

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Reviews

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

ACTION: Notice of upcoming Sunset Reviews.

Background

Every five years, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”), the Department of Commerce (“the Department”) and the International Trade Commission automatically initiate and conduct a review to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for October 2009

The following Sunset Reviews are scheduled for initiation in October 2009 and will appear in that month’s Notice of Initiation of Five-Year Sunset Reviews.

Antidumping duty proceedings	Department contact
Certain Preserved Mushrooms from Chile. (A-337-804) (2nd Review)	Brandon Farlander (202) 482-0182.
Certain Preserved Mushrooms from India. (A-533-813) (2nd Review)	Brandon Farlander (202) 482-0182.
Certain Preserved Mushrooms from Indonesia. (A-560-802) (2nd Review)	Brandon Farlander (202) 482-0182.
Certain Preserved Mushrooms from the PRC. (A-570-851) (2nd Review)	Dana Mermelstein (202) 482-1391.

Countervailing Duty Proceedings

No Sunset Review of countervailing duty orders are scheduled for initiation in October 2009.

Suspended Investigations

No Sunset Review of suspended investigations are scheduled for initiation in October 2009.

The Department’s procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department’s conduct of Sunset Reviews is set forth in the Department’s Policy Bulletin 98.3—*Policies Regarding the Conduct of Five-year (“Sunset”) Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998). The Notice of Initiation of Five-Year (“Sunset”) Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Pursuant to 19 CFR 351.103(c), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Please note that if the Department receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue. Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

August 14, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

(A-588-846)

Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products from Japan: Rescission of Antidumping Duty Administrative Review

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

EFFECTIVE DATE: September 1, 2009.

FOR FURTHER INFORMATION CONTACT: Martha Douthit, AD/CD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482-5050.

SUPPLEMENTARY INFORMATION:**Background**

On June 1, 2009, the Department of Commerce (“the Department”) published in the **Federal Register** a notice of “Opportunity to Request an Administrative Review” of the antidumping order on certain hot-rolled flat-rolled carbon-quality steel products from Japan for the period June 1, 2008 through May 31, 2009. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 74 FR 26202 (June 1, 2009).

On June 30, 2009, in accordance with 19 CFR 351.213(b), the Department received a timely request from Nippon Steel Corporation (NSC) to conduct an administrative review of NSC. NSC was the only party to request this administrative review.

On July 29, 2009, the Department published a notice of initiation of the antidumping duty administrative review of certain hot-rolled flat-rolled carbon-quality steel products from Japan. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Reviews*, 74 FR 37690 (July 29, 2009) (*Initiation Notice*).

On August 14, 2009, NSC timely withdrew its request for review. Thus we are rescinding this administrative review.

Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of

the requested review. On August 14, 2009, NSC withdrew its request for an administrative review. NSC withdrew its request before the 90-day deadline, and no other party requested an administrative review of the antidumping duty order on certain hot-rolled flat-rolled carbon-quality steel products from Japan for the period discussed. Therefore, in response to NSC's withdrawal of its request for review, and pursuant to 19 CFR 351.213(d)(1), the Department rescinds the administrative review of the antidumping duty order on certain hot-rolled flat-rolled carbon-quality steel products from Japan for the period June 1, 2008 through May 31, 2009.

Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. Since NSC's review is being rescinded, the antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CPB 15 days after publication of this rescission notice in the **Federal Register**.

Notification to Importers

This notice serves as a 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.

Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protection orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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.

This notice is issued and published in accordance with 19 CFR 351.213(d)(4).

Dated: August 26, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XR23

Gulf of Mexico Fishery Management Council; Public Scoping Hearings

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

ACTION: Notice of public hearings.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene Scoping Hearings on Spiny Lobster Amendment 10 (in Marathon and Key West, FL only), Generic ACL/AM Amendment and Amendments 18 and 20 to the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP).

DATES: The scoping hearings will be held on September 21 through September 24, 2009 at nine locations throughout the Gulf of Mexico. For specific dates, times and subjects see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The public hearings will be held in the following locations: Madeira Beach, Marathon, Key West and Panama City, FL, Biloxi, MS, Houston and Corpus Christi, TX, Grand Isle, LA and Orange Beach, AL. For specific dates, times and subjects see **SUPPLEMENTARY INFORMATION**.

Council address: Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

FOR FURTHER INFORMATION CONTACT: Dr. Carrie Simmons, Fishery Biologist; Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico Fishery Management Council (Council) has scheduled nine scoping hearings on Spiny Lobster Amendment 10, Generic ACL/AM Amendment, and Amendments 18 and 20 to the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP). In 2006 the Magnuson-Stevens Fishery Conservation and Management Act was reauthorized and included a number of changes to improve conservation of managed fishery resources. The goals require that conservation and

management prevent overfishing while achieving, on a continuous basis optimum yield for each fishery in the United States. Therefore included in these changes are requirements for the Regional Councils to establish annual catch limits (ACLs) and accountability measures (AMs). Accountability measures are management controls to prevent the ACLs from being exceeded and to correct by either in-season or post-season monitoring if they occur. These measures must be implemented by 2010 for stocks experiencing overfishing and by 2011 for all others.

The Gulf Council and the South Atlantic Fishery Management Council are jointly developing two separate amendments to address the ACLs and AMs; the Spiny Lobster Amendment 10 and the CMP Amendments 18 and 20. These two joint amendments address several species within the jointly management FMP. For example, the Spiny Lobster Amendment 10 addresses ACLs and AMs for the following species: Caribbean spiny lobster, smoothtail spiny lobster, spotted spiny lobster, Spanish slipper lobster, and ridged slipper lobster. Whereas, the joint CMP FMP Amendments 18 and 20 address ACLs and AMs for the following species: king mackerel, Spanish mackerel, and cobia. The Generic ACL/AM Amendment addresses all other federally managed species in the Gulf of Mexico. There are several questions and issues in each amendment for discussion. The public is encouraged to attend and provide comments on these three amendments.

These public hearings will begin at 6 p.m. and conclude at the end of public testimony or no later than 9 p.m. at the following locations:

- Monday, September 21, 2009, Louisiana Wildlife & Fisheries Research Lab, 195 Ludwig Annex, Grand Isle, LA 70358, telephone: (985) 787-2163;
- Monday, September 21, 2009, Monroe County Harvey Government Center, 1200 Truman Avenue, Key West, FL 33040;
- Tuesday, September 22, 2009, Holiday Inn, 1102 S. Shoreline, Corpus Christi, TX 78401, telephone: (361) 883-5731;
- Tuesday, September 22, 2009, Banana Bay Resort, 4590 Overseas Highway, Marathon, FL 33050, telephone: (305) 743-3500;
- Tuesday, September 22, 2009, Best Western, 7921 Lamar Poole Road, Biloxi, MS 39532, telephone: (228) 875-7111;
- Wednesday, September 23, 2009, City of Orange Beach Parks & Recreation, 27235 Canal Road, Orange