

DEPARTMENT OF COMMERCE**International Trade Administration****Civil Nuclear Trade Advisory Committee Public Meeting**

AGENCY: International Trade Administration, DOC.

ACTION: Notice of Federal Advisory Committee Meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a meeting of the Civil Nuclear Trade Advisory Committee (CINTAC).

DATES: The meeting is scheduled for Thursday, July 14, 2011, at 10 a.m. Eastern Daylight Time (EDT).

ADDRESSES: The meeting will be held in Room 4830, U.S. Department of Commerce, Herbert Clark Hoover Building, 1401 Constitution Ave., NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Mr. David Kincaid, Office of Energy & Environmental Industries, International Trade Administration, Room 4053, 1401 Constitution Ave., NW., Washington, DC 20230. (Phone: 202-482-1706; Fax: 202-482-5665; e-mail: David.Kincaid@trade.gov).

SUPPLEMENTARY INFORMATION:

Background: The CINTAC was established under the discretionary authority of the Secretary of Commerce and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), in response to an identified need for consensus advice from U.S. industry to the U.S. Government regarding the development and administration of programs to expand United States exports of civil nuclear goods and services in accordance with applicable United States regulations, including advice on how U.S. civil nuclear goods and services export policies, programs, and activities will affect the U.S. civil nuclear industry's competitiveness and ability to participate in the international market.

Topics to be considered: The agenda for the July 14, 2011 CINTAC meeting is as follows:

Public Session

1. Opening remarks.
2. Trade Promotion Activities Update, including U.S. industry program at the International Atomic Energy Agency.
3. Public comment period.

Closed Session

1. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. App. (10)(a)1 and 10(a)(3).

The open session will be disabled-accessible. Public seating is limited and available on a first-come, first-served basis. Members of the public wishing to attend the meeting must notify Mr. David Kincaid at the contact information below by 5 p.m. EDT on Friday, July 8, 2011 in order to pre-register for clearance into the building. Please specify any requests for reasonable accommodation at least five business days in advance of the meeting. Last minute requests will be accepted, but may be impossible to fill.

A limited amount of time will be available for pertinent brief oral comments from members of the public attending the meeting. To accommodate as many speakers as possible, the time for public comments will be limited to two (2) minutes per person, with a total public comment period of 30 minutes. Individuals wishing to reserve speaking time during the meeting must contact Mr. Kincaid and submit a brief statement of the general nature of the comments and the name and address of the proposed participant by 5 p.m. EDT on Friday, July 8, 2011. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the International Trade Administration (ITA) may conduct a lottery to determine the speakers. Speakers are requested to bring at least 20 copies of their oral comments for distribution to the participants and public at the meeting.

Any member of the public may submit pertinent written comments concerning the CINTAC's affairs at any time before and after the meeting. Comments may be submitted to the Civil Nuclear Trade Advisory Committee, Office of Energy & Environmental Industries, Room 4053, 1401 Constitution Ave., NW., Washington, DC 20230. For consideration during the meeting, and to ensure transmission to the Committee prior to the meeting, comments must be received no later than 5 p.m. EDT on Friday, July 8, 2011. Comments received after that date will be distributed to the members but may not be considered at the meeting.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on April 20, 2011, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App. (10)(d)), that the portion of the meeting dealing with matters the disclosure of which would be likely to frustrate significantly implementation of an agency action as described in 5 U.S.C. 552b(c)(9)(B) shall be exempt

from the provisions relating to public meetings found in 5 U.S.C. App. (10)(a)(1) and 10(a)(3). The portion of the meeting dealing with matters requiring disclosure of trade secrets and commercial or financial information as described in 5 U.S.C. 552b(c)(4) shall be exempt from the provisions relating to public meetings found in 5 U.S.C. App. (10)(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

Copies of CINTAC meeting minutes will be available within 90 days of the meeting.

Edward A. O'Malley,

Director, Office of Energy and Environmental Industries.

[FR Doc. 2011-15022 Filed 6-16-11; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-821-801]

Solid Urea From the Russian Federation: Preliminary Results of Antidumping Duty Administrative Review

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on solid urea from the Russian Federation (Russia). The review covers one producer/exporter of the subject merchandise, MCC EuroChem (EuroChem). The period of review (POR) is July 1, 2009, through June 30, 2010. We preliminarily determine that EuroChem sold the subject merchandise at less than normal value during the POR.

We invite interested parties to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument.

DATES: *Effective Date:* June 17, 2011.

FOR FURTHER INFORMATION CONTACT: Dustin Ross or Minoo Hatten, 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) 482-0747 or (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 14, 1987, the Department published the antidumping duty order on solid urea from the Union of Soviet Socialist Republics (Soviet Union). See *Antidumping Duty Order; Urea From the Union of Soviet Socialist Republics*, 52 FR 26367 (July 14, 1987). Following the break-up of the Soviet Union, the antidumping duty order on solid urea from the Soviet Union was transferred to the individual members of the Commonwealth of Independent States. See *Solid Urea From the Union of Soviet Socialist Republics; Transfer of the Antidumping Duty Order on Solid Urea From the Union of Soviet Socialist Republics to the Commonwealth of Independent States and the Baltic States and Opportunity to Comment*, 57 FR 28828 (June 29, 1992).

Pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), the Ad Hoc Committee of Domestic Nitrogen Producers and its individual urea-producing members, CF Industries, Inc., and PCS Nitrogen (collectively, the petitioner), requested an administrative review of the antidumping duty order on solid urea from Russia with respect to EuroChem on July 28, 2010. On August 31, 2010, in accordance with 19 CFR 351.221(c)(1)(i), we published a notice of initiation of administrative review of the order. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Initiation of Administrative Review*, 75 FR 53274 (August 31, 2010). On March 23, 2011, we extended the deadline for the preliminary results by 75 days to June 16, 2011. See *Solid Urea From the Russian Federation: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review*, 76 FR 17380 (March 29, 2011). We are conducting the administrative review of the order in accordance with section 751(a) of the Act.

Scope of the Order

The merchandise subject to the order is solid urea, a high-nitrogen content fertilizer which is produced by reacting ammonia with carbon dioxide. The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) item number 3102.10.00.00. Such merchandise was classified previously under item number 480.3000 of the Tariff Schedules of the United States. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Fair-Value Comparisons

To determine whether EuroChem's sales of solid urea from Russia were made in the United States at less than normal value, we compared the constructed export price (CEP) to the normal value as described in the "Constructed Export Price" and "Normal Value" sections of this notice.

When making this comparison in accordance with section 771(16) of the Act, we considered all products sold in the home market as described in the "Scope of the Order" section of this notice, above, that were in the ordinary course of trade for purposes of determining an appropriate product comparison to the U.S. sale. If an identical home-market model with identical physical characteristics as described below was reported, we made comparisons to weighted-average home-market prices that were based on all sales of the identical product during a contemporaneous month. If there were no contemporaneous sales of an identical model, we identified sales of the most similar merchandise that were most contemporaneous with the U.S. sale in accordance with 19 CFR 351.414(e).

Product Comparisons

In accordance with section 771(16) of the Act, we compared products produced by EuroChem and sold in the U.S. and home markets on the basis of the comparison product which was closest in terms of the physical characteristics to the product sold in the United States. In the order of importance, these characteristics are form, grade, nitrogen content, size, urea-formaldehyde content, other additive/conditioning agent, coating agent, and biuret content.

Date of Sale

Section 351.401(i) of the Department's regulations states that, normally, the Department will use the date of invoice, as recorded in the producer's or exporter's records kept in the ordinary course of business, as the date of sale. The regulation provides further that the Department may use a date other than the date of the invoice if the Secretary is satisfied that a different date better reflects the date on which the material terms of sale are established. The Department has a long-standing practice of finding that, where shipment date precedes invoice date, shipment date better reflects the date on which the material terms of sale are established. See *Notice of Final Determination of Sales at Less Than Fair Value and Negative Final Determination of Critical*

Circumstances: Certain Frozen and Canned Warmwater Shrimp From Thailand, 69 FR 76918 (December 23, 2004), and accompanying Issues and Decision Memorandum at Comment 10; see also *Notice of Final Determination of Sales at Less Than Fair Value: Structural Steel Beams From Germany*, 67 FR 35497 (May 20, 2002), and accompanying Issues and Decision Memorandum at Comment 2.

For all U.S. sales, EuroChem reported contract date as the date of sale. EuroChem defines contract date as the date on which the material terms of sale are established and no longer subject to change. In those cases where a price addendum to the contract was issued, EuroChem considers the addendum date to be the final contract date where all the material terms of sale are established and no longer subject to change. Based on record evidence, all material terms of sale are established on the date of contract or the date of the price addendum to the contract. Therefore, we have used contract date as reported by EuroChem as the date of sale for all U.S. sales.

With respect to EuroChem's home-market sales, price and quantity are subject to change until invoicing. Because the material terms of sale are not established until invoicing, we have used invoice date as the date of sale in the home market except, in cases where shipment date precedes invoice date, we have used the shipment date as the date of sale in the home market.

Constructed Export Price

In accordance with section 772(b) of the Act, we used CEP for EuroChem because the subject merchandise was sold in the United States by a U.S. seller affiliated with the producer and export price was not otherwise indicated.

We calculated CEP based on the free-on-board or delivered price to unaffiliated purchasers in, or for exportation to, the United States. We also made deductions for any movement expenses in accordance with section 772(c)(2)(A) of the Act. In accordance with section 772(d)(1) of the Act, we calculated the CEP by deducting selling expenses associated with economic activities occurring in the United States, which includes direct selling expenses and indirect selling expenses. Finally, we made an adjustment for profit allocated to these expenses in accordance with section 772(d)(3) of the Act.

Normal Value

In order to determine whether there is a sufficient volume of sales in the home market to serve as a viable basis for

calculating normal value (*i.e.*, the aggregate volume of home-market sales of the foreign like product is five percent or more of the aggregate volume of U.S. sales), we compared the volume of EuroChem's home-market sales of the foreign like product to the volume of its U.S. sales of subject merchandise in accordance with section 773(a)(1)(C) of the Act. Based on this comparison, we determined that EuroChem had a viable home market during the POR. Consequently, we based normal value on home-market sales to unaffiliated purchasers made in the usual quantities in the ordinary course of trade and sales made to affiliated purchasers where we find prices were made at arm's length, described in detail below.

We based normal value on the starting prices to home-market customers. Pursuant to section 773(a)(6)(B)(ii) of the Act, we deducted movement expenses EuroChem incurred on its home-market sales. Pursuant to section 773(a)(6)(B)(i) of the Act, we deducted home-market packing costs. We made deductions for direct selling expenses, as appropriate.

Affiliation

The Department may calculate normal value based on a sale to an affiliated party only if it is satisfied that the price to the affiliated party is comparable to the price at which sales are made to parties not affiliated with the exporter or producer, *i.e.*, sales were made at arm's-length prices. See 19 CFR 351.403(c). We exclude from our analysis transactions to affiliated customers for consumption in the home market that we determine were not sold at arm's-length prices.

To test whether EuroChem's sales to affiliated parties were made at arm's-length prices, we compared the prices of sales of comparable merchandise to affiliated and unaffiliated customers, net of all rebates, movement charges, direct selling expenses, and packing. Pursuant to 19 CFR 351.403(c) and in accordance with our practice, when the prices charged to an affiliated party were, on average, between 98 and 102 percent of the prices charged to unaffiliated parties for merchandise comparable to that sold to the affiliated party, we determined that the sales to the affiliated party were at arm's-length prices. See *Antidumping Proceedings: Affiliated Party Sales in the Ordinary Course of Trade*, 67 FR 69186 (November 15, 2002). We included in our calculation of normal value those sales to affiliated parties that were made at arm's-length prices. Where we excluded sales because they were not at arm's-length prices, we used, based on the information we

requested and EuroChem provided, data related to sales of the foreign like product made by the affiliated parties' home-market customers.

The petitioner alleges in this review that, through the provisions of its concession agreement with its home-market franchisees, EuroChem is in a position, potentially, to exhibit control over the franchisees. Therefore, they assert, the Department should treat EuroChem's franchisees as affiliates and, for sales to those franchisees that do not pass the arm's-length test, request the data for downstream sales.

Based on information on the record, the Department preliminarily does not find that affiliation exists between EuroChem and its franchisees. For a detailed discussion of this issue, see Memorandum to Laurie Parkhill dated concurrently with this notice entitled "Solid Urea from the Russian Federation—Affiliation Analysis."

Level of Trade

To the extent practicable, we determined normal value for sales at the same level of trade as the U.S. sales. When there were no sales at the same level of trade, we compared U.S. sales to home-market sales at a different level of trade. The normal-value level of trade is that of the starting-price sales in the home market. To determine whether home-market sales are at a different level of trade than U.S. sales, we examined stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer.

In the home market, EuroChem reported a single channel of distribution. Within this single channel of distribution, EuroChem reported a single level of trade for all three customer types (*i.e.*, distributors, traders, and end-users). After analyzing the data on the record with respect to the selling functions performed for each customer type, we find that EuroChem made all home-market sales at a single marketing stage (*i.e.*, one level of trade) in the home market.

In the U.S. market, EuroChem had only CEP sales through its affiliated reseller to unaffiliated customers through a single channel of distribution and, thus, a single level of trade. See section 772(b) of the Act. We found that there were significant differences between the selling activities associated with the CEP level of trade and those associated with the home-market level of trade. For example, the CEP level of trade involved little or no sales-strategic and economic planning, personnel training, advertising, distributor/dealer training, procurement/sourcing service,

packing, and sales/marketing support. Therefore, we considered the CEP level of trade to be different from the home-market level of trade and at a less advanced stage of distribution than the home-market level of trade. Consequently, we could not match U.S. sales to sales at the same level of trade in the home market nor could we determine a level-of-trade adjustment based on EuroChem's home-market sales of the foreign like product. Because the data available do not provide an appropriate basis to determine a level-of-trade adjustment and the home-market level of trade is at a more advanced stage of distribution than the CEP, we have made a CEP-offset adjustment to normal value in accordance with section 773(a)(7)(B) of the Act. The CEP offset is the sum of indirect selling expenses incurred on the home-market sales up to the amount of indirect selling expenses incurred on the U.S. sales.

Preliminary Results of the Review

As a result of this review, we preliminarily determine that a dumping margin of 1.17 percent exists for EuroChem for the period July 1, 2009, through June 30, 2010.

Disclosure and Comment

We will disclose the calculations used in our analysis to parties to this review within five days of the date of publication of this notice. See 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of the publication of this notice in the **Federal Register**. See 19 CFR 351.310(c). If a hearing is requested, the Department will notify interested parties of the hearing schedule.

Interested parties are invited to comment on the preliminary results of this review. Interested parties may submit case briefs within 30 days of the date of publication of this notice. See 19 CFR 351.309(c). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication of this notice. See 19 CFR 351.309(d). Parties who submit case briefs or rebuttal briefs in this review are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument with an electronic version included.

We intend to issue the final results of this administrative review, including the results of our analysis of issues raised in the case briefs, within 120 days after the date on which the preliminary results are published. See 19 CFR 351.213(h)(1).

Assessment Rates

The Department shall determine, and the U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212, we have calculated for EuroChem an importer/customer-specific assessment rate for these preliminary results of review. We will instruct CBP to assess the importer/customer-specific rate on applicable entries of subject merchandise made by the importer during the POR.

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification applies to entries of subject merchandise during the POR produced by EuroChem where EuroChem did not know that 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).

The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of this administrative review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for EuroChem will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review or the less-than-fair-value investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 64.93 percent, the all-others rate established in *Urea From the Union of Soviet Socialist Republics; Final Determination of Sales at Less Than Fair Value*, 52 FR 19557 (May 26, 1987). These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary 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.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 10, 2011.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2011-15123 Filed 6-16-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XR75

Essential Fish Habitat (EFH) Components of Fishery Management Plans (Northeast Multispecies, Atlantic Sea Scallop, Monkfish, Atlantic Herring, Skates, Atlantic Salmon, and Atlantic Deep-Sea Red Crab) 5-Year Review

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

ACTION: Supplemental notice of intent (NOI) to prepare a programmatic environmental impact statement (EIS).

SUMMARY: The New England Fishery Management Council (Council) is in the process of preparing a programmatic EIS for an Omnibus EFH Amendment to the fishery management plans (FMPs) for Northeast (NE) multispecies, Atlantic sea scallop, monkfish, Atlantic herring, NE skate complex, Atlantic salmon, and Atlantic deep-sea red crab. The Council will expand the scope of this action to include review of, and possible changes to, the NE multispecies closed areas. During this comment period, the Council is seeking comments on the possible revision of these management areas.

DATES: Written comments must be received on or before 5 p.m. e.s.t., July 18, 2011.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail:* HabitatNOI@noaa.gov.
- *Mail:* Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.
- *Fax:* (978) 465-3116.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council (978) 465-0492.

SUPPLEMENTARY INFORMATION: The purpose of this notification is to alert the interested public of the Council's intent to consider changes to the NE multispecies closed areas in the Omnibus EFH Amendment. A description of the background and need for the Omnibus EFH Amendment can be found in the original NOI dated February 24, 2004, (69 FR 8367) and is not repeated here. The amendment has been developed in two phases. Phase 1 included a review and update of EFH designations, consideration of habitat areas of particular concern, an updated prey species list, and an update of non-fishing impacts. A notice of availability for the Phase 1 Draft EIS (DEIS) was published on April 6, 2007 (72 FR 17157).

Phase 2 will include an evaluation of the effects of fishing on EFH, and management measures to minimize the adverse effects of fishing on EFH across all FMPs. A subset of the alternatives to minimize the impacts of EFH will focus specifically on minimizing the impacts of fishing on deep-sea corals. During early meetings to develop Phase 2 alternatives in late 2009 and early 2010, the Council's Habitat Oversight Committee concluded that development and implementation of new or modified habitat management areas was complicated substantially by the existence of the NE multispecies closed areas. There is considerable spatial overlap between the NE multispecies closed areas and the current habitat areas which are closed to bottom tending mobile gears. Generally, the NE multispecies closed areas are closed to all gear capable of catching groundfish, including but not limited to mobile gears, although there are specific exemptions for certain fisheries and gear types. Specifically, the Habitat Oversight Committee was concerned about the feasibility of implementing new habitat management areas outside of the boundaries of the NE multispecies closed areas, in particular the year round closures, even if current habitat management areas were eliminated, as this would substantially increase in the amount of seabed closed to fishing for some types of gears/fisheries.