

determination revoking the order within 90 days after the initiation of the review. Because no domestic interested party filed a notice of intent to participate or a substantive response, the Department finds that no domestic interested party is participating in this review; therefore, we are revoking this antidumping duty order. Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.222(i)(2)(i), the effective date of revocation is June 12, 2008 (*i.e.*, the fifth anniversary of the date of publication in the **Federal Register** of the notice of the antidumping duty order). The Department will instruct U.S. Customs and Border Protection to terminate the suspension of liquidation and collection of cash deposits on entries of the subject merchandise entered or withdrawn from warehouse on or after June 12, 2008. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping duty deposit requirements. The Department will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This five-year sunset review and notice are in accordance with section 751(c)(3)(A) and published pursuant to section 777(i)(1) of the Act.

Dated: June 30, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN: 0648-XJ12

#### Mid-Atlantic Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council), its Squid, Mackerel, Butterfish Committee; its Research Set-Aside (RSA) Committee; its Bycatch/Limited Access Privilege Program (LAPP) Committee; and, its Protected Resources Committee will hold public meetings.

**DATES:** The meetings will be held Monday, August 4, 2008 through Thursday, August 7, 2008. See **SUPPLEMENTARY INFORMATION** for specific meeting dates and times.

**ADDRESSES:** Renaissance Philadelphia Hotel, 500 Stevens Drive, Philadelphia, PA 19113; telephone: (610) 521-5900.  
*Council address:* Mid-Atlantic Fishery Management Council, 300 S. New St., Room 2115, Dover, DE 19904; telephone: (302) 674-2331.

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 674-2331 ext. 19.

#### SUPPLEMENTARY INFORMATION:

##### Monday, August 4, 2008

*8 a.m. until noon* - The Squid, Mackerel, Butterfish Committee will meet.

*1 p.m. until 4 p.m.* - The Research Set-Aside Committee will meet in closed session with officials from NMFS.

*4 p.m. until 5 p.m.* - The Bycatch/LAPP Committee will meet.

##### Tuesday, August 5, 2008

*8:30 a.m. until 10 a.m.* - The Squid, Mackerel, Butterfish Committee will meet.

*10 a.m. until noon* - The Council will convene and receive presentations by NMFS officials regarding the Proposed Rule to modify National Standard 1 Guidelines and the outcome of the 47th Stock Assessment Review.

*1 p.m. until 2:30 p.m.* - The Council will consider approving Amendment 10 to the Squid, Mackerel, and Butterfish FMP for Secretarial submission.

*2:30 p.m. until 5:30 p.m.* - The Council will convene jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Board.

##### Wednesday, August 6, 2008

*8 a.m. until 5:30 p.m.* - The Council will convene jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Board.

##### Thursday, August 7, 2008

*8 a.m. until 9 a.m.* - The Protected Resources Committee will meet.

*9 a.m.* - The Council will convene to discuss Framework 2 to the Dogfish FMP; receive Committee reports; receive an update from NMFS officials on the Status of the Marine Recreational Information Program (MRIP); and, conduct any continuing or new business.

Agenda items by day for the Council's Committees and the Council itself are:

*Monday, August 4* - the Squid, Mackerel, and Butterfish Committee will review public comments and develop preferred alternatives for Council consideration and action regarding submission of Amendment 10 for Secretarial action. The Bycatch/LAPP Committee will receive an update on the status of the draft of the bycatch pamphlet for catch and release practices, and address prioritizing bycatch information needs.

*Tuesday, August 5* - The Squid, Mackerel, and Butterfish Committee will meet to review and consider qualifying criteria to be used in the mackerel limited entry system that is being addressed in Amendment 11. The Council will convene for a presentation by NMFS officials regarding the proposed rule to modify National Standard 1 guidelines for Annual Catch Limits (ACL) and Accountability Measures (AM). The Council will receive a report on the results of the 47th Stock Assessment Review including opinions of members of the Center for Independent Expertise's (CIE) regarding the SAW reports on summer flounder that served as the basis for the 47th Stock Assessment Review. The Council will vote to approve (or not) Amendment 10 to the Squid, Mackerel, and Butterfish FMP for Secretarial submission. The Council will then meet jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Boards to review the Scientific and Statistical Committee's and the Scup Monitoring Committee's recommendations regarding proposed scup harvest levels and commercial management measures for the 2009 fishing year, and then adopt its recommendations for the harvest levels and commercial management measures for the 2009 scup fishery.

*Wednesday, August 6* - the Council will convene and meet jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, Black Sea Bass, and Bluefish Boards to review the Scientific and Statistical Committee's and the Summer Flounder, Black Sea Bass, and Bluefish Monitoring Committee's recommendations regarding the summer flounder, black sea bass, and bluefish proposed harvest levels and commercial management measures for the 2009 fishing year, and then adopt its recommendations for the summer flounder, scup, black sea bass, and bluefish harvest levels and commercial management measures for these fisheries in 2009.

Thursday, August 7 - the Protected Resources Committee will review NMFS' proposed list of fisheries (LOF) and develop comments for Council consideration and action. The Council will convene to review and discuss proposed measures (adjustment mechanism for stock status determination criteria) for Framework 2 to the Dogfish FMP; report on regular business; receive an update on the status of NMFS' MRIP; receive Committee Reports; and, consider and address any continuing or new business.

Although non-emergency issues not contained in this agenda may come before the Council for discussion, these issues may not be the subject of formal Council action during these meetings. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address such emergencies.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Bryan, (302) 674-2331 ext 18, at least 5 days prior to the meeting date.

Dated: July 15, 2008.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XG36

#### Small Takes of Marine Mammals Incidental to Specified Activities; Port of Anchorage Marine Terminal Redevelopment Project, Anchorage, Alaska

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

**ACTION:** Notice; issuance of incidental harassment authorization.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA), notification is hereby given that NMFS has issued an Incidental Harassment

Authorization (IHA), to the Port of Anchorage (herein after "Port") and the U.S. Department of Transportation Maritime Administration (herein after "MARAD") to take small numbers of marine mammals, by Level B harassment, incidental to the first year of construction of its Marine Terminal Redevelopment Project (herein after "Project") at the Port, Anchorage, Alaska.

**DATES:** Effective from July 15, 2008 – July 14, 2009.

**ADDRESSES:** A copy of the IHA, application, and Environmental Assessment (EA) prepared for this action are available by writing to Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources (OPR), National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or by telephoning the contact listed here (**FOR FURTHER INFORMATION CONTACT**) or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Jaclyn Daly or Jolie Harrison, Office of Protected Resources, NMFS, (301) 713-2289.

#### SUPPLEMENTARY INFORMATION:

##### Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional, taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) if certain findings are made and regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Authorization for incidental takings may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for certain subsistence uses, and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such taking are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as: an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Under 50 CFR 216.104(b) of NMFS' implementing regulations for the MMPA, NMFS must publish in the **Federal Register** a notice of a proposed IHA or a notice of receipt for a request for the implementation of regulations governing the incidental taking. Information gathered during the associated comment period is considered by NMFS in developing, if appropriate, IHAs and regulations governing the issuance of Letters of Authorizations (LOAs) for the proposed activity.

#### Summary of Request

On February 20, 2008, NMFS received a complete application from the Port and MARAD requesting a one-year IHA to take, by Level B harassment, up to 34 Cook Inlet beluga whales (*Delphinapterus leucas*), 20 harbor seals (*Phoca vitulina*), 20 harbor porpoises (*Phocoena phocoena*), and 20 killer whales (*Orcinus orca*) incidental to the Project. The content and proposed mitigation in the application was a result of numerous discussions between the applicants and NMFS. Harassment to marine mammals could result from exposure to noise from pile driving. While dredging and use of other heavy machinery (tugs, dump scowls, barge mounted hydraulic excavators or clamshell equipment) are also associated with the Project, these activities are not expected to result in harassment as marine mammals, in particular beluga whales.

NMFS prepared an EA for the proposed action which thoroughly analyzes and discusses potential impacts on marine mammals and their habitat from the Project. Harassment from pile driving associated with the Project may result in short-term, mild to moderate behavioral and physiological responses. Anticipated behavioral reactions of marine mammals include altered headings, fast swimming, changes in dive, surfacing, respiration, and feeding patterns, and changes in vocalizations. Physiological impacts are expected to be mild stress responses. However, NMFS has determined harassment would be limited to Level B, will result in a negligible impact to affected marine mammal species or stocks, and will not have an unmitigable adverse impact on the availability of such species or stock for the taking for subsistence purposes.

#### Specified Activities

A detailed description of the Project can be found in the application and the NMFS prepared EA. However, for purposes of this notice, a summary of activities is provided. According to the