be postmarked on or before November 24, 2010. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. at the U.S. Department of Commerce in Room 3720.

Docket Number: 10–064. Applicant: The University of Texas at Austin, Center for Electromechanics, Pickle Research Campus 10100 Burnet Road, Bldg. 133, Austin, Texas 78758–4497. Instrument: Hexapod Actuators. Manufacturer: ADS International, S.r.l., Italy. Intended Use: The instrument will be used on the Hobby-Eberly Telescope for the study of "Dark Energy." The instrument is unique because of its ability to achieve the desired accuracy of +/− 2 microns, the stiffness of 400 N/micron, the end mounts ability to rotate up to +/− 20 degrees in two axes and a stiffness of 250 N/micron, is actively cooled, and is able to generate 30kN of continuous force for extended periods of time. Justification for Duty-Free Entry: There are no instruments of the same general category being manufactured in the United States. *Application accepted by Commissioner of Customs:* October 20, 2010.

Dated: October 29, 2010.

Gregory Campbell,

Acting Director, IA Subsidies Enforcement Office.

[FR Doc. 2010–27887 Filed 11–3–10; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

National Institutes of Health, *et al.;* Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated 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). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 10–055. *Applicant:* National Institutes of Health, Bethesda, MD 20892. *Instrument:* Electron Microscope. *Manufacturer:* JEOL Limited, Japan. *Intended Use: See* notice at 75 FR 57738, September 22, 2010.

Docket Number: 10–056. *Applicant:* University of Notre Dame, Procurement Services, Notre Dame, IN 46556. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use: See* notice at 75 FR 57738, September 22, 2010.

Docket Number: 10–057. *Applicant:* Curators of the University of Missouri, Rolla, MO 56049. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use: See* notice at 75 FR 57738, September 22, 2010.

Docket Number: 10–058. *Applicant:* SUNY Upstate Medical University, Syracuse, NY 13210. *Instrument:* Electron Microscope. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use: See* notice at 75 FR 57738, September 22, 2010.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: October 29, 2010.

Gregory W. Campbell,

Acting Director, Subsidies Enforcement Office, Import Administration.

[FR Doc. 2010–27889 Filed 11–3–10; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

The University of Georgia (UGA), *et al.;* Notice of Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision 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. 06–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Ave., NW., Washington, DC.

Docket Number: 10–054. *Applicant:* The University of Georgia (UGA), Athens, GA 30602–7229. *Instrument:* HV Pneumatic Quadrant Beam Position Monitor with I404 Quad Current Integrator. *Manufacturer:* FMB Oxford Limited, United Kingdom. *Intended Use: See* notice at 75 FR 57738, September 22, 2010. *Comments:* None received. *Decision:* Approved. *Reasons:* The instrument must meet the following specifications: an 11 mm diameter beam aperture, a He leak rate of $< 2 \times 10\wedge -8$ mbar l/sec, HV compatible to $< 5 \times 10 - 7$ mbar vacuum, an operational range of 2 bar to 7 bar, a 6 mm pneumatic air connection, and a 24 VCD (1.2W) at 50 mA solenoid with flying leads. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of its order.

Docket Number: 10–059. *Applicant:* University of Chicago, LLC, Lemont, IL 60439. *Instrument:* Micropitting Test Machine. *Manufacturer:* Primelia Consulting Services Limited, United Kingdom. *Intended Use: See* notice at 75 FR 57738, September 22, 2010. *Comments:* None received. *Decision:* Approved. *Reasons:* The instrument has capabilities that are tailored for the specific micropitting analysis, specifically the accelerometer measurement to monitor for onset of fatigue failure. The instrument also has three points of contact which will increase the speed at which tests are made. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of its order.

Dated: October 29, 2010.

Gregory W. Campbell,

Acting Director, Subsidies Enforcement Office, Import Administration.

[FR Doc. 2010–27888 Filed 11–3–10; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Designation of the Lake Superior National Estuarine Research Reserve in Wisconsin

AGENCY: Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

ACTION: Notice of Designation and availability of Notice of Record of Decision.

SUMMARY: Notice is hereby given that the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, has

designated certain lands and waters of the St. Louis River freshwater estuary in Wisconsin as the Lake Superior National Estuarine Research Reserve.

On October 19, 2010, Under Secretary of Commerce for Oceans and Atmosphere Dr. Jane Lubchenco signed a record of decision pursuant to the National Environmental Policy Act and a findings of designation for the Lake Superior National Estuarine Research Reserve in Wisconsin pursuant to Section 315 of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. Section 1461, and its implementing regulations at 15 CFR Part 921. The Reserve duly received certification from the State of Wisconsin Coastal Program that Reserve designation is consistent to the maximum extent practicable with its program. A copy of the official Record of Decision is available for public review from NOAA's Office of Ocean and Coastal Resource Management at the address below.

FOR FURTHER INFORMATION CONTACT: Laurie McGilvray (301) 713–3155 x158, Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, NOAA, 1305 East West Highway, N/ORM5, Silver Spring, MD 20910. A copy of the Record of Decision for each Reserve is available upon request.

Federal Domestic Assistance Catalog Number 11.420 (Coastal Zone Management) Research Reserves.

Dated: October 22, 2010.

Donna Wieting,

Director, Office of Ocean and Coastal Resource Management.

[FR Doc. 2010–27878 Filed 11–3–10; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RIN 0648–XZ78]

Takes of Marine Mammals Incidental to Specified Activities; Piling and Structure Removal in Woodard Bay Natural Resources Conservation Area, Washington

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: In accordance with regulations implementing the Marine Mammal Protection Act (MMPA), as amended, notification is hereby given that an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to derelict creosote piling and structure removal within the Woodard Bay Natural Resources Conservation Area (NRCA) has been issued to the Washington State Department of Natural Resources (DNR).

DATES: This authorization is effective from November 1, 2010–February 28, 2011.

ADDRESSES: A copy of the application, IHA, and a list of references used in this document may be obtained by writing to P. Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3225, by telephoning the contact listed here, or visiting NMFS Web site at *http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications.*

FOR FURTHER INFORMATION CONTACT: Ben Laws, 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 to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization for incidental takings shall 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 subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings 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."

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Section 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny the authorization.

Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as:

> any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

Summary of Request

On June 9, 2010, NMFS received an application from the WA DNR requesting authorization to take, by harassment, small numbers of marine mammals incidental to derelict creosote piling and structure removal associated with a habitat restoration project within the Woodard Bay NRCA, Washington. The specified activity includes removal of approximately 615 timber pilings and a trestle located in Woodard Bay and a portion of pier superstructure located at the mouth of Chapman Bay. Pilings will be removed by vibratory hammer extraction methods and structures will be removed via cable lifting. In addition, approximately 25 nest boxes for purple martins will be relocated from removed pilings to pilings that are retained for seal habitat and buffer, using a small boat if necessary and will require a battery powered drill.

Harbor seals have been utilizing the remnant log boom structures at Woodard Bay NRCA as haul-out habitat for resting, pupping and molting for more than 30 years. These booms are situated among the piles and structure planned for removal. The WA DNR anticipates harbor seals will flush into the water upon crew arrival and onset of pile and structure removal activities; hence, harbor seals may be harassed during pile removal activities. Since the activity has the potential to take marine mammals, a marine mammal take authorization under the MMPA is warranted.

Description of the Specified Activity

The Woodard Bay NRCA, located within Henderson Inlet in southern Puget Sound, was designated by the Washington State Legislature in 1987 to