

*Comment 29:* Whether to Rescind the Review with Respect to Dongguan Bon Ten Furniture Co., Ltd.

*Comment 30:* Whether to Grant Dream Rooms Furniture (Shanghai) Co., Ltd. a Separate Rate

*Comment 31:* Whether the Department Failed to Timely Initiate the Administrative Review Thereby Erroneously Choosing Orient International as a Mandatory Respondent

*Comment 32:* Separate Rate Status of Orient International

[FR Doc. E9-19666 Filed 8-14-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 34-2009]

#### Foreign-Trade Zone 49—Newark, New Jersey Area, Application for Subzone Status, The Swatch Group (U.S.) Inc. (Watches, Jewelry Products and Leather Goods), Secaucus, New Jersey

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Port Authority of New York and New Jersey, grantee of FTZ 49, requesting special-purpose subzone status for the distribution facility of the Swatch Group (U.S.) Inc. (Swatch), located in Secaucus, New Jersey. 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 Foreign-Trade Zones Board (15 CFR part 400). It was formally filed on August 7, 2009.

The Swatch facility (56,110 sq. ft., 1 acre, 160 employees) is located at 55 Metro Way, Secaucus, New Jersey. It is used for the receipt, handling, packaging, and distribution of watches, jewelry products, and leather watch cases. All of the products are sourced from abroad and some 10-15% will be exported.

FTZ procedures could exempt Swatch from customs duty payments on the foreign goods exported from the proposed subzone. On domestic sales, the company would be able to defer duty payments until merchandise is shipped from the facility and entered for consumption. Certain logistical/supply chain management efficiencies would also be realized through the use of CBP weekly entry procedures. The application indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Claudia Hausler of the FTZ

Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and 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 16, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to November 2, 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 [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Claudia Hausler at [Claudia\\_Hausler@ita.doc.gov](mailto:Claudia_Hausler@ita.doc.gov), or (202) 482-1379.

Dated: August 7, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-19677 Filed 8-14-09; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1640]

#### Grant of Authority for Subzone Status, Hoku Materials, Inc. (Polysilicon), Pocatello, Idaho

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*, Boundary County, Idaho, grantee of FTZ 242, has made application to the Board for authority to establish special-purpose subzone status at the polysilicon manufacturing plant of Hoku Materials, Inc., located in Pocatello, Idaho (FTZ Docket 53-2008, filed 10/03/2008, and amended 12/31/2008);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (73 FR 59597-59598, 10/09/2008); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations would be satisfied, and that approval of the application, as amended, would be in the public interest, if approval were subject to the condition listed below;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to the manufacture of polysilicon at the Hoku Materials, Inc., facility, located in Pocatello, Idaho (Subzone 242A), as described in the application and **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including Section 400.28, and also subject to a restriction prohibiting any admission of silicon metal subject to an antidumping or countervailing duty order.

Signed at Washington, DC, this 5th day of August 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-19675 Filed 8-14-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XO99

#### Incidental Takes of Marine Mammals During Specified Activities; Low-Energy Marine Seismic Survey in the Northwest Atlantic Ocean, August 2009

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

**ACTION:** Notice; issuance of an incidental take authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act