

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-898]

**Chlorinated Isocyanurates From the People's Republic of China: Initiation of New Shipper Review**

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

**DATES:** *Effective Date:* February 4, 2011.

**SUMMARY:** The Department of Commerce (the "Department") has determined that a request for a new shipper review of the antidumping duty order on chlorinated isocyanurates from the People's Republic of China ("PRC"), received on December 20, 2010, meets the statutory and regulatory requirements for initiation. The period of review ("POR") of this new shipper review is June 1, 2010, through December 31, 2010.

**FOR FURTHER INFORMATION CONTACT:** Krisha Hill or Charles Riggle, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-4037 and (202) 482-0650, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

The notice announcing the antidumping duty order on chlorinated isocyanurates from the PRC was published in the **Federal Register** on June 24, 2005. *See Notice of Antidumping Duty Order: Chlorinated Isocyanurates From the People's Republic of China*, 70 FR 36561 (June 24, 2005). On December 20, 2010, we received a timely request for a new shipper review from Heze Huayi Chemical Co. Ltd., ("Heze Huayi") in accordance with 19 CFR 351.214(c) and 351.214(d). Heze Huayi has certified that it produced all of the chlorinated isocyanurates it exported, which is the basis for its request for a new shipper review.

Pursuant to the requirements set forth in 19 CFR 351.214(b)(2)(i), 19 CFR 351.214(b)(2)(ii) and 19 CFR 351.214(b)(2)(iii), in its request for a new shipper review, Heze Huayi, as an exporter and producer, certified that: (1) It did not export chlorinated isocyanurates to the United States during the period of investigation; (2) since the initiation of the investigation, Heze Huayi has never been affiliated with any company that exported subject merchandise to the United States during

the period of investigation; and (3) its export activities were not controlled by the central government of the PRC.

In accordance with 19 CFR 351.214(b)(2)(iv), Heze Huayi submitted documentation establishing the following: (1) The date on which it first shipped chlorinated isocyanurates for export to the United States and the date on which the chlorinated isocyanurates were first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.

The Department conducted U.S. Customs and Border Protection ("CBP") database queries in an attempt to confirm that Heze Huayi's shipment of subject merchandise had entered the United States for consumption and that liquidation had been properly suspended for antidumping duties. The information which the Department examined was consistent with that provided by Heze Huayi in its request. *See Memorandum to The File from Krisha Hill, Analyst, "Initiation of Antidumping New Shipper Review: Chlorinated Isocyanurates, from the People's Republic of China, A-570-898," ("New Shipper Initiation Checklist")* dated concurrently with this notice, at Page 6. However, the Department has concerns with certain other information contained within the CBP data. Due to the business proprietary nature of this information, please refer to the New Shipper Initiation Checklist for further discussion. The Department intends to address this issue after initiation of the new shipper review.

**Period of Review**

Pursuant to 19 CFR 351.214(g)(1)(i)(B), the POR for a new shipper review initiated in the month immediately following the semiannual anniversary month, will normally be the six-month period immediately preceding the semiannual anniversary month, in this instance June 1, 2010, through November 30, 2010. However, when the new shipper's first shipment has entered after the POR, the Department may expand the POR, unless an expansion would be likely to prevent the completion of the review within the time limits set by the Department's regulations. *See* 19 CFR 351.214(f)(2)(ii). The documentation provided by Heze Huayi indicates that its first shipment entered one day after the end of the six-month POR, and that its first sale to an unaffiliated customer occurred during the six-month POR. In accordance with 19 CFR 351.214(f)(2)(ii), we are extending the

POR by 31 days to December 31, 2010, to capture the entry of Heze Huayi's first shipment. The Department finds that this delay does not prevent the completion of the review within the time limits set by the Department's regulations. Therefore, the POR for this new shipper review is June 1, 2010, through December 31, 2010.

**Initiation of New Shipper Review**

Pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the "Act") and 19 CFR 351.214(d)(1), we find that the request submitted by Heze Huayi meets the threshold requirements for initiation of a new shipper review for shipments of chlorinated isocyanurates from the PRC produced and exported by Heze Huayi. *See Memorandum to the File through Wendy Frankel, Office Director, New Shipper Initiation Checklist*, dated concurrently with this notice. However, if the information supplied by Heze Huayi is later found to be incorrect or insufficient during the course of this proceeding, the Department may rescind the review or apply adverse facts available pursuant to section 776 of the Act, depending upon the facts on record.

The Department intends to issue the preliminary results of this NSR no later than 180 days from the date of initiation, and the final results no later than 90 days from the issuance of the preliminary results. *See* section 751(a)(2)(B)(iv) of the Act.

It is the Department's usual practice, in cases involving non-market economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Heze Huayi, which will include a separate rate section. The review will proceed if the response provides sufficient indication that Heze Huayi is not subject to either *de jure* or *de facto* government control with respect to its export of chlorinated isocyanurates.

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from Heze Huayi in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Heze Huayi certified that it both produced and exported the subject merchandise, the sale of which is the basis for this new shipper review request, we will apply the bonding privilege to Heze Huayi

only for subject merchandise which Heze Huayi both produced and exported.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 19 CFR 351.221(c)(1)(i).

Dated: January 31, 2011.

**Christian Marsh,**

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

[FR Doc. 2011-2526 Filed 2-3-11; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Billfish Certificate of Eligibility

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 5, 2011.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Margo Schulze-Haugen, (301) 713-2347 or [Margo.Schulze-Haugen@noaa.gov](mailto:Margo.Schulze-Haugen@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

Under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), NOAA is

responsible for management of the Nation's marine fisheries. In addition, NOAA must comply with the United States' (U.S.) obligations under the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 *et seq.*). A Certificate of Eligibility (COE) for Billfishes is required under 50 CFR part 635 to accompany all billfish, except for a billfish landed in a Pacific state and remaining in the state of landing. This documentation certifies that the accompanying billfish was not harvested from the applicable Atlantic Ocean management unit (described on the NOAA sample certificate at <http://www.nmfs.noaa.gov/sfa/hms/GPEA/0216%20Billfish%20COEform.pdf>), and identifies the vessel landing the billfish, the vessel's homeport, the port of offloading, and the date of offloading. The certificate must accompany the billfish to any dealer or processor who subsequently receives or possesses the billfish. The certificate is required for all first receivers of billfish, and dealers or processors who subsequently receive or possess billfish must also retain a copy of the certificate while processing or handling the billfish. A standard certificate format is not currently required to document the necessary information, provided it contains all of the information required. The continuation of this collection is necessary to implement the Consolidated Highly Migratory Species Fishery Management Plan, which contains an objective to reserve Atlantic billfish for the recreational fishery.

##### II. Method of Collection

A paper document is required to be completed by respondents. The document must be signed, dated, and retained by each dealer or processor who subsequently receives or possesses the billfish.

##### III. Data

*OMB Control Number:* 0648-0216.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 200.

*Estimated Time per Response:* 20 minutes for initial completion of certificate and 2 minutes for subsequent billfish purchase record keeping.

*Estimated Total Annual Burden Hours:* 43.

*Estimated Total Annual Cost to Public:* \$0.

##### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information

is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 1, 2011.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA189**

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Notice of receipt of application for a new scientific research and enhancement permit, notice of public meetings, and request for comment.

**SUMMARY:** Notice is hereby given that NMFS has received an application for a scientific research and enhancement permit (permit 14868) relating to salmon listed under the Endangered Species Act (ESA). The application includes a Hatchery and Genetic Management Plan (HGMP) that provides detailed information regarding the proposed enhancement activities. This document serves to notify the public of the availability of the permit application and HGMP for review and comment. The applications and related documents may be viewed online at: <http://swr.nmfs.noaa.gov/sjrestorationprogram/salmonreintroduction.htm>. These documents are also available upon written request or by appointment by contacting NMFS by phone (916) 930-3600, fax (916) 930-3629.