

needs additional time to examine the parties' arguments regarding Aragonesas Industrias y Energia S.A.'s reported levels of trade. Therefore, in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department is extending the deadline for the final results of review, by an additional eight days, to 161 days from the date on which the notice of the preliminary results was published. The final results will now be due no later than December 18, 2008.

This notice is issued and published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: December 10, 2008.

Stephen J. Claeys,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E8-29774 Filed 12-15-08; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

A-570-832

Pure Magnesium from the People's Republic of China: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On June 9, 2008, the Department published its preliminary results in the antidumping duty administrative review of pure magnesium from the PRC.¹ The period of review ("POR") for the administrative review is May 1, 2006, through April 30, 2007. We have determined that both mandatory respondents, Shanxi Datuhe Coke & Chemicals, Co., Ltd. ("Datuhe") and Tianjin Magnesium International Co., Ltd. ("TMI"), made sales in the United States at prices below normal value ("NV"). There are no other respondents covered by this review. We invited interested parties to comment on our preliminary results in this review. Based on our analysis of the comments we received in the administrative review, we made certain changes to our calculations for both mandatory respondents. The final dumping margins for this review are listed in the "Final Results Margins" section below.

EFFECTIVE DATE: December 16, 2008.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Katharine Huang,

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 or (202) 482-1271, respectively.

Background

The Department published its preliminary results on June 9, 2008.² We invited parties to comment on the *Preliminary Results*. We received comments from Petitioner³, Datuhe and TMI. Interested parties submitted case and rebuttal briefs on July 17 and July 23, 2008, respectively. On September 29, 2008, the Department extended the deadline for the final results of review to December 8, 2008.⁴ We held a hearing on October 30, 2008, in which all interested parties participated. We issued a supplemental questionnaire to TMI on November 17, 2008, requesting that it document the amount of by-products sold as reported in its section D response. TMI responded to the Department's request on November 20, 2008. On November 26, 2008, Petitioner provided comments on TMI's November 20, 2008, submission.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this review are addressed in the memorandum from Stephen J. Claeys, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to David M. Spooner, Assistant Secretary for Import Administration, "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review and New Shipper Review of Pure Magnesium from the People's Republic of China," dated December 8, 2008, which is hereby adopted by this notice ("Issues and Decision Memorandum"). A list of the issues which parties raised and to which we respond in the Issues and Decision Memorandum is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on file in the Central Records Unit ("CRU"), Main Commerce Building, Room 1117, and is accessible on the Web at <http://ia.ita.doc.gov/frn/>. The paper copy and electronic version of the memorandum are identical in content.

² See *Preliminary Results*.

³ United States Magnesium LLC.

⁴ See *Pure Magnesium From the People's Republic of China: Extension of Time for the Final Results of the Antidumping Duty Administrative Review*, 73 FR 56553 (September 29, 2008).

Period of Review

The POR is May 1, 2006, through April 30, 2007.

Scope of the Order

Merchandise covered by this order is pure magnesium regardless of chemistry, form or size, unless expressly excluded from the scope of this order. Pure magnesium is a metal or alloy containing by weight primarily the element magnesium and produced by decomposing raw materials into magnesium metal. Pure primary magnesium is used primarily as a chemical in the aluminum alloying, desulfurization, and chemical reduction industries. In addition, pure magnesium is used as an input in producing magnesium alloy. Pure magnesium encompasses products (including, but not limited to, butt ends, stubs, crowns and crystals) with the following primary magnesium contents: (1) Products that contain at least 99.95% primary magnesium, by weight (generally referred to as "ultra pure" magnesium); (2) Products that contain less than 99.95% but not less than 99.8% primary magnesium, by weight (generally referred to as "pure" magnesium); and (3) Products that contain 50% or greater, but less than 99.8% primary magnesium, by weight, and that do not conform to ASTM specifications for alloy magnesium (generally referred to as "off-specification pure" magnesium).

"Off-specification pure" magnesium is pure primary magnesium containing magnesium scrap, secondary magnesium, oxidized magnesium or impurities (whether or not intentionally added) that cause the primary magnesium content to fall below 99.8% by weight. It generally does not contain, individually or in combination, 1.5% or more, by weight, of the following alloying elements: aluminum, manganese, zinc, silicon, thorium, zirconium and rare earths.

Excluded from the scope of this order are alloy primary magnesium (that meets specifications for alloy magnesium), primary magnesium anodes, granular primary magnesium (including turnings, chips and powder) having a maximum physical dimension (*i.e.*, length or diameter) of one inch or less, secondary magnesium (which has pure primary magnesium content of less than 50% by weight), and remelted magnesium whose pure primary magnesium content is less than 50% by weight.

Pure magnesium products covered by this order are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings

¹ See *Pure Magnesium from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 73 FR 32549 (June 9, 2008) ("*Preliminary Results*").

8104.11.00, 8104.19.00, 8104.20.00, 8104.30.00, 8104.90.00, 3824.90.11, 3824.90.19 and 9817.00.90. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope is dispositive.

Surrogate Country

In the *Preliminary Results*, we stated that we selected India as the appropriate surrogate country to use in this review for the following reasons: (1) it is a significant producer of comparable merchandise; (2) it is at a similar level of economic development comparable to that of the PRC; and (3) we have reliable data from India that we can use to value the factors of production.⁵ For the final determination, we received no comments and made no changes to our findings with respect to the selection of a surrogate country.

Changes Since the Preliminary Results

Based on an analysis of the comments received, the Department has made certain changes in the margin calculations. For the final results, the Department has made the following changes:

General Issues

Calculation of Surrogate Financial Ratios

- We determined the surrogate financial ratios using only the financial statements of Madras Aluminium Company Limited (“MALCO”).

Recalculation of Surrogate Values

- We based the surrogate value for dolomite on the average purchase price for dolomite reflected in the financial statements for Tata Steel Ltd. and Tata Sponge Iron Limited as of March 31, 2007.
- We valued TMI’s magnesium scrap using the HTS 8104.11.00, for material unwrought containing 99.8 percent magnesium.
- We multiplied the value of truck freight by one thousand to express the freight rates in metric tons.
- We based the surrogate value for magnesium chloride and flux no. 2 on the values reported for magnesium chloride, potassium chloride and sodium chloride in *Chemical Weekly*.
- We continued to use the Heat Content percentage methodology. However, we calculated a ratio using the heat value Datuhe reported for its coal gas and the heat value of natural gas derived from the Ministry of Petroleum and Natural Gas of the

Indian Government, and applied this ratio to the natural gas value derived from the World Trade Atlas Thailand import statistics as the surrogate value for the coal gas.

Company-Specific Issues

Datuhe

- For the *Preliminary Results*, we granted Datuhe a by-product offset in full. For the final results, we granted Datuhe a by-product offset for magnesium residue sales substantiated by the sales receipts it provided.

TMI

- We revised our calculation of NV to include a by-product offset for TMI.

Final Results Margins

We determine that the following weighted-average percentage margins exist for the POR:

PURE MAGNESIUM FROM THE PRC

Exporter	Weighted-Average Margin (Percent)
Datuhe	111.73%
TMI	0.63%
PRC-Wide	108.26%

Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries. For customers/importers of the respondents for whom we do not have entered value, we have calculated customer/importer-specific antidumping duty assessment amounts based on the ratio of the total amount of antidumping duties calculated for the examined sales of subject merchandise to the total quantity of subject merchandise sold in those transactions. For customers/importers of the respondents that reported entered value, we have calculated customer-specific antidumping duty assessment amounts based on customer/importer-specific *ad valorem* rates in accordance with 19 CFR 351.212(b)(1). The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of administrative review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication

date, as provided for by section 751(a)(2)(C) of the Act: 1) for the exporters listed above, the cash deposit rate will be the rates shown for those companies; 2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; 3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 108.26 percent; and 4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements shall remain in effect until further notice.

Notification of Interested Parties

This notice also 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 the Secretary’s presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (“APOs”) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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.

Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

We are issuing and publishing these final results and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

⁵ See *Preliminary Results*.

Dated: December 8, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

Appendix I

List of Issues

Surrogate Values

Comment 1: Dolomite

Comment 2: Magnesium Chloride and Flux No. 2

Comment 3: Magnesium Scrap

Comment 4: Coal Gas

Comment 5: Truck Freight

Surrogate Financial Statements

Comment 6: Surrogate Financial Statements

A. Sterlite

B. MALCO

C. HINDALCO and NALCO

D. Zinc, Copper, Brass and Ferro-Alloys as Comparable Products

E. Zinc Producers: Binani, Hindustan Zinc and Rose Zinc

F. Extruded Aluminum and Downstream Copper-Products Producers

Comment 7: Calculation Issues with Respect to Surrogate Financial Statements

A. Investment Income for MALCO

B. The Valuation of Self-Generated Electrical Power for MALCO

C. The Deduction of Interest Income from Interest expense for MALCO

D. Interest Income Offset for HINDALCO and NALCO

Company Specific Issues

Comment 8: By-Product Offset for Datuhe

Comment 9: By-Product Offset for TMI

Comment 10: Combination Rate for TMI [FR Doc. E8-29775 Filed 12-15-08; 8:45 am]

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of Inventions Available for Licensing.

SUMMARY: The inventions listed below are owned in whole or part by the U.S. Government, as represented by the Secretary of Commerce. The U.S. Government's interest in these inventions is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR Part 404 to achieve expeditious commercialization of results of federally funded research and development.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on

these inventions may be obtained by writing to: National Institute of Standards and Technology, Office of Technology Partnerships, Attn: Mary Clague, Building 222, Room A240, Gaithersburg, MD 20899. Information is also available via telephone: 301-975-4188, fax 301-975-3482, or e-mail: mary.clague@nist.gov. Any request for information should include the NIST Docket number and title for the invention as indicated below.

SUPPLEMENTARY INFORMATION: NIST may enter into a Cooperative Research and Development Agreement ("CRADA") with the licensee to perform further research on the inventions for purposes of commercialization. The inventions available for licensing are:

[NIST Docket Number: 07-016].

Title: Far Ultraviolet Dosimeter for Slow Neutron Detection.

Abstract: This invention is jointly owned by the Department of Commerce and University of Maryland. The invention consists of a method for detecting slow neutrons by monitoring Lyman alpha radiation produced by the $n(^3\text{He}, t)p$ nuclear reaction induced by neutrons incident on a gas cell containing ^3He or a mixture of ^3He and ^4He .

[NIST Docket Number: 07-017].

Title: Compact Atomic Magnetometer and Gyroscope Based on a Diverging Laser Beam.

Abstract: This invention is jointly owned by the Department of Commerce, the Defense Advanced Research Projects Agency, the University of California, Prothro, Inc., and Honeywell. A design for an atomic magnetometer that simultaneously achieves high sensitivity, simple fabrication and small size is described. This design is based on a diverging (or converging) beam of light (in a single spatial optical mode) that passes through an alkali atom vapor cell and that contains a distribution of beam propagation vectors. The existence of more than one propagation direction permits longitudinal optical pumping of the atomic system and simultaneous detection of the transverse atomic polarization. The design could be implemented with a micromachined alkali vapor cell and light from a single semiconductor laser. A small modification to the cell contents and excitation geometry allows for use as a gyroscope.

[NIST Docket Number: 07-021].

Title: Simple Matrix Method for Stray-Light Correction in Imaging Instruments.

Abstract: This method uses stray light correction matrix derived from point spread functions (PSF) of an instrument.

The correction of stray light errors is simply a matrix multiplication to the measured raw image. The correction is fast and can be used for correction of stray light errors in any types of measured images.

[NIST Docket Number: 07-022]

Title: Covalently Immobilized Fluorinated Carboxylic Acid Stationary Phases for Liquid Chromatography.

Abstract: This invention relates to stationary phases for liquid chromatography, and more particularly, to fluorinated stationary phases for improved separation of constituents in the mobile phase and methods of making.

[NIST Docket Number: 07-025].

Title: Doubling the Service Life of Concrete—Reducing Diffusion Rates via Modification of the Hydrodynamic Friction of the Pore Solution.

Abstract: The invention consists of a unique method to reduce diffusion rates in concrete by increasing the hydrodynamic friction on ionic species in the concrete pore solution. This novel approach involves changing the properties of the pore solution, rather than the microstructure.

Conventionally, diffusion rates for concrete structures have been reduced by densifying the cement paste matrix component of the concrete via a reduction in water-to-cement ratio and/or the addition of fine pozzolanic materials such as silica fume and/or fly ash. Still, in every case, the pathways for diffusion are through the interconnected pore solution that saturates the porosity at all scales. By appropriately increasing the hydrodynamic friction, the diffusion rates of all ionic species (sulfates, chlorides, alkalis) can be reduced. Theory indicates that these diffusion rates will be inversely proportional to the solution's hydrodynamic friction coefficient, so that doubling the hydrodynamic friction will reduce the diffusion coefficients by a factor of two, which in turn should lead to a doubling of the service life for many degradation modes (sulfate attack, corrosion, etc.).

[NIST Docket Number: 07-027].

Title: Harvesting of Processed Carbon Nanotubes.

Abstract: This invention is jointly owned by the Department of Commerce and the University of Maryland. The invention provides a cost-effective, multi-step, scalable process employing grit shearing to remove the amorphous carbon shell and external catalyst contaminant from carbon nanotubes, separate bundles of nanotubes, and shorten the tubes.