

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT—  
Continued

[12/9/2008 through 1/31/2009]

Firm	Address	Date accepted for filing	Products
McBain Instruments, LP	2665 Park Center Drive, Simi Valley, CA 93065	12/30/2008	Microscopy measuring systems to customer specifications. Production consists of engineering design, software programming, component assembly, testing and delivery.
AirFlo Cooling Technologies, LLC.	728 S. Wheeling Ave., Tulsa, OK 74104 .....	12/10/2008	Fans and blowers.
Engineered Plastic Products Corporation.	2542 Pratt Boulevard, Elk Grove, IL 60007 .....	12/12/2008	Custom plastic parts and manifolds and plastic turning, plastic milling, and plastic screw machining.
Systematix Controls, Inc	670 Industry Drive, Box, Tukwila, WA 98188 .....	1/8/2009	Kappa analyzers and their parts, used in the recovery area of pulp and paper mills.
Solar Innovations, Inc ....	234 E. Rosebud Road, Myerstown, PA 17067 ....	1/9/2009	Doors, windows, skylights, aluminum sunrooms, folding walls, and greenhouses.
Kingfisher Kookers .....	201 N 13th Street, Kingfisher, OK 73750 .....	1/7/2009	Food smokers, barbeques, and gas grills.
Eglomise Designs, Inc ...	4 Antietam Street, Devens, MA 01434 .....	12/30/2008	Mirrors, pictures, paperweights, desk boxes, photo frames, desk clocks and stationary.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Office of Performance Evaluation, Room 7009, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. Please follow the procedures set forth in Section 315.9 of EDA's final rule (71 FR 56704) for procedures for requesting a public hearing. The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: January 30, 2009.

**William P. Kittredge,**

*Program Officer for TAA.*

[FR Doc. E9-2445 Filed 2-4-09; 8:45 am]

BILLING CODE 3510-24-P

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 2-2009]

#### Foreign-Trade Zone 122—Corpus Christi, TX; Request for Manufacturing Authority; Excalibar Minerals, LLC

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Port of Corpus Christi authority, grantee of FTZ 122, requesting authority on behalf of Excalibar Minerals, LLC (Excalibar) to perform barite milling under FTZ procedures within FTZ 122. The application was submitted pursuant to

the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on January 29, 2009.

Excalibar has also applied for temporary/interim manufacturing authority at the Corpus Christi facility. The application was formally filed on November 20, 2008 (Docket T-5-2008, 73 FR 73242, 12/2/08).

The Excalibar facility (14 employees) is located at 3202 E. Navigation Boulevard in Corpus Christi, Texas (within Site 1). Under FTZ procedures, Excalibar would produce up to 175,000 tons of ground barite (HTSUS 2511.10.10) annually, primarily for the U.S. market. The foreign component that would be used in production (representing approximately 95 percent of total material inputs) is raw barite (HTSUS 2511.10.50), dutiable at \$1.25 per metric ton.

FTZ procedures could exempt Excalibar from customs duty payments on the foreign component used in export production (less than 1 percent of shipments). On domestic sales, Excalibar would be able to choose the duty rate that applies to the finished product (duty-free) for the foreign input noted above that has a higher duty rate.

The company may also realize certain logistical/procedural savings as well as savings on materials that become scrap/waste during manufacturing.

In accordance with the Board's regulations, Christopher Kemp of the FTZ staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the

Board's Executive Secretary at the address listed below. The closing period for their receipt is April 6, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 21, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Christopher Kemp at [christopher\\_kemp@ita.doc.gov](mailto:christopher_kemp@ita.doc.gov) or (202) 482-0862.

Dated: January 29, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-2480 Filed 2-4-09; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Action Affecting Export Privileges: Theresa Huei-Min Chang

In the Matter of: Theresa Huei-Min Chang, 11816 Pine Brook Court, Cupertino, California 95014 Respondent.

#### Order Relating to Theresa Huei-Min Chang

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS") has notified Theresa Huei-Min Chang (hereinafter referred to as "Chang"), of

its intention to initiate an administrative proceeding against her pursuant to Section 766.3 of the Export Administration Regulations (“Regulations”)<sup>1</sup> and Section 13(c) of the Export Administration Act of 1979, as amended (“Act”)<sup>2</sup>, through issuance of a proposed charging letter to Chang that alleged that she committed three violations of the Regulations. Specifically, these charges are:

**Charge 1: 15 CFR 764.2(d)—Conspiracy To Export Items From the United States to Taiwan Without the Required License**

Beginning in or about 2003 and continuing through on or about July 29, 2006, Chang conspired and acted in concert with others, known and unknown, to violate the Regulations and to bring about an act that constitutes a violation of the Regulations. The purpose of the conspiracy was to export items from the United States to Taiwan without the required U.S. Government authorization. Pursuant to Sections 742.2 or 742.3 of the Regulations, authorization was required from the Department of Commerce before certain chemicals, metals, and electronic components, items subject to the Regulations and classified under Export Control Classification Numbers (“ECCNs”) 1C227, 1C299, 1C230, 1C231, 1C234, 1C240, 1C350, and 3A201, could be exported from the United States to Taiwan. In furtherance of the conspiracy, the conspirators, including Chang, participated in a scheme in which a Taiwan company requested that an affiliated U.S. company, managed by Chang, procure specific items from U.S. suppliers and export them to Taiwan. The Taiwan company instructed the affiliated U.S. company not to tell U.S. suppliers that the affiliated U.S. company would export the items. Pursuant to this instruction, the affiliated U.S. company procured the items and exported them to Taiwan without the required license.

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730–774 (2008). The charged violation occurred in 2003 through 2006. The Regulations governing the violation at issue are found in the 2003 through 2006 versions of the Code of Federal Regulations (15 CFR Parts 730–774 (2003–2006)). The 2008 Regulations govern the procedural aspects of this case.

<sup>2</sup> 50 U.S.C. app. section 240 1–2420 (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 July 23, 2008 (73 FR 43,603 (July 25, 2008)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706 (2000)).

In so doing, Chang committed one violation of Section 764.2(d) of the Regulations.

**Charge 2: 15 CFR 764.2(e)—Acting With Knowledge of a Violation**

On one occasion, on or about October 29, 2005, Chang ordered, bought, stored, sold, and forwarded nickel powder, an item that is subject to the Regulations and classified under ECCN 1 C240, with knowledge that a violation of the Regulations was occurring. Specifically, Chang ordered, bought, stored, sold, and forwarded ten kilograms of nickel powder with a value of approximately \$551.00. Chang had knowledge that said item required a license for export to Taiwan and that it was being exported without the required license because Chang had been told by an employee of her company that an export of nickel powder to Taiwan required a license. In doing so, Chang committed one violation of Section 764.2(e) of the Regulations.

**Charge 3: 15 CFR 764.2(g)—Misrepresentation or Concealment of Facts**

On or about May 26, 2006, Chang made a false or misleading statement to officials of the U.S. Government in the course of an investigation subject to the Regulations. Specifically, in the course of an interview conducted by Special Agents of BIS’s Office of Export Enforcement regarding unlicensed exports to Taiwan, Chang stated that, other than receiving payments for rent, she did not receive compensation from the Taiwanese company Gredmann/Well Being Enterprise Co., Ltd. (“Well Being”) for running Elecmat, a U.S. company, and that she ran Elecmat as a “favor.” This statement was false or misleading, as Chang knew that Well Being transferred approximately \$6,500 per month into a United Commercial Bank account held in the name of Chang’s brother, over which account Chang exercised complete control, which funds represented compensation for Chang’s management of Elecmat. In so doing, Chang committed one violation of Section 764.2(g) of the Regulations.

Whereas, BIS and Chang have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and

Whereas, I have approved of the terms of such Settlement Agreement; *it is therefore ordered:*

First, that for a period of two years from the date of entry of this Order, Theresa Huei-Min Chang, (“Chang”),

her representatives, assigns, or agents (“Denied Person”) may not participate, directly or indirectly, in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations and listed on the Commerce Control List, set forth in Supplement No. to 15 CFR part 774, or in any other activity subject to the Regulations that involves an item listed on the Commerce Control List, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document that involves an item that is subject to the Regulations and listed on the Commerce Control List;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations and listed on the Commerce Control List; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations and listed on the Commerce Control List, or in any other activity subject to the Regulations that involves an item listed on the Commerce Control List.

Second, that no person may, directly or indirectly, do any of the actions described below with respect to an item that is subject to the Regulations and listed on the Commerce Control List that has been, will be, or is intended to be exported or reexported from the United States:

A. Export or reexport to or on behalf of a Denied Person any item subject to the Regulations and listed on the Commerce Control List;

B. Take any action that facilitates the acquisition or attempted acquisition by a Denied Person of the ownership, possession, or control of any item subject to the Regulations and listed on the Commerce Control List that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a Denied Person of any

item subject to the Regulations and listed on the Commerce Control List that has been exported from the United States;

D. Obtain from a Denied Person in the United States any item subject to the Regulations and listed on the Commerce Control List with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations and listed on the Commerce Control List that has been or will be exported from the United States and that is owned, possessed or controlled by a Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by a Denied Person if such service involves the use of any item subject to the Regulations and listed on the Commerce Control List that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Chang by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

Fourth, that the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

Fifth, that this Order shall be served on the Denied Person and on BIS, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 28th day of January 2009.

**Kevin Delli-Colli,**

*Acting Assistant Secretary for Export Enforcement.*

[FR Doc. E9-2319 Filed 2-4-09; 8:45 am]

BILLING CODE 3510-DT-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-817]

#### **Certain Hot-Rolled Carbon Steel Flat Products from Thailand: Correction to Preliminary Results of Changed Circumstances Review and Intent To Reinstate Sahaviriya Steel Industries Public Company Limited in the Antidumping Duty Order**

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

**EFFECTIVE DATE:** December 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** John Drury or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0195 or (202) 482-3019, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Correction**

On December 30, 2008, the Department of Commerce ("the Department") published a notice of preliminary results of the changed circumstances review of the antidumping duty order on certain hot-rolled carbon steel flat products from Thailand. *See Certain Hot-Rolled Carbon Steel Flat Products from Thailand: Preliminary Results of Changed Circumstances Review and Intent To Reinstate Sahaviriya Steel Industries Public Company Limited in the Antidumping Duty Order*, 73 FR 79809 (December 30, 2008) ("*Preliminary Results*"). Subsequent to the publication of the *Preliminary Results* in the **Federal Register**, we identified an inadvertent error.

The *Preliminary Results* notice is internally inconsistent. The *Preliminary Results* correctly state that the Department preliminarily determined a weighted-average dumping margin of 9.05 percent covering Sahaviriya Steel Industries Public Company Limited ("SSI") during the period July 1, 2006, through June 30, 2007, but then incorrectly state that a cash-deposit requirement of 6.42 percent will be in effect for all shipments of the subject merchandise manufactured and exported by SSI entered, or withdrawn from warehouse, for consumption on or after the publication date of the *Preliminary Results*. *See Preliminary Results*, 73 FR at 79814. To resolve this discrepancy and prevent confusion, the *Preliminary Results* notice is hereby

corrected to read that a cash-deposit requirement of 9.05 percent will be in effect for all shipments of the subject merchandise manufactured and exported by SSI entered, or withdrawn from warehouse, for consumption on or after the publication date of the *Preliminary Results*. Accordingly, the Department will instruct U.S. Customs and Border Protection to suspend liquidation of all entries of subject merchandise manufactured and exported by SSI entered, or withdrawn from warehouse, for consumption on or after the date of publication of the *Preliminary Results* at a rate of 9.05 percent.

This notice is published in accordance with section 777(i) of the Tariff Act of 1930, as amended.

Dated: January 30, 2009.

**John M. Andersen,**

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

[FR Doc. E9-2477 Filed 2-4-09; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-833]

#### **Certain Polyester Staple Fiber From Taiwan: Preliminary Results of Antidumping Duty Administrative Review.**

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

**SUMMARY:** The Department of Commerce is conducting an administrative review of the antidumping duty order on certain polyester staple fiber from Taiwan. The period of review (POR) is May 1, 2007 through April 30, 2008. This review covers imports of certain polyester staple fiber from one producer/exporter. We have preliminarily found that sales of the subject merchandise have been made below normal value. If these preliminary results are adopted in our final results, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Interested parties are invited to comment on these preliminary results. Parties who submit comments in this review are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. We will issue the final results not later than 120 days after the date of publication of this notice.