

parameters that must be met. *See id.* at 13–14. Specifically, Domestic Producers maintain that if CTL plate is to be used as an alloy steel plate (i.e., boron steel plate), then an aluminum level of 0.02 percent or greater, by weight; a ratio of 3.4 to 1 or greater, by weight, of titanium to nitrogen; and a hardenability test (i.e., Jominy test) result indicating a boron factor of 1.8 or greater must be present. *See id.*

#### Expectations of the Ultimate Users

Domestic Producers indicate that they are unaware of any instances where customers expect or request CTL plate with small amounts of boron added, other than to potentially avoid the added expense to the plate products that result from the antidumping duties in place. *See id.* at 15. Domestic Producers argue that without the proper amounts of aluminum and titanium and sufficient hardenability, there would be no reason to request the addition of boron nor would there be a basis for concluding that the presence of small amounts of boron added any special properties to CTL plate. *See id.*

#### Use of the Merchandise

Domestic Producers state the product at issue is used for the same purposes as subject merchandise. *See id.* at 16. Moreover, Domestic Producers assert that CTL plate with small amounts of boron is not suitable for different or additional uses compared to subject CTL plate without boron. *See id.* Domestic Producers conclude, therefore, that Wuyang's customers would have no basis for concluding that the presence of small amounts of boron imparts any special properties to the CTL plate beyond those already present in ASTM A830 plate without boron. *See id.*

#### Channels of Marketing

Domestic Producers state the channels of marketing for the boron-added CTL plate and the subject CTL plate are the same, noting that both products are marketed in the same manner, appeal to the same end users, and are used for the same end uses. *See id.*

#### Cost of Modification

Domestic Producers indicate that the addition of boron at levels recognized as alloy amounts by the tariff schedule involve minimal additional cost. In addition, Domestic Producers cite the Department's finding in a previous ruling that reaching the 0.0008 percent threshold for boron involved a cost amounting to considerably less than one-third of one percent of the sales price. *See Domestic Producers' Request* at 16–17.

Based on the information provided by Domestic Producers, the Department finds there is sufficient basis to initiate an antidumping circumvention inquiry, pursuant to section 781(c) of the Act, to determine whether the merchandise subject to the inquiry (identified in the "Merchandise Subject to the Minor Alterations Antidumping Circumvention Inquiry" section above) involves a minor alteration to subject merchandise that is so insignificant as to render the resulting merchandise (classified as "alloy" steel under the HTS) subject to the *Order* on CTL plate from the PRC. As noted above, in making this determination the Department also intends to address whether its circumvention ruling applies to particular producers, exporters, and/or importers or to all U.S. imports of CTL plate from the PRC. Although Domestic Producers requested that the Department make a final ruling within 45 days, additional time is needed for further inquiry into Domestic Producers' allegations and Stemcor's comments.

The Department will not order the suspension of liquidation of entries of any additional merchandise at this time. However, in accordance with 19 CFR 351.225(l)(2), if the Department issues a preliminary affirmative determination, we will then instruct U.S. Customs and Border Protection to suspend liquidation and require a cash deposit of estimated duties, at the applicable rate, for each unliquidated entry of the merchandise at issue, entered or withdrawn from warehouse for consumption on or after the date of initiation of the inquiry.

We intend to notify the International Trade Commission in the event of an affirmative preliminary determination of circumvention, in accordance with 781(e)(1) of the Act and 19 CFR 351.225(f)(7)(i)(C). The Department will, following consultation with interested parties, establish a schedule for questionnaires and comments on the issues. The Department intends to issue its final determination within 300 days of the date of publication of this initiation notice.

This notice is published in accordance with sections 781(c) and (d) of the Act and 19

CFR 351.225(i).

Dated: April 16, 2010.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XS60

#### Marine Mammals; Subsistence Taking of Northern Fur Seals; St. George

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

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

**SUMMARY:** NMFS announces the receipt of a petition for rulemaking under the Administrative Procedure Act (APA). The Pribilof Island Community of St. George Island, Traditional Council (Council) petitioned NMFS to revise regulations governing the subsistence taking of northern fur seals to allow residents of St. George Island to take male fur seal young of the year during the fall. NMFS solicits public comments on this request.

**DATES:** Written comments must be received at the appropriate address or fax number by June 22, 2010.

**ADDRESSES:** Information related to the request for rulemaking is available on the Internet at the following address: <http://www.fakr.noaa.gov/protectedresources/seals/fur.htm>.

Send comments to Kaja Brix, Assistant Regional Administrator, Protected Resources Division, Alaska Region, NMFS, Attn: Ellen Sebastian. Comments may be submitted by:

- Email: [furseal@noaa.gov](mailto:furseal@noaa.gov). Include in the subject line the following document identifier: Northern Fur Seal St. George. Email comments with or without attachments are limited to 5 megabytes;
- Mail: Kaja Brix, Assistant Regional Administrator, Protected Resources Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802;
- Hand Delivery to the Federal Building: 709 West 9th Street, Room 420A, Juneau, AK; or
- Fax: 907 586 7557.

All comments received are a part of the public record. All Personal Identifying Information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

#### FOR FURTHER INFORMATION CONTACT:

Michael Williams, (907) 271-5006, email [Michael.Williams@noaa.gov](mailto:Michael.Williams@noaa.gov); Kaja Brix, (907) 586-7235, email [Kaja.Brix@noaa.gov](mailto:Kaja.Brix@noaa.gov); or Tom Eagle, (301) 713-2322, ext. 105, email [Tom.Eagle@noaa.gov](mailto:Tom.Eagle@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The subsistence harvest of northern fur seals on the Pribilof Islands is governed by regulations established under the Fur Seal Act and MMPA in 50 CFR 216.71–74. These regulations, which were promulgated by an emergency final rule in 1986 (51 FR 24828, July 9, 1986), require NMFS to publish estimated subsistence needs every three years, limit the harvest to sub-adult male fur seals, identify specific hauling grounds from which fur seals may be taken, and establish a period between June 23 and August 8 of each year, during which fur seals may be taken for subsistence purposes. The Council submitted a resolution to NMFS requesting the agency change the regulations to allow a harvest that better meets their customary and traditional needs. NMFS considers this resolution together with subsequent reports submitted by the Council to be a formal petition for rulemaking under the APA.

In its resolution, the Council noted that the community was initially allowed by the Federal Government to take fur seal young of the year in the fall for subsistence purposes. However, the harvest of fur seal young of the year is not included in the current regulations. Accordingly, the Council requested NMFS to modify its regulations to allow the harvest of 150 male fur seal young of the year annually to meet the subsistence needs for the community of St. George Island.

Harvest reports from the Council and harvest records from the NMFS indicated the need to change other three provisions of the current subsistence harvest regulations. First, the current regulations allow harvest only from Northeast and Zapadni hauling grounds. The Council reported in their 2008 and 2009 harvest reports that sufficient numbers of sub-adult males for the harvest are not always available at the Northeast and Zapadni hauling grounds, but are likely available on other sub-adult male hauling grounds. NMFS harvest records corroborate the lack availability of sub-adult males when harvests are limited to two or fewer hauling grounds.

Second, the current regulations require the harvest to stop no later than August 8 of each year. The Council stated that traditional practices included the harvest of fur seal young of the year in the fall. Accordingly, the Council contends, a separate fall harvest season is most consistent with traditional practices and subsistence needs identified for St. George Island.

Third, the current regulations at 50 CFR 216.74 describe data collection needs and other requirements to

cooperate with scientists that the Council feels are no longer applicable nor consistent with the E.O. 13175 Tribal Consultation, American Indian Native Policy of the U.S. Department of Commerce, or the comanagement agreement signed by the Council and NMFS in 2001.

The Assistant Administrator for Fisheries, NOAA, has determined that the petition contains sufficient information to enable NMFS to consider the substance of the petition. NMFS solicits public comment on the Council's request to modify regulations that govern taking fur seals for subsistence purposes by residents of St. George. NMFS is particularly interested in information that would allow an evaluation of the effects on the fur seal population of a harvest that included male young of the year in the fall, a distribution of the current sub-adult male harvest across additional hauling grounds, and a reevaluation of the requirements to cooperate with scientists interested in the subsistence harvest of northern fur seals. NMFS will consider public comments received in determining whether to proceed with the revisions of the regulations requested by the Council. Upon determining whether to initiate the requested rulemaking, the Assistant Administrator for Fisheries, NOAA, will publish in the **Federal Register** a note of the Agency's final disposition of the Council's petition request.

Dated: April 19, 2010.

**Eric C. Schwaab,**

*Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

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## **COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

### **Procurement List; Proposed Additions and Deletions**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed additions to and deletions from the Procurement List.

**SUMMARY:** The Committee is proposing to add to the Procurement List products and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and to delete products previously furnished by such agencies.

*Comments Must Be Received On or Before: 5/24/2010.*

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

*For Further Information or To Submit Comments Contact:* Barry S. Lineback, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

### **SUPPLEMENTARY INFORMATION:**

This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

### **Additions**

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

#### *Regulatory Flexibility Act Certification*

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. If approved, the action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products and services to the Government.

2. If approved, the action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the products and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

#### *End of Certification*

The following products and services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

#### *Products*

NSN: MR 987—Towel, Super Absorbent, Orange.

NSN: MR 988—Towel, Super Absorbent, Kitchen Set, Assorted Colors.

NPA: Industries for the Blind, Inc., West