

7317.00.20 and 7317.00.30. Also excluded from the scope of this proceeding are thumb tacks, which are currently classified under

HTSUS 7317.00.10.00. Also excluded from the scope of this proceeding are certain brads and finish nails that are equal to or less than 0.0720 inches in shank diameter, round or rectangular in cross section, between 0.375 inches and 2.5 inches in length, and that are collated with adhesive or polyester film tape backed with a heat seal adhesive. Also excluded from the scope of this proceeding are fasteners having a case hardness greater than or equal to 50 HRC, a carbon content greater than or equal to 0.5 percent, a round head, a secondary reduced-diameter raised head section, a centered shank, and a smooth symmetrical point, suitable for use in gas-actuated hand tools.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this proceeding and are listed in the Appendix to this notice and addressed in the Issues and Decision Memorandum ("Final Decision Memo"), which is hereby adopted by this notice. Parties can find a complete discussion of the issues raised in this new shipper review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit ("CRU"), room 1117 of the main Department of Commerce building. In addition, a copy of the Final Decision Memo can be accessed directly on our website at <http://ia.ita.doc.gov/>. The paper copy and electronic version of the Final Decision Memo are identical in content.

Changes Since the Preliminary Results

Based on a review of the record as well as comments received from parties regarding our *Preliminary Results*, we have made revisions to the margin calculation for Qingdao Denarius in the final results. For all changes to the calculations of Qingdao Denarius, see the Final Decision Memo and Final Analysis Memorandum. For changes to the surrogate values see Memorandum to the File, through Alex Villanueva, Program Manager, AC/CVD Operations, Office 9, from Tim Lord, Case Analyst, AD/CVD Operations, Office 9, Analysis of the Final Results of the First New Shipper Review of Certain Steel Nails from the People's Republic of China: Qingdao Denarius Manufacture Co., Ltd. ("Qingdao Denarius").

Final Results of the Review

The weighted-average dumping margin for the POR is as follows:

CERTAIN STEEL NAILS FROM PRC

Manufacturer/Exporter	Weighted-Average Margin (Percent)
Qingdao Denarius	34.14

Assessment

The Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries, pursuant to 19 CFR 351.212(b)(1). We have calculated importer-specific duty assessment rates on a per-unit basis. Specifically, we divided the total dumping margins (calculated as the difference between normal value and export price) for each importer by the total quantity of subject merchandise sold to that importer during the POR to calculate a per-unit assessment amount. In this and future reviews, we will direct CBP to assess importer-specific assessment rates based on the resulting per-unit (i.e., per-kilogram) rates by the weight in kilograms of each entry of the subject merchandise during the POR. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of this new shipper review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of this new shipper review for all shipments of subject merchandise by Qingdao Denarius, entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Tariff Act of 1930, as amended ("Act"): (1) for subject merchandise produced and exported by Qingdao Denarius, the cash deposit rate will be the percent listed above, or the equivalent per-unit rate; (2) for subject merchandise exported by Qingdao Denarius, but not manufactured by Qingdao Denarius, the cash deposit rate will continue to be the PRC-wide rate of 118.04 percent; and (3) for subject merchandise manufactured by Qingdao Denarius, but exported by any party other than Qingdao Denarius, the cash deposit rate will be the rate applicable to the exporter. These cash deposit requirements will remain in effect until further notice.

Reimbursement of Duties

This notice also 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 POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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 violation which is subject to sanction.

We are issuing and publishing this determination in accordance with sections 751(a)(2)(B) and 777(i) of the Act, and 19 CFR 351.214(h) and 351.221(b)(5).

Dated: June 10, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

Appendix I Decision Memorandum

COMMENT 1: LEGITIMACY OF QINGDAO DENARIUS AS A NEW SHIPPER
COMMENT 2: SURROGATE VALUES

A. CARTONS

B. STEEL SCRAP

C. CURRENCY CONVERSION

COMMENT 3: CLASSIFICATION OF CERTAIN INPUTS

COMMENT 4: SURROGATE FINANCIAL RATIOS

COMMENT 5: ADJUSTMENT TO GROSS UNIT PRICE

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DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice and opportunity for public comment.

Pursuant to Section 251 of the Trade Act of 1974 (19 U.S.C. 2341 *et seq.*), the Economic Development Administration (EDA) has received petitions for

certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. EDA has initiated separate investigations to determine whether increased imports into the United States of articles like or directly

competitive with those produced by each firm contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT
[4/28/2010 through 6/7/2010]

Firm	Address	Date accepted products for filing	Products
Kansas City Tent & Awning Company.	1819 Holmes, Kansas City, MO 64108.	4/28/2010	The company designs and manufactures custom tents and awnings.
A. Rifkin Company	1400 Sans Souci Parkway, Wilkes-Barre, PA 18703.	5/14/2010	A. Rifkin manufactures security and multi-use reusable fabric lock bags systems and related products.
Applied Separations, Inc.	930 Hamilton Street, Allentown, PA 18101.	5/14/2010	Applied Separations manufactures analytical laboratory instruments for DNA testing and systems to produce supercritical fluids.
Fitzpatrick Manufacturing Company.	33637 Sterling Ponds, Sterling, MI 48312.	5/14/2010	Machining and assembly of industrial motion control products, automotive powertrain and driveline components, aftermarket automotive tooling, mold and die components.
ZMC Industries, LLC dba Vomax.	76 Industrial Drive, Northampton, MA 01060.	5/14/2010	Vomax manufactures custom performance apparel. They use a method of dye sublimation.
Electro Chemical Engineering & Manufacturing.	750 Broad Street, Emmaus, PA 18049.	5/17/2010	Electro Chemical manufactures steel tanks that are lined with various materials for the containment of corrosive materials.
Kepner-Scott Shoe Company	209 North Liberty Street, Orwigsburg, PA 17961.	5/17/2010	Kepner Scott's line of footwear consists of children's orthopedic, casual and dress footwear.
Mount Joy Wire Corporation ...	1000 East Main Street, Mount Joy, PA 17552.	5/17/2010	Mount Joy is a manufacturer of carbon steel wire.
TLX Technologies, LLC	Saratoga Drive, Waukesha, WI 53186.	5/17/2010	The firm designs and manufactures latching, u-frame, actuators, high speed, tubular and valve solenoids.
Valley Fastener Group, LLC ...	1490 Mitchell Road, PO Aurora, IL 60507.	5/17/2010	Valley manufactures and distributes carbon steel, stainless steel, brass, aluminum, and copper fastening products.
Eastern Surfaces, Inc.	601 South 10th Street, Allentown, PA 18103.	5/18/2010	Eastern Surfaces is a manufacturer of natural and man-made stone and solid surface products. We also template, fabricate and install counters.
Cooley Group Holdings Inc.	50 Esten Avenue, Pawtucket, RI 02860.	5/24/2010	Cooley Group Holdings Inc. manufactures made to order rubber roofing membrane in roll form and other made to order engineered composites.
Corcoran Printing, Inc.	641 N. Pennsylvania, Wilkes Barre, PA 18705.	5/24/2010	Corcoran Printing's products include high quality multi-color commercial printing such as brochures, posters, catalogs, and postcards.
Chatsworth Data Corporation ..	20710 Lassen Street, Chatsworth, CA 91311.	5/25/2010	Chatsworth Data produces Impact Indicators and Recorders, Optical Mark Recorders and Scanners and Cable Circuit Analysis Systems.
Pairpoint Glass Company, LLC	851 Sandwich Road, P.O. Sagamore, MA 02561.	5/26/2010	Manufactures pressed and blown glass.
Woerner Industries, Inc. dba Lassco Wizer.	485 Hague Street, Rochester, NY 14606.	5/26/2010	Woerner manufactures primarily equipment used in the finishing area of the printing industry and church furniture.
Century Mold Company, Inc. ..	25 Vantage Point Drive, Rochester, NY 14624.	5/27/2010	CM produces injection molded plastic parts primarily for "under the hood" plastic parts for automotive markets.
Expert Die, Inc.	257 Expert Way, Dalton, GA 30721.	5/27/2010	The firm produces saw blades, CNC tools, knives and circular blades.
Dura-Bilt Products, Inc. dba Lassco Wizer.	17066 Berwick Turnpike, Gillete, PA 16925.	6/1/2010	National manufacturer of sunrooms, screenrooms, patio awnings and porch roofs.
The Carpentree, Inc.	2724 N. Sheridan, Tulsa, OK 74115.	6/1/2010	Frames for art and photography pictures.
Ames Industries, Inc.	2999 Elizabethtown Road, Hershey, PA 17033.	6/3/2010	Ames builds intricate, close tolerance molds for a multitude of custom products.
Frantz Manufacturing	603 First Avenue, Sterling, IL 61081.	6/3/2010	The company is a manufacturer of ball bearings and steel balls for the Company industrial machinery and automotive industries.
Paneltech Products, Inc.	2999 John Stevens Way, Hoquiam, WA 98550.	6/3/2010	Manufacturer of composite construction panels, interior and exterior, glass fiber protection fabrics.
Puritan Products, Inc.	Lehigh Valley Industrial, Bethlehem, PA 18107.	6/4/2010	Firm sells specialty chemicals and custom chemical formulations.
Charles Alan Incorporated	2901 Stanley Avenue, Fort Worth, TX 76110.	6/7/2010	Home and office furniture.
Custom Wood Gifts, LLC	5465 Woodbine Avenue, North, SC 29406.	6/7/2010	The firm produces laser cut replicas of historic sites and buildings; primary manufacturing material is wood.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT—
Continued

[4/28/2010 through 6/7/2010]

Firm	Address	Date accepted products for filing	Products
Everbrite Electronics, Inc.	720 W. Cherry Street, Chanute, KS 66720.	6/7/2010	Electronic switching power supplies for neon signs and LED based products and related components.
H. H. Fessler Knitting Co, Inc. d/b/a FesslerUSA.	216 West Independence, Orwigsburg, PA 17961.	6/7/2010	FesslerUSA manufactures custom women and children's apparel and provides design and production.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room 7106, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice.

Please follow the procedures set forth in Section 315.9 of EDA's final rule (71 FR 56704) for procedures for requesting a public hearing. The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: June 11, 2010.

Miriam J. Kearse,
Eligibility Certifier.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XW61

Taking and Importing Marine Mammals: Taking Marine Mammals Incidental to Navy Training Exercises in Three East Coast Range Complexes

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

ACTION: Notice; issuance of three Letters of Authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that NMFS has issued three one-year Letters of Authorization (LOAs) to take marine mammals by harassment incidental to the U.S. Navy's training activities within the Navy's Virginia Capes (VACAPES), Jacksonville (JAX), and Cherry Point Range

Complexes to the Commander, U.S. Fleet Forces Command, 1562 Mitscher Avenue, Suite 250, Norfolk, VA 23551-2487 and persons operating under his authority.

DATES: Effective from June 5, 2010, through June 4, 2011.

ADDRESSES: Copies of the Navy's January 28, 2010, LOA applications, the LOAs, the Navy's 2009 marine mammal monitoring report and the Navy's 2009 exercise report are available by writing to P. Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, by telephoning the contact listed here (see **FOR FURTHER INFORMATION CONTACT**), or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT: Shane Guan, Office of Protected Resources, NMFS (301) 713-2289 x 137.
SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a military readiness activity if certain findings are made and regulations are issued.

Authorization may be granted for periods of 5 years or less if NMFS finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for certain subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular

attention to rookeries, mating grounds, and areas of similar significance. The regulations also must include requirements pertaining to the monitoring and reporting of such taking.

Regulations governing the taking of marine mammals incidental to the U.S. Navy's training activities at the Navy's VACAPES, JAX, and Cherry Point Range Complexes were published on June 15, 2009 (VACAPES: 74 FR 28328; JAX: 74 FR 28349; Cherry Point: 74 FR 28370), and remain in effect through June 4, 2014. They are codified at 50 CFR part 218 subpart A (for VACAPES Range Complex), subpart B (for JAX Range Complex), and subpart C (for Cherry Point Range Complex). These regulations include mitigation, monitoring, and reporting requirements for the incidental taking of marine mammals by the Navy's range complex training exercises. For detailed information on these actions, please refer to the June 15, 2009 **Federal Register** Notices and 50 CFR part 218 subparts A, B, and C.

Summary of LOA Request

NMFS received an application from the U.S. Navy for three LOAs covering the Navy's training activities at the VACAPES, JAX, and Cherry Point Range Complexes off the US East Coast under the regulations issued on June 15, 2009 (VACAPES: 74 FR 28328; JAX: 74 FR 28349; Cherry Point: 74 FR 28370). The Navy requested that these LOAs become effective on June 5, 2010. The application requested authorization, for a period not to exceed one year, to take, by harassment, marine mammals incidental to proposed training activities that involve underwater explosives.

Summary of Activity under the 2009 LOA

As described in the Navy's exercise reports, in 2009, the training activities conducted by the Navy were within the scope and amounts contemplated by the final rule and authorized by the 2009 LOAs. In fact, the number of training