

available to us (currently within our files).

Previous Petition to list Puget Sound China Rockfish and Tiger Rockfish

We have received numerous petitions from Mr. Wright. In 1999, he petitioned us to list 18 species of Puget Sound marine fishes. Based on the information presented in that petition, and available in our files, we conducted status reviews on seven of those fishes. Information on the other eleven fishes (including China rockfish and tiger rockfish) was insubstantial and we therefore did not conduct status reviews (64 FR 33037; June 21, 1999).

Analysis of Petition

When reviewing a petition to list a species under the ESA, we consider information provided in the petition as well as information available in agency files. Mr. Wright's petition provides information from SCUBA surveys conducted in the Georgia Basin from 1998 to 2009. The petition points to the fact that there are few observations of China rockfish and tiger rockfish in these surveys. The petition provides no analysis to explain how these surveys can be interpreted to indicate either a low abundance level or a declining trend in abundance, either of which might be evidence of risk to the species. To the contrary, the petitioner acknowledges that adults of these two species tend to remain hidden in rocky habitats, which could make them difficult for SCUBA divers to observe.

In the absence of any analysis in the petition, we independently reviewed the information from these surveys and concluded they do not provide evidence of low abundance or a declining trend in abundance. The surveys are opportunistic sightings, reported by recreational or professional divers. There is no research protocol associated with these SCUBA reports, and the identification of individual fish species cannot be independently verified. Because the area surveyed and the level of effort are opportunistic and variable, because the reports are not collected in a systematic sampling design, and because adults of these species tend to hide in rocky habitats that could make them difficult to observe, we concluded that these survey results do not support inferences about population abundance.

The petition also provides a short description of the total recreational catch of these species over a 12-year period. The description appears under a heading in the petition entitled "Low Abundance Problem," but the petition provides no explanation of how this information reveals anything about the

abundance of these two species. In the absence of an analysis in the petition, we independently reviewed the information on recreational catches of these two species available in our records. The proportion of these two species in the recreational rockfish catch is low, approximately 1 percent over the 12-year period. Standing alone, however, this low percentage does not indicate a low occurrence of these rockfish species relative to others because, as noted above, adults of the petitioned species tend to remain hidden in rocky habitat and are therefore less available to anglers. Nor does this information reveal anything about the absolute abundance of these two species. The catch information therefore does not indicate that abundance of these species is low enough to pose a threat to viability.

We agree with the petitioner's assertion that China rockfish and tiger rockfish typically utilize a small home range and experience low productivity. However, as the petitioner acknowledges, a small home range causes individuals to remain hidden in rocky habitat, where they may experience lower mortality, as a result of less frequent exposure to predators. Low productivity can be a risk factor in some instances. However, low productivity is not an indication of declining abundance (another risk factor) since it reflects a life history trade-off between fecundity and life span.

Finally, the petitioner fails to demonstrate how any of these individual pieces of information could be integrated into a trend analysis or some other type of analysis suggesting the two species are at risk.

The petitioner states "This would be an ideal time to conduct a status review of these two species since most of the required assessment work has already been done and there is an existing Biological Review Team (BRT)." While it is true that NMFS recently completed an ESA review of five rockfish species in the Puget Sound/Strait of Georgia (including the formation and use of a BRT), that is not a basis to conduct additional reviews under ESA section 4(b)(3)(A). NMFS did not look at information on China rockfish and tiger rockfish during its review earlier in the year, and the BRT was subsequently disbanded.

Petition Finding

After reviewing the petition, as well as information readily available to us, we have determined that the petition does not present substantial scientific information indicating the petitioned

action may be warranted. If new information becomes available to suggest that Georgia Basin populations of China rockfish and tiger rockfish may warrant listing under the ESA, we will reconsider conducting a status review.

References

A complete list of all references cited herein is available upon request (see ADDRESSES section).

Authority: 16 U.S.C. 1531 *et seq.*

Dated: August 24, 2010.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2010-21536 Filed 8-27-10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

President's Export Council: Meeting of the President's Export Council

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of an open meeting.

SUMMARY: The President's Export Council will hold a meeting to discuss topics related to the National Export Initiative, and advice from the President's Export Council as to how to promote U.S. exports, jobs, and growth.

DATES: September 16, 2010 at 9:30 a.m. (EDT).

ADDRESSES: The President's Export Council will convene its next meeting via live webcast on the Internet at <http://whitehouse.gov/live>.

FOR FURTHER INFORMATION CONTACT: J. Marc Chittum, President's Export Council, Room 4043, 1401 Constitution Avenue, NW., Washington, DC 20230, telephone: 202-482-1124, e-mail: Marc.Chittum@trade.gov.

SUPPLEMENTARY INFORMATION:

Background: The President's Export Council was first established by Executive Order on December 20, 1973 to advise the President on matters relating to U.S. export trade and report to the President on its activities and on its recommendations for expanding U.S. exports. The President's Export Council was renewed most recently by Executive Order 13511 of September 29, 2009, for the two-year period ending September 30, 2011.

Public Submissions: The public is invited to submit written statements to the President's Export Council by C.O.B.

September 10, 2010 by either of the following methods:

Electronic Statements

Send electronic statements to the President's Export Council Web site at <http://trade.gov/pec/peccomments.asp>; or

Paper Statements

Send paper statements to J. Marc Chittum, President's Export Council, Room 4043, 1401 Constitution Avenue, NW., Washington, DC 20230. All statements will be posted on the President's Export Council Web site (<http://trade.gov/pec/peccomments.asp>) without change, including any business or personal information provided such as names, addresses, e-mail addresses, or telephone numbers. All statements received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

Meeting minutes: Copies of the Council's meeting minutes will be available within 90 days of the meeting.

Dated: August 25, 2010.

J. Marc Chittum,

Executive Secretary, President's Export Council.

[FR Doc. 2010-21641 Filed 8-26-10; 4:15 pm]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-838]

Carbazole Violet Pigment 23 From India: Preliminary Results of Antidumping Duty Changed-Circumstances Review

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

SUMMARY: Pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216 and 351.221(c)(3), the Department of Commerce (the Department) is conducting a changed-circumstances review of the antidumping duty order on carbazole violet pigment 23 from India to determine whether Meghmani Pigments (Meghmani) is the successor-in-interest to Alpanil Industries (Alpanil) for determining antidumping duty liability. Because Meghmani did not respond to the Department's questionnaire, we have preliminarily determined that the use of facts available is appropriate to find that

Meghmani is the successor-in-interest to Alpanil. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* August 30, 2010.

FOR FURTHER INFORMATION CONTACT: Jerrold Freeman or Richard Rimlinger, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-0180 or (202) 482-4477, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 11, 2009, the Department was notified by Alpanil that, on April 9, 2009, Alpanil's name was officially changed to Meghmani Pigments. In addition to a brief narrative explaining that there was no change in company ownership, management, production, office or factory location, employees, customers, or suppliers, a copy of "Form G" from the Gujarat State Registrar of Firms was attached to demonstrate a record of all corporate changes for Alpanil/Meghmani since the incorporation of Alpanil in 1992. This attachment indicates that Alpanil's name change to Meghmani was recorded on April 9, 2009.

On March 9, 2010, in accordance with section 751(b) of the Act, 19 CFR 351.216, and 19 CFR 351.221(c)(3), we published in the **Federal Register** a notice of initiation of an antidumping duty changed-circumstances review. *See Carbazole Violet Pigment 23 from India: Initiation of Antidumping Duty Changed-Circumstances Review*, 75 FR 10759 (March 9, 2010) (*Initiation*). In this notice we indicated that we would conduct the changed-circumstances review in the context of the administrative review of the order covering the period December 1, 2008, through November 30, 2009.

On April 5, 2010, Meghmani withdrew its request for a review of its sales of merchandise subject to the antidumping duty order for the 2008/09 period in a timely manner. Therefore, in accordance with 19 CFR 351.213(d)(1), we rescinded the 2008/09 review with respect to CVP 23 from India produced and/or exported by Meghmani. *See Carbazole Violet Pigment 23 from India: Rescission of Administrative Review*, 75 FR 25209 (May 7, 2010). In the notice we indicated that, in accordance with 19 CFR 351.216(e), we intend to "issue final results of the changed-circumstances review within 270 days after the date on which we initiated the changed-circumstances review." *See* 75 FR at 25210.

On June 3, 2010, we sent a questionnaire to Meghmani requesting further information on the nature of the name change and whether additional changes had occurred. Although we granted Meghmani an extension of the deadline to respond, Meghmani did not respond to our questionnaire. Instead, on July 6, 2010, Meghmani notified the Department that it will not participate in the changed-circumstances review. Meghmani did not provide any reasons for its decision to withdraw its participation from the changed-circumstances review.

Since the initiation of the review, no other interested party has submitted comments.

Scope of the Order

The merchandise subject to the order is carbazole violet pigment 23 identified as Color Index No. 51319 and Chemical Abstract No. 6358-30-1, with the chemical name of diindolo [3,2-b:3',2'-m]¹ triphenodioxazine, 8,18-dichloro-5, 15-diethyl-5, 15-dihydro-, and molecular formula of C₃₄H₂₂Cl₂N₄O₂. The subject merchandise includes the crude pigment in any form (e.g., dry powder, paste, wet cake) and finished pigment in the form of presscake and dry color. Pigment dispersions in any form (e.g., pigment dispersed in oleoresins, flammable solvents, water) are not included within the scope of the order. The merchandise subject to the order is classifiable under subheading 3204.17.90.40 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Use of Adverse Facts Available

For the reason discussed below, we determine that the use of adverse facts available is appropriate for the preliminary results of the changed-circumstances review with respect to Meghmani.

A. Use of Facts Available

Section 776(a)(2) of the Act provides that, if an interested party withholds information requested by the administering authority, fails to provide such information by the deadlines for submission of the information and in the form or manner requested, significantly impedes a proceeding under this title, or provides such information but the information cannot be verified as provided in section 782(i)

¹ The bracketed section of the product description, [3,2-b:3',2'-m], is not business-proprietary information. In this case, the brackets are simply part of the chemical nomenclature.