

# Notices

Federal Register

Vol. 75, No. 168

Tuesday, August 31, 2010

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Foreign Agricultural Service

#### Assessment of Fees for Dairy Import Licenses for the 2011 Tariff-Rate Import Quota Year

**AGENCY:** Foreign Agricultural Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice announces a fee of \$150 to be charged for the 2011 tariff-rate quota (TRQ) year for each license issued to a person or firm by the U.S. Department of Agriculture (USDA) authorizing the importation of certain dairy articles, which are subject to tariff-rate quotas set forth in the Harmonized Tariff Schedule (HTS) of the United States.

**DATES:** Effective August 31, 2010.

**FOR FURTHER INFORMATION CONTACT:** Abdelsalam El-Farra, Dairy Import Licensing Program, Import Policies and Export Reporting Division, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Stop 1021, Washington, DC 20250-1021; or by telephone at (202) 720-9439; or by e-mail at: [abdelsalam.el-farra@fas.usda.gov](mailto:abdelsalam.el-farra@fas.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Dairy Tariff-Rate Import Quota Licensing Regulation promulgated by USDA and codified at 7 CFR 6.20-6.37 provides for the issuance of licenses to import certain dairy articles that are subject to TRQs set forth in the HTS. Those dairy articles may only be entered into the United States at the in-quota TRQ tariff-rates by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from

a specified country of origin. The use of such licenses is monitored by the Dairy Import Licensing Program, Import Policies and Export Reporting Division, Foreign Agricultural Service, USDA, and the U.S. Customs and Border Protection, U.S. Department of Homeland Security.

The regulation at 7 CFR 6.33(a) provides that a fee will be charged for each license issued to a person or firm by the Licensing Authority in order to defray USDA's costs of administering the licensing system under this regulation.

The regulation at 7 CFR 6.33(a) also provides that the Licensing Authority will announce the annual fee for each license and that such fee will be set out in a notice to be published in the **Federal Register**. Accordingly, this notice sets out the fee for the licenses to be issued for the 2011 calendar year.

**Notice:** The total cost to USDA of administering the licensing system for 2011 has been estimated to be \$333,000, and the estimated number of licenses expected to be issued is 2,300. Of the total cost, \$280,000 represents staff and supervisory costs directly related to administering the licensing system, and \$53,000 represents other miscellaneous costs, including travel, postage, publications, forms, and Automated Data Processing system support.

Accordingly, notice is hereby given that the fee for each license issued to a person or firm for the 2011 calendar year, in accordance with 7 CFR 6.33, will be \$150 per license.

Issued at Washington, DC, August 11, 2010.

**Ronald Lord,**  
*Licensing Authority.*

[FR Doc. 2010-21607 Filed 8-30-10; 8:45 am]

**BILLING CODE 3410-10-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent

scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before September 20, 2010. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720.

**Docket Number:** 10-022. Applicant: Virginia Commonwealth University, School of Medicine, Department of Physiology & Biophysics, 1101 East Marshall Street, P.O. Box 980551, Richmond, VA 23298-0551. Instrument: Electron Microscope. Manufacturer: FEI Company, The Netherlands. Intended Use: The instrument will be used to investigate the three dimensional structure of biological macromolecules, which will be observed under cryogenic conditions. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the United States. Application accepted by Commissioner of Customs: August 3, 2010.

Dated: August 24, 2010.

**Gregory W. Campbell,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. 2010-21559 Filed 8-30-10; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XY39**

#### Marine Mammals; File No. 15271

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that James T. Harvey, Moss Landing Marine Laboratories, 8272 Moss Landing Road, Moss Landing, California 95039, has applied in due form for a permit to conduct research on blue (*Balaenoptera musculus*), fin (*B. physalus*), humpback

(*Megaptera novaeangliae*), and gray (*Eschrichtius robustus*) whales.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before September 30, 2010.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 15271 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018; and

Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the address listed above. Comments may also be submitted by facsimile to (301)713-0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Kristy Beard or Amy Hapeman, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant requests a five-year permit to conduct research on large whale species off California, Oregon, and Washington; the primary research area would be off the Southern California Bight, San Luis Obispo,

Monterey Bay, and San Francisco. The purposes of the research are to: (1) relate distribution and abundance of marine mammals with environmental factors; (2) determine diet and foraging behaviors as marine mammals exploit prey resources; (3) determine types of acoustic behavior of marine mammals (primarily cetaceans) and how acoustic signals are affected by anthropogenic factors; and (4) determine the movements of individuals or pods during migrations or within their home range. Each year, 50 blue whales would be approached for photo-identification (photo-ID) and biopsy, of which 30 would be suction-cup tagged, 10 would be dart-tagged, and 10 would be tagged with small implantable tags; 30 fin whales would be approached for photo-ID and biopsy, of which 10 would be suction-cup tagged, 5 would be dart-tagged, and 5 would be tagged with small implantable tags; 200 humpback whales would be approached for photo-ID and biopsy, of which 30 would be suction-cup tagged, 10 would be dart-tagged, and 10 would be tagged with small implantable tags; 100 gray whales would be approached for photo-ID and biopsy, of which 40 would be suction-cup tagged, 10 would be dart-tagged, and 10 would be tagged with small implantable tags. Tagged individuals would be observed and photographed (e.g., daily for the first week and every week or so for the next two months). Up to 200 California sea lions (*Zalophus californianus*), 20 harbor seals (*Phoca vitulina richardii*), 50 Pacific white-sided dolphins (*Lagenorhynchus obliquidens*), 20 Northern right whale dolphins (*Lissodelphis borealis*), 10 harbor porpoise (*Phocoena phocoena*) and 20 short-beaked common dolphins (*Delphinus delphis*) would be harassed incidental to research activities.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a draft environmental assessment (EA) has been prepared to examine whether significant environmental impacts could result from issuance of the proposed scientific research permit. The draft EA is available for review and comment simultaneous with the scientific research permit application.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 25, 2010.

**P. Michael Payne,**

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2010-21715 Filed 8-30-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XY36

#### Endangered and Threatened Species; Initiation of 5-Year Review of the Eastern Distinct Population Segment of the Steller Sea Lion

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

**ACTION:** Notice; reopening of comment period.

**SUMMARY:** NMFS published a notice in the **Federal Register** on June 29, 2010, announcing the initiation of a 5-year review of the eastern Distinct Population Segment (DPS) of the Steller Sea Lion (*Eumetopias jubatus*) under the Endangered Species Act of 1973, as amended (ESA) and requesting information related to that review. A notice correcting the email address and fax number to which comments and information should be sent was published July 7, 2010. Written comments were due by August 30, 2010. NMFS has decided to reopen the public comment period for an additional 45 days, to October 14, 2010.

**DATES:** The public comment period for this action has been reopened for an additional 45 days, to October 14, 2010. Written comments and information must be received no later than October 14, 2010.

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

- Mail: Kaja Brix, National Marine Fisheries Service, Alaska Region, Protected Resources Division, P.O. Box 21668, 709 West 9th Street, Juneau, AK 99802.
- E-mail: [ssldps@noaa.gov](mailto:ssldps@noaa.gov). Include the following identifier in the subject line of the e-mail: "Comments on the 5-year review for the eastern DPS of Steller sea lion."
- Fax: (907) 586-7557, attention: Kaja Brix.

Information received in response to this notice and review will be available for public inspection (by appointment,