

for their receipt is April 20, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to May 4, 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 website, which is accessible via www.trade.gov/ftz. For further information, contact Camille Evans at Camille_Evans@ita.doc.gov or (202) 482-2350.

Dated: February 6, 2009.

Andrew McGilvray,

Executive Secretary.

[FR Doc. E9-3173 Filed 2-13-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-802]

Gray Portland Cement and Clinker from Mexico: Initiation of Changed-Circumstances Review, Preliminary Results of Review, Intent to Revoke Antidumping Duty Order, and Intent to Terminate Five-year (Sunset) Review of Antidumping Duty Order

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

SUMMARY: The Department of Commerce (the Department) is initiating a changed-circumstances review of the antidumping duty order on gray portland cement and clinker from Mexico. As a result of its preliminary analysis, the Department intends to revoke the order and to terminate the five-year (sunset) review of the order.

Interested parties are invited to comment on the preliminary results, the intent to revoke the order, and the intent to terminate the five-year (sunset) review of the antidumping duty order.

EFFECTIVE DATE: February 17, 2009.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-3477 and (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 6, 2006, the Office of the United States Trade Representative, Secretaria de Economia of the United Mexican States, and the Department entered into an Agreement on Trade in Cement (Agreement). See *Gray Portland Cement and Clinker from Mexico: Agreement Between the Office of the United States Trade Representative, The United States Department of Commerce and Secretaria de Economia of Mexico on Trade in Cement*, 71 FR 13082 (March 14, 2006). Section XI.B of the Agreement states that, provided it "has not been terminated before March 31, 2009," the Department "shall revoke" the cement order "for all Mexican Cement Producers that have not exported any Mexican Cement to the United States since August 30, 1990, or that have not exported substantially more than the Export Limits" allocated by the Mexican government from April 1, 2008, through March 31, 2009. Pursuant to the terms of the Agreement concerning the revocation of the order, the Department is initiating a changed-circumstances review pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(b)(1).

Preliminary Results of Review

The Agreement states that revocation of the order "shall be based on" irrevocable letters which were submitted in accordance with Section II.A.13 by the following domestic producers of the like merchandise: the Southern Tier Cement Committee (STCC) and its members, Capitol Aggregates, Ltd. (Capitol Aggregates), and Holcim (U.S.) Inc. (Holcim). STCC and its members, Capitol Aggregates, and Holcim state in those letters that they have "no interest" in maintaining the order after the expiration of the Agreement and that they will not "file a petition requesting remedies with respect to Mexican cement under the Act, the U.S. countervailing duty law, Sections 201-204 of the Trade Act of 1974, as amended, or Sections 301-305 of the Trade Act of 1974, as amended, {...} for a period of nine (9) months after this Agreement expires and will oppose any such petition filed by any other person or enterprise during that period." See Section II.A.13 and Appendix 14 of the Agreement.

The Agreement not only required the settlement of litigation of numerous challenges before North American Free Trade Agreement (NAFTA) Panels but also the suspension of a NAFTA challenge pertaining to the 1999 sunset review of the order, the withdrawal of

a challenge before the World Trade Organization, the suspension of the 2005 sunset review of this order, the creation and enforcement of an export-license program by the government of Mexico, the implementation of an import-license program by the Department, and the liquidation of certain entries of gray portland cement and clinker from Mexico by U.S. Customs and Border Protection (CBP) in accordance with the terms of the Agreement. We preliminarily determine that all of the terms of the Agreement have been satisfied to date.

Intent to Revoke Order

Because the Department preliminarily determines that the terms of the Agreement and, therefore, the terms of the "no interest" letters from producers accounting for substantially all of the production of the domestic like product have been met, the Department intends to revoke the order in its entirety, effective April 1, 2009.

Intent to Terminate Sunset Review

In accordance with Section II.A.11 of the Agreement, the Department suspended its conduct of the second sunset review initiated on October 3, 2005. See *Initiation of Five-year ("Sunset") Reviews*, 70 FR 57560 (October 3, 2005).

Because the Department preliminarily determines that the terms of the Agreement have been fulfilled, the Department intends to terminate the suspended sunset review on March 31, 2009, absent any difficulty in completing the terms of the Agreement before this date.

Suspension of Liquidation

In accordance with Section XI.B of the Agreement, upon revocation of the order we will instruct CBP to discontinue the suspension of liquidation and to cease the collection of cash deposits on entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 1, 2009.

Public Comment

Interested parties are invited to comment on the preliminary results of review, the intent to revoke the order, and the intent to terminate the sunset review. Written comments may be submitted no later than 14 calendar days after the date of publication of this notice. Rebuttals to written comments, limited to issues raised in such comments, may be filed no later than 21 calendar days after the date of publication of this notice.

This notice is published in accordance with sections 751(b)(1) and

777(i) of the Act and 19 CFR 351.221(b)(1).

Dated: February 11, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

[FR Doc. E9-3403 Filed 2-13-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-489-501]

Certain Welded Carbon Steel Pipe and Tube from Turkey: Notice of Rescission, in Part, of Antidumping Duty Administrative Review

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

EFFECTIVE DATE: February 17, 2009.

FOR FURTHER INFORMATION CONTACT:

Dennis McClure or Chris Hargett, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5973, or (202) 482-4161, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 28, 2004, in accordance with 19 CFR 351.213(b), domestic interested party Allied Tube and Conduit Corporation requested a review of the Borusan Group and Toscelik Profil ve Sac Endustrisi A.S. ("Toscelik"), producers of certain welded carbon steel pipe and tube ("welded pipe and tube") from Turkey. On July 1, 2008, the Department of Commerce ("the Department") published a notice of initiation of administrative review of the antidumping duty order on welded pipe and tube from Turkey, for the period May 1, 2007, through April 30, 2008. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocations in Part*, 73 FR 37409 (July 1, 2008). On July 8, 2008, Toscelik informed the Department that it had no sales, shipments or entries of subject merchandise in or to the United States, during the period of review. On October 10, 2008, the Department published a notice of intent to rescind the administrative review in part. See *Welded Carbon Steel Pipe and Tube from Turkey: Notice of Intent to Rescind Antidumping Duty Administrative Review, In Part*, 73 FR 60240 (October 10, 2008) ("Notice of Intent to

Rescind"). The Department invited comment on the Department's intent to rescind the administrative review, with respect to Toscelik, within 30 days of the publication of the *Notice of Intent to Rescind*.

Scope of the Order

The products covered by this order include circular welded non-alloy steel pipes and tubes, of circular cross-section, not more than 406.4 millimeters (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, or galvanized, painted), or end finish (plain end, beveled end, threaded and coupled). Those pipes and tubes are generally known as standard pipe, though they may also be called structural or mechanical tubing in certain applications. Standard pipes and tubes are intended for the low pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioner units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing and mechanical applications, such as for fence tubing, and for protection of electrical wiring, such as conduit shells.

The scope is not limited to standard pipe and fence tubing, or those types of mechanical and structural pipe that are used in standard pipe applications. All carbon steel pipes and tubes within the physical description outlined above are included in the scope of this order, except for line pipe, oil country tubular goods, boiler tubing, cold-drawn or cold-rolled mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished rigid conduit.

Imports of these products are currently classifiable under the following Harmonized Tariff Schedule of the United States ("HTSUS") subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Rescission of Administrative Review

On October 10, 2008, the Department published in the **Federal Register** its intent to rescind the administrative review in part. See *Notice of Intent to Rescind*. In that notice we stated that since our examination of the entry data from U.S. Customs and Border Protection for Toscelik confirmed its assertion that it did not have shipments to the United States during the POR, we intended to rescind this review with

respect to Toscelik. Furthermore, we received no comments. Consequently, the Department continues to treat Toscelik as a non-shipper for purposes of this review.

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review with respect to a particular exporter or producer if the Department concludes that during the POR there were no entries, exports, or sales of the subject merchandise. Because there is no record evidence of entries, exports or sales of the subject merchandise by Toscelik, we are rescinding this review in part.

As a result of the rescission of this administrative review with respect to Toscelik, only one respondent, the Borusan Group, remains in this review.

We are issuing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930 as amended, and section 351.213(d)(4) of the Department's regulations.

Dated: February 9, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E9-3178 Filed 2-13-09; 8:45 am]

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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 March 9, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720. *Docket Number: 08-041.* Applicant: University of Colorado, P.O. Box 173364, Campus Box 119, Denver, CO 80217. Instrument: Vitrification Robot. Manufacturer: FEI Company, The Netherlands. Intended Use: The instrument will be used for the