

# Notices

Federal Register

Vol. 73, No. 127

Tuesday, July 1, 2008

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

### Foreign-Trade Zones Board

Order No. 1566

#### Grant of Authority for Subzone Status, Louisiana Energy Services, L.P. (Gas Centrifuge Production Equipment), Lea County, NM

Pursuant to its authority under the Foreign-Trade Zones Act, of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for "...the establishment... of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the City of Albuquerque Aviation Department, grantee of Foreign-Trade Zone 110, has made application to the Board for authority to establish a special-purpose subzone for the assembly and installation of gas centrifuge production equipment for the enrichment of uranium at the facility of Louisiana Energy Services, L.P., located in Lea County, New Mexico (FTZ Docket 18-2007, filed 4/20/07);

*Whereas*, notice inviting public comment was given in the **Federal Register** (72 FR 21218-21219, 4/30/07); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the

requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to the assembly and installation of gas centrifuge production equipment for the enrichment of uranium at the facility of Louisiana Energy Services, L.P., located in Lea County, New Mexico (Subzone 110B), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 23rd day of June 2008.

David M. Spooner,

*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

Andrew McGilvray,

*Executive Secretary.*

[FR Doc. E8-14913 Filed 6-30-08; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Action Affecting Export Privileges; Omega Engineering, Inc. In the Matter of: Omega Engineering, Inc., One Omega Drive, Stamford, CT 06907; Respondent

#### Order Waiving Remainder of Denial Order Period

On November 12, 2003, having approved the terms of a settlement agreement between the Bureau of Industry and Security, United States Department of Commerce ("BIS"), and Respondent Omega Engineering, Inc. ("Omega"), then-Assistant Secretary for Export Enforcement Julie L. Myers issued an order (68 Fed. Reg. 65033, Nov. 18, 2003), resolving an administrative proceeding against Omega pursuant to section 13(c) of the Export Administration Act of 1979, as amended ("Act"),<sup>1</sup> and the Export

<sup>1</sup> 50 U.S.C. app. 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 Fed. Reg. 46137 (Aug. 16, 2007)), has continued the

Administration Regulations ("Regulations"),<sup>2</sup> based on allegations in a proposed charging letter that Omega had committed 17 violations of the Regulations.

Among other things, the November 12, 2003 Order provided a non-standard denial of export privileges that prohibited Omega, for a period of five years from the date of that Order, from participating in any way in any transaction involving the export from the United States to Pakistan of any item subject to the Regulations or in any other activity subject to the Regulations that involves Pakistan.

By letter dated April 25, 2008, Omega submitted a request seeking to terminate the denial order not later than May 6, 2008, rather than on November 12, 2008. Omega's request seeks relief on various grounds, including due to what it has phrased as the "extraordinary support" it provided to BIS in the investigation of another case. The grounds raised by Omega have been considered in full and with the exception of its extraordinary cooperation argument do not merit relief.

Subsequent to the entry of the November 12, 2003 Order, Omega provided extraordinary cooperation in a criminal investigation involving an individual attempting to unlawfully export U.S.-origin goods to Iran. The cooperation provided by the Omega helped enable BIS to obtain evidence that was crucial to the investigation and successful prosecution of that criminal matter.

Accordingly, upon consideration of this extraordinary cooperation provided by Respondent Omega, and upon consideration of the totality of the circumstances found here, it is therefore ordered:

1. That the remainder of the denial order period imposed on Omega Engineering, Inc., One Omega Drive, Stamford, Connecticut 06907, its successors or assigns, and, when acting

Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) ("IEEPA").

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2008). The current version of the Regulations governs the procedural aspects of this case. The charged violations occurred in 1997. The Regulations governing the charged violations are found in the 1997 version of the Code of Federal Regulations (15 CFR Part 730774 (1997)).

for or on behalf of Omega, its officers, representatives, agents or employees, under the November 12, 2003 Order is hereby waived upon the effective date of this Order; and

2. This Order shall be effective upon publication in the **Federal Register**.

Entered this 20th day of June, 2008.

**Darryl W. Jackson,**

*Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. E8-14828 Filed 6-30-08; 8:45 am]

**BILLING CODE 3510-DT-M**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Reviews**

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

**ACTION:** Notice of Upcoming Sunset Reviews.

**Background**

Every five years, pursuant to section 751(c) of the Tariff Act of 1930, as amended, the Department of Commerce

(“the Department”) and the International Trade Commission automatically initiate and conduct a review to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

**Upcoming Sunset Reviews for August 2008**

The following Sunset Reviews are scheduled for initiation in August 2008 and will appear in that month’s Notice of Initiation of Five-year Sunset Reviews.

Antidumping Duty Proceedings	Department Contact
Certain Cut-to-Length Carbon Steel from the PRC (A-570-849) (Second Review) ..... <b>Countervailing Duty Proceedings.</b>	Juanita Chen (202) 482-1904
No Sunset Review of countervailing duty proceedings are scheduled for initiation in August 2008.. <b>Suspended Investigations.</b>	
Certain Cut-to-Length Carbon Steel from Russia (A-821-808) (Second Review) .....	Sally Gannon (202) 482-0162
Certain Cut-to-Length Carbon Steel from Ukraine (A-823-808) (Second Review) .....	Judith Rudman (202) 482-0192

The Department’s procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department’s conduct of Sunset Reviews is set forth in the Department’s Policy Bulletin 98.3--Policies Regarding the Conduct of Five-year (“Sunset”) Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) . The Notice of Initiation of Five-year (“Sunset”) Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Pursuant to 19 CFR 351.103(c), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Please note that if the Department receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue. Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

Dated: June 18, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E8-14905 Filed 6-30-08; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Applications for Duty-Free Entry of Scientific Instruments**

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before July 21, 2008. Address written comments to Statutory Import Programs Staff, Room 2104, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. at the U.S. Department of Commerce in Room 2104.

Docket Number: 08-027. Applicant: The Ohio State University, Materials Science and Engineering, 2041 College Rd., Columbus, OH 43210. Instrument: Electron Microscope, Model Helios 600. Manufacturer: FEI Company/Philips Electron Optics, the Netherlands. Intended Use: The instrument is intended to be used to study different types of solid state materials. It will be used for general morphological and structural studies of ceramics and metals, including high-temperature superconductors, high-temperature metal alloys, corrosion mitigation coatings, evaporated metal films, silicongermanium and II-V infra-red detectors, quantum dots, geological materials, polymers and possibly some biological samples. A unique characteristic of this instrument is that it is a Dual Beam instrument, i.e., this instrument is a combined Focused Ion Beam (FIB) and Scanning Electron Microscope. Application accepted by Commissioner of Customs: June 5, 2008.

Docket Number: 08-029. Applicant: Vanderbilt University, Center for Structural Biology, 465 21st Ave. South, MRB III, Suite 5140, Nashville, TN 37232-8725. Instrument: Electron Microscope, Model Tecnai G<sup>2</sup> F20 TWIN. Manufacturer: FEI Company, the Netherlands. Intended Use: The instrument is intended to be used to study purified biological macromolecular complexes. The instrument will be used to examine the three dimensional structures of these