

### Assessment Rates

Upon issuance of the final results, 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. Pursuant to 19 CFR 351.212(b)(1), we will calculate importer-specific (or customer) *ad valorem* duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final results of this review is above de minimis.

### Cash-Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of the new shipper review for all shipments of subject merchandise by BIM Seafood, entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Tariff Act of 1930, as amended ("Act"): (1) for subject merchandise produced and exported by BIM Seafood, the cash deposit rate will be zero; (2) for subject merchandise exported by BIM Seafood, but not manufactured by BIM Seafood, the cash deposit rate will continue to be the Vietnam-wide rate of 25.76 percent; and (3) for subject merchandise manufactured by BIM Seafood, but exported by any party other than BIM Seafood, the cash deposit rate will be the rate applicable to the exporter. These cash deposit requirements will remain in effect until further notice.

### Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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.

### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their

responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, 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 which is subject to sanction.

We are issuing and publishing this determination in accordance with sections 751(a)(2)(B) and 777(i) of the Act, and 19 CFR 351.214(h) and 351.221(b)(5).

Dated: May 18, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

### Appendix - Issues and Decision Memorandum

*Comment 1:* International Freight

*Comment 2:* Raw Shrimp Count-Size Conversion

[FR Doc. E9-12152 Filed 5-22-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1620]

### Grant of Authority for Subzone Status; Grafil, Inc. (Carbon Fiber), Sacramento, CA

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for " \* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Sacramento-Yolo Port District, grantee of FTZ 143, has made application to the Board for authority to establish special-purpose subzone status

at the carbon fiber manufacturing plant of Grafil, Inc., located in Sacramento, California (FTZ Docket 37-2007, filed 8/14/2007);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (72 FR 48612, 8/24/07); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations would be satisfied, and that approval of the application would be in the public interest, if approval were subject to the condition listed below;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to the manufacture of carbon fiber at the Grafil, Inc., facilities, located in Sacramento, California (Subzone 143D), as described in the application and **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including Section 400.28, and also subject to the condition that approval is for an initial period of five years, subject to extension upon review.

Signed at Washington, DC, this 7th day of May 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-12129 Filed 5-22-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### Hydrographic Services Review Panel; Membership Solicitation

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

**ACTION:** Notice of membership solicitation for Hydrographic Services Review Panel.

**SUMMARY:** This notice responds to the Hydrographic Services Improvement Act Amendments of 2002, Public Law 107-372, which requires the Under Secretary of Commerce for Oceans and Atmosphere to solicit nominations for membership on the Hydrographic Services Review Panel (the Panel). This advisory committee will advise the Under Secretary on matters related to the responsibilities and authorities set forth in section 303 of the Hydrographic Services Improvement Act of 1998, and

such other appropriate matters as the Under Secretary refers to the Panel for review and advice.

**DATES:** Résumés should be sent to the address, e-mail, or fax specified and must be received by June 26, 2009.

**ADDRESSES:** Director, Office of Coast Survey, National Ocean Service, NOAA (N/CS), 1315 East West Highway, Silver Spring, MD 20910, fax: 301-713-4019, e-mail: [Hydroservices.panel@noaa.gov](mailto:Hydroservices.panel@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Captain Steven Barnum, NOAA, Director, Office of Coast Survey, National Ocean Service (NOS), NOAA (N/CS), 1315 East West Highway, Silver Spring, Maryland 20910; Telephone: 301-713-2770, Fax: 301-713-4019; e-mail: [steven.barnum@noaa.gov](mailto:steven.barnum@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Under 33 U.S.C. 883a, *et seq.*, NOAA's National Ocean Service (NOS) is responsible for providing nautical charts and related information for safe navigation. NOS collects and compiles hydrographic, tidal and current, geodetic, and a variety of other data in order to fulfill this responsibility. The Hydrographic Services Review Panel provides advice on topics such as "NOAA's Hydrographic Survey Priorities," technologies relating to operations, research and development of data pertaining to:

- (a) Hydrographic surveying;
- (b) Nautical charting;
- (c) Water level measurements;
- (d) Current measurements;
- (e) Geodetic measurements; and
- (f) Geospatial measurements.

The Panel comprises fifteen voting members appointed by the Under Secretary in accordance with section 105 of Public Law 107-372. Members are selected on a standardized basis, in accordance with applicable Department of Commerce guidance. The Co-Director of the Joint Hydrographic Center and two other employees of the National Oceanic and Atmospheric Administration serve as nonvoting members of the Panel. The Director, Office of Coast Survey, serves as the Designated Federal Official (DFO). This solicitation is to obtain candidate applications for one current voting vacancy on the Panel, and for five voting members whose terms expire January 1, 2010, and candidates for voting members who might resign at any time during 2009. Be advised that some voting members whose terms expire January 1, 2010, may be reappointed for another full term if eligible.

Voting members are individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more disciplines relating to

hydrographic surveying, tides, currents, geodetic and geospatial measurements, marine transportation, port administration, vessel pilotage, and coastal or fishery management. An individual may not be appointed as a voting member of the Panel if the individual is a full-time officer or employee of the United States. Any voting member of the Panel who is an applicant for, or beneficiary of (as determined by the Under Secretary) any assistance under the Act shall disclose to the Panel that relationship, and may not vote on any other matter pertaining to that assistance.

Voting members of the Panel serve a four-year term, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. Members serve at the discretion of the Under Secretary and are subject to government ethics standards. Any individual appointed to a partial or full term may be reappointed for one additional full term. A voting member may serve until his or her successor has taken office. The Panel selects one voting member to serve as the Chair and another to serve as the Vice Chair. The Vice Chair acts as Chair in the absence or incapacity of the Chair but will not automatically become the Chair if the Chair resigns. Meetings occur at least twice a year, and at the call of the Chair or upon the request of a majority of the voting members or of the Under Secretary. Voting members receive compensation at a rate established by the Under Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code, when engaged in performing duties for the Panel. Members are reimbursed for actual and reasonable expenses incurred in performing such duties.

Panel members selected to serve on the HSRP FACA committee must complete the following:

(a) Security Clearance (on-line Background Security Check process and fingerprinting conducted through NOAA Workforce Management);

(b) Confidential Financial Disclosure Report—As an SGE you are required to file a Confidential Financial Disclosure Report to avoid involvement in a real or apparent conflict of interest. You may find the Confidential Financial Disclosure Report at the following Web site: [http://www.usoge.gov/forms/form\\_450.aspx](http://www.usoge.gov/forms/form_450.aspx).

(c) Certification of Status Statement (certifying statement that as an SGE you are not an agent of a foreign principal or a lobbyist—document provided by NOAA).

Dated: May 19, 2009.

**Captain Steven Barnum,**

*NOAA, Director, Office of Coast Survey, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. E9-12066 Filed 5-22-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XO71**

#### Incidental Takes of Marine Mammals During Specified Activities; Low-Energy Marine Seismic Survey in the Northeast Pacific Ocean, July 2009

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

**ACTION:** Notice; proposed incidental take authorization; request for comments.

**SUMMARY:** NMFS has received an application from the Scripps Institution of Oceanography (SIO), a part of the University of California San Diego (UCSD), for an Incidental Harassment Authorization (IHA) to take small numbers of marine mammals, by harassment, incidental to conducting a marine seismic survey in the Northeast Pacific Ocean during July 2009. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS requests comments on its proposal to authorize SIO to incidentally take, by Level B harassment only, small numbers of marine mammals during the aforementioned activity.

**DATES:** Comments and information must be received no later than June 25, 2009.

**ADDRESSES:** Comments on the application should be addressed to Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing email comments is [PR1.0648-XO71@noaa.gov](mailto:PR1.0648-XO71@noaa.gov). Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

A copy of the application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>.