

the overall general-purpose zone project, and further subject to a sunset provision that would terminate authority on July 31, 2014, for Site 11 if no activity has occurred under FTZ procedures before that date.

Signed at Washington, DC, this 16th day of July 2009.

**Ronald K. Lorentzen,**

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

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-18078 Filed 7-28-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XP90**

#### **Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States and Coral and Coral Reefs Fishery in the South Atlantic; Exempted Fishing Permit**

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

**ACTION:** Notice of receipt of an application for an exempted fishing permit; request for comments.

**SUMMARY:** NMFS announces the receipt of an application for an exempted fishing permit (EFP) from Mr. M. Scott Baker, Jr., on behalf of North Carolina Sea Grant in Wilmington, North Carolina. If granted, the EFP would authorize Mr. Baker to collect, with certain conditions, seven species of reef fish in Federal waters, off the coast of North Carolina, South Carolina, Georgia, and Florida. The specimens will be used to evaluate electronic monitoring as a tool to characterize fishing activities of the commercial snapper-grouper vertical hook-and-line (bandit) fleet, and to help determine the age-size structure of discarded fish caught as bycatch in this fishery.

**DATES:** Comments must be received no later than 5 p.m., Eastern standard time, on August 28, 2009.

**ADDRESSES:** Comments on the application may be sent via fax to 727-824-5308 or mailed to: Nikhil Mehta, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701. Comments may also be submitted by e-mail. The mailbox

address for providing e-mail comments is [0648-XP90@noaa.gov](mailto:0648-XP90@noaa.gov). Include in the subject line of the e-mail document the following text: Comment on M. Scott Baker, Jr. EFP Application. The application and related documents are available for review upon written request to the address above or the by request via the contact numbers listed under **FOR FURTHER INFORMATION CONTACT** below.

**FOR FURTHER INFORMATION CONTACT:**

Nikhil Mehta, 727-824-5305; fax 727-824-5308.

**SUPPLEMENTARY INFORMATION:** The EFP is requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C 1801 *et seq.*), and regulations at 50 CFR 600.745(b) concerning exempted fishing.

This action involves activities covered by regulations implementing the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region. The applicant requires authorization to collect a maximum of 300 sub-legal fish of each of the following species: red snapper, vermilion snapper, gag, red grouper, greater amberjack, black sea bass, and red porgy.

Specimens would be collected in Federal waters off the coast of North Carolina, South Carolina, Georgia, and Florida. The project proposes to use vertical hook-and-line (bandit) gear to make the collections. Samples would be collected year-round for a period of 2 years, commencing on the date of issuance of the EFP.

The overall intent of the project is to work cooperatively with fishermen to evaluate electronic video monitoring as a tool to characterize fishing activities of the commercial snapper-grouper vertical hook-and-line (bandit) fleet. Biological data would also be collected from the samples to characterize the age-size structure of the frequently encountered species discarded in this fishery.

NMFS finds this application warrants further consideration. Based on a preliminary review, NMFS intends to issue the requested EFP, pending receipt of public comments, as per 50 CFR 600.745(b)(3)(i). Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not limited to, a prohibition on conducting research within marine protected areas, marine sanctuaries, special management zones, or artificial reefs without additional authorization. Additionally, NMFS may prohibit the possession of Nassau or goliath grouper, and require any sea turtles taken incidentally during the course of fishing or scientific

research activities to be handled with due care to prevent injury to live specimens, observed for activity, and returned to the water. Periodic updates on the project findings will be required every 6 months, to be submitted to NMFS and reviewed by the South Atlantic Fishery Management Council. A final decision on issuance of the EFP will depend on NMFS's review of public comments received on the application, consultations with the affected states, the Mid- and South Atlantic Fishery Management Councils, and the U.S. Coast Guard, as well as a determination that it is consistent with all applicable laws.

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

Dated: July 23, 2009.

**James P. Burgess,**

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

[FR Doc. E9-17923 Filed 7-28-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 30-2009]

#### **Foreign-Trade Zone 072 - Indianapolis, Indiana, Application for Subzone, Brightpoint North America L.P. (Cell Phone Kitting and Distribution), Plainfield, Indiana**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Indianapolis Airport Authority, grantee of FTZ 72, requesting special-purpose subzone status for the cell phone kitting and distribution facilities of Brightpoint North America L.P. (Brightpoint), located in Plainfield, Indiana. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on July 21, 2009.

The Brightpoint facilities (1,470 employees, 60,000,000 unit capacity) consist of 2 sites on 52.92 acres: *Site 1* (34.34 acres) is located at 501 Airtech Parkway, Plainfield; and *Site 2* (18.58 acres) is located at 1251 South Perry Road, Plainfield. The facilities are used for cell phone kitting, testing, programming, packaging, warehousing and distribution. Components and materials sourced from abroad (representing 70-90% of the value of the finished product) include: decals; plastic holsters; carrying cases; straps; power supplies; batteries; line telephone sets; videophones; base stations; microphones; speakers; headsets;

telephone answering machines; video recorders; transceivers; monitors and projectors; key pads; thermionic, cold cathode or photocathode tubes; and cables (duty rate ranges from 0 to 17.6%).

FTZ procedures could exempt Brightpoint from customs duty payments on the foreign components used in export production. The company anticipates that some 5 percent of the plant's shipments will be exported. On its domestic sales, Brightpoint would be able to choose the duty rates during customs entry procedures that apply to cell phone sets (duty-free) for the foreign inputs noted above. FTZ designation would further allow Brightpoint to realize logistical benefits through the use of weekly customs entry procedures. Customs duties also could possibly be deferred or reduced on foreign status production equipment. The request indicates that the savings from FTZ procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is September 28, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to October 13, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Elizabeth Whiteman at [Elizabeth\\_Whiteman@ita.doc.gov](mailto:Elizabeth_Whiteman@ita.doc.gov) or (202) 482-0473.

Dated: July 21, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-18094 Filed 7-28-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review

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

**SUMMARY:** The Department of Commerce ("the Department") has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with June anniversary dates. In accordance with the Department's regulations, we are initiating those administrative reviews. The Department also received a request to defer the initiation of an administrative review for one antidumping duty order.

**EFFECTIVE DATE:** July 29, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-4697.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with June anniversary dates. Please note that in the initiation notice that published on June 24, 2009 (74 FR 30052) the Department listed incorrect case numbers for the antidumping duty orders on Ball Bearings and Parts Thereof from France, Germany, Italy, Japan and the United Kingdom. The correct case numbers for these cases are as follows: France (A-427-801), Germany (A-428-801), Italy (A-475-801), Japan (A-588-804), and the United Kingdom (A-412-801).

##### Notice of No Sales

Under 19 CFR 351.213(d)(3), the Department may rescind a review where there are no exports, sales, or entries of subject merchandise during the respective period of review ("POR") listed below. If a producer or exporter named in this initiation notice had no exports, sales, or entries during the POR, it should notify the Department within 30 days of publication of this notice in the **Federal Register**. The Department will consider rescinding the review only if the producer or exporter,

as appropriate, submits a properly filed and timely statement certifying that it had no exports, sales, or entries of subject merchandise during the POR. All submissions must be made in accordance with 19 CFR 351.303 and are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended ("the Act"). Six copies of the submission should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230. Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on every party on the Department's service list.

##### Respondent Selection

In the event the Department limits the number of respondents for individual examination for administrative reviews, the Department intends to select respondents based on U.S. Customs and Border Protection ("CBP") data for U.S. imports during the POR.

We intend to release the CBP data under Administrative Protective Order ("APO") to all parties having an APO within five days of publication of this initiation notice and to make our decision regarding respondent selection within 20 days of publication of this **Federal Register** notice. The Department invites comments regarding the CBP data and respondent selection within 10 calendar days of publication of this **Federal Register** notice.

##### Separate Rates

In proceedings involving non-market economy ("NME") countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to an administrative review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, the Department analyzes each entity exporting the subject merchandise under a test arising from the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991), as amplified by *Final Determination of Sales at Less Than*