

to CBP to assess antidumping duties on appropriate entries.

To determine whether the duty assessment rates covering the period were *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), for each respondent we calculated importer (or customer)-specific *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to that importer or customer and dividing this amount by the total entered value of the sales to that importer (or customer). Where an importer (or customer)-specific *ad valorem* rate is greater than *de minimis*, and the respondent has reported reliable entered values, we apply the assessment rate to the entered value of the importer's/customer's entries during the review period. Where an importer (or customer)-specific *ad valorem* rate is greater than *de minimis* and we do not have reliable entered values, we calculate a per-unit assessment rate by aggregating the dumping duties due for all U.S. sales to each importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer).

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). This clarification will apply to entries of subject merchandise during the POR produced by the respondent for which it did not know its merchandise 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 intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

#### Cash Deposit Requirements

The following antidumping duty deposit rates will be effective upon publication of the final results of this administrative review for all shipments of pasta from Italy entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided for by section 751(a)(1) of the Tariff Act of 1930, as amended (the Act): (1) for Erasmo, Indalco, PAM, Lensi, Pagani, Labor, Garofalo, Riscossa, Rummo, and Rustichella, the cash deposit rate will be the rate established in the final results of this review; (2) if the exporter is not a firm covered in this review, but was covered in a previous review or the

original less-than-fair-value (LTFV) investigation, the cash deposit rate will continue to be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered by this review, a prior review, or the LTFV investigation, the cash deposit rate will be 15.45 percent, the all-others rate established in the implementation of the findings of the WTO Panel in *US – Zeroing (EC)*. *See Implementation of the Findings of the WTO Panel in US – Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 72 FR 25261 (May 4, 2007). These cash deposit requirements 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 and/or countervailing 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 and/or countervailing duties occurred and the subsequent assessment of doubled 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.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 2, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

#### Appendix I

*List of Comments in the Issues and Decision Memorandum*

#### General

*Comment 1:* Wheat Code Methodology

*Comment 2:* Application of Review-Specific All Other Rate

#### Garofalo

*Comment 3:* Garofalo's Submitted Wheat Code

*Comment 4:* Garofalo's Arms-Length Test

*Comment 5:* Cost Reporting Period

#### PAM

*Comment 6:* Collapsing of PAM's Wheat Code for Model Match

*Comment 7:* Inclusion of Transport Recovery in the U.S. Sales Calculation

*Comment 8:* Treatment of AGEA Performance Bond

*Comment 9:* General Expenses

*Comment 10:* Insurance Claim as an Offset to G&A Expense

*Comment 11:* Over-reported Costs

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 0907081109-0060-04]

RIN 0648-ZC10

### NOAA Great Lakes Habitat Restoration Program Project Grants under the Great Lakes Restoration Initiative; Correction

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

**ACTION:** Notice of funding availability; Date correction.

**SUMMARY:** This notice corrects an error contained in the notice published in the **Federal Register** on January 19, 2010. That notice announced the NOAA Great Lakes Habitat Restoration Program Project Grants competition and contained an incorrect date for postmark of hard copy applications.

**DATES:** Hard copy applications must be postmarked, or provided to a delivery service and documented with a receipt, by 11:59 p.m. EST on February 16, 2010. Hard copy applications postmarked or

provided to a delivery service after 11:59 p.m. EST February 16, 2010 will not be considered for funding. Electronic applications must be submitted through [www.grants.gov](http://www.grants.gov) by 11:59 p.m. EST on February 16, 2010.

**ADDRESSES:** NOAA Restoration Center (F/HC3) NOAA Fisheries, Office of Habitat Conservation, 1315 East West Highway, Rm. 14730, Silver Spring, MD 20910 Attn: Great Lakes Habitat Restoration Project Applications.

**FOR FURTHER INFORMATION CONTACT:** For further information contact Jenni Wallace at (301) 713-0174 ext. 183, or by e-mail at [Jenni.Wallace@noaa.gov](mailto:Jenni.Wallace@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On January 19, 2010, the NOAA Great Lakes Habitat Restoration Program Project Grants announced its solicitation for applications under the Great Lakes Restoration Initiative in the NOAA Notice of Availability of Grant Funds for Fiscal Year 2010, published in the **Federal Register** (75 FR 3101). That announcement listed an incorrect deadline for postmarking or receipt by delivery service of hard copy mailings. The correct deadline for postmarking or receipt by delivery service of a hard copy application is 11:59 p.m. EST on February 16, 2010. The deadline for electronic submissions remains unchanged and continues to be 11:59 p.m. EST on February 16, 2010.

All other information and requirements as published in the January 19, 2010 notice remain unchanged.

**Intergovernmental review:** Applications submitted by state and local governments are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 16 on SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOCs are listed in the Office of Management and Budget's home page at: <http://www.whitehouse.gov/omb/grants/spoc.html>

**Limitation of liability:** In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

**National Environmental Policy Act (NEPA):** NOAA must analyze the

potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, [http://www.nepa.noaa.gov/NAO216\\_6\\_TOC.pdf](http://www.nepa.noaa.gov/NAO216_6_TOC.pdf), and the Council on Environmental Quality implementation regulations, [http://ceq.eh.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm). Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

**The Department of Commerce pre-award notification requirements for grants and cooperative agreements:** The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of February 11, 2008 (73 FR 7696), are applicable to this solicitation.

**Paperwork Reduction Act:** This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, and SF-LLL and CD-346 has been approved by the Office of Management and Budget (OMB) under the respective

control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provision of law, no person is required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

**Executive Order 12866:** This notice has been determined to be not significant for purposes of Executive Order 12866.

**Executive Order 13132 (Federalism):** It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

**Administrative Procedure Act/Regulatory Flexibility Act:** Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements for the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: February 4, 2010.

**Tammy L. Journet,**  
Deputy Director, Acquisition and Grants  
Office, Contracting Officer, National Oceanic  
and Atmospheric Administration.

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket Number: 100114022-0024-01]

#### Manufacturing Extension Partnership (MEP) Availability of Funds for Three Regions Including the State of Arizona, Chicago Region of the State of Illinois and the Identified Counties in Central Pennsylvania

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice.

**SUMMARY:** The National Institute of Standards and Technology invites proposals from qualified organizations for funding projects that provide manufacturing extension services to primarily small- and medium-sized manufacturers in the United States. These projects will establish manufacturing extension centers under