

#5



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

September 18, 2009

Ms. Patricia A. Kurkul  
Regional Administrator  
NMFS, Northeast Regional Office  
55 Great Republic Drive  
Gloucester, MA 01930

**RE: Comments on the URI Drop Chain Trawl Net EFP Request**

Dear Pat:

The New England Fishery Management Council has no objection to the exempted fishery permit for the above-mentioned study as described in the *Federal Register* Vol. 74, No. 178 dated September 16, 2009.

If you have any question please contact me.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Howard". The signature is written in a cursive, flowing style.

Paul J. Howard  
Executive Director

this time. Specifically, the Department has questions concerning the restructuring discussed above with respect to the business operations of Evotape Masking and Evotape Packaging. It appears from the information on the record that both companies use facilities once owned by Tyco (and before Tyco, by Manuli). Manuli/Tyco's antidumping duty margin may have been calculated based on information derived from all of these facilities. Therefore, a determination of a successor-in-interest, for purpose of antidumping liability, requires the Department to gather further information before it can make a preliminary successor-in-interest determination.

Accordingly, the Department has determined that it would be inappropriate to expedite this action by combining the preliminary results of review with this notice of initiation, as permitted under 19 CFR 351.221(c)(3)(ii) and as requested by Evotape Packaging. As a result, the Department is not issuing preliminary results for this changed circumstances review at this time.

The Department will request additional information in accordance with 19 CFR 351.221(b)(2), and will publish in the **Federal Register** a notice of preliminary results of the changed circumstances review, in accordance with 19 CFR 351.221(b)(4) and (c)(3)(i), which will set forth the factual and legal conclusions upon which our preliminary results are based and a description of any action proposed. Interested parties will have an opportunity to comment on the preliminary results of review. In accordance with 19 CFR 351.216(e), the Department will issue the final results of this antidumping duty changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary results.

During the course of this antidumping duty changed circumstances review, cash deposit requirements for the subject merchandise produced and exported by Evotape Packaging will continue to be the all-others rate established in the investigation. See *Pressure Sensitive Plastic Tape From Italy; Determination of Injury or Likelihood Thereof*, 42 FR 44853 (September 7, 1977). The cash deposit rate requirement will be altered, if warranted, pursuant only to the final results of this review.

This notice of initiation is in accordance with sections 751(b)(1) and 777(i) of the Act and 19 CFR 351.216 and 351.221(c)(3).

Dated: September 10, 2009.

**John M. Andersen,**

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

[FR Doc. E9-22340 Filed 9-15-09; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XR44

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a proposal for an EFP to conduct exempted fishing; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that the subject EFP application that was submitted by the University of Rhode Island (URI) warrants further consideration and should be issued for public comment. The EFP would exempt participating vessels from summer flounder size restrictions, scup size restrictions, scup possession restrictions, and possession restrictions for squid and butterfish. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP); and the Atlantic Mackerel, Squid, and Butterfish FMP. However, further review and consultation may be necessary before a final determination is made.

**DATES:** Comments must be received on or before October 1, 2009.

**ADDRESSES:** Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is [nero.efp@noaa.gov](mailto:nero.efp@noaa.gov). Include in the subject line of the e-mail comment the following document identifier:

"Comments on URI Drop Chain Trawl Net EFP." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on

URI Drop Chain Trawl Net EFP." Comments may also be sent via facsimile (fax) to (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Sarah Bland, Fishery Management Specialist, (978) 281-9257.

**SUPPLEMENTARY INFORMATION:** A complete application for an EFP was submitted by URI on August 31, 2009, for a study that would test the effectiveness of a drop chain small mesh net in its ability to reduce catches of summer flounder in the small mesh fishery. The study would also evaluate discard mortality of summer flounder caught using the Reflex Action Mortality Predictor (RAMP) method.

The study would be conducted aboard two commercial fishing vessels in the directed small mesh fishery for squid in Block Island Sound and Rhode Island Sound. Research trips associated with the study would be conducted over a 12-month period, beginning in October 2009 and continuing through September 2010. Field work would be split into three time periods, consisting of a total of 12 fishing days. Vessels would conduct side-by-side tows, with one vessel towing a control net and the other towing an experimental net. The control net would be a 362 x 12-cm two-seam polyethylene balloon net equipped with a 20-cm rockhopper sweep. The experimental net would be identical to the control net, but equipped with a 1-ft (30.5-cm) drop chain sweep.

Each fishing day would consist of four to six tows of 1.5 hr duration. For each tow, total catch size would be determined prior to subsampling. Following Northeast Fisheries Science Center (NEFSC) protocols, either all of the summer flounder catch, or a subsample, would be weighed. Target catch species would include squid, butterfish, and scup. These species would also be sampled and weighed. Species would be sorted by sub-legal and legal-sized fish, and weights would be taken for each group.

On 5 fishing days, up to 50 legal and sub-legal sized summer flounder would be transferred to an on-board holding tank. Individual fish would be measured for length, and the presence or absence of six RAMP tests would be noted. After visual inspection, fish would be tagged, transported in coolers to the Blount Aquaculture Research Laboratory, and held for 60 days for survival and growth studies.

The applicants have requested exemptions from summer flounder size restrictions at § 648.103. This exemption would allow vessels to retain and land summer flounder that would be transported to the Blount Aquaculture

Research Lab for a 2-month holding period to quantify delayed mortality. Fish surviving the 2-month holding period would be returned to Rhode Island coastal waters. The applicants have also requested temporary exemptions from scup size restrictions at § 648.124; scup possession limits at § 648.125; and possession restrictions for squid and butterfish at § 648.25. These exemptions would allow incidental catch species to be temporarily retained for data collection purposes. Incidental catch below the minimum size, and above the possession limit, would be discarded immediately following data collection.

The applicants anticipate that for each control net tow, the legal-sized summer flounder catch would be 75 lb (34 kg), and the sub-legal sized summer flounder catch would be 12 lb (5.4 kg). Target catch, including squid, butterfish, and scup, would total 150 lb (68 kg). For each experimental net tow, both the legal-sized and sub-legal sized summer flounder catch would be less than 10 lb (4.5 kg). Target catch would remain 150 lb (68 kg). Each day of fishing would consist of four to six side-by-side tows, with a total of 12 fishing days for the project.

The applicants may request minor modifications and extensions to the EFP throughout the course of research. EFP modifications and extensions may be granted without further public notice if they are deemed essential to facilitate completion of the proposed research and result in only a minimal change in the scope or impacts of the initially approved EFP request.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 11, 2009.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-22269 Filed 9-15-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Emerging Technology and Research Advisory Committee; Notice of Partially Closed Meeting

The Emerging Technology and Research Advisory Committee (ETRAC) will meet on October 1, 2009, 8:30 a.m., Room 4830, and on October 2, 2009, 8:30 a.m., Room 3884, at the Herbert C. Hoover Building, 14th Street between Pennsylvania and Constitution Avenues, NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export

Administration on emerging technology and research activities, including those related to deemed exports.

#### Agenda

*Thursday, October 1*

*Open Session:*

1. Opening Remarks.
2. Deemed Export Control

*Methodology.*

3. Public Comments.

*Closed Session:*

4. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3).

*Friday, October 2*

*Open Session:*

1. Deemed Export Control
- Methodology.*

2. Subcommittee Break-Out Meetings.

The open session will be accessible via teleconference to 20 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at [Yspringer@bis.doc.gov](mailto:Yspringer@bis.doc.gov) no later than September 24, 2009.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via e-mail.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 10, 2009, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 §§ (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. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482-2813.

Dated: September 10, 2009.

**Yvette Springer,**

*Committee Liaison Officer.*

[FR Doc. E9-22300 Filed 9-15-09; 8:45 am]

BILLING CODE 3510-JT-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-904]

#### Certain Activated Carbon From the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

**EFFECTIVE DATE:** September 16, 2009.

**FOR FURTHER INFORMATION CONTACT:** Katie Marksberry, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone- (202) 482-7906.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 29, 2009, the Department of Commerce ("Department") published a notice of initiation of an administrative review of the antidumping duty order on certain activated carbon from the People's Republic of China ("PRC") covering the period, April 1, 2008 March 31, 2009. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 74 FR 25711 (May 29, 2009) ("*Initiation*"). On June 18, 2009, Calgon Carbon Corporation and Norit Americas Inc. (collectively known as, "Petitioners") withdrew their request for a review of 155 companies, and on July 2, 2009, the Department published a notice of partial rescission of the antidumping duty order on certain activated carbon for those companies. See *Certain Activated Carbon from the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review*, 74 FR 31690 (July 2, 2009).

On August 19, 2009, respondent Calgon Carbon Tianjin Co., Ltd. ("CCT") withdrew its request for review. On August 21, 2009, Petitioners withdrew their request for an administrative review for CCT and the following additional 12 companies: Datong Forward Activated Carbon Co., Ltd.; Datong Guanghua Activated Co., Ltd.; Datong Locomotive Coal & Chemicals Co., Ltd.; Huairan Jinbei Chemicals Co., Ltd.; Jilin Province Bright Future Industry and Commerce Co., Ltd.; Nuclear Ningxia Activated Carbon Co., Ltd.; Pingluo Yu Yang Activated Carbon Co., Ltd.; Shanxi Sincere Industrial Co., Ltd.; Shanxi Xuanzhong Chemical Industry Co., Ltd.; Tiangjin Maijin Industries Co., Ltd.; Xi'an Shuntong