they apply for their state or Federal permit or license.

##### II. Method of Collection

Fishermen have their information imported directly into the Marine Mammal Authorization Program (MMAP) from their state. If they do not have a state or Federal fishery permit or license, they can request an MMAP registration form from their regional NMFS office and mail in the registration form.

##### III. Data

*OMB Control Number:* 0648-0293.  
*Form Number(s):* None.  
*Type of Review:* Regular submission.  
*Affected Public:* Business or other for-profit organizations; Individuals or households.

*Estimated Number of Respondents:* 600.

*Estimated Time per Response:* Initial registration 15 minutes.

*Estimated Total Annual Burden Hours:* 150.

*Estimated Total Annual Cost to Public:* \$15,300 in recordkeeping/reporting costs and application fees.

#### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 6, 2018.

**Sarah Brabson,**

*NOAA PRA Clearance Officer.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XG204

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Annapolis Passenger Ferry Dock Project, Washington

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

**ACTION:** Notice; issuance of incidental harassment authorization.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Kitsap Transit, to incidentally take, by Level A and B harassment, marine mammals during construction activities

associated with the Annapolis Passenger Ferry Dock Project in Puget Sound, Washington.

**DATES:** This Authorization is applicable from October 1, 2018 through September 31, 2019.

**FOR FURTHER INFORMATION CONTACT:**

Jaclyn Daly, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application, IHA, and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/node/23111>. In case of problems accessing these documents, please call the contact listed above.

**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 (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage 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 a proposed authorization is provided to the public for review.

An 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.

The MMPA states that the term "take" means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

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).

#### Summary of Request

On March 5, 2018, NMFS received a request from Kitsap Transit for an IHA to take marine mammals incidental to pile driving and removal associated with upgrades to the Annapolis Ferry Terminal, Puget Sound, Washington. Kitsap Transit submitted a revised application on May 3, 2018 which NMFS deemed adequate and complete. Pile driving and removal will take a maximum of 17 days. No serious injury or mortality is expected to occur or is authorized from this activity and, therefore, an IHA is appropriate.

On May 16, 2018, NMFS published its proposed IHA in the **Federal Register** for public comment (83 FR 22624). NMFS has issued an IHA to Kitsap Transit for the take, by Level A and B harassment, of harbor seal (*Phoca vitulina richardii*), Steller sea lion (*Eumetopias jubatus monteriensis*), California sea lion (*Zalophus californianus*), and harbor porpoise (*Phocoena phocoena vomerina*).

#### Description of Proposed Activity

##### Overview

Kitsap Transit is proposing to upgrade the existing dock at its Annapolis Ferry Terminal to accommodate larger vessels by extending the dock into deeper water and bring the terminal into compliance with American Disability Act (ADA) accessibility standards. The project includes removing 10 existing concrete and steel piles that support the existing pier and float and installing 12 new steel piles to support updated structures. Piles will be removed using a vibratory hammer and new piles will be installed using a vibratory and, if necessary, an impact hammer. The project is anticipated to take 8 weeks to complete; however, Kitsap Transit anticipates it will take a maximum of 17 days to complete in-water pile driving activities.

##### Dates and Duration

The project would occur for eight weeks between October 1, 2018 and September 30, 2019 with the exception of March 3, 2019 through July 1, 2019 to protect salmonids and surf smelt. Pile removal has been conservatively estimated to occur at a rate of 2 piles removed per day, which would require 5 days to remove 10 piles. Pile installation was conservatively estimated to occur at a rate of 1 pile per day, which would require 12 days to install 12 piles. In total, there would be