

Use: The instrument will be used for research including studies of the morphology, grain structure and defect structure in modern structural 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: October 31, 2016.

*Docket Number:* 16–019. Applicant: University of Nebraska—Lincoln, 1700 Y St., Lincoln, NE 68588. Instrument: Electron Microscope. Manufacturer: Elmitec, Germany. Intended Use: The instrument will be used to research the synthesis and properties of novel nanomaterials, using the interaction of an electron beam with the surface of materials to image the surface with very high (nanometer scale) resolution, independent of temperature (in the range from ~–100 C to well over 1000 C) and in the presence of different gases and vapors. 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: November 4, 2016.

*Docket Number:* 16–020. Applicant: Lafayette College, 730 High Street, Easton, PA 18042. Instrument: High Power Q-Switched Diode-Pumped Solid State Laser. Manufacturer: EdgeWave GMBH, Germany. Intended Use: The instrument will be used to study time-dependent finite chemical rate and mixing effects in turbulent combustion and the investigation of coherent structures in turbulent boundary layers. The instrument is approximately 10 times more powerful than any other high-repetition diode-pumped solid state available from a U.S. manufacturer. Techniques to be performed include Planar Laser Induced Fluorescence imaging, exploiting the high-repetition rate and tenability features of the instrument. 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: November 4, 2016.

*Docket Number:* 16–022. Applicant: Regents of the University of Colorado, 1800 Grant St., Denver, CO 80203. Instrument: Electron Microscope. Manufacturer: FEI Company, Brno Czech Republic. Intended Use: The instrument will be used to research the structural basis for macromolecular function in both healthy and diseased 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: November 4, 2016.

Dated: December 5, 2016.

**Gregory W. Campbell,**  
*Director of Subsidies Enforcement,*  
*Enforcement and Compliance.*

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**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–201–838]

#### Seamless Refined Copper Pipe and Tube From Mexico: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2014–2015

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on seamless refined copper pipe and tube from Mexico. The review covers three producers/exporters of the subject merchandise, GD Affiliates S. de R.L. de C.V. (Golden Dragon), Nacional de Cobre, S.A. de C.V. (Nacobre), and IUSA, S.A. de C.V. (IUSA). The period of review (POR) is November 1, 2014, through October 31, 2015. We have preliminarily found that sales of subject merchandise have been made at prices below normal value. Interested parties are invited to comment on these preliminary results.

**DATES:** Effective December 12, 2016.

**FOR FURTHER INFORMATION CONTACT:** Dennis McClure or George Ayache, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5973 or (202) 482–2623, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Scope of the Order**

The merchandise subject to the *Order*<sup>1</sup> is seamless refined copper pipe and tube. The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7411.10.1030 and

<sup>1</sup> See *Seamless Refined Copper Pipe and Tube from Mexico and the People's Republic of China: Antidumping Duty Orders and Amended Final Determination of Sales at Less Than Fair Value from Mexico*, 75 FR 71070 (November 22, 2010) (the *Order*).

7411.10.1090, and also may enter under HTSUS subheadings 7407.10.1500, 7419.99.5050, 8415.90.8065, and 8415.90.8085. The HTSUS subheadings are provided for convenience and customs purposes only; the written product description of the scope of the *Order* is dispositive.<sup>2</sup>

##### **Methodology**

The Department is conducting this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Constructed export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and it is available to all parties in the Central Records Unit, room B0824 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content. A list of the topics discussed in the Preliminary Decision Memorandum is attached as the Appendix to this notice.

##### **Preliminary Determination of No Shipments**

Among the companies under review, IUSA properly filed a statement reporting that it made no shipments of subject merchandise to the United States during the POR.<sup>3</sup> Because U.S. Customs and Border Protection (CBP) did not provide any information contradicting IUSA's claim to have made no shipments, the Department

<sup>2</sup> See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled "Seamless Refined Copper Pipe and Tube from Mexico: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2014–2015," dated concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum), for a complete description of the Scope of the *Order*.

<sup>3</sup> For a full explanation of the Department's analysis, see the Preliminary Decision Memorandum.

preliminarily determines that IUSA did not have any reviewable transactions during the POR. Consistent with our practice, we are not preliminarily rescinding the review with respect to IUSA but, rather, we will complete the review with respect to this company and issue appropriate instructions to CBP based on the final results of this review.<sup>4</sup>

#### Preliminary Results of Review

The Department preliminarily determines that the following weighted-average dumping margins exist:

Producer/exporter	Weighted-average dumping margin (percent)
GD Affiliates S. de R.L. de C.V. <sup>5</sup>	1.93
Nacional de Cobre, S.A. de C.V	6.50

#### Disclosure and Public Comment

The Department intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.<sup>6</sup> Interested parties may submit case briefs to the Department no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the time limit for filing case briefs.<sup>7</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>8</sup> Case and rebuttal briefs should be filed using ACCESS.<sup>9</sup>

<sup>4</sup> See e.g., *Certain Frozen Warmwater Shrimp from Thailand; Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Review, Preliminary Determination of No Shipments; 2012–2013*, 79 FR 15951, 15952 (March 24, 2014), unchanged in *Certain Frozen Warmwater Shrimp from Thailand: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission of Review; 2012–2013*, 79 FR at 51306 (August 28, 2014).

<sup>5</sup> The Department previously treated GD Affiliates S. de R.L. de C.V. as part of a single entity including: GD Copper Cooperatief U.A./Hong Kong GD Trading Co. Ltd./Golden Dragon Holding (Hong Kong) International, Ltd./GD Copper U.S.A. Inc./GD Affiliates Servicios S. de R.L. de C.V./GD Affiliates S. de R.L. de C.V., which is collectively referred to as Golden Dragon. See, e.g., *Seamless Refined Copper Pipe and Tube from Mexico: Final Results of Antidumping Duty New Shipper Review*, 77 FR 59178 (September 26, 2012), and accompanying Issues and Decision Memorandum.

<sup>6</sup> See 19 CFR 351.224(b).

<sup>7</sup> See 19 CFR 351.309(d).

<sup>8</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>9</sup> See 19 CFR 351.303.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Standard Time within 30 days after the date of publication of this notice.<sup>10</sup> Hearing requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.<sup>11</sup>

The Department intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h), unless this deadline is extended.

#### Assessment Rates

Upon issuance of the final results, the Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.<sup>12</sup> Golden Dragon and Nacobre reported the names of the importers of record and the entered value for all of their sales to the United States during the POR. If Golden Dragon's and Nacobre's weighted-average dumping margins are not zero or *de minimis* (i.e., less than 0.50 percent) in the final results of this review, we will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1), and we will instruct CBP to assess antidumping duties on all appropriate entries covered by this review. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

In accordance with the Department's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Golden Dragon

and Nacobre for which they did not know their merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediary involved in the transaction.<sup>13</sup> Further, if we continue to find in the final results that IUSA had no shipments of subject merchandise during the POR, we will instruct CBP to liquidate any suspended entries that entered under its antidumping duty case number at the all-others rate.

We intend to issue instructions to CBP 41 days after the publication date of the final results of this 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 seamless refined copper pipe and tube from Mexico entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rates for Golden Dragon and Nacobre will be equal to the weighted-average dumping margins established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recently-completed segment for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 26.03 percent, the all-others rate established in the *Order*. 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

<sup>10</sup> See 19 CFR 351.310(c).

<sup>11</sup> *Id.*

<sup>12</sup> See 19 CFR 351.212(b).

<sup>13</sup> For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: December 5, 2016.

**Paul Piquado,**

*Assistant Secretary, for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Preliminary Determination of No Shipments
5. Discussion of the Methodology
  - i. Normal Value Comparisons
  - ii. Determination of Comparison Method
  - iii. Product Comparisons
  - iv. Date of Sale
  - v. Constructed Export Price
  - vi. Normal Value
  - vii. Currency Conversion
6. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Renewable Energy and Energy Efficiency Advisory Committee; Meeting

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

**ACTION:** Notice of an open meeting.

**SUMMARY:** The Renewable Energy and Energy Efficiency Advisory Committee (REEEAC) will hold a conference call on Thursday, December 22, 2016 at 11:00 a.m. The conference call is open to the public with registration instructions provided below.

**DATES:** December 22, 2016, from approximately 11:00 a.m. to 12:00 p.m. Eastern Standard Time (EST). Members of the public wishing to participate must register in advance with Victoria Gunderson at the contact information below by 5:00 p.m. EST on Tuesday, December 20, 2016, including any requests to make comments during the meeting or for accommodations or auxiliary aids.

**FOR FURTHER INFORMATION CONTACT:** Victoria Gunderson, Designated Federal Officer, Office of Energy and Environmental Industries (OEEI), International Trade Administration, U.S. Department of Commerce at (202)

482-7890; email: [Victoria.Gunderson@trade.gov](mailto:Victoria.Gunderson@trade.gov).

#### SUPPLEMENTARY INFORMATION:

**Background:** The Secretary of Commerce established the REEEAC pursuant to discretionary authority and in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App.), on July 14, 2010. The REEEAC was re-chartered on June 18, 2012, June 12, 2014, and June 9, 2016. The REEEAC provides the Secretary of Commerce with consensus advice from the private sector on the development and administration of programs and policies to enhance the export competitiveness of the U.S. renewable energy and energy efficiency industries.

During the December 22 conference call of the REEEAC, committee members will recommend/approve the Sub-Committee structure, select their recommendations for Sub-Committee leadership, and potentially approve recommendations and/or a letter for input to the Secretary of Commerce.

The meeting will be open to the public and will be accessible to people with disabilities. All guests are required to register in advance by the deadline identified under the **DATES** caption. Requests for auxiliary aids must be submitted by the registration deadline. Last minute requests will be accepted, but may not be possible to fill.

A limited amount of time before the close of the meeting will be available for pertinent 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 to five minutes per person (depending on the number of public participants). Individuals wishing to reserve speaking time during the meeting must contact Ms. Gunderson and submit a brief statement of the general nature of the comments, as well as the name and address of the proposed participant by 5:00 p.m. EST on Tuesday, December 20, 2016. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the International Trade Administration may conduct a lottery to determine the speakers. Speakers are requested to submit a copy of their oral comments by email to Ms. Gunderson for distribution to the participants in advance of the meeting.

Any member of the public may submit pertinent written comments concerning the REEEAC's affairs at any time before or after the meeting. Comments may be submitted to the Renewable Energy and Energy Efficiency Advisory Committee, c/o:

Victoria Gunderson, Designated Federal Officer, Office of Energy and Environmental Industries, U.S. Department of Commerce; 1401 Constitution Avenue NW.; Mail Stop: 4053; Washington, DC 20230. To be considered during the meeting, written comments must be received no later than 5:00 p.m. EST on Tuesday, December 20, 2016, to ensure transmission to the Committee prior to the meeting. Comments received after that date will be distributed to the members but may not be considered at the meeting.

Copies of REEEAC meeting minutes will be available within 30 days following the meeting.

Dated: December 6, 2016.

**Edward A. O'Malley,**

*Director, Office of Energy and Environmental Industries.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE395

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Port of Kalama Expansion Project on the Lower Columbia River

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

**ACTION:** Notice; issuance of an Incidental Harassment Authorization (IHA).

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), notification is hereby given that NMFS has issued an IHA to the Port of Kalama (POK) for an IHA to take small numbers of marine mammals, by Level B harassment, incidental to in-water construction activities associated with the Port of Kalama Expansion Project.

**DATES:** Effective September 1, 2017, through August 31, 2018.

**ADDRESSES:** An electronic copy of the final Authorization, POK's application and the environmental assessment (EA) may be obtained by writing to the address specified below, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.NOAA.Fisheries.noaa.gov/pr/permits/incidental.html>. Documents cited in this notice may also be