

The Department finds that it is not practicable to complete this review by the current deadline. The Department has determined that it requires additional time to analyze the case and rebuttal briefs submitted by interested parties and to consider the unique facts and legal questions surrounding this changed circumstances review. Consequently, in accordance with 19 CFR 351.302(b), the Department is extending the time period for issuing the final results in this review by 30 days. Therefore, the final results will be due no later than September 19, 2011, as September 17, 2011, is a Saturday.

We are issuing and publishing this notice in accordance with sections 751(b) and 771(i) of the Tariff Act of 1930, as amended.

Dated: August 10, 2011.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-807]

#### **Notice of Final Results of Antidumping Duty Changed Circumstances Review: Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea**

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

**SUMMARY:** The Department of Commerce (the Department) has determined that Toray Advanced Materials Korea, Inc. (Toray Advanced Materials) is the successor-in-interest to Toray Saehan, Inc. (Toray Saehan). As a result, Toray Advanced Materials will be accorded the same treatment previously accorded Toray Saehan with regard to the antidumping duty order on polyethylene terephthalate film, sheet, and strip (PET film) from Korea, effective as of the date of publication of this notice in the **Federal Register**.

**DATES:** *Effective Date:* August 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mark Flessner or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Room 7866, Washington, DC 20230; *telephone:* (202) 482-6312 or (202) 482-0649, respectively.

### Background

The Department published an antidumping duty order on PET film from Korea on June 5, 1991. *See Antidumping Duty Order and Amendment to Final Determination of Sales at Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea*, 56 FR 25669 (June 5, 1991). On September 26, 1997, the Department published the notice of final court decision and amended final determination on PET film from Korea. *See Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea; Notice of Final Court Decision and Amended Final Determination of Antidumping Duty Investigation*, 62 FR 50557 (September 26, 1997) (*Antidumping Duty Investigation Amended Final*). Based on the Department's redetermination on remand in *Antidumping Duty Investigation Amended Final*, Cheil Synthetics, Inc. (Cheil) was found to have been dumping at a margin of 36.33 percent.

On July 5, 1996, the Department revoked the antidumping duty order on PET film from Korea with respect to Cheil because Cheil had not sold the subject merchandise at LTFV for at least three consecutive periods of review. *See Polyethylene Terephthalate Film Sheet and Strip From the Republic of Korea; Final Results of Antidumping Duty Administrative Reviews and Notice of Revocation in Part*, 61 FR 35177 (July 5, 1996). Subsequently, prior to the first sunset review, the Department published the final results of a changed circumstances review in which it found that Saehan Industries, Inc. (Saehan) was the successor-in-interest to Cheil. *See Polyethylene Terephthalate Film, Sheet and Strip From the Republic of Korea; Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 63 FR 3703 (January 26, 1998).

The Department conducted another changed circumstances review in May 2000 in which it determined that Toray Saehan was the successor-in-interest to Saehan (which, as explained above, was the successor-in-interest to Cheil). *See Polyethylene Terephthalate Film, Sheet and Strip From the Republic of Korea, Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 65 FR 34661 (May 31, 2000).

On December 21, 2010, Toray Advanced Materials filed a request for a changed circumstances review of the antidumping duty order on PET film from Korea. Toray Advanced Materials claimed it is the successor-in-interest to

Toray Saehan in accordance with section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216, and provided documentation supporting its assertion.

On May 10, 2011, the Department published its initiation and preliminary results of changed circumstances review of the antidumping duty order on PET film from Korea. *See Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review*, 76 FR 27005 (May 10, 2011) (*Preliminary Results*). The Department preliminarily determined that Toray Advanced Materials is the successor-in-interest to Toray Saehan and should be treated as such for purposes of the antidumping duty order. In the *Preliminary Results*, we stated that interested parties could submit case briefs to the Department no later than 15 days after the publication of the *Preliminary Results* in the **Federal Register**, and submit rebuttal briefs, limited to the issues raised in those case briefs, five days subsequent to the case briefs' due date. No party submitted case briefs or other comments on the *Preliminary Results*.

### Scope of the Order

Imports covered by the order are shipments of all gauges of raw, pretreated, or primed polyethylene terephthalate film, sheet, and strip, whether extruded or coextruded. The films excluded from this review are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer more than 0.00001 inches (0.254 micrometers) thick.

Polyethylene terephthalate film, sheet, and strip is currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 3920.62.00. The HTSUS subheading is provided for convenience and for customs purposes. The written description of the scope of the order remains dispositive.

### Final Results of Changed Circumstances Review

Based on the information provided by Toray Advanced Materials, the Department's analysis in the *Preliminary Results* (which we incorporate herein by reference), and in light of the fact that interested parties did not submit any comments during the comment period, the Department hereby determines that Toray Advanced Materials is the successor-in-interest to Toray Saehan and is entitled to Toray

Saehan's treatment under the order (*i.e.*, Toray Advanced Materials will inherit Toray Saehan's revocation from the order).

#### Instructions to U.S. Customs and Border Protection

The Department will instruct U.S. Customs and Border Protection to liquidate entries of merchandise produced or exported by Toray Advanced Materials without regard to antidumping duties, as Toray Advanced Materials' predecessor, Toray Saehan, is revoked from the order.

#### Notification

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. 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 sanctionable violation.

This notice is in accordance with sections 751(b) and 777(i)(1) and (2) of the Act and 19 CFR 351.216(e).

Dated: August 5, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA567

#### Taking and Importing Marine Mammals; Military Training Activities and Research Conducted Within the Mariana Islands Range Complex

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

**ACTION:** Notice of issuance of a Letter of Authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notice is hereby given that NMFS has issued a letter of authorization (LOA) to the U.S. Navy (Navy) to take marine mammals incidental to Navy training, maintenance, and research, development, testing, and evaluation

(RDT&E) activities to be conducted within the Mariana Islands Range Complex (MIRC) Study Area for the period of August 12, 2011, through August 11, 2012.

**DATES:** This authorization is effective from August 12, 2011, through August 11, 2012.

**ADDRESSES:** The LOA and supporting documentation may be obtained by writing to P. Michael Payne, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or by telephoning one of the contacts listed here.

**FOR FURTHER INFORMATION CONTACT:** Jolie Harrison or Brian D. Hopper, Office of Protected Resources, NMFS, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, upon request, the incidental taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing), if certain findings are made by NMFS and regulations are issued. Under the MMPA, the term "take" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture, or kill marine mammals.

Regulations governing the taking of marine mammals by the Navy incidental to MIRC training, maintenance, and RDT&E became effective on August 3, 2010 (75 FR 45527, August 3, 2010), and remain in effect through August 3, 2015. The MIRC study area encompasses a 501,873 square nautical mile area (nm<sup>2</sup>) around the islands, including Guam, Tinian, Saipan, Rota, Farallon de Meinilla, and also includes ocean areas in both the Pacific Ocean and Philippine Sea. For detailed information on this action, please refer to the August 2010 final rule. These regulations include mitigation, monitoring, and reporting requirements and establish a framework to authorize incidental take through the issuance of LOAs.

#### Summary of Request

On April 18, 2011, NMFS received a request from the Navy for a renewal of an LOA issued on August 12, 2010, for the taking of marine mammals incidental to training and research activities conducted within the MIRC Study Area under regulations issued on August 3, 2010 (75 FR 45527). The Navy has complied with the measures required in 50 CFR 218.104 and 218.105, as well as the associated 2010 LOA, and submitted the reports and other documentation required in the final rule and the 2010 LOA.

#### Summary of Activity Under the 2010 LOA

As described in the Navy's exercise reports (both classified and unclassified), in 2010, the training activities conducted by the Navy were within the scope and amounts authorized by the 2010 LOA and the levels of take remain within the scope and amounts contemplated by the final rule. Between August 12, 2010 and February 15, 2011, the Navy conducted one Multi Strike Group Exercise. The exercise was conducted from September 16-21, 2010 and included one Sinking Exercise (SINKEX), one underwater demolition exercise, and one Air-to-Surface Missile Exercise (A-S MISSILEX).

#### Planned Activities and Estimated Take for 2011-2012

In 2011-2012, the Navy expects to conduct the same type and amount of training contemplated in the final rule and identified in the 2010 LOA. Therefore, for the 2011 LOA, NMFS authorizes the same amount of take that was authorized in 2010.

#### Summary of Monitoring, Reporting, and Other Requirements Under the 2010 LOA

##### Annual Exercise Reports

The Navy submitted their classified and unclassified 2010 exercise reports within the required timeframes and the unclassified report is posted on NMFS' Web site: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. NMFS has reviewed both reports and they contain the information required by the 2010 LOA. The reports indicate the amounts of different types of training that occurred from August 12, 2010, through February 15, 2011. As mentioned above, the Navy conducted one Multi Strike Group Exercise consisting of various training exercises addressed in the rule (the rule analyzed the likely annual impacts of up to two SINKEXs, 50 underwater demolitions, and two A-S MISSILEXs).

The reports also list specific information gathered when marine mammals were detected by Navy watchstanders, such as how far an animal was from the vessel, whether sonar was in use, and whether it was powered or shut down. This information indicates that the Navy implemented the safety zone mitigation measures as required. During the Multi-Strike Group Exercise conducted in September, 2010, no instances of obvious behavioral disturbance were reported by the Navy watchstanders in their 10 marine mammal sightings