

calculated an individual *ad valorem* subsidy rate for Ester, for the POR for this administrative review.

Manufacturer/exporter	Subsidy rate (percent)
Ester Industries Ltd. ....	11.81

### Disclosure

The Department will disclose to parties the calculations performed in connection with these final results within five days of the date of public announcement. See 19 CFR 351.224(b).

### Assessment and Cash Deposit Instructions

The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review to liquidate shipments of subject merchandise produced and exported by Ester and entered, or withdrawn from warehouse, for consumption on or after January 1, 2009, through December 31, 2009 at 11.81 percent *ad valorem* of the entered value.

The Department intends to also instruct CBP to collect cash deposits of the estimated countervailing duties at the rate of 11.81 percent *ad valorem* of the entered value on shipments of the subject merchandise produced and exported by Ester, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. These cash deposit requirements, when imposed, shall remain in effect until further notice. The cash deposit rates for all companies not covered by this review are not changed by the results of this administrative review.

### Return or Destruction of Proprietary Information

This notice serves as a reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 5, 2011.

**Christian Marsh,**  
*Acting Assistant Secretary for Import Administration.*

### Appendix I

#### List of Issues Addressed in the Issues and Decision Memorandum

- Comment 1: Respondent's Sales Figures.
- Comment 2: Calculation of Respondent's DEPS Benefit.
- Comment 3: Calculation of Respondent's EPCGS Benefit.
- Comment 4: Calculation of Respondent's Pre- and Post-Export Financing Benefit.
- Comment 5: The State of Uttar Pradesh Sales Tax Incentive Program.

[FR Doc. 2011-31691 Filed 12-8-11; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[File No. 14534]

**RIN 0648-XR52**

### Marine Mammals

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

**ACTION:** Notice; receipt of application for permit amendment.

**SUMMARY:** Notice is hereby given that NOAA's Office of Science and Technology, Silver Spring, MD, (Brandon Southall, Ph.D.—Principal Investigator) has applied for an amendment to Scientific Research Permit No. 14534-01.

**DATES:** Written, telefaxed, or email comments must be received on or before January 9, 2012.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 14534 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376; and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 14534 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

### FOR FURTHER INFORMATION CONTACT:

Tammy Adams or Carrie Hubard, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 14534 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 14534, issued on July 2, 2010 (75 FR 39665), authorizes the permit holder to harass marine mammals during studies of sound production, diving, responses to sound, and other behavior. The research is focused in the waters within the U.S. Navy's Southern California Range Complex, and primarily near the vicinity of San Clemente Island. The experimental design involves temporarily attaching individual recording tags to measure vocalization, behavior, and physiological parameters as well as sound exposure. Behavior is measured before, during, and after carefully controlled exposures of sound in conventional playback experiments. Target species include beaked whales and other odontocetes, key baleen whales, and pinniped species for which such data have not been previously obtained; other marine species may be incidentally impacted. Please refer to the tables in the issued permit for the numbers of marine mammals covered, by species and stock. The permit is valid through July 31, 2015.

A minor amendment, Permit No. 14534-01, was issued August 30, 2010, to combine the permitted takes of 60 long-beaked common dolphins (*Delphinus capensis*) and 3,540 short-beaked common dolphins (*D. delphis*) into a single "unidentified common dolphin" category for harassment

incidental to the playbacks because these species can co-occur and are difficult to distinguish from each other in the field and at the distances at which they are counted. The minor amendment did not change the expiration date.

The permit holder is requesting the permit be amended to include harassment takes of an additional 172 humpback whales (*Megaptera novaengliae*), 172 minke whales (*Balaenoptera acutorostrata*), and 902 killer whales (*Orcinus orca*). These three species are currently only taken incidental to activities directed at target species. The amendment would convert them to additional focal species subject to tagging and intentional exposure to sound playbacks with associated observations.

A draft environmental assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), to examine whether significant environmental impacts could result from issuance of the proposed scientific research permit. The draft EA is available for review and comment simultaneous with the scientific research permit application.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: December 2, 2011.

**Tammy C. Adams,**

*Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2011-31564 Filed 12-8-11; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA848**

#### Endangered Species; File No. 16134

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Virginia Aquarium and Marine Science Center Foundation [Responsible Party: Mark Swingle], 717 General Booth Blvd. Virginia Beach, VA 23451, has applied in due form for a permit to take green (*Chelonia mydas*), Kemp's ridley (*Lepidochelys kempii*), hawksbill

(*Eretmochelys imbricata*), leatherback (*Dermochelys coriacea*), and loggerhead (*Caretta caretta*) sea turtles for purposes of scientific research.

**DATES:** Written, telefaxed, or email comments must be received on or before January 9, 2012.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 16134 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits and Conservation Division,  
Office of Protected Resources, NMFS,  
1315 East-West Highway, Room  
13705, Silver Spring, MD 20910;  
phone (301) 427-8401; fax (301) 713-0376;

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA  
01930; phone (978) 281-9328; fax  
(978) 281-9394; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL  
33701; phone (727) 824-5312; fax  
(727) 824-5309.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division.

- By email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov) (include the File No. in the subject line of the email),

- By facsimile to (301) 713-0376, or
- At the address listed above.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Kristy Beard or Amy Hapeman, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The applicant requests a five-year permit to conduct research on leatherback, loggerhead, green, hawksbill, and Kemp's ridley sea turtles in mid-Atlantic waters from North Carolina to New Jersey. The purposes of the research are to: (1) Update current

knowledge of loggerhead and Kemp's ridley sea turtle abundance, distribution, health, and nutrition in Chesapeake Bay and nearshore Virginia waters, (2) compare the relative abundance, size distribution, sex ratio, health parameters and genetic diversity of loggerhead and Kemp's ridley sea turtles in U.S. mid-Atlantic coastal waters, and (3) build baseline data on less common sea turtle species in the region. Researchers would directly capture turtles using tangle nets, trawl, or hand/dip net. Subject turtles would also be acquired from other legal sources: Virginia pound net fisheries and dredge mitigating trawls. The following procedures would be conducted on sea turtles: Epibiota removal, satellite tag, temporarily mark the carapace, attach flipper and passive integrated transponder tags, measure, photograph, oral swab, weigh, and sample blood, feces, keratin, and tissue. Sea turtles would then be released. A subset of animals would be transported back to the laboratory for laparoscopy, ultrasound, imaging, and muscle, lesion, and fat biopsy. Up to two sea turtles of any species could be lethally taken annually during trawling.

Dated: December 5, 2011.

**P. Michael Payne,**

*Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA861**

#### Marine Mammals; File No. 16473

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that D. Ann Pabst, Ph.D., University of North Carolina Wilmington, has applied in due form for a permit to conduct research on marine mammals.

**DATES:** Written, telefaxed, or email comments must be received on or before January 9, 2012.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <http://>