

## Federal Marine Protected Areas

*Fishery Management Gear Restricted Areas (Under Tilefish Fishery Management Plan):*

Oceanographer Canyon

Lydonia Canyon

Veatch Canyon

Norfolk Canyon

**Review and Approval**

Following this public comment period, the MPA Center will forward public comments to the relevant managing entity or entities, which will reaffirm or withdraw (in writing to the MPA Center), the nomination. After final MPA Center review, mutually agreed upon MPAs will be accepted into the national system and the List of National System MPAs will be posted at <http://www.mpa.gov>.

Dated: June 29, 2010.

**Holly Bamford,***Acting, Deputy Assistant Administrator.*

[FR Doc. 2010-16313 Filed 7-2-10; 8:45 am]

**BILLING CODE P****DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****RIN 0648-XW98****Marine Mammals; File No. 15430**

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that the Louisville Zoological Garden, 1100 Trevilian Way, P.O. Box 37250, Louisville, KY 40233 has been issued a permit to import one South African fur seal (*Arctocephalus pusillus*) for public display.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Skidmore or Kristy Beard, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** On March 31, 2010, notice was published in the

**Federal Register** (75 FR 16077) that a request for a public display permit to import one female adult South African fur seal from the Toronto Zoo, Ontario, Canada to the Louisville Zoological Garden, had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216).

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: June 29, 2010.

**P. Michael Payne,***Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2010-16377 Filed 7-2-10; 8:45 am]

**BILLING CODE 3510-22-S****DEPARTMENT OF COMMERCE****International Trade Administration****[A-588-850]****Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe From Japan: Rescission of Antidumping Duty Administrative Review**

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

**SUMMARY:** On July 29, 2009, the U.S. Department of Commerce ("the Department") published a notice of initiation of an administrative review of the antidumping duty order on certain large diameter carbon and alloy seamless standard, line, and pressure pipe from Japan. The review covers four manufacturers/exporters: JFE Steel Corporation ("JFE Steel"); Nippon Steel Corporation; NKK Tubes; and Sumitomo Metal Industries, Ltd. ("SMI"). The period of review ("POR") is June 1, 2008, through May 31, 2009. Following the receipt of a certification of no shipments from all four of the potential respondents, we notified all interested parties of the Department's intent to rescind this review and provided an opportunity to comment on the rescission. We received no comments. Therefore, we are rescinding this administrative review.

**DATES:** *Effective Date:* Insert date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Mary Kolberg, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1785.

**SUPPLEMENTARY INFORMATION:****Background**

On June 1, 2009, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on carbon and alloy seamless standard, line, and pressure pipe (over 4½ inches) from Japan for the period June 1, 2008, through May 31, 2009. *See Antidumping or Countervailing Duty Order, Finding or Suspended Investigation; Opportunity To Request Administrative Review*, 74 FR 26202 (June 1, 2009). On June 30, 2009, United States Steel Corporation ("U.S. Steel"), a domestic producer of the subject merchandise, made a timely request that the Department conduct an administrative review of JFE Steel, Nippon Steel Corporation, NKK Tubes, and SMI. On July 29, 2009, in accordance with section 751(a) of the Tariff Act of 1930, as amended ("the Act"), the Department published in the **Federal Register** a notice of initiation of this antidumping duty administrative review. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review*, 74 FR 37690 (July 29, 2009). On August 13, 25, and 28, 2009, JFE Steel, NKK Tubes, and SMI, respectively, submitted letters to the Department, certifying that each company made no shipments or entries for consumption in the United States of the subject merchandise during the POR. On September 23, 2009, the Department issued its antidumping duty questionnaire to Nippon Steel Corporation. On October 2, 2009, Nippon Steel Corporation submitted a letter to the Department, certifying that the company made no shipments or entries for consumption in the United States of the subject merchandise during the POR.

**Scope of the Order**

The products covered by this review are large diameter seamless carbon and alloy (other than stainless) steel standard, line, and pressure pipes produced, or equivalent, to the American Society for Testing and Materials (ASTM) A-53, ASTM A-106,

ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, and the American Petroleum Institute ("API") 5L specifications and meeting the physical parameters described below, regardless of application. The scope of this review also includes all other products used in standard, line, or pressure pipe applications and meeting the physical parameters described below, regardless of specification, with the exception of the exclusions discussed below. Specifically included within the scope of this review are seamless pipes greater than 4.5 inches (114.3 mm) up to and including 16 inches (406.4 mm) in outside diameter, regardless of wall-thickness, manufacturing process (hot finished or cold-drawn), end finish (plain end, beveled end, upset end, threaded, or threaded and coupled), or surface finish.

The seamless pipes subject to this review are currently classifiable under the subheadings 7304.10.10.30, 7304.10.10.45, 7304.10.10.60, 7304.10.50.50, 7304.19.10.30, 7304.19.10.45, 7304.19.10.60, 7304.19.50.50, 7304.31.60.10, 7304.31.60.50, 7304.39.00.04, 7304.39.00.06, 7304.39.00.08, 7304.39.00.36, 7304.39.00.40, 7304.39.00.44, 7304.39.00.48, 7304.39.00.52, 7304.39.00.56, 7304.39.00.62, 7304.39.00.68, 7304.39.00.72, 7304.51.50.15, 7304.51.50.45, 7304.51.50.60, 7304.59.20.30, 7304.59.20.55, 7304.59.20.60, 7304.59.20.70, 7304.59.60.00, 7304.59.80.30, 7304.59.80.35, 7304.59.80.40, 7304.59.80.45, 7304.59.80.50, 7304.59.80.55, 7304.59.80.60, 7304.59.80.65, and 7304.59.80.70 of the Harmonized Tariff Schedule of the United States ("HTSUS").

Specifications, Characteristics, and Uses: Large diameter seamless pipe is used primarily for line applications such as oil, gas, or water pipeline, or utility distribution systems. Seamless pressure pipes are intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas and other liquids and gasses in industrial piping systems. They may carry these substances at elevated pressures and temperatures and may be subject to the application of external heat. Seamless carbon steel pressure pipe meeting the ASTM A-106 standard may be used in temperatures of up to 1000 degrees Fahrenheit, at various American Society of Mechanical Engineers ("ASME") code stress levels. Alloy pipes made to ASTM A-335 standard must be used if temperatures and stress levels exceed those allowed for ASTM A-106. Seamless pressure

pipes sold in the United States are commonly produced to the ASTM A-106 standard.

Seamless standard pipes are most commonly produced to the ASTM A-53 specification and generally are not intended for high temperature service. They are intended for the low temperature and pressure conveyance of water, steam, natural gas, air and other liquids and gasses in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipes (depending on type and code) may carry liquids at elevated temperatures but must not exceed relevant ASME code requirements. If exceptionally low temperature uses or conditions are anticipated, standard pipe may be manufactured to ASTM A-333 or ASTM A-334 specifications.

Seamless line pipes are intended for the conveyance of oil and natural gas or other fluids in pipe lines. Seamless line pipes are produced to the API 5L specification. Seamless water well pipe (ASTM A-589) and seamless galvanized pipe for fire protection uses (ASTM A-795) are used for the conveyance of water.

Seamless pipes are commonly produced and certified to meet ASTM A-106, ASTM A-53, API 5L-B, and API 5L-X42 specifications. To avoid maintaining separate production runs and separate inventories, manufacturers typically triple or quadruple certify the pipes by meeting the metallurgical requirements and performing the required tests pursuant to the respective specifications. Since distributors sell the vast majority of this product, they can thereby maintain a single inventory to service all customers.

The primary application of ASTM A-106 pressure pipes and triple or quadruple certified pipes in large diameters is for use as oil and gas distribution lines for commercial applications. A more minor application for large diameter seamless pipes is for use in pressure piping systems by refineries, petrochemical plants, and chemical plants, as well as in power generation plants and in some oil field uses (on shore and off shore) such as for separator lines, gathering lines and metering runs. These applications constitute the majority of the market for the subject seamless pipes. However, ASTM A-106 pipes may be used in some boiler applications.

The scope of this review includes all seamless pipe meeting the physical parameters described above and produced to one of the specifications listed above, regardless of application, with the exception of the exclusions

discussed below, whether or not also certified to a non-covered specification. Standard, line, and pressure applications and the above-listed specifications are defining characteristics of the scope of this review. Therefore, seamless pipes meeting the physical description above, but not produced to the ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, and API 5L specifications shall be covered if used in a standard, line, or pressure application, with the exception of the specific exclusions discussed below.

For example, there are certain other ASTM specifications of pipe which, because of overlapping characteristics, could potentially be used in ASTM A-106 applications. These specifications generally include ASTM A-161, ASTM A-192, ASTM A-210, ASTM A-252, ASTM A-501, ASTM A-523, ASTM A-524, and ASTM A-618. When such pipes are used in a standard, line, or pressure pipe application, such products are covered by the scope of this review.

Specifically excluded from the scope of this review are: A. Boiler tubing and mechanical tubing, if such products are not produced to ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, and API 5L specifications and are not used in standard, line, or pressure pipe applications. B. Finished and unfinished oil country tubular goods ("OCTG"), if covered by the scope of another antidumping duty order from the same country. If not covered by such an OCTG order, finished and unfinished OCTG are included in this scope when used in standard, line or pressure applications. C. Products produced to the A-335 specification unless they are used in an application that would normally utilize ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, and API 5L specifications. D. Line and riser pipe for deepwater application, *i.e.*, line and riser pipe that is: (1) Used in a deepwater application, which means for use in water depths of 1,500 feet or more; (2) intended for use in and is actually used for a specific deepwater project; (3) rated for a specified minimum yield strength of not less than 60,000 psi; and (4) not identified or certified through the use of a monogram, stencil, or otherwise marked with an API specification (*e.g.*, "API 5L").

With regard to the excluded products listed above, the Department will not instruct U.S. Customs and Border Protection ("CBP") to require end-use certification until such time as petitioner or other interested parties

provide to the Department a reasonable basis to believe or suspect that the products are being utilized in a covered application. If such information is provided, we will require end-use certification only for the product(s) (or specification(s)) for which evidence is provided that such products are being used in a covered application as described above. For example, if, based on evidence provided by petitioner, the Department finds a reasonable basis to believe or suspect that seamless pipe produced to the A-335 specification is being used in an A-106 application, we will require end-use certifications for imports of that specification. Normally we will require only the importer of record to certify to the end use of the imported merchandise. If it later proves necessary for adequate implementation, we may also require producers who export such products to the United States to provide such certification on invoices accompanying shipments to the United States.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the merchandise subject to this scope is dispositive.

#### **Rescission of the Administrative Review**

As noted above, all four of the potential respondents submitted letters to the Department indicating that they did not make any shipments or entries of subject merchandise to the United States during the POR. In response to the Department's query to CBP, CBP data showed subject merchandise manufactured by one of the respondent companies, SMI, was entered for consumption into the United States during the POR from third countries. On December 31, 2009, the Department placed on the record of this review copies of the entry documents in question.

Additionally, on December 31, 2009, the Department sent a letter to SMI requesting that SMI further substantiate its claim of no shipments. On January 28, 2010, SMI responded that it had no knowledge of the entries in question. In its response, SMI explained in detail how its claim of no knowledge is supported by the record evidence. *See* Memorandum to the File, from Mary Kolberg, International Trade Compliance Analyst, "Intent to Rescind the Antidumping Duty Administrative Review on Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan," March 12, 2010 ("Intent to Rescind Memo"). On the basis of these documents and SMI's submission, the

Department concluded that there is no evidence on the record that, at the time of the sale, SMI had knowledge that any of these entries of subject merchandise entered the United States during the POR. Specifically, subject merchandise produced by SMI entered the United States during the POR under its antidumping case number, but without the company's knowledge by way of intermediaries.

On March 12, 2010, the Department notified interested parties of its intent to rescind this administrative review and gave parties until March 22, 2010 to provide comments. No comments were received. *See* Intent to Rescind Memo.

Subsequent to that, in response to the Department's earlier no shipments inquiry, CBP notified us on March 31, 2010, of additional POR entries of consumption of subject merchandise, shipped from a third country that were manufactured by respondent company, JFE Steel. On April 14, 2010, the Department placed on the record copies of these entry documents and asked JFE Steel to comment on the company's no shipment claim in light of the CBP data. On May 13, 2010, JFE Steel responded to the Department. In its response, JFE Steel addressed each entry in detail, explained how JFE Steel's claim of no knowledge is supported by the evidence on record, and reiterated that JFE Steel had no knowledge of the entries in question. *See* Memorandum to the File, from Mary Kolberg, International Trade Compliance Analyst, "Reiteration of Intent to Rescind the Antidumping Duty Administrative Review on Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan," June 3, 2010 ("Reiteration of Intent to Rescind Memo").

On the basis of these documents and JFE Steel's submission, the Department concluded that there is no evidence on the record that, at the time of the sale, JFE Steel had knowledge that those entries were destined for the United States, nor is there evidence that JFE Steel had knowledge that any of these entries of subject merchandise entered the United States during the POR. Specifically, subject merchandise produced by JFE Steel entered the United States during the POR under its antidumping case number, but without the company's knowledge by way of intermediaries.

The Department reiterated this intent to rescind on June 3, 2010, giving parties until June 14, 2010 to provide comments. Again, no comments were received. *See* Reiteration of Intent to Rescind Memo.

Thus, the Department finds that the respondents' claims of no shipments or

entries for consumption to be substantiated. Based upon the certifications and the evidence on the record, we are satisfied that no respondent had shipments of subject merchandise to the United States during the POR. Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, in whole or with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, there were no entries, exports, or sales of the subject merchandise. Therefore, the Department is rescinding this review in accordance with 19 CFR 351.213(d)(3).

The Department intends to instruct CBP 15 days after the publication of this notice to liquidate such entries. 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)(2).

We are issuing and publishing this notice in accordance with sections 751(a)(1) 777 (i) of the Act and 19 CFR 351.213(d)(4).

Dated: June 29, 2010.

**John M. Andersen**

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

[FR Doc. 2010-16354 Filed 7-2-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RIN 0648-XU03**

#### **Takes of Marine Mammals Incidental to Specified Activities; Manette Bridge Replacement in Bremerton, 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 the Washington State Department of Transportation (WSDOT), to incidentally harass, by Level B harassment only, small numbers of marine mammals during the specified activity.