

based on companies' needs for FTZ designation. The proposed service area is adjacent to the Butte-Silver Bow Customs and Border Protection port of entry.

FTZ 274 was approved on June 4, 2009 (74 FR 31009, 6/29/09). The applicant is requesting to include its current site in the reorganized zone as a "magnet" site. The applicant proposes that Site 1 be exempt from "sunset" time limits that otherwise apply to sites under the ASF. No usage-driven sites are being proposed at this time.

In accordance with the Board's regulations, Kathleen Boyce of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations 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 below. The closing period for their receipt is October 13, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to October 26, 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 Kathleen Boyce at Kathleen_Boyce@ita.doc.gov or 202-482-1346.

Dated: August 4, 2009.

Andrew McGilvray,
Executive Secretary.

[FR Doc. E9-19351 Filed 8-11-09; 8:45 am]
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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 32-2009]

Foreign-Trade Zone 74—Baltimore, MD Application for Subzone Status Tulkoff Food Products, Inc. (Dehydrated Garlic)

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the City of Baltimore, grantee of FTZ 74, requesting special-purpose subzone status for the garlic products manufacturing plant of Tulkoff Foods

Products, Inc. (TFP), located in Baltimore, Maryland. 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 August 3, 2009.

The TFP facility (56 employees/6 acres/258,226 sq. ft.) is located at 2301 Chesapeake Avenue in Baltimore, Maryland. The manufacturing plant is used to produce packaged wet garlic (up to 3 million pounds annually) for industrial and commercial food service use. The manufacturing process involves foreign-origin bulk dehydrated garlic (HTSUS 0712.90, duty rate: 29.8%) which is rehydrated with water then packaged in jars, tubs, and pails. The rehydrated garlic (HTSUS 2005.91) is sold to U.S. wholesale customers and exported.

FTZ procedures could exempt TFP from customs duty payments on the foreign dehydrated garlic used in export production (about 1% of annual shipments). On domestic shipments, the company would be able to elect the duty rate that applies to finished rehydrated garlic (11.2%) for the foreign bulk dehydrated garlic. TFP would also be exempt from duty payments on any foreign garlic that becomes waste during the production process. The application indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Pierre Duy of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations 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 following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002. The closing period for receipt of comments is October 13, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to October 26, 2009.

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at the address listed above 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 Pierre Duy at

Pierre_Duy@ita.doc.gov or (202) 482-1378.

Dated: August 3, 2009.

Andrew McGilvray,
Executive Secretary.

[FR Doc. E9-19341 Filed 8-11-09; 8:45 am]
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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-946]

Prestressed Concrete Steel Wire Strand From the People's Republic of China: Notice of Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

DATES: *Effective Date:* August 12, 2009.

FOR FURTHER INFORMATION CONTACT:
Robert Copyak, 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-
482-2209.

SUPPLEMENTARY INFORMATION:

Background

On June 23, 2009, the Department of Commerce (the Department) initiated the countervailing duty investigation of prestressed concrete steel wire strand from the People's Republic of China. *See Prestressed Concrete Steel Wire Strand From the People's Republic of China: Initiation of Countervailing Duty Investigation* 74 FR 29670 (June 23, 2009).

Postponement of Due Date for Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a countervailing duty investigation within 65 days after the date on which the Department initiated the investigation. However, the Department may postpone making the preliminary determination until no later than 130 days after the date on which the administering authority initiated the investigation if, pursuant to section 703(c)(1)(B) of the Act, the Department concludes that the parties concerned in the investigation are cooperating and determines that the investigation is extraordinarily complicated and that "additional time is necessary to make the preliminary determination."

The Department is currently investigating a number of complex alleged subsidy programs, including various loan programs, grants, income tax incentives, and the provision of goods and services for less than adequate remuneration. Due to the number and complexity of the alleged subsidy programs being investigated, we find that this investigation is extraordinarily complicated and that additional time is necessary to make the preliminary determination. Therefore, in accordance with section 703(c)(1)(B) of the Act, we are fully extending the due date for the preliminary determination to no later than 130 days after the day on which the investigation was initiated. The deadline for completion of the preliminary determination is now October 24, 2009.

This notice is issued and published pursuant to section 703(c)(2) of the Act.

Dated: August 5, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

[FR Doc. E9-19332 Filed 8-11-09; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XQ74

Endangered and Threatened Species; Initiation of a Status Review for the Humpback Whale and Request for Information

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

ACTION: Notice of initiation of a status review; request for information.

SUMMARY: The National Marine Fisheries Service (NMFS) announces a status review of the humpback whale (*Megaptera novaeangliae*) under the Endangered Species Act of 1973 (ESA). A status review is a periodic undertaking conducted to ensure that the listing classification of a species is accurate. A status review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of any such information on the all humpback whale populations in all waters worldwide that has become available since the last humpback whale status review in 1999. Based on the results of this review, we will make the requisite findings under the ESA.

DATES: To allow us adequate time to conduct these reviews, we must receive your information no later than October 13, 2009. However, we will continue to accept new information about any listed species at any time.

ADDRESSES: You may submit comments, identified by the code 0648-XQ74, addressed to Shannon Bettridge by any of the following methods:

1. Electronic Submissions: Submit all electronic comments via the Federal eRulemaking Portal <http://www.regulations.gov>.

2. Facsimile (fax): 301-713-0376, Attn: Shannon Bettridge.

3. Mail: Shannon Bettridge, National Marine Fisheries Service, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Shannon Bettridge at the above address, or at 301-713-2322.

SUPPLEMENTARY INFORMATION: Under the ESA, a list of endangered and threatened wildlife and plant species must be maintained. The list is published at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the ESA requires that we conduct a review of listed species at least once every five years. On the basis of such reviews under section 4(c)(2)(B), we determine whether a particular species should be removed from the list (delisted), or reclassified from endangered to threatened, or from threatened to endangered. Delisting a species must be supported by the best scientific and commercial data available, substantiating that the species is neither endangered nor threatened for one or more of the following reasons: (1) the species is considered extinct; (2) the species is considered to be recovered; and/or (3) the original data available when the species was listed, or the interpretation of such data, were in error. Any change in Federal classification would require a separate rulemaking process. The regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species currently under active review. This notice announces active reviews of the humpback whale, currently listed globally as endangered.

Public Solicitation of New Information

To ensure that the review is complete and based on the best available scientific and commercial information, we are soliciting new information from the public, relevant governmental agencies, tribes, the scientific community, industry, environmental entities, and any other interested parties

concerning the status of the humpback whale.

Status reviews consider the best scientific and commercial data and all new information that has become available since the listing determination or most recent status review. Categories of requested information include: (1) species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (2) habitat conditions including, but not limited to, amount, distribution, and suitability; (3) conservation measures that have been implemented that benefit the species; (4) status and trends of threats; and (5) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes, identification of erroneous information contained in the list, and improved analytical methods.

Because these species are vertebrate species, we will also be considering application of the Distinct Population Segment (DPS) policy for vertebrate taxa. A DPS is defined in the February 7, 1996, Policy Regarding the Recognition of Distinct Vertebrate Population Segments (61 FR 4722). For a population to be listed under the ESA as a DPS, three elements are considered: (1) the discreteness of the population segment in relation to the remainder of the species to which it belongs; (2) the significance of the population segment to the species to which it belongs; and (3) the population segment's conservation status in relation to the ESA's standards for listing (i.e., is the population segment endangered or threatened?). DPSs of vertebrate species, as well as subspecies of all listed species, may be proposed for separate reclassification or for removal from the list.

If you wish to provide information on the humpback whale in the northern and/or southern hemispheres for this status review, you may submit your information and materials to Shannon Bettridge (see **ADDRESSES** section).

Authority: 16 U.S.C. 1531 *et seq.*

Dated: August 5, 2009.

James H. Lecky,

Office Director, Office of Protected Resources, National Marine Fisheries Service.

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