

## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-570-882]

**Refined Brown Aluminum Oxide 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 December 1, 2008, the Department of Commerce (the Department) published the preliminary results of the 2006–2007 administrative review of the antidumping duty order on refined brown aluminum oxide (RBAO) from the People's Republic of China (PRC). *See Refined Brown Aluminum Oxide from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 73 FR 72767 (December 1, 2008) (*Preliminary Results*). We gave the interested parties an opportunity to comment on the *Preliminary Results*. After reviewing the interested parties' comments, we made changes to our calculations for the final results of the review. The final dumping margin for this review is listed in the "Final Results of Review" section below. The review covers one exporter, Qingdao Shunxingli Abrasives Co. Ltd. (Qingdao Shunxingli). The period of review (POR) is November 1, 2006 through October 31, 2007.

**EFFECTIVE DATE:** May 20, 2009.

**FOR FURTHER INFORMATION CONTACT:** David Goldberger or Kate Johnson, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4136 or (202) 482-4929, respectively.

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

The Department published the *Preliminary Results* on December 1, 2008. On January 22, 2009, the domestic producers Washington Mills, C + E Minerals, and Treibacher Schleifmittel Corp. (collectively, "domestic producers"), and the respondent Qingdao Shunxingli submitted case briefs. On January 29, 2009, the domestic producers and Qingdao Shunxingli submitted rebuttal briefs. At the request of the domestic producers, we held a public hearing on February 6, 2009.

**Scope of the Order**

The merchandise covered by this order is ground, pulverized or refined artificial corundum, also known as brown aluminum oxide or brown fused alumina, in grit size of 3/8 inch or less. Excluded from the scope of the order is crude artificial corundum in which particles with a diameter greater than 3/8 inch constitute at least 50 percent of the total weight of the entire batch. The scope includes brown artificial corundum in which particles with a diameter greater than 3/8 inch constitute less than 50 percent of the total weight of the batch. The merchandise under investigation is currently classifiable under subheadings 2818.10.20.00 and 2818.10.20.90 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise covered by the order is dispositive.

**Analysis of Comments Received**

All issues raised in the case briefs are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice. A list of the issues which parties raised and to which we responded in the Issues and Decision Memorandum is attached to this notice as an appendix. The Issues and Decision Memorandum is a public document which is on file in the Central Records Unit in room 1117 in the main Department building, and is accessible on the web at <http://www.ia.ita.doc.gov/fjn>.

The paper copy and electronic version of the memorandum are identical in content.

**Changes Since the Preliminary Results**

Based on our analysis of the comments received, we have made changes in the margin calculations for Qingdao Shunxingli. These changes are identified in the Issues and Decision Memorandum and discussed in the "Final Results Valuation Memorandum," dated concurrently with this notice.

**Final Results of the Review**

We determine that the following percentage weighted-average dumping margin exists for the period November 1, 2006, through October 31, 2007:

| Manufacturer/Exporter                      | Weighted-Average Margin (Percent) |
|--|-----------------------------------|
| Qingdao Shunxingli Abrasives Co. Ltd. .... | 46.88                             |

**Assessment Rates**

Pursuant to section 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.212(b), the Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

**Cash-Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the notice of final results of the administrative review for all shipments of RBAO from the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) for subject merchandise exported by Qingdao Shunxingli, the cash-deposit rate will be that established in the final results of review; (2) for previously reviewed or investigated companies not listed above that have separate rates, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) for all other 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 135.18 percent; and (4) for all non-PRC exporters of subject merchandise, the cash-deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements shall remain in effect until further notice.

**Notification to Interested Parties**

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 could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a final reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply

with the regulations and the terms of an APO is a sanctionable violation.

This notice of final results is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 13, 2009.

**John M. Andersen,**

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

#### **Appendix—Issues in Decision Memorandum**

*Comment 1:* Valuation of Crude Brown Aluminum Oxide

*Comment 2:* Selection of Indian Financial Statements for Calculating Surrogate Value Ratios

*Comment 3:* Alleged Errors in Calculation of Surrogate Value Ratios [FR Doc. E9–11761 Filed 5–19–09; 8:45 am]

**BILLING CODE:** 3510–DS–S

### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

**RIN 0648–XL85**

#### **Notice of Availability of a Final Environmental Impact Statement/ Environmental Impact Report for the Proposed Replacement of the National Oceanic and Atmospheric Administration's Southwest Fisheries Science Center Located in La Jolla, CA**

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

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with provisions of the National Environmental Policy Act of 1969 (NEPA), NOAA announces the availability of the joint Final EIS/EIR analyzing the environmental impacts of replacing the Southwest Fisheries Science Center (SWFSC). This Final EIS/EIR is prepared pursuant to NEPA to assess the environmental impacts of replacing the existing SWFSC buildings with a new facility located on campus of the Scripps Institution of Oceanography (SIO) within the University of California at San Diego (UCSD) campus in La Jolla, California. The Final EIS/EIR includes consideration of all comments received during the official comment period for the Draft EIS/EIR. The Final EIS/EIR has been distributed to interested parties and responsible government agencies.

**DATES:** Any written comments on the Final EIS/EIR must be postmarked or

transmitted to the responsible official below by June 19, 2009.

**FOR FURTHER INFORMATION CONTACT:** Paul N. Doremus, Ph.D, NOAA, 301 713–3372 x180, or Anne Elston, Environmental Research Analyst, 333 Ravenswood Avenue, G 234, Menlo Park, CA 94025–3493, SRI International (650) 859–2693; e-mail *Anne.Elston@sri.com*. NOAA is not required to respond to comments received as a result of issuance of the Final EIS/EIR; however comments will be reviewed and considered for their impact on issuance of the Record of Decision (ROD).

**SUPPLEMENTARY INFORMATION:** The National Marine Fisheries Services (NMFS) is responsible for the management, conservation, and protection of living marine resources within the U.S. Exclusive Economic Zone. The SWFSC in La Jolla, California, manages and conducts research involving Pacific fisheries and marine mammal research for the protection and management of these resources throughout Western Pacific and Antarctica. The existing SWFSC facility, built in 1964, is currently adjacent to a coastal bluff that is undergoing severe erosion and retreat. NOAA proposes to construct a new SWFSC building to replace its existing NMFS administrative and marine research facilities currently located in La Jolla, California. A minimum of two existing at-risk SWFSC structures would be removed and the property currently used by NOAA would be returned to UCSD for other appropriate uses.

NOAA is the lead Federal agency for implementation of the NEPA. The University of California is the lead agency under the CEQA. The existing and preferred sites for the SWFSC headquarters are at the UCSD campus. The NMFS, SIO and other marine research organizations conduct independent and joint research at the SWFSC and its salt water laboratory facilities.

The proposed action would require construction of a new facility to support SWFSC administrative and marine research operations. The preferred site will enable NMFS, SIO, and others to continue collaboration within a wide range of programmatic marine research disciplines.

Alternative actions analyzed in the Final EIS/EIR include:

- Bluff stabilization
- On-site redevelopment
- On- and near-site redevelopment
- Off-site development at SIO Deep Sea Drilling Site
- Off-site development at UCSD Hillside Neighborhood Site

- Leased office and research space
- Collocation of SWFSC with other existing NOAA facilities
- No Action

This joint Final EIS/EIR analyzes environmental impacts that may result from implementation of the proposed and alternative actions and identifies measures to avoid or reduce the intensity of environmental impacts.

#### **Decision Process**

The government decision as to how to proceed will be announced in a Record of Decision (ROD) to be issued no earlier than 30 days after publication of this NOA.

Dated: May 13, 2009.

**William F. Broglie,**

*Chief Administrative Officer, National Oceanic and Atmospheric Administration.*

[FR Doc. E9–11783 Filed 5–19–09; 8:45 am]

**BILLING CODE 3510–12–S**

### **DEPARTMENT OF COMMERCE**

#### **Foreign-Trade Zones Board**

[Order No. 1621]

#### **Grant of Authority for Subzone Status; Michelin North America, Inc. (Tire Warehousing and Distribution); San Bernardino, CA**

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 Board of Harbor Commissioners of the Port of Long Beach, grantee of FTZ 50, has made application to the Board for authority to establish special-purpose subzone status at the tire and tire accessories warehousing and distribution facility of Michelin North America, Inc., located in San Bernardino, California (FTZ Docket 38–2008, filed 5/28/2008);