

Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6187.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 2, 2020, Commerce published a notice of opportunity to request an administrative review of the AD order on certain small diameter carbon and alloy seamless standard, line, and pressure pipe (under 4½ inches) from Japan for the POR of June 1, 2019 through May 31, 2020.<sup>1</sup> United States Steel Corporation (U.S. Steel) timely filed requests for an administrative review of Nippon Steel Corporation, Kawasaki Steel Corporation, Sumitomo Metal Industries, Ltd., Okaya & Co., Ltd., and Sumitomo Corporation, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b).<sup>2</sup> Commerce received no other requests for administrative review.

On August 6, 2020, pursuant to these requests and in accordance with 19 CFR 351.221(c)(1)(i), Commerce published a notice initiating an administrative review of the AD order on small diameter carbon and alloy seamless standard, line, and pressure pipe (under 4½ inches) from Japan.<sup>3</sup> On September 1, 2020, U.S. Steel withdrew its request for an administrative review with respect to all of the companies for which it had requested a review.<sup>4</sup>

##### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party or parties that requested a review withdraws the request within 90 days of the publication date of the notice of initiation of the requested review. U.S. Steel withdrew its request for review of all companies within 90 days of the publication date of the notice of initiation. No other parties requested an administrative review of the order. Therefore, in accordance with 19 CFR

351.213(d)(1), we are rescinding the administrative review of the AD order on certain small diameter carbon and alloy seamless standard, line, and pressure pipe (under 4½ inches) from Japan covering June 1, 2019 through May 31, 2020, its entirety.

##### Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of small diameter carbon and alloy seamless standard, line, and pressure pipe (under 4½ inches) from Japan during the POR. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice in the **Federal Register**.

##### Notification to Importers

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 review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

##### Administrative Protective Orders

This notice also serves as a reminder to all 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. Timely written notification of the return/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.

##### Notification to Interested Parties

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).

Dated: September 22, 2020.

**James Maeder,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XA495]

#### Membership of the National Oceanic and Atmospheric Administration Performance Review Board

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

**ACTION:** Notice of membership of the NOAA Performance Review Board.

**SUMMARY:** NOAA announces the appointment of members who will serve on the NOAA Performance Review Board (PRB). The NOAA PRB is responsible for reviewing performance appraisals and ratings of Senior Executive Service (SES), Senior Level (SL), and Scientific and Professional (ST) members and making written recommendations to the appointing authority on retention and compensation matters, including performance-based pay adjustments, awarding of bonuses, and reviewing recommendations for potential Presidential Rank Award nominees. The appointment of members to the NOAA PRB will be for a period of 2 years.

**DATES:** The effective date of service of the 10 appointees to the NOAA Performance Review Board is October 15, 2020.

#### FOR FURTHER INFORMATION CONTACT:

James Triem, Director, Executive Resources Division, Office of Human Capital Services, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910, (301) 628-1882.

**SUPPLEMENTARY INFORMATION:** The names and positions of the members for the 2020 NOAA PRB are set forth below:

- Mary S. Wohlgemuth, Chair: Director, National Centers for Environmental Information, National Environmental Satellite Data, and Information Service, NOAA
- Steven Thur, Co-Chair: Director, National Center for Coastal Ocean Services, National Ocean Service, NOAA
- Irene Parker: Assistant Chief Information Officer, National Environmental Satellite, Data, and Information Service, NOAA
- Kevin Kimball: Chief of Staff, National Institute of Standards and Technology
- James A. St. Pierre: Deputy Director, Information Technology Laboratory, National Institute of Standards and Technology

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 85 FR 33628 (June 2, 2020).

<sup>2</sup> See U.S. Steel's Letter, "Carbon and Alloy Seamless Standard Line, and Pressure Pipe (Under 4 ½ Inches) from Japan: Request for Administrative Review of Antidumping Duty Order," dated June 22, 2020.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 47731 (August 6, 2020).

<sup>4</sup> See U.S. Steel's Letter, "Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4.5 Inches) from Japan: Withdrawal of Request for Administrative Review of Antidumping Duty Order," dated September 1, 2020.

- David Holst: Chief Financial Officer, Office of Oceanic and Atmospheric Research, NOAA
- John S. Luce, Jr.: General Counsel, NOAA
- David Michaud: Director, Office of Central Processing, National Weather Service, NOAA
- Donna Whiting: Director, Office of Protected Resources, National Marine Fisheries Service, NOAA
- Deidre Jones: Chief Administrative Officer, Office of the Chief Administrative Officer, NOAA
- Michelle Mainelli-McInerney: Director, Office of Dissemination, National Weather Service, NOAA
- Christopher Oliver: Assistant Administrator for Marine Fisheries, National Marine Fisheries Service, NOAA
- Juliana Blackwell: Director, Office of National Geodetic Survey, National Ocean Services, NOAA
- Gary Matlock: Deputy Assistant Administrator for Services, Oceanic and Atmospheric Research, NOAA

Dated: September 30, 2020.

**Sean Clayton,**

*Director, Office of Human Capital Services, National Oceanic and Atmospheric Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XA448]

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Training Operations at the Marine Corps Air Station Cherry Point Range Complex

**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. Marine Corp (USMC) for authorization to take bottlenose dolphin incidental to training operations at the Marine Corps Air Station (MCAS) Cherry Point Range Complex over the course of seven years from the date of issuance. Pursuant to regulations implementing the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of the USMC's request for the development and implementation of regulations

governing the incidental taking of marine mammals. NMFS invites the public to provide information, suggestions, and comments on USMC's application and request.

**DATES:** Comments and information must be received no later than November 5, 2020.

**ADDRESSES:** Comments on the applications should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Written comments should be submitted via email to [ITP.guan@noaa.gov](mailto:ITP.guan@noaa.gov).

**Instructions:** NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-undermarine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

#### FOR FURTHER INFORMATION CONTACT:

Shane Guan, Office of Protected Resources, NMFS, (301) 427-8401. An electronic copy of USMC's application may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-undermarine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

#### SUPPLEMENTARY INFORMATION:

##### Background

The MMPA prohibits the "take" of marine mammals, with certain exceptions. 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

incidental take authorization may be provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other "means of effecting the least practicable adverse impact" on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stocks for taking for certain subsistence uses (referred to in shorthand as "mitigation"); and requirements pertaining to the mitigation, monitoring and reporting of the takings are set forth.

The NDAA (Pub. L. 108-136) removed the "small numbers" and "specified geographical region" limitations indicated above and amended the definition of "harassment" as it applies to a "military readiness activity." The activity for which incidental take of marine mammals is being requested addressed here qualifies as a military readiness activity. The definitions of all applicable MMPA statutory terms cited above are included in the relevant sections below.

#### Summary of Request

On August 3, 2020, NMFS received an application from USMC requesting authorization for take of bottlenose dolphin incidental to training operations at the MCAS Cherry Point Range Complex off North Carolina. The requested regulations would be valid for seven years, from May 18, 2021 through May 17, 2028. USMC plans to conduct training activities conducted at the in-water ranges that involve the use of live (explosive) and inert (non-explosive) ordnance, and small boat maneuvers. The proposed action may incidentally expose marine mammals occurring in the vicinity to elevated levels of sound and potential auditory injury in the form of permanent threshold shift, thereby resulting in incidental take, by Level A and Level B harassment. NMFS provided questions and comments to USMC after receiving the initial application regarding the scope of the project and impact analysis. After receiving USMC's responses, NMFS considered the Letter of Authorization application adequate and complete on September 10, 2020.