

fishing methods to those employed in the fishery.

Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not limited to, a prohibition of conducting research within marine protected areas, marine sanctuaries, or special management zones, without additional authorization. Additionally, NMFS may prohibit the possession of Nassau or goliath grouper, and require any sea turtles taken incidentally during the course of fishing or scientific research activities to be handled with due care to prevent injury to live specimens, observed for activity, and returned to the water. The applicant's field personnel are considered designated agents of NMFS while conducting work under a NMFS-funded research grant. They are authorized to handle sea turtles encountered during the course of this study. A final decision on issuance of the EFP will depend upon a NMFS review of public comments received on the application, consultations with the affected states, the South Atlantic Fishery Management Council, and the U.S. Coast Guard, and a determination that it is consistent with all applicable laws.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: August 13, 2010.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010-20516 Filed 8-17-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XY23

#### Fisheries of the South Atlantic and Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR); Assessment Webinar 6 for SEDAR 22 Yellowedge Grouper and Tilefish

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

**ACTION:** Notice of SEDAR 22 Gulf of Mexico yellowedge grouper and tilefish assessment webinar 6.

**SUMMARY:** The SEDAR 22 assessments of the Gulf of Mexico stocks of yellowedge grouper and tilefish will consist of a series of workshops and webinars: a Data Workshop, a series of Assessment webinars, and a Review Workshop. See **SUPPLEMENTARY INFORMATION.**

**DATES:** The fifth SEDAR 22 Assessment Process webinar will be held on Wednesday, September 1, 2010, from 12 noon to approximately 4 p.m. (EDT). The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from, or completed prior to the time established by this notice.

**ADDRESSES:** The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Julie Neer at SEDAR to request an invitation providing webinar access information.

A listening station will be available at the Gulf of Mexico Fishery Management Council office located at 2203 N Lois Avenue, Suite 1100, Tampa, Florida 33607. Those interested in participating via the listening station should contact Julie A. Neer at SEDAR at least 1 day prior to the webinar.

**FOR FURTHER INFORMATION CONTACT:** Julie A. Neer, SEDAR Coordinator, 4055 Faber Place, Suite 201, North Charleston, SC 29405; phone (843) 571-4366. Email: [Julie.neer@safmc.net](mailto:Julie.neer@safmc.net).

**SUPPLEMENTARY INFORMATION:** The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three-step process including: (1) Data Workshop, (2) Assessment Process utilizing webinars and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting Panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office and Southeast Fisheries Science Center.

Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

#### SEDAR 22 Assessment Webinar VI

Using datasets recommended from the Data Workshop, participants will employ assessment models to evaluate stock status, estimate population benchmarks and management criteria, and project future conditions. Participants will recommend the most appropriate methods and configurations for determining stock status and estimating population parameters.

#### Meeting Schedule

September 1, 2010, from 12 noon to 4 p.m. (EDT)

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 10 business days prior to the meeting.

Dated: August 13, 2010.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010-20414 Filed 8-17-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-864]

#### Pure Magnesium In Granular Form from the People's Republic of China: Initiation of Changed Circumstances Review

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

**SUMMARY:** The Department of Commerce ("Department") has received information sufficient to warrant initiation of a changed circumstances review of the antidumping duty order on pure magnesium in granular form from the People's Republic of China ("PRC"). Specifically, based upon a request filed by China Minmetals Non-ferrous Metals Co., Ltd. ("CMN"), the Department is initiating a changed circumstances review to determine whether CMN is the successor-in-interest to Minmetals Precious & Rare Minerals Import and Export/China National Nonferrous

Metals Industry Trading Group Corp. (“Minmetals/CNNMIT”), a separate-rate respondent in the original investigation. **EFFECTIVE DATE:** August 18, 2010.

**FOR FURTHER INFORMATION CONTACT:** Eve Wang, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-6231.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 19, 2001, the Department published in the **Federal Register** an antidumping duty order on pure magnesium in granular form from the PRC.<sup>1</sup> As part of that order, Minmetals/CNNMIT received a separate-rate of 24.67 percent.<sup>2</sup> On June 28, 2010, CMN filed a submission with the Department requesting that it conduct a changed circumstances review of the antidumping duty order on pure magnesium in granular form from the PRC to determine whether it is the successor-in-interest to Minmetals/CNNMIT.<sup>3</sup> In its submission, CMN provided a copy of its Business License of Enterprise with Legal Person Status and Notification For Name Change issued by Minmetals/CNNMIT’s supplier. In addition, CMN provided a narrative explanation describing its operations, production facilities, management, suppliers, customers, products and employees. As part of its June 28, 2010, submission, CMN requested that the Department conduct an expedited review.

**Scope of the Order**

The scope of this order excludes pure magnesium that is already covered by an existing order<sup>4</sup> on pure magnesium in ingot form, and currently classifiable under item numbers 8104.11.00 and 8104.19.00 of the Harmonized Tariff Schedule of the United States (“HTSUS”).

The scope of this order includes imports of pure magnesium products, regardless of chemistry, including, without limitation, raspings, granules,

turnings, chips, powder, and briquettes, except as noted above.

Pure magnesium includes: (1) Products that contain at least 99.95 percent primary magnesium, by weight (generally referred to as “ultra-pure” magnesium); (2) products that contain less than 99.95 percent but not less than 99.8 percent primary magnesium, by weight (generally referred to as “pure” magnesium); (3) chemical combinations of pure magnesium and other material(s) in which the pure magnesium content is 50 percent or greater, but less than 99.8 percent, by weight, that do not conform to an “ASTM Specification for Magnesium Alloy”<sup>5</sup> (generally referred to as “off-specification pure” magnesium); and (4) physical mixtures of pure magnesium and other material(s) in which the pure magnesium content is 50 percent or greater, but less than 99.8 percent, by weight. Excluded from this order are mixtures containing 90 percent or less pure magnesium by weight and one or more of certain non-magnesium granular materials to make magnesium-based reagent mixtures. The non-magnesium granular materials of which the Department is aware used to make such excluded reagents are: lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorspar, nepheline syenite, feldspar, aluminum, alumina (Al<sub>2</sub>O<sub>3</sub>), calcium aluminate, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomitic lime, and colemanite. A party importing a magnesium-based reagent which includes one or more materials not on this list is required to seek a scope clarification from the Department before such a mixture may be imported free of antidumping duties.

The merchandise subject to this order is currently classifiable under item 8104.30.00 of the HTSUS. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

**Initiation of Changed Circumstances Review**

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (“Act”), the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from, an interested party for a review of an antidumping duty order which

shows changed circumstances sufficient to warrant a review of the order.

In accordance with 19 CFR 351.216(d), the Department has determined that the information submitted by CMN constitutes sufficient evidence to initiate a changed circumstances review. In an antidumping duty changed circumstances review involving a successor-in-interest determination, the Department typically examines several factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base.<sup>6</sup> Although no single factor will necessarily provide a dispositive indication that the requestor is the successor-in-interest to the predecessor company, generally, the Department will consider one company to be a successor-in-interest to another company if its resulting operation is essentially similar to that of its predecessor.<sup>7</sup> Thus, if the record demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, the Department may assign the new company the cash deposit rate of its predecessor.<sup>8</sup>

Based on the information provided in its submission, CMN has provided sufficient evidence to initiate a review to determine whether it is the successor-in-interest to Minmetals/CNNMIT. Therefore, pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d), we are initiating a changed circumstances review. Although CMN submitted documentation related to its business scope and some limited information and documentation regarding its supplier that the Department considers in its successor-in-interest analysis, it did not provide complete supporting documentation or conclusive evidence for the four factors listed above. Accordingly, the Department has determined that it is not expediting this action by combining the

<sup>1</sup> See *Antidumping Duty Order: Pure Magnesium in Granular Form From the People’s Republic of China*, 66 FR 57936 (November 19, 2001).

<sup>2</sup> *Id.* at 57937.

<sup>3</sup> See Letter from CMN to the Department regarding Pure Magnesium in Granular Form From the People’s Republic of China Request for Changed Circumstances Review (June 28, 2010).

<sup>4</sup> See *Notice of Antidumping Duty Orders: Pure Magnesium From the People’s Republic of China, the Russian Federation and Ukraine; Notice of Amended Final Determination of Sales at Less Than Fair Value: Antidumping Duty Investigation of Pure Magnesium From the Russian Federation*, 66 FR 25691 (May 12, 1995).

<sup>5</sup> The meaning of this term is the same as that used by the American Society for Testing and Materials in its *Annual Book of ASTM Standards: Volume 01.02 Aluminum and Magnesium Alloys*.

<sup>6</sup> See *Certain Activated Carbon from the People’s Republic of China: Notice of Initiation of Changed Circumstances Review*, 74 FR 19934 (April 30, 2009).

<sup>7</sup> See, e.g., *Notice of Initiation of Antidumping Duty Changed Circumstances Review: Certain Forged Stainless Steel Flanges from India*, 71 FR 327 (January 4, 2006).

<sup>8</sup> See *Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber from Japan*, 67 FR 58 (January 2, 2002); see also *Fresh and Chilled Atlantic Salmon from Norway; Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979 (March 1, 1999).

preliminary results of review with this notice of initiation.<sup>9</sup>

The Department will issue questionnaires requesting additional information for the review and will publish in the **Federal Register** a notice of the preliminary results of the antidumping duty changed circumstances review, in accordance with 19 CFR 351.221(b)(2) and (4), and 19 CFR 351.221(c)(3)(i). That notice will set forth the factual and legal conclusions upon which our preliminary results are based and a description of any action proposed. Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results of review. In accordance with 19 CFR 351.216(e), the Department will issue the final results of its antidumping duty changed circumstances review not later than 270 days after the date on which the review is initiated.

This notice is published in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216.

Dated: August 11, 2010.

**Edward C. Yang,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2010-20494 Filed 8-17-10; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-965]

#### **Drill Pipe From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Affirmative Determination of Critical Circumstances, and Postponement of Final Determination**

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

**DATES:** *Effective Date:* August 18, 2010.

**SUMMARY:** The Department of Commerce ("Department") preliminarily determines that drill pipe from the People's Republic of China ("PRC") is being, or is likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733 of the Tariff Act of 1930, as amended ("Act"), for the period of investigation ("POI") April 1, 2009, through September 30, 2009. The estimated margins of sales at LTFV are

shown in the "Preliminary Determination" section of this notice. Interested parties are invited to comment on this preliminary determination.

**FOR FURTHER INFORMATION CONTACT:** Toni Dach, Susan Pulongbarit, or Matthew Renkey, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1655, (202) 482-4031, or (202) 482-2312, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Initiation**

On December 31, 2009, the Department received a petition concerning imports of drill pipe from the PRC filed on behalf of VAM Drilling USA, Inc., Texas Steel Conversion, Inc., Rotary Drilling Tools, TMK IPSCO, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (collectively, "Petitioners"). See "Petitions for the Imposition of Antidumping and Countervailing Duties: Drill Pipe from the People's Republic of China," dated December 31, 2009 ("Petition"). The Department initiated this investigation on January 28, 2010. See *Drill Pipe from the People's Republic of China: Initiation of Antidumping Duty Investigation*, 75 FR 4531 (January 28, 2010) ("Initiation"). On March 2, 2010, the United States International Trade Commission ("ITC") issued its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from the PRC of drill pipe and drill collars. See *Drill Pipe and Drill Collars from China: Investigation Nos. 701-TA-474 and 731-TA-1176 (Preliminary)*, USITC Publication 4127 (March 2010).

##### **Respondent Selection**

In the *Initiation*, the Department stated that it intended to select respondents based on quantity and value ("Q&V") questionnaires. See *Initiation*, 75 FR at 4534. On February 22, 2010, the Department requested Q&V information from 71 companies with complete addresses that the Petitioners identified as potential exporters, or producers, of drill pipe from the PRC. Additionally, the Department also posted the Q&V questionnaire for this investigation on its Web site at <http://ia.ita.doc.gov/ia-highlights-and-news.html>.

The Department received timely Q&V responses from seven exporters/producers that shipped merchandise under investigation to the United States during the POI.

On March 25, 2010, the Department selected DP-Master Manufacturing Co., Ltd. (the "DP-Master Group"), Baoshan Iron & Steel Co., Ltd. ("Baoshan"), and Shanxi Yida Special Steel Imp. & Exp. Co., Ltd. ("Yida") as individually reviewed respondents in this investigation, because, based on the Q&V responses received by the Department, these companies accounted for the largest volume of drill pipe from the PRC during the POI. See Memorandum to James Doyle, Office Director, Office 9, from Susan Pulongbarit, International Trade Analyst, through Scot T. Fullerton, Program Manager, regarding the "Investigation of Drill Pipe from the People's Republic of China: Respondent Selection," dated March 25, 2010 ("Respondent Selection Memo"). The Department issued Section A of the antidumping duty questionnaire to the individually reviewed respondents on April 1, 2010, and Sections C and D on April 7, 2010. Between April 22, 2010, and July 30, 2010, these companies responded to the Department's original and supplemental questionnaires.

##### **Separate Rate Applications**

Between March 24, 2010, and April 5, 2010, in addition to those filed by the DP-Master Group, Baoshan, and Yida, we also received timely filed separate-rate applications ("SRAs") from three companies: Shanxi Fenglei Drilling Tools Co., Ltd.; Jiangsu Shuguang Huayang Drilling Tool Co., Ltd.; and Jiangyin Long-Bright Drill Pipe Manufacturing Co., Ltd. (collectively, the "Separate Rate Respondents").

##### **Surrogate Country and Surrogate Value Comments**

On April 20, 2010, the Department determined that India, the Philippines, Indonesia, Thailand, Ukraine, and Peru are countries comparable to the PRC in terms of economic development. See April 20, 2010, Letter to All Interested Parties, regarding "Antidumping Duty Investigation of Drill Pipe from the People's Republic of China," attaching the April 14, 2010, Memorandum to Scot T. Fullerton, Program Manager, Office 9, AD/CVD Operations, from Kelly Parkhill, Acting Director, Office for Policy, regarding "Request for List of Surrogate Countries for an Antidumping Duty Investigation of Drill Pipe from the People's Republic of China" ("Surrogate Country List").

<sup>9</sup> See 19 CFR 351.221(c)(3)(ii); see also *Notice of Initiation of Antidumping Duty Changed Circumstances Review: Certain Pasta From Turkey*, 74 FR 681 (January 7, 2009).