

occurred). In particular, the revised preliminary recommendation is based on an assessment that the requested authority is unlikely to have a negative impact on related domestic industry—such as reduced purchases of U.S.-produced titanium products—because key customers' contracts with Firth Rixson involve “directed buys” wherein the customer dictates the specific supplier of the titanium to be used by Firth Rixson in the production of its aircraft turbine components for the customer's use. “Directed buy” contracts enable the customer to retain tight control over the specifications and quality of the titanium used to produce components for that customer. Key “directed buy” contractual provisions include a designated source (*i.e.*, the actual supplier of the titanium alloy to be processed by Firth Rixson) and a transaction price(s) (*i.e.*, unit price(s) for titanium alloy pre-established by negotiations solely involving Firth Rixson's customer and the producer of the titanium alloy selected by that customer). Under longstanding “directed buy” practices within the aerospace industry, Firth Rixson does not control the sourcing of titanium alloy and the price of that material for key contracts. What Firth Rixson does control in that situation is whether the production will occur at a company facility in the United States or abroad.

The examiner's analysis indicates that, given that certain “directed buy” contracts mandate the use of titanium from a specific foreign producer, the competitiveness of Firth Rixson's Rochester plant would be improved (relative to Firth Rixson's plants offshore and to competitors' plants abroad) through unrestricted FTZ benefits on its processing of foreign-origin titanium. (In that situation, because Firth Rixson's potential “directed buy” customer is seeking a company to process the specific, foreign-produced titanium already selected by the customer, there should be no impact on U.S. titanium producers.) In the absence of FTZ benefits, Firth Rixson would be more likely to need to conduct significant portions of its activity at one of its overseas plants in order to secure or retain a contract to process the specific foreign-origin titanium mandated by a potential customer. This would ultimately produce negative effects on employment at the U.S. plant and potentially on the plant's overall viability. FTZ authority should reduce the apparent risk of loss of that activity (and associated employment) to foreign locations. Further, helping to maintain

Firth Rixson's production and employment at the Monroe County plant through FTZ authority would likely promote positive secondary economic effects (particularly through maintained or increased purchases of titanium alloy from U.S. mills for contracts that do not mandate the use of specific, foreign-produced titanium alloy).

Public comment is invited through February 13, 2013, on the revised preliminary recommendation and its underlying bases. Rebuttal comments may be submitted during the subsequent 15-day period, until February 28, 2013. Submissions shall be addressed to the Board's Executive Secretary at the following address: Office of the Executive Secretary, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002.

For further information, contact Pierre Duy at [Pierre.Duy@trade.gov](mailto:Pierre.Duy@trade.gov) or (202) 482-1378.

Dated: January 9, 2013.

**Andrew McGilvray**,  
*Executive Secretary*.

[FR Doc. 2013-00587 Filed 1-11-13; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-830]

#### **Carbon and Certain Alloy Steel Wire Rod From Mexico: Rescission of Antidumping Duty Administrative Review; 2011-2012**

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

**SUMMARY:** The Department of Commerce (the “Department”) is rescinding its administrative review of the antidumping duty order on carbon and certain alloy steel wire rod (“wire rod”) from Mexico for the period October 1, 2011, through September 30, 2012.

**DATES:** *Effective Date:* January 14, 2013.

**FOR FURTHER INFORMATION CONTACT:** Patricia Tran at 202-482-1503 or Eric Greynolds at 202-482-6071, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On October 1, 2012, the Department published a notice of opportunity to request an administrative review of the

antidumping duty order on wire rod from Mexico for the period of review, October 1, 2011, through September 30, 2012.<sup>1</sup> On October 31, 2012, Nucor Corporation (“Nucor”) requested that the Department conduct a review of Deacero S.A. de C.V. (“Deacero”), Ternium S.A. (including Ternium Mexico S.A. de C.V. and Hylsa S.A. de C.C.) (collectively “Ternium”), and ArcelorMittal Las Truchas, S.A. de C.V. and its affiliate, ArcelorMittal International America LLC (collectively “AMLT”), or any of their affiliates.<sup>2</sup> On December 3, 2012, in accordance with 19 CFR 351.221(c)(1)(i), the Department initiated an administrative review of the antidumping duty order on wire rod from Mexico covering Deacero, Ternium, and AMLT.<sup>3</sup> On December 18, 2012, Nucor withdrew its request for an administrative review.<sup>4</sup>

##### **Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice initiating the review. Nucor withdrew its request for review within the 90-day deadline. No other interested party requested an administrative review of Deacero, Ternium, and AMLT, or any other entity. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding this review in its entirety.

##### **Assessment**

The Department will instruct U.S. Customs and Border Protection (“CBP”) to assess antidumping duties on all entries of wire rod from Mexico at rates equal to the cash deposit of estimated antidumping duties required at the time of entry or withdrawal from warehouse for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice of rescission of administrative review.

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 77 FR 59894 (October 1, 2012).

<sup>2</sup> See Letter from Nucor Corporation, “Request for Administrative Review” (October 31, 2012).

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 71575 (December 3, 2012).

<sup>4</sup> See Letter from Nucor Corporation, “Withdrawal of Request for Administrative Review” (December 18, 2012).

**Notification Regarding Administrative Protective Order**

This notice also serves as a final reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the disposition of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3). 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 sanctionable violation.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: January 7, 2012.

**Christian Marsh,**

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

[FR Doc. 2013–00583 Filed 1–11–13; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE****International Trade Administration****Application(s) for Duty-Free Entry of Scientific Instruments**

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before February 4, 2013. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5:00 p.m. at the U.S. Department of Commerce in Room 3720.

Docket Number: 12–060. Applicant: Vanderbilt University, 2201 West End Ave., Nashville, TN 37235. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended Use: The instrument will be used for the characterization of the structure and elemental distribution of nanomaterials such as quantum dots, nanostructured photovoltaic devices, and bio accumulation of nanomaterials in tissue cells. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the

United States. Application accepted by Commissioner of Customs: December 11, 2012.

Docket Number: 12–061. Applicant: Purdue University, 401 S. Grant St., West Lafayette, IN 47907–2024. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended Use: The instrument will be used to understand the morphology, such as size, shape of components, elemental composition, and relationships between structures of plant tissues, animal tissues, microorganisms, nanomaterials, and chemical compounds. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the United States. Application accepted by Commissioner of Customs: August 21, 2012.

Docket Number: 12–067. Applicant: University of Pennsylvania, 3231 Walnut St., Philadelphia, PA 19104. Instrument: Electron Microscope. Manufacturer: JEOL Ltd., Japan. Intended Use: The instrument will be used to study the morphology or shape, composition, crystal structure, local bonding environment, hardness, and electrical properties of inorganic materials such as oxides, metals, ceramics, polymers, as well as organic materials such as tissue samples, in the size range from tenths of a nanometer to tens of micrometers. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the United States. Application accepted by Commissioner of Customs: December 14, 2012.

Docket Number: 12–068. Applicant: National Center for Toxicological Research, USFDA, 3900 NCTR Rd., Jefferson, Arkansas 72079. Instrument: Electron Microscope. Manufacturer: Carl Zeiss, Germany. Intended Use: The instrument will be used to quantify the toxicological properties of nanoscale materials that are being regulated by the FDA, including metal oxides and carbon-based nanomaterials. The experiments will include determining the toxicity of nanoscale metal oxides in cultured cells, quantifying the distribution and toxicity of nanoscale silver and metal oxides in animals, and studying the migration of nanoscale materials from plastic materials. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the United States. Application accepted by Commissioner of Customs: December 20, 2012.

Docket Number: 12–069. Applicant: Temple University, 1947 North 12th St.,

Philadelphia, PA 19122. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: The instrument will be used for several projects such as improving the fabrication quality of a planar MgB<sub>2</sub>/TiB<sub>2</sub>/MgB<sub>2</sub> Josephson junction, the development of a smart needling device for image-guided percutaneous intervention and delivery of therapeutic agents in prostate, and fracture mechanics in development of enhanced geothermal energy resources. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the United States. Application accepted by Commissioner of Customs: December 20, 2012.

Dated: January 8, 2013.

**Gregory W. Campbell,**

*Director of Subsidies Enforcement, Import Administration.*

[FR Doc. 2013–00586 Filed 1–11–13; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648–XB152**

**Endangered Species; File No. 16645**

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that the Georgia Department of Natural Resources (GA DNR) has been issued a permit for the incidental take of shortnose (*Acipenser brevirostrum*) and Atlantic sturgeon (*A. oxyrinchus*) associated with the otherwise lawful commercial shad fishery in Georgia.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office:

Endangered Species Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13626, Silver Spring, MD 20910; phone (301) 427–8403; fax (301) 713–4060.

**FOR FURTHER INFORMATION CONTACT:** Kristy Beard or Angela Somma, (301) 427–8403.

**SUPPLEMENTARY INFORMATION:** On April 11, 2012, notice was published in the **Federal Register** (77 FR 21751) that a request for a permit for the incidental take of shortnose and Atlantic sturgeon associated with the otherwise lawful commercial shad fishery in Georgia had