

Exporter	Weighted-average dumping margin (percent)
Weihai Zhongwei Rubber Co., Ltd .....	70.55

### Assessment Rates

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1).<sup>14</sup> The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

For customers or importers of Xugong and Qihang for which we do not have entered value, we calculated importer- (or customer-) specific antidumping duty assessment amounts based on the ratio of the total amount of dumping duties calculated for the examined sales of subject merchandise to the total sales quantity of those same sales.<sup>15</sup> For customers or importers of Xugong and Qihang for which we received entered-value information, we have calculated importer- (or customer-) specific antidumping duty assessment rates based on importer- (or customer-) specific *ad valorem* rates.<sup>16</sup> For the non-examined separate rate companies, we will instruct CBP to liquidate all appropriate entries at 70.55 percent. For the PRC-wide entity, we will instruct CBP to liquidate all appropriate entries at 105.31 percent.

Pursuant to a refinement in the Department's non-market economy ("NME") practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the NME-wide rate.<sup>17</sup> In addition, if the Department determines that an exporter under review had no shipments of subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the NME-wide rate.

<sup>14</sup> See *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8103 (February 14, 2012) ("NME Antidumping Proceedings").

<sup>15</sup> See 19 CFR 351.212(b)(1).

<sup>16</sup> *Id.*

<sup>17</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be equal to the weighted-average dumping margin identified in the "Final Results" section of this notice, above; (2) for previously investigated or reviewed PRC and non-PRC exporters that are not under review in this segment of the proceeding but that received a separate rate in a previous segment, the cash deposit rate will continue to be the exporter-specific rate (or exporter-producer chain rate) published for the most recently completed segment of this proceeding in which the exporter was reviewed; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 105.31 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter(s) that supplied that non-PRC exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing 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 the antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties.

### Notification to Interested Parties

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), 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.

### Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding, in accordance with 19 CFR 351.224(b). We are issuing and publishing the final results and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 12, 2016.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Issues and Decision Memorandum

- Summary
- Background
- Scope of the Order
- List of Comments
- Discussion of the Issues
- Comment 1: Whether Application of Adverse Facts Available Is Warranted With Regards to Certain Xugong Sales
- Comment 2: Whether To Grant Qihang a Double Remedies Adjustment and What Pass-Through Rate to Use
- Comment 3: Whether To Adjust Xugong's U.S. Prices for Irrecoverable VAT
- Comment 4: Treatment of Xugong's Market Economy Purchases
- Comment 5: Whether the Department Should Apply the Separate Rate Calculated in This Review to TWS Xingtai
- Comment 6: Whether the Department Should Reject Certain Surrogate Values Submitted After the Preliminary Results
- Comment 7: Surrogate Country
- Comment 8: Financial Statements
- Comment 9: Natural Rubber
- Comment 10: Reclaimed Rubber
- Comment 11: Inland Freight
- Comment 12: Selection Surrogate Value for Carbon Black
- Comment 13: Inadvertent Errors in Surrogate Value Selection
- Comment 14: Selection of the Surrogate Values for #3 and #20 Compound Rubber, Activation Rubber Powder, Benzonic Acid, and Tire Cord Fabric
- Recommendation

[FR Doc. 2016-09165 Filed 4-19-16; 8:45 am]

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### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

**RIN 0648-XE574**

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

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit application contains all of the required information and warrants further consideration. This Exempted Fishing Permit would allow eight commercial fishing vessels to fish outside of the limited access sea scallop regulations in support of bycatch reduction research by using a bi-directional extended link apron.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

**DATES:** Comments must be received on or before May 5, 2016.

**ADDRESSES:** You may submit written comments by any of the following methods:

- *Email:* nmfs.gar.efp@noaa.gov. Include in the subject line "DA16-026 CFF Eco Friendly Dredge EFP."
- *Mail:* John K. Bullard, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "DA16-026 CFF Eco Friendly Dredge EFP."

**FOR FURTHER INFORMATION CONTACT:** Shannah Jaburek, Fisheries Management Specialist, 978-282-8456.

**SUPPLEMENTARY INFORMATION:** Coonamesset Farm Foundation (CFF) has submitted a proposal titled "Development of Ecosystem Friendly Scallop Dredge Bags: Tools for Long-Term Sustainability," that has been favorably reviewed and is pending final approval by NOAA's Grants

Management Division under the 2016 Atlantic Sea Scallop Research Set-Aside (RSA) Program.

CFF submitted a complete application for an Exempted Fishing Permit (EFP) on March 10, 2016. The project would continue testing gear that reduces bycatch focusing on a bi-directional extended link apron which increases inter-ring spacing to improve escapement of small scallops and reduction in finfish bycatch.

CFF is requesting exemptions that would allow eight commercial fishing vessels be exempt from the Atlantic sea scallop days-at-sea (DAS) allocations at 50 CFR 648.53(b); crew size restrictions at § 648.51(c); Atlantic sea scallop observer program requirements at § 648.11(g); access area program requirements at § 648.60(a)(4), and rotational closed area exemptions for Closed Area I at § 648.58(a); Closed Area II at § 648.58(b), and Nantucket Lightship at § 648.58(c). The EFP would exempt participating vessels from possession limits and minimum size requirements specified in 50 CFR part 648, subsections B and D through O, for sampling purposes only. The EFP would also exempt one vessel from the scallop dredge gear restrictions for minimum ring and mesh size and use of a liner at § 648.51(b) in order to use a survey dredge set to the same specifications the NMFS uses for its yearly abundance survey. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

Eight vessels would conduct scallop dredging in June 2016-May 2017, on a total of seven 7-day trips, for a total of 49 DAS. Each trip would complete approximately 50 tows for an overall total of 350 tows for the project. Trips would take place in the open areas of Southern New England and Georges Bank as well as in the Mid-Atlantic scallop access area and Georges Bank access areas that are currently closed.

Four trips would be conducted in the Mid-Atlantic and southern New England, and three trips would be conducted on Georges Bank. Trips would be centralized around areas with high yellowtail and winter flounder bycatch and in areas with a high abundance of harvestable size scallops mixed with pre-recruit scallops.

Six trips would fish two 15-foot (4.57-m) Turtle Deflector Dredges, towed for a maximum duration of 30 minutes with a tow speed range of 4.8–5.1 knots. One dredge would be rigged with a standard linked bag while the other would be rigged with a bi-directional extended link apron. Standard linking is defined as a single link between ring spaces, and the extended link is defined as two links linked together between rings. Both dredges would use 4-inch (10.16-cm) rings and a 10-inch (25.40-cm) twine top. One trip would utilize the NMFS survey dredge on one side, which has specifications of 8-feet (2.44 m) wide with 2-inch (5.08-cm) rings and a 3.5-inch (8.89-cm) twine top with a 1.5-inch (3.81-cm) liner inserted inside. The project would use a combination of both the experimental and control dredge on the other side. This would allow the project to compare the absolute selectivity curves between the control and experimental dredges.

For all tows, the sea scallop catch would be counted into baskets and weighed. One basket from each dredge would be randomly selected and the scallops would be measured in 5-mm increments to determine size selectivity. Finfish catch would be sorted by species and then counted, weighed and measured in 1-mm increments. Depending on the volume of scallops and finfish captured, the catch would be subsampled as necessary. No catch would be retained for longer than needed to conduct sampling and no catch would be landed for sale.

#### PROJECT CATCH ESTIMATES IN POUNDS

Species	Number	Weight (pounds)	Weight (kilograms)
Scallops .....	250,000	100,000	45,359
Yellowtail Flounder .....	2,000	2,000	907
Winter Flounder .....	300	500	227
Windowpane Flounder .....	5,000	3,500	1,588
Monkfish .....	2,500	5,500	2,495
Summer Flounder .....	100	150	68
Barndoor Skate .....	500	500	227
Northeast Skate Complex .....	75,000	100,000	45,359

CFF needs these exemptions to allow them to conduct experimental dredge towing without being charged DAS, and

to deploy gear in closed access areas where concentrations of primary bycatch species are sufficiently high to

provide statistically robust results. Exemption from the dredge gear requirements would allow the project to

tow the NMFS survey dredge, which does not conform with regulation. Participating vessels need crew size waivers to accommodate science personnel, and possession waivers will enable researchers to conduct finfish sampling activities. The project would be exempt from the sea scallop observer program requirements because activities conducted on the trip are not consistent with normal fishing operations.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: April 15, 2016.

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XE485**

#### Notice of Availability of a Draft Programmatic Environmental Assessment for Fisheries and Ecosystem Research Conducted and Funded by the National Marine Fisheries Service, Southeast Fisheries Science Center

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

**ACTION:** Notice of availability of a Draft Programmatic Environmental Assessment; request for comments.

**SUMMARY:** NMFS announces the availability of the “Draft Programmatic Environmental Assessment (DPEA) for Fisheries and Ecosystem Research Conducted and Funded by the Southeast Fisheries Science Center (SEFSC).” Publication of this notice begins the official public comment period for this DPEA. The purpose of the DPEA is to evaluate, in compliance with the National Environmental Policy Act (NEPA), the potential direct, indirect, and cumulative impacts of

conducting and funding fisheries and ecosystem research in the southeastern coast of the U.S., the Gulf of Mexico, and the Caribbean Sea marine waters of Puerto Rico and the U.S. Virgin Islands.

**DATES:** Comments and information must be received no later than May 20, 2016.

**ADDRESSES:** Comments on the DPEA should be addressed to: NOAA/NMFS/SEFSC/Director’s Office, 75 Virginia Beach Drive, Key Biscayne, FL 33149. The mailbox address for providing email comments is [SEFSC.DPEA@noaa.gov](mailto:SEFSC.DPEA@noaa.gov). NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 10-megabyte file size. A copy of the DPEA 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.sefsc.noaa.gov/dpea.html>

Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Dr. Melissa Cook, SEFSC, (228) 762-4591.

**SUPPLEMENTARY INFORMATION:** The Southeast Fisheries Science Center (SEFSC) is the research arm of National Marine Fisheries Service (NMFS) in the Southeast region of the U.S. The SEFSC conducts research and provides scientific advice to manage fisheries and conserve protected species in marine and estuarine habitats of the Atlantic Ocean along the southeastern coast of the U.S., the Gulf of Mexico, and the Caribbean Sea, including marine waters offshore from Puerto Rico and the U.S. Virgin Islands. Three regional Fishery Management Councils rely in part on data collected by the SEFSC. The South Atlantic Fishery Management Council (SAFMC), the Gulf of Mexico Fishery Management Council (GMFMC), and the Caribbean Fishery Management Council (CFMC) rely primarily on the SEFSC for fisheries independent research data for development of stock assessment reports and other management purposes. The SEFSC also provides research data and works cooperatively with numerous other domestic and international fisheries management organizations.

NMFS has prepared the DPEA under NEPA to evaluate several alternatives for conducting and funding fisheries and ecosystem research activities as the primary Federal action. Additionally in the DPEA, NMFS evaluates a related action—also called a “connected action” under 40 CFR 1508.25 of the

Council on Environmental Quality’s regulations for implementing the procedural provisions of NEPA (42 U.S.C. 4321 *et seq.*)—which is the proposed promulgation of regulations and authorization of the take of marine mammals incidental to the fisheries research under the Marine Mammal Protection Act (MMPA). Additionally, because the proposed research activities occur in areas inhabited by species of marine mammals, birds, sea turtles, and fish listed under the Endangered Species Act (ESA) as threatened or endangered, this DPEA evaluates activities that could result in unintentional takes of ESA-listed marine species.

The following four alternatives are currently evaluated in the DPEA:

- **No-Action/Status Quo Alternative—Conduct Federal Fisheries and Ecosystem Research with Scope and Protocols Similar to Past Effort**
- **Preferred Alternative—Conduct Federal Fisheries and Ecosystem Research (New Suite of Research) with Mitigation for MMPA and ESA Compliance**
- **Modified Research Alternative—Conduct Federal Fisheries and Ecosystem Research (New Suite of Research) with Additional Mitigation**
- **No Research Alternative—No Fieldwork for Federal Fisheries and Ecosystem Research Conducted or Funded by SEFSC**

The first three alternatives include a program of fisheries and ecosystem research projects conducted or funded by the SEFSC as the primary Federal action. Because this primary action is connected to a secondary Federal action (also called a connected action under NEPA), to consider authorizing incidental take of marine mammals under the MMPA, NMFS must identify as part of this evaluation “(t)he means of effecting the least practicable adverse impact on the species or stock and its habitat.” (Section 101(a)(5)(A) of the MMPA [16 U.S.C. 1361 *et seq.*]). NMFS must therefore identify and evaluate a reasonable range of mitigation measures to minimize impacts to protected species that occur in SEFSC research areas. These mitigation measures are considered as part of the identified alternatives in order to evaluate their effectiveness to minimize potential adverse environmental impacts. The three action alternatives also include mitigation measures intended to minimize potentially adverse interactions with other protected species that occur within the action area. Protected species include all marine mammals, which are covered under the MMPA, all species listed