

Notice of Initiation of Five-Year Sunset Reviews.

Antidumping duty proceedings	Department contact
Silicon Metal from the People's Republic of China (A-570-806) (3rd Review)	Julia Hancock, (202) 482-1394.
Stainless Steel Butt-Weld Pipe Fittings from Italy (A-475-828) (2nd Review)	Dana Mermelstein, (202) 482-1391.
Stainless Steel Butt-Weld Pipe Fittings from Malaysia (A-557-809) (2nd Review)	Dana Mermelstein, (202) 482-1391
Stainless Steel Butt-Weld Pipe Fittings from the Philippines (A-565-801) (2nd Review)	Dana Mermelstein, (202) 482-1391.

Countervailing Duty Proceedings

No Sunset Review of countervailing duty orders is scheduled from initiation in November 2011.

Suspended Investigations

No Sunset Review of suspended investigations is scheduled from initiation in November 2011.

The Department's procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in the Department's Policy Bulletin 98.3—*Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998). The Notice of Initiation of Five-Year ("Sunset") Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Pursuant to 19 CFR 351.103(c), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Please note that if the Department receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue. Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

Dated: September 20, 2011.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration [A-552-801]

Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Initiation of New Shipper Reviews

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

DATES: *Effective Date:* October 3, 2011.

SUMMARY: The Department of Commerce ("Department") has determined that the three requests for new shipper reviews of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam, received between August 3, 2011 and August 16, 2011 meet the statutory and regulatory requirements for initiation. The period of review ("POR") of these new shipper reviews is August 1, 2010–July 31, 2011.

FOR FURTHER INFORMATION CONTACT: Jamie Blair-Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-2615.

SUPPLEMENTARY INFORMATION:

Background

The antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam was published in the **Federal Register** on August 12, 2003. *See Notice of Antidumping Duty Order: Certain Frozen Fish Fillets From the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003). On August 3, 4, and 16, 2011, respectively, we received a timely request for a new shipper review from An Phu Seafood Corporation ("An Phu"), GODACO Seafood Joint Stock Company ("GODACO"), and DOCIFISH Corporation ("DOCIFISH"). All three new shipper requests were filed in accordance with 19 CFR 351.214(c) and 351.214(d)(1). On August 25, 2011, An Phu responded to the Department's August 19, 2011, supplemental questionnaire. The questionnaire and corresponding response concerned the

need for clarification regarding certain information observed in data obtained by the Department from U.S. Customs and Border Protection ("CBP"). The Department found no issue with the response given by An Phu. An Phu, GODACO, and DOCIFISH have certified that they are both the producers and exporters of the subject merchandise upon which the requests for the new shipper review are based.

Initiation of New Shipper Reviews

Pursuant to section 751(a)(2)(B)(i)(I) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.214(b)(2), An Phu, GODACO, and DOCIFISH certified that they did not export certain frozen fish fillets to the United States during the period of investigation ("POI"). Pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), An Phu, GODACO, and DOCIFISH certified that, since the initiation of the less-than-fair-value investigation, they have never been affiliated with any exporter or producer who exported certain frozen fish fillets to the United States during the POI, including those not individually examined during the less-than-fair-value investigation. As required by 19 CFR 351.214(b)(2)(iii)(B), An Phu, GODACO, and DOCIFISH have also certified that their export activities are not controlled by the central government of Vietnam.

In addition to the certifications described above, An Phu, GODACO, and DOCIFISH submitted documentation establishing the following: (1) The date on which the company first shipped certain frozen fish fillets for export to the United States and the date on which the certain frozen fish fillets first entered, or withdrawn from warehouse, for consumption; (2) the volume of the company's first shipment; and (3) the date of the company's first sales to an unaffiliated customer in the United States.

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we are initiating these new shipper reviews for shipments of certain frozen fish fillets from Vietnam produced and exported by An Phu, GODACO, and DOCIFISH.

We intend to issue preliminary results of this review no later than 180 days from the date of initiation, and final results of these reviews no later than 270 days from the date of initiation. See section 751(a)(2)(B)(iv) of the Act.

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from An Phu, GODACO, or DOCIFISH in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because An Phu, GODACO, and DOCIFISH certified that they have both produced and exported the subject merchandise, the sales of which are the bases for these new shipper review requests, we will apply the bonding privilege to these three companies only for subject merchandise which the respondents both produced and exported.

This initiation notice serves as notification to the three companies that upon initiation of this new shipper review, the Department will require An Phu, GODACO, and DOCIFISH to submit on an ongoing basis complete transaction information concerning any sales of subject merchandise to the United States that were made subsequent to the period of review in order to assist in its analysis of the *bona fides* of the sales of the three companies.

Interested parties requiring access to proprietary information in these new shipper reviews should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306. This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: September 26, 2011.

Gary Taverman,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Indirect Cost Rates for the Damage Assessment, Remediation, and Restoration Program for Fiscal Years 2009 and 2010

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Indirect Cost Rates for the Damage Assessment, Remediation, and Restoration Program for Fiscal Years 2009 and 2010.

SUMMARY: The National Oceanic and Atmospheric Administration's (NOAA's) Damage Assessment, Remediation, and Restoration Program (DARRP) is announcing new indirect cost rates on the recovery of indirect costs for its component organizations involved in natural resource damage assessment and restoration activities for fiscal years (FY) 2009 and 2010. The indirect cost rates for these fiscal years and dates of implementation are provided in this notice. More information on these rates and the DARRP policy can be found at the DARRP web site at www.darrp.noaa.gov.

FOR FURTHER INFORMATION CONTACT: For further information, contact LaTonya Burgess at 301-713-4248, ext. 211, by fax at 301-713-4389, or e-mail at LaTonya.Burgess@noaa.gov.

SUPPLEMENTARY INFORMATION: The mission of the DARRP is to restore natural resource injuries caused by releases of hazardous substances or oil under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. 9601 *et seq.*), the Oil Pollution Act of 1990 (OPA) (33 U.S.C. 2701 *et seq.*), and support restoration of physical injuries to National Marine Sanctuary resources under the National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1431 *et seq.*). The DARRP consists of three component organizations: the Office of Response and Restoration (ORR) within the National Ocean Service; the Restoration Center within the National Marine Fisheries Service; and the Office of the General Counsel for Natural Resources (GCNR). The DARRP conducts Natural Resource Damage Assessments (NRDAs) as a basis for recovering damages from responsible parties, and uses the funds recovered to restore injured natural resources.

Consistent with Federal accounting requirements, the DARRP is required to account for and report the full costs of its programs and activities. Further, the DARRP is authorized by law to recover reasonable costs of damage assessment and restoration activities under CERCLA, OPA, and the NMSA. Within the constraints of these legal provisions and their regulatory applications, the DARRP has the discretion to develop indirect cost rates for its component organizations and formulate policies on

the recovery of indirect cost rates subject to its requirements.

The DARRP's Indirect Cost Effort

In December 1998, the DARRP hired the public accounting firm Rubino & McGeehin, Chartered (R&M) to: evaluate the DARRP cost accounting system and allocation practices; recommend the appropriate indirect cost allocation methodology; and determine the indirect cost rates for the three organizations that comprise the DARRP. A **Federal Register** notice on R&M's effort, their assessment of the DARRP's cost accounting system and practice, and their determination regarding the most appropriate indirect cost methodology and rates for FYs 1993 through 1999 was published on December 7, 2000 (65 FR 76611). The notice and report by R&M can also be found on the DARRP Web site at <http://www.darrp.noaa.gov>.

R&M continued its assessment of DARRP's indirect cost rate system and structure for FYs 2000 and 2001. A second federal notice specifying the DARRP indirect rates for FYs 2000 and 2001 was published on December 2, 2002 (67 FR 71537).

In October 2002, DARRP hired the accounting firm of Cotton and Company LLP (Cotton) to review and certify DARRP costs incurred on cases for purposes of cost recovery and to develop indirect rates for FY 2002 and subsequent years. As in the prior years, Cotton concluded that the cost accounting system and allocation practices of the DARRP component organizations are consistent with Federal accounting requirements. Consistent with R&M's previous analyses, Cotton also determined that the most appropriate indirect allocation method continues to be the Direct Labor Cost Base for all three DARRP component organizations. The Direct Labor Cost Base is computed by allocating total indirect cost over the sum of direct labor dollars, plus the application of NOAA's leave surcharge and benefits rates to direct labor. Direct labor costs for contractors from I.M. Systems Group (IMSG) were included in the direct labor base because Cotton determined that these costs have the same relationship to the indirect cost pool as NOAA direct labor costs. IMSG provided on-site support to the DARRP in the areas of injury assessment, natural resource economics, restoration planning and implementation, and policy analysis. IMSG continues to provide on-site support to the DARRP. Starting in FY 2010, contractors from Genwest provide on-site support for cost documentation. A third federal notice