

in the **Federal Register** and in newspapers with circulation in the proposal area.

Any final action by Rural Development related to the proposal will be subject to, and contingent upon, compliance with all relevant Federal, state and local environmental laws and regulations, and completion of the environmental review requirements as prescribed in Rural Development's Environmental Policies and Procedures (7 CFR part 1794).

Dated: March 6, 2009.

**Mark S. Plank,**

Director, Engineering and Environmental Staff, USDA/Rural Development/Utilities Programs.

[FR Doc. E9-5375 Filed 3-11-09; 8:45 am]

BILLING CODE 3410-15-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-274-804)

#### Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago; Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On November 5, 2008, the Department of Commerce (the Department) published the preliminary results of the fifth administrative review for the antidumping duty order on carbon and certain alloy steel wire rod (wire rod) from Trinidad and Tobago. See *Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago: Preliminary Results of Antidumping Duty Administrative Review*, 73 FR 65833 (November 5, 2008) (*Preliminary Results*). This review covers imports of wire rod from ArcelorMittal Point Lisas Limited,<sup>1</sup> and its affiliate Mittal Steel North America Inc. (MSNA) (collectively, AMPL). The period of review (POR) is October 1, 2006, through September 30, 2007.

Based on our analysis of comments received, these final results do not differ from the preliminary results. The final results are listed below in the *Final Results of Review* section.

**EFFECTIVE DATE:** March 12, 2009.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Moore or Jolanta Lawska, AD/

<sup>1</sup> ArcelorMittal Point Lisas Limited is the successor-in-interest to Mittal Steel Point Lisas Limited. See *Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 73 FR 30052 (May 23, 2008).

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) 482-3692 and (202) 482-8362, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 29, 2002, the Department published in the **Federal Register** the antidumping duty order on wire rod from Trinidad and Tobago. See *Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine*, 67 FR 65945 (*Wire Rod Orders*). On July 6, 2005, the Department determined that Mittal Steel Point Lisas Limited (MSPL) is the successor-in-interest to Carribean Ispat Limited (CIL). See *Notice of Final Results of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago*, 70 FR 38871 (July 6, 2005). On May 23, 2008, the Department determined that AMPL is the successor-in-interest to MSPL. See *Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 73 FR 30052 (May 23, 2008). On November 5, 2008, the Department published in the **Federal Register** its *Preliminary Results* of the administrative review of this order for the period October 1, 2006, through September 30, 2007. See *Preliminary Results*, 73 FR at 65833. This is the fifth administrative review of this order.

##### Comments From Interested Parties

We invited interested parties to comment on the *Preliminary Results*. On December 5, 2008, AMPL filed a case brief, and on December 10, 2008, petitioners submitted a rebuttal brief. Petitioners are Gerda Ameristeel US Inc. (formerly Co-Steel Raritan, Inc.), Keystone Consolidated Industries, Inc., North Star Steel Texas, Inc., Nucor Steel Connecticut, Inc., and Rocky Mountain Steel Mills. No party requested a hearing.

##### Scope of the Antidumping Duty Order

The merchandise subject to this order is certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, 5.00 mm or more, but less than 19.00 mm, in solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the

United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high nickel steel; (d) ball bearing steel; and (e) concrete reinforcing bars and rods. Also excluded are (f) free machining steel products (i.e., products that contain by weight one or more of the following elements: 0.03 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorus, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium).

Also excluded from the scope are 1080 grade tire cord quality wire rod and 1080 grade tire bead quality wire rod. Grade 1080 tire cord quality rod is defined as: (i) grade 1080 tire cord quality wire rod measuring 5.0 mm or more but not more than 6.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no non-deformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.15 mm; (vi) capable of being drawn to a diameter of 0.30 mm or less with 3 or fewer breaks per ton, and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.006 percent or less of nitrogen, and (5) not more than 0.15 percent, in the aggregate, of copper, nickel and chromium.

Grade 1080 tire bead quality rod is defined as: (i) grade 1080 tire bead quality wire rod measuring 5.5 mm or more but not more than 7.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no non-deformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.2 mm; (vi) capable of being drawn to a diameter of 0.78 mm or larger with 0.5 or fewer breaks per ton; and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of soluble aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4)

0.008 percent or less of nitrogen, and (5) either not more than 0.15 percent, in the aggregate, of copper, nickel and chromium (if chromium is not specified), or not more than 0.10 percent in the aggregate of copper and nickel and a chromium content of 0.24 to 0.30 percent (if chromium is specified).

For purposes of grade 1080 tire cord quality wire rod and grade 1080 tire bead quality wire rod, an inclusion will be considered to be deformable if its ratio of length (measured along the axis - that is, the direction of rolling - of the rod) over thickness (measured on the same inclusion in a direction perpendicular to the axis of the rod) is equal to or greater than three. The size of an inclusion for purposes of the 20 microns and 35 microns limitations is the measurement of the largest dimension observed on a longitudinal section measured in a direction perpendicular to the axis of the rod. This measurement methodology applies only to inclusions on certain grade 1080 tire cord quality wire rod and certain grade 1080 tire bead quality wire rod that are entered, or withdrawn from warehouse, for consumption on or after July 24, 2003.

The designation of the products as "tire cord quality" or "tire bead quality" indicates the acceptability of the product for use in the production of tire cord, tire bead, or wire for use in other rubber reinforcement applications such as hose wire. These quality designations are presumed to indicate that these products are being used in tire cord, tire bead, and other rubber reinforcement applications, and such merchandise intended for the tire cord, tire bead, or other rubber reinforcement applications is not included in the scope. However, should petitioners or other interested parties provide a reasonable basis to believe or suspect that there exists a pattern of importation of such products for other than those applications, end-use certification for the importation of such products may be required. Under such circumstances, only the importers of record would normally be required to certify the end use of the imported merchandise.

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under review are currently classifiable under subheadings 7213.91.3010, 7213.91.3015, 7213.91.3090, 7213.91.3092, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090,

7227.20.0095, 7227.90.6010, 7227.90.6051, 7227.90.6053, 7227.90.6058, 7227.90.6059, and 7227.90.6080 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.<sup>2</sup>

#### Analysis of Comments

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the accompanying Issues and Decision Memorandum for the Antidumping Duty Order on Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago (Decision Memorandum), which is hereby adopted by this notice. A list of the issues which parties have raised, and to which we have responded in the Issues and Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of the issues in this review and the corresponding recommendations in this public memorandum, which is on file in the Department's Central Records Unit (CRU), Room 1117 of the main commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the World Wide Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

#### Final Results of Review

As a result of our review, we determine that the following weighted-average margin exists for the period October 1, 2006, through September 30, 2007.

Manufacturer/Exporter	Weighted-Average Margin
AMPL .....	1.56 percent

#### Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, pursuant to section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.212(b). The Department calculated importer-specific duty assessment rates on the basis of the ratio of the total antidumping duties calculated for the examined sales to the total entered value of the examined sales for that importer. Where the assessment rate is

<sup>2</sup> Effective July 1, 2008, U.S. Customs and Border Protection (CBP) reclassified certain HTSUS numbers related to the subject merchandise. See <http://hotdocs.usitc.gov/tariff—chapters—current/toc.html>.

above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*). This clarification will apply to entries of subject merchandise during the POR produced by AMPL for which AMPL did not know that the merchandise it sold to the intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediary involved in the transaction. See *Assessment Policy Notice* for a full discussion of this clarification.

#### Cash Deposit Requirements

The following antidumping duty deposit rates will be effective upon publication of this notice of final results of the administrative review for all shipments of wire rod from Trinidad and Tobago entered, or withdrawn from warehouse, for consumption on or after the date of the publication of these final results, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for AMPL is 1.56 percent; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent final results in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent final results for the manufacturer of the merchandise; and, (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 11.40 percent, the all-others rate established in the LTFV investigation. See *Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine*, 67 FR 65945 (October 29, 2002). These cash deposit requirements, when imposed, shall remain in effect until further notice.

**Notification to Importers**

This notice 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 may result in the Secretary's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties.

**Notification Regarding APOs**

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(5). 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 sanctionable violation.

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

Dated: March 5, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

**APPENDIX I**

List of Comments in the Issues and Decision Memorandum  
 Comment 1 Whether the Department Should Exclude the Single Sale of Scrap Merchandise  
 Comment 2: Whether the Department Should Modify its Liquidation Instructions to U.S. Customs and Border Protection

[FR Doc. E9-5369 Filed 3-11-09; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****International Trade Administration  
(A-357-812)****Honey from Argentina: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** March 12, 2009.

**FOR FURTHER INFORMATION CONTACT:** Deborah Scott or Robert James, 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) 482-2657 or (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:** On December 30, 2008, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on honey from Argentina for the period December 1, 2006 through November 30, 2007. *See Honey from Argentina: Preliminary Results of Antidumping Duty Administrative Review and Intent to Revoke Order in Part*, 73 FR 79802 (December 30, 2008). The current deadline for the final results of this review is April 29, 2009.

**Extension of Time Limits for Final Results**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the final results of an administrative review within 120 days after the date on which the preliminary results were published. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the final results up to 180 days from the date of publication of the preliminary results.

The Department finds that it is not practicable to complete this review within the original time frame due to additional analysis that must be performed with respect to respondent Patagonik S.A.'s cost of production and sales of subject merchandise. Consequently, and in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department is fully extending the time limit for completion of the final results of this administrative review by 60 days, to June 28, 2009. As this date falls on a Sunday, the final results are due June 29, 2009. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

This notice is published in accordance with section 751(a)(3)(A) of the Act.

Dated: March 4, 2009.

**John M. Andersen,**

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

[FR Doc. E9-5236 Filed 3-11-09; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648-XN86**

**Notice of Decision to Expand Scope of the Environmental Impact Statement Analyzing Mitchell Act Funding and Operation of Columbia River Hatcheries**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The National Marine Fisheries Service (NMFS) announces its decision to expand the scope of the Mitchell Act Hatchery Environmental Impact Statement (EIS) to include analysis of the environmental effects of hatchery programs in a way that will inform future NMFS decisions about Endangered Species Act compliance for all Columbia River hatchery programs. Our previous notice of intent to prepare an EIS on the funding and operation of Columbia River hatcheries under the Mitchell Act was published on September 3, 2004. We are opening a 30-day comment period on our decision to expand the scope.

**DATES:** Written or electronic comments from all interested parties are encouraged and must be received no later than 5 p.m. Pacific Standard Time April 13, 2009.

**ADDRESSES:** All comments concerning the preparation of the EIS and NEPA process should be addressed to: Patty Dornbusch, NMFS, 1201 N.E. Lloyd Blvd., Suite 1100, Portland, OR 97232. Comments may also be submitted via fax (503) 872-2737 Attn: Mitchell Act Hatchery EIS, or by electronic mail to [MitchellActEIS.nwr@noaa.gov](mailto:MitchellActEIS.nwr@noaa.gov) with a subject line containing the document identifier: "Mitchell Act Hatchery EIS."

**FOR FURTHER INFORMATION CONTACT:** Contact Patty Dornbusch, NMFS Northwest Region, (503) 230-5430.

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

On September 3, 2004 (69 FR 53892), NMFS announced its intent to prepare