

# Notices

Federal Register

Vol. 75, No. 19

Friday, January 29, 2010

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Availability of Grant Funds and Proposed Implementation Guidelines; Withdrawal of Solicitation for the Marine Aquaculture Initiative

**AGENCY:** National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of withdrawal.

**SUMMARY:** The National Oceanic and Atmospheric Administration publishes this notice to announce the withdrawal of the solicitation of applications for the NOAA Marine Aquaculture Initiative 2010, which was published in the NOAA "Availability of Grant Funds for Fiscal Year 2010" on January 19, 2010. A new funding opportunity with revised requirements and goals is under development and will be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Dr. Gene Kim, National Sea Grant College Program, National Oceanic and Atmospheric Administration, 1315 East-West Highway, SSMC3, R/SG, Silver Spring, Maryland 20910, (301) 734-1281.

**SUPPLEMENTARY INFORMATION:** On January 19, 2010, the National Oceanic and Atmospheric Administration published its annual notice entitled "Availability of Grant Funds for Fiscal Year 2010" (75 FR 3092). Included in that notice, beginning on page 3110, was a solicitation of applications for the NOAA Marine Aquaculture Initiative 2010 (Catalog of Federal Domestic Assistance Number: 11.417, Sea Grant Support).

NOAA publishes this notice to announce that it is withdrawing the solicitation of applications for the program, due to incorrect guidance being published. A new funding opportunity with revised requirements

and goals is under development and will be published in the **Federal Register**. Any applications received by the program will be returned to the applicant.

**Classification Executive Order 12866:** It has been determined that this notice is not significant for purposes of Executive Order 12866.

**Administrative Procedure Act/Regulatory Flexibility Act:** Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comments are not required pursuant to U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and none has been prepared.

Dated: January 25, 2010.

**Mark E. Brown,**

*Chief Financial Officer/Chief Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.*

[FR Doc. 2010-1954 Filed 1-28-10; 8:45 am]

**BILLING CODE 3510-KA-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-891]

#### Hand Trucks and Certain Parts Thereof From The People's Republic of China: Notice of Decision of the Court of International Trade Not in Harmony

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

**SUMMARY:** On October 22, 2008, the United States Court of International Trade ("CIT" or "Court") sustained the final remand determination made by the Department of Commerce ("the Department") pursuant to the Court's remand of the scope ruling of the antidumping duty order on hand trucks from the People's Republic of China ("PRC"). *See Gleason Industrial Products, Inc. v. United States*, Ct. No. 06-00089, Slip Op. 08-115 (Ct. Int'l Trade October 22, 2008) ("*Gleason III*"). This case arises out of the Department's antidumping duty order on hand trucks

and certain parts thereof from the People's Republic of China. The final judgment in this case was not in harmony with the Department's February 2006 final scope ruling.

**DATES:** *Effective Date:* November 1, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Laurel LaCivita, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482-4243.

**SUPPLEMENTARY INFORMATION:** In December 2004, the Department placed an antidumping duty order on certain varieties of hand trucks manufactured in the People's Republic of China. *See Antidumping Duty Order on Hand Trucks and Certain Parts Thereof from the People's Republic of China*, 69 FR 70122 (December 2, 2004) ("Order"). In December 2005, Central Purchasing, LLC ("Central Purchasing"), requested the Department to determine whether two of the welding carts that it imported, models 93851 and 43615, were within the scope of the order. *See Central Purchasing's Scope Ruling Request* (December 19, 2005). The Petitioners, Gleason Industrial Products, Inc. and Precision Products, Inc. ("Gleason"), responded that both models of Central Purchasing's carts should be included within the scope of the Order. *See Gleason's Response to Central Purchasing's Scope Request* (January 4, 2006).

In an unpublished ruling, the Department found that both models of Central Purchasing's carts were outside the scope of the antidumping duty order. *See Memorandum from Hilary E. Sadler, Case Analyst, though Wendy J. Frankel, Office Director, to Stephen J. Claeys, Acting Deputy Assistant Secretary for AD/CVD Operations: "Final Scope Ruling for Central Purchasing, LLC's Two Models of Welding Carts," dated February 15, 2006 ("Final Scope Ruling").*

On March 17, 2006, Gleason filed its summons with the Court alleging that the Final Scope Ruling was not supported by substantial evidence or otherwise in accordance with law. The Department requested a voluntary remand in November 2006 to reconsider its original determination, which the trial court granted. *See Gleason Indus.*

*Prods., Inc. v. United States*, Ct. No. 06–00089, Slip Op. 07–40 (Ct. Int'l Trade March 16, 2007) (“*Gleason I*”).

On first remand, the Department reevaluated its position and determined that both models of welding carts were subject to the Order. The trial court affirmed the first remand results for model number 93851 in April 2008, but remanded the matter to Commerce to reexamine its findings for model 43615. See *Gleason Indus. Prods., Inc. v. United States*, 556 F. Supp. 2d 1344, 1347–49 (Ct. Int'l Trade 2008) (“*Gleason II*”). Commerce subsequently issued a second set of remand results in July 2008 in which it concluded that model 43615 lies outside of the scope of the antidumping duty order on hand trucks from the PRC. The trial court sustained Commerce's second remand results on October 22, 2008. See *Gleason III*. The United States Court of Appeals for the Federal Circuit subsequently affirmed the CIT's judgment in November 2009. See *Gleason Indus. Prods. Inc. v. United States*, Ct. No. 2009–1150 (Fed. Cir. November 4, 2009).

#### Timken Notice

In its decision in *Timken Co., v. United States*, 893 F. 2d 337, 341 (Fed. Cir. 1990) (“*Timken*”), the United States Court of Appeals for the Federal Circuit held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (“the Act”), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination. The Court's decision in *Gleason III* on October 22, 2008, constitutes a final decision of that court that is not in harmony with the Department's scope ruling. This notice is effective as of November 1, 2008 and is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will issue revised instructions to U.S. Customs and Border Protection if the Court's decision is not appealed or if it is affirmed on appeal.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: January 22, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010–1866 Filed 1–28–10; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648–XT74**

#### Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting Requirements; Public Workshops

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

**ACTION:** Notice of a technical workshop.

**SUMMARY:** NMFS, the Alaska Region, the Alaska Department of Fish and Game, and the International Pacific Halibut Commission will present a technical workshop to instruct customers how to use the eLandings Extensible Markup Language interface.

**DATES:** The workshop will be held on February 5, 2010, 9 a.m. to 5 p.m., Pacific Standard Time.

**ADDRESSES:** The workshop will be held at the Silver Cloud Inn Lake Union, 1150 Fairview Avenue North, Seattle, WA.

#### FOR FURTHER INFORMATION CONTACT:

Susan Hall, 907–586–7462.

**SUPPLEMENTARY INFORMATION:** This is a technical workshop intended for seafood industry software development and information technology staff, third-party system developers, seafood operations managers, and information technology consultants. The Extensible Markup Language (XML) interface is designed to facilitate an exchange of landings and production data between eLandings and the organizations' operational systems to facilitate one-time data entry.

There will be a morning and an afternoon session. The morning session will include an overview of the eLandings and the XML interface, as well as some hands-on experience importing XML documents. The afternoon session will consist of hands-on programming, tutorials demonstrating tools, and useful techniques for interface development.

The agenda and workshop materials are under development but may be reviewed at: <https://elandings.alaska.gov/confluence/display/tr/Agenda>.

Due to the inclusion of hands-on tutorials in both sessions, attendees should bring a laptop with wireless Internet capability. Programmers attending the afternoon session can review the Resources page at <https://elandings.alaska.gov/confluence/display/tr/Resources> and prepare their

development environment with the tools, which we will demonstrate at the workshop.

#### Special Accommodations

These workshops will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Susan Hall, 907–586–7462, at least five working days prior to the meeting date.

Dated: January 26, 2010.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010–1875 Filed 1–26–10; 4:15 pm]

**BILLING CODE 3510–22–S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Antidumping and Countervailing Duty Administrative Reviews, Request for Revocation in Part, and Deferral of Initiation of Administrative Review

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

**SUMMARY:** The Department of Commerce (“the Department”) has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with December anniversary dates. In accordance with our regulations, we are initiating those administrative reviews. The Department also received requests to revoke one antidumping duty order in part and to defer the initiation of an administrative review for the same antidumping duty order.

**EFFECTIVE DATE:** January 29, 2010.

#### FOR FURTHER INFORMATION CONTACT:

Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482–4697.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with December anniversary dates. The Department also received a timely request to revoke in part the antidumping duty order on Honey from Argentina with respect to one exporter. In addition, the