

|                              | Period to be reviewed |
|------------------------------|-----------------------|
| <b>Suspension Agreements</b> |                       |
| None.                        |                       |

<sup>3</sup>If one of the above-named companies does not qualify for a separate rate, all other exporters of Certain Frozen Fish Fillets from the Socialist Republic of Vietnam who have not qualified for a separate rate are deemed to be covered by this review as part of the single Vietnam entity of which the named exporters are a part.

<sup>4</sup>If the above-named company does not qualify for a separate rate, all other exporters of Certain Steel Nails from the PRC who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>5</sup>If the above-named company does not qualify for a separate rate, all other exporters of Laminated Woven Sacks from the PRC who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>6</sup>If the above-named company does not qualify for a separate rate, all other exporters of Polyethylene Retail Carrier Bags from the PRC who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>7</sup>The company listed above was misspelled in the initiation notice that published on August 30, 2012 (77 FR 52688). The correct spelling of the company is listed in this notice.

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia v. United States*, 291 F.3d 806 (Fed Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures "gap" period, of the order, if such a gap period is applicable to the period of review.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures*, 73 FR 3634 (January 22, 2008). Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (e.g., the filing of separate

letters of appearance as discussed at 19 CFR 351.103(d)).

Any party submitting factual information in an antidumping duty or countervailing duty proceeding must certify to the accuracy and completeness of that information. See section 782(b) of the Act. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all segments of any antidumping duty or countervailing duty proceedings initiated on or after March 14, 2011. See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule*, 76 FR 7491 (February 10, 2011) ("*Interim Final Rule*"), amending 19 CFR 351.303(g)(1) and (2). The formats for the revised certifications are provided at the end of the *Interim Final Rule*. The Department intends to reject factual submissions in any proceeding segments initiated on or after March 14, 2011 if the submitting party does not comply with the revised certification requirements.

These initiations and this notice are in accordance with section 751(a) of the Act (19 USC 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: September 19, 2012.

**Christian Marsh,**

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

[FR Doc. 2012-23685 Filed 9-25-12; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-838]

#### Seamless Refined Copper Pipe and Tube From Mexico: Final Results of Antidumping Duty New Shipper Review

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

**SUMMARY:** On April 27, 2012, the Department of Commerce ("Department") published in the **Federal Register** the preliminary results of the new shipper review of the antidumping duty order on seamless refined copper tube and pipe from Mexico.<sup>1</sup> This review covers one producer and exporter, GD Affiliates S. de R.L. de C.V. (Golden Dragon).<sup>2</sup> We gave interested parties an opportunity to comment on the *Preliminary Results* and, based upon our analysis of the comments, we have made changes to the margin calculation for the final results of this new shipper review. Golden Dragon's final weighted-average dumping margin is listed below in the "Final Results of Review" section of this notice. The period of review ("POR") is November 22, 2010, through April 30, 2011.

**DATES:** *Effective Date:* September 26, 2012.

**FOR FURTHER INFORMATION CONTACT:** Dennis McClure, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW.,

<sup>1</sup> *Seamless Refined Copper Pipe and Tube From Mexico: Preliminary Results of Antidumping Duty New Shipper Review*, 77 FR 25136 (April 27, 2012) ("*Preliminary Results*").

<sup>2</sup> As noted in the *Preliminary Results*, we use the name Golden Dragon when we refer to the collective group of Golden Dragon companies, which includes GD Affiliates S. de R.L. de C.V. who requested the review.

Washington, DC 20230; telephone: (202) 482-5973.

**SUPPLEMENTARY INFORMATION:**

**Background**

On April 27, 2012, the Department published in the **Federal Register** the *Preliminary Results* of the new shipper review of the antidumping duty order on seamless copper pipe and tube from Mexico. We invited parties to comment on the Preliminary Results. We received comments from the Petitioners<sup>3</sup> on May 30, 2012. We received rebuttal comments from Golden Dragon on June 4, 2012. On June 19, 2012, the Department extended the deadline for the final until September 20, 2012.<sup>4</sup>

**Scope of the Order**

For the purpose of the order, the products covered are all seamless circular refined copper pipes and tubes, including redraw hollows, greater than or equal to 6 inches (152.4 mm) in length and measuring less than 12.130 inches (308.102 mm) (actual) in outside diameter (“OD”), regardless of wall thickness, bore (e.g., smooth, enhanced with inner grooves or ridges), manufacturing process (e.g., hot finished, cold-drawn, annealed), outer surface (e.g., plain or enhanced with grooves, ridges, fins, or gills), end finish (e.g., plain end, swaged end, flared end, expanded end, crimped end, threaded), coating (e.g., plastic, paint), insulation, attachments (e.g., plain, capped, plugged, with compression or other fitting), or physical configuration (e.g., straight, coiled, bent, wound on spools).

The scope of the order covers, but is not limited to, seamless refined copper pipe and tube produced or comparable to the American Society for Testing and Materials (“ASTM”) ASTM-B42, ASTM-B68, ASTM-B75, ASTM-B88, ASTM-B88M, ASTM-B188, ASTM-B251, ASTM-B251M, ASTM-B280, ASTM-B302, ASTM-B306, ASTM-359, ASTM-B743, ASTM-B819, and ASTM-B903 specifications and meeting the physical parameters described therein. Also included within the scope of the order are all sets of covered products, including “line sets” of seamless refined copper tubes (with or without fittings or insulation) suitable for connecting an outdoor air conditioner or heat pump to an indoor evaporator unit. The phrase

“all sets of covered products” denotes any combination of items put up for sale that is comprised of merchandise subject to the scope.

“Refined copper” is defined as: (1) Metal containing at least 99.85 percent by weight of copper; or (2) metal containing at least 97.5 percent by weight of copper, provided that the content by weight of any other element does not exceed the following limits:

| Element                     | Limiting content percent by weight |
|-----------------------------|------------------------------------|
| Ag—Silver .....             | 0.25                               |
| As—Arsenic .....            | 0.5                                |
| Cd—Cadmium .....            | 1.3                                |
| Cr—Chromium .....           | 1.4                                |
| Mg—Magnesium .....          | 0.8                                |
| Pb—Lead .....               | 1.5                                |
| S—Sulfur .....              | 0.7                                |
| Sn—Tin .....                | 0.8                                |
| Te—Tellurium .....          | 0.8                                |
| Zn—Zinc .....               | 1.0                                |
| Zr—Zirconium .....          | 0.3                                |
| Other elements (each) ..... | 0.3                                |

Excluded from the scope of the order are all seamless circular hollows of refined copper less than 12 inches in length whose OD (actual) exceeds its length. The products subject to the order are currently classifiable under subheadings 7411.10.1030 and 7411.10.1090 of the Harmonized Tariff Schedule of the United States (“HTSUS”). Products subject to the order may also enter under HTSUS subheadings 7407.10.1500, 7419.99.5050, 8415.90.8065, and 8415.90.8085. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties are addressed in the “Seamless Refined Copper Pipe and Tube from Mexico: Issues and Decision Memorandum for the Final Results of the New Shipper Review” (“Decision Memorandum”), dated concurrently with this notice and which is hereby adopted by this notice. A list of the issues which parties raised is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this new shipper review and the corresponding recommendation in this public memorandum which is on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered

users at <http://iaaccess.trade.gov> and in the Central Records Unit (“CRU”), room 7046 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed Decision Memorandum and the electronic versions of the Decision Memorandum are identical in content.

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results*, we have made changes to the margin calculation for Golden Dragon. See the Decision Memorandum for a complete explanation of the Department’s decision.

**Final Results of New Shipper Review**

As a result of our review, we determine that the following weighted-average dumping margin exists for Golden Dragon for the period November 22, 2010, through April 30, 2011:

| Manufacturer/exporter            | Weighted-average dumping margin (percent) |
|----------------------------------|---|
| Golden Dragon <sup>5</sup> ..... | 5.53                                      |

**Assessment Rate**

The Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review.

Golden Dragon’s weighted-average dumping margin is above *de minimis* in the final results of this review, and, therefore we have calculated importer-specific (or customer-specific) *ad valorem* antidumping duty assessment rates. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer.

**Cash Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the final results of this new shipper review for all shipments of the subject merchandise by Golden Dragon entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, consistent with section 751(a)(2)(C) of the Act: (1) For subject merchandise manufactured and exported by Golden Dragon, the cash

<sup>3</sup> Cerro Flow Products, LLC, Wieland Copper Products, LLC, Mueller Copper Tube Products, Inc. and Mueller Copper Tube Company, Inc. (collectively, “the Petitioners”).

<sup>4</sup> Memorandum to Christian Marsh, from Dennis McClure, Re: Seamless Refined Copper Pipe and Tube from Mexico: Extension of Deadline for Final Results of Antidumping Duty New Shipper Review, dated, June 19, 2012.

<sup>5</sup> Golden Dragon includes GD Affiliates S. de R.L. de C.V.

deposit rate will be 5.53 percent; (2) for subject merchandise exported by Golden Dragon but not manufactured by Golden Dragon, the cash deposit rate will be the all others rate (*i.e.*, 26.03 percent); (3) for subject merchandise manufactured by Golden Dragon but exported by any party other than Golden Dragon, the cash deposit rate will be the all others rate. These requirements, when imposed, shall remain in effect until further notice.

Further, effective upon publication of the final results, we intend to instruct CBP that importers may no longer post a bond or other security in lieu of a cash deposit on imports of seamless refined copper pipe and tube from Mexico, manufactured and exported by Golden Dragon. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notifications to Interested Parties

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.

In accordance with 19 CFR 351.305(a)(3), this notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under the APO, 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 subject to sanction.

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

Dated: September 20, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

#### Appendix I—Issues and Decision Memorandum

Comment 1: Date of Sale

Comment 2: Adjustment to U.S. Price

Comment 3: Entitlement to New Shipper Review

[FR Doc. 2012-23686 Filed 9-25-12; 8:45 am]

**BILLING CODE 3510-DS-P**

#### CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 12-1]

#### Telephonic Prehearing Conference Cancellation

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Cancellation of Telephonic prehearing conference.

**SUMMARY:** Cancellation of Telephonic prehearing conference on September 25, 2012, in the matter of Maxfield and Oberton Holdings, LLC, CPSC Docket 12-1.

**FOR FURTHER INFORMATION CONTACT:** Katy J.L. Duke, Esq., U.S. Coast Guard ALJ Program, 504/671-2213.

Dated: September 21, 2012.

**Todd A. Stevenson,**

*Secretary.*

[FR Doc. 2012-23664 Filed 9-25-12; 8:45 am]

**BILLING CODE 6355-01-P**

#### DEPARTMENT OF DEFENSE

#### Department of the Army, Corps of Engineers

#### Withdrawal of Intent To Prepare a Draft Environmental Impact Statement/ Environmental Impact Report for the Ballona Creek Ecosystem Restoration Feasibility Study, Los Angeles County, CA

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The Los Angeles District of the U.S. Army Corps of Engineers (Corps) published a Notice of Intent to Prepare a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Ballona Creek Ecosystem Restoration Feasibility Study in the *Federal Register* on September 20, 2005 (70 FR 55116). The study's purpose is to evaluate structural and non-structural means of restoring diminished ecosystem functions and services within the lower reach of Ballona Creek including coastal wetlands. Santa Monica Bay Restoration Commission (SMBRC) is the local sponsor for the cost-shared study.

On September 29, 2005, a public scoping meeting was held pursuant to

requirements of the National Environmental Policy Act and Engineer Regulations 1105-2-100. Baseline conditions portions of the EIS/EIR have been completed as of January, 2012. On July 17, 2012, the SMBRC requested the Corps terminate the study. Therefore, the Corps is withdrawing the Notice of Intent to Prepare a draft EIS/EIR.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jodi Clifford, Chief, Environmental Resources Branch. Mailing Address: Ms. Jodi Clifford, Chief, Environmental Resources Branch, Corps of Engineers, Los Angeles District, CESPL-PD-R, 915 Wilshire Boulevard, Los Angeles, CA 90017. Telephone: (213) 452-3840. Email: [Jodi.L.Clifford@usace.army.mil](mailto:Jodi.L.Clifford@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The Corps is no longer pursuing restoration within Ballona Creek as a cost-shared study within its Civil Works program. Although SMBRC requested the Corps terminate the feasibility study, SMBRC, acting on behalf of the California Department of Fish and Game, is moving forward with plans for ecosystem restoration within Ballona Creek. SMBRC must obtain permissions from the Corps to proceed with implementation of its restoration proposals. Therefore, the Corps is initiating an EIS pursuant to its authorities under Section 404 of the Clean Water Act, Section 10 of the 1899 Rivers and Harbors Act, and Title 33, U.S. Code, Section 408 for a project to be planned and carried out by SMBRC. To that end, the Corps published a Notice of Intent to Prepare an EIS in the *Federal Register* on July 25, 2012 (77 FR 43575). A scoping meeting was held on August 16, 2012. All technical studies and reports prepared under the Civil Works feasibility study authority will be utilized to the maximum practical extent in support of the EIS/EIR process now underway.

Dated: September 12, 2012.

**R. Mark Toy,**

*Colonel, U.S. Army Commander and District Engineer.*

[FR Doc. 2012-23669 Filed 9-25-12; 8:45 am]

**BILLING CODE 3720-58-P**

#### DEPARTMENT OF DEFENSE

#### Corps of Engineers, Department of the Army

#### Notice of Intent To Prepare a Draft Environmental Impact Statement for a Proposed Aquatic Ecosystem Restoration Project for the Quiver River, MS

**AGENCY:** Department of Defense, U.S. Army Corps of Engineers, DoD.