

# Notices

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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 COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Socioeconomics of Commercial Fishers and For Hire Diving and Fishing Operations in the Flower Garden Banks National Marine Sanctuary.

*OMB Control Number:* 0648-0597.

*Form Number(s):* NA.

*Type of Request:* Regular submission (extension of a current information collection).

*Number of Respondents:* 27.

*Average Hours per Response:* 3.

*Burden Hours:* 80.

*Needs and Uses:* This request is for an extension of a currently approved information collection.

The National Marine Sanctuaries Act (16 USC 1431, *et seq.*) authorizes the use of research and monitoring within National Marine Sanctuaries (NMS). In 1996, the Flower Gardens Bank National Marine Sanctuary (FGBNMS) was added to the system of NMS via 15 CFR part 922, subpart L. In 2001, Stetson Bank was added in a revision of 15 CFR part 922.

The National Marine Sanctuaries Act (NMSA) specifies that each NMS should revise their management plans on a five-year cycle. The FGBNMS has begun the management plan review process. The NMSA also allows for the creation of Sanctuary Advisory Councils (SACs). SACs are comprised of representatives of all NMS stakeholders. Management Plan Review (MPR) is a public process and the SACs, along with a series of public meetings, are used to help scope out issues in revising the management

plans and regulations. SAC Working Groups are often used to evaluate management or regulatory alternatives. In the current MPR for the FGBNMS, two major issues have emerged: Boundary expansion and research-only areas. In addition, several new or modified regulations are being considered to meet specific needs for diver safety and resource protection (no anchoring/mooring buoy use requirement and a more stringent pollution discharge regulation).

To address each one these issues, a socioeconomic panel composed of NOAA staff and social scientists from other agencies, or from universities, developed information and tools to assess the socioeconomic impacts of management strategies and regulatory alternatives. The information and tools developed in this process will also provide the necessary information for meeting agency requirements for socioeconomic impact analyses under the National Environmental Policy Act (NEPA), Executive Order 12086 (Regulatory Impact Review) and an Initial and Final Regulatory Flexibility Analyses (impacts on small businesses). Our initial plan, as the first step in the assessment process, was to interview three key sanctuary user groups—commercial fishers, for-hire recreational dive operations and for-hire recreational fishing operations (charter and party/head boat operations)—with questions focusing on: (1) general information, economic information and trip costs and (2) knowledge, attitudes and perceptions of sanctuary management strategies and regulations.

In 2011–2012, the for-hire dive and fishing industry interviews were completed. The commercial fisheries interviews were not begun due to lack of funding; we have the funding now and expect to complete these interviews. The for-hire dive and fishing industries are dynamic with entry and exit of businesses. We estimate the possibility of up to four new businesses over the next three years.

*Affected Public:* Business or other for-profit organizations.

*Frequency:* One time.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:*

*OIRA\_Submission@omb.eop.gov.*

Copies of the above information collection proposal can be obtained by calling or writing Jennifer Jessup,

Departmental Paperwork Clearance Officer, (202) 482-0336, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

Dated: November 8, 2012.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2012-27621 Filed 11-13-12; 8:45 am]

**BILLING CODE 3510-NK-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-357-812, C-357-813]

### Honey From Argentina; Antidumping and Countervailing Duty Changed Circumstances Reviews; Preliminary Intent To Revoke Antidumping and Countervailing Duty Orders

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

**DATES:** *Effective Date:* November 14, 2012.

**FOR FURTHER INFORMATION CONTACT:** Patrick Edwards or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at (202) 482-8029 or (202) 482-3019, respectively.

**SUMMARY:** On October 2, 2012, in response to a request by domestic producers of the subject merchandise, the Department of Commerce (the Department) published a notice of initiation of changed circumstances reviews of the antidumping and countervailing duty orders on honey from Argentina.<sup>1</sup> In the *Initiation Notice*, we invited interested parties to comment on the Department's initiation.

<sup>1</sup> See *Honey from Argentina; Notice of Initiation of Antidumping and Countervailing Duty Changed Circumstances Reviews and Consideration of Revocation of Antidumping and Countervailing Duty Orders*, 77 FR 60105 (October 2, 2012) (*Initiation Notice*).

We received no comments from domestic parties. Therefore, we preliminarily conclude that producers accounting for substantially all of the production of the domestic like product to which these orders pertain lack interest in the relief provided by the antidumping and countervailing duty orders. Accordingly, we are notifying the public of our preliminary intent to revoke the antidumping duty order, in whole, with respect to products entered, or withdrawn from warehouse, for consumption on or after December 1, 2010, and the countervailing duty order, in whole, with respect to products entered, or withdrawn from warehouse, for consumption on or after December 1, 2011, because domestic parties have expressed no interest in the continuation of the orders after these dates.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 10, 2001, the Department published the antidumping and countervailing duty orders on honey from Argentina.<sup>2</sup> On July 24, 2012, the American Honey Producers Association and the Sioux Honey Association (collectively, petitioners) requested that the Department revoke the *AD Order*, effective December 1, 2010, based on the domestic U.S. industry's lack of further interest.<sup>3</sup> On August 22, 2012, the petitioners requested that the Department revoke the *CVD Order*, effective December 1, 2011, again based on their lack of further interest in these proceedings.<sup>4</sup>

On October 2, 2012, the Department published a notice of initiation of changed circumstances reviews of the *Orders* on honey from Argentina.<sup>5</sup> In the *Initiation Notice*, we invited interested parties to comment on the Department's initiation. We did not receive comments from any interested party expressing opposition to the changed circumstances reviews nor to the possible revocation of the *Orders*.

<sup>2</sup> See *Notice of Antidumping Duty Order: Honey from Argentina*, 66 FR 63672 (December 10, 2001) (*AD Order*) and *Notice of Countervailing Duty Order: Honey from Argentina*, 66 FR 63673 (December 10, 2001) (*CVD Order*), (collectively, *Orders*).

<sup>3</sup> See Letter from Petitioners, entitled "Request for 'No Interest' Changed Circumstances Review of the Antidumping and Countervailing Duty Orders on Honey from Argentina," dated July 24, 2012 (CCR Request).

<sup>4</sup> See Letter from Petitioners, entitled "Supplement to Petitioners' Request for a 'No-Interest' Changed Circumstances Review of the Antidumping and Countervailing Duty Orders on Honey from Argentina," dated August 22, 2012 (Supplemental CCR Request).

<sup>5</sup> See *Initiation Notice*.

##### Scope of the Orders

The merchandise covered by the orders is honey from Argentina. The products covered are natural honey, artificial honey containing more than 50 percent natural honey by weight, preparations of natural honey containing more than 50 percent natural honey by weight, and flavored honey. The subject merchandise includes all grades and colors of honey whether in liquid, creamed, comb, cut comb, or chunk form, and whether packaged for retail or in bulk form. The merchandise is currently classifiable under subheadings 0409.00.00, 1702.90.90, and 2106.90.99 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise under the orders is dispositive.

##### Preliminary Results of Reviews and Intent To Revoke, in Whole, the Orders

Pursuant to section 751(d)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.222(g), the Department may revoke an antidumping or countervailing duty order, in whole or in part, based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances review to be conducted upon receipt of a request which shows changed circumstances sufficient to warrant a review. Section 782(h)(2) of the Act gives the Department the authority to revoke an order if producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the continuation of the order. Section 351.222(g) of the Department's regulations provides that the Department will conduct a changed circumstances review under 19 CFR 351.216, and may revoke an order (in whole or in part), if it concludes that (i) producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the relief provided by the order, in whole or in part, or (ii) if other changed circumstances sufficient to warrant revocation exist. Both the Act and the Department's regulations require that "substantially all" domestic producers express a lack of interest in the order(s) for the Department to revoke.<sup>6</sup> The Department has interpreted "substantially all" to represent producers accounting for at least 85

<sup>6</sup> See section 782(h) of the Act and 19 CFR 351.222(g).

percent of U.S. production of the domestic like product.<sup>7</sup>

As noted above and in the *Initiation Notice*, the petitioners requested the revocation of these orders because they are no longer interested in maintaining the *Orders* or in the imposition of duties on the subject merchandise as of December 1, 2010 (AD), and December 1, 2011 (CVD). Because the Department did not receive any comments during the comment period opposing initiation of the changed circumstances review of the *Orders* on honey from Argentina, we preliminarily conclude that producers accounting for substantially all of the production of the domestic like product, to which these orders pertain, lack interest in the relief provided by the *Orders*.

In accordance with 19 CFR 351.222(g), the Department preliminarily determines that there is a reasonable basis to believe that changed circumstances exist sufficient to warrant revocation of the *Orders*. Therefore, the Department is notifying the public of its preliminary intent to revoke the *Orders* on honey from Argentina, in whole.

Unless the Department receives opposition within the time limit set forth below from domestic producers whose production, cumulatively, totals more than 15 percent of the domestic like product, the Department will revoke the *Orders* on honey from Argentina in its final results of review. If, as a result of these reviews, we revoke the *Orders*, we intend to instruct U.S. Customs and Border Protection (CBP) to terminate suspension of liquidation effective December 1, 2010, for the *AD Order*, and December 1, 2011, for the *CVD Order*. The suspension of liquidation of estimated antidumping and countervailing duties on the subject merchandise will continue as appropriate for the period December 1, 2010, through August 2, 2012, and December 1, 2011, through August 2, 2012, respectively, unless, and until, we publish a final determination to revoke the *Orders* in whole.<sup>8</sup> There is no requirement for a cash deposit of estimated antidumping and

<sup>7</sup> See *Certain Orange Juice from Brazil: Preliminary Results of Antidumping Duty Changed Circumstances Review and Intent Not to Revoke*, *In Part*, 73 FR 60241, 60242 (October 10, 2008), unchanged in *Certain Orange Juice From Brazil: Final Results of Antidumping Duty Changed Circumstances Review*, 74 FR 4733 (January 27, 2009); see also 19 CFR 351.208(c).

<sup>8</sup> The Department revoked the *Orders* under five-year sunset reviews on September 21, 2012, pursuant to 19 CFR 351.218(d)(1)(iii), effective August 2, 2012. See *Honey From Argentina; Final Results of Sunset Reviews and Revocation of Antidumping Duty and Countervailing Duty Orders*, 77 FR 58524 (September 21, 2012).

countervailing duties on the subject merchandise for entries on or after August 2, 2012, pursuant to the recent sunset of the *Orders*.<sup>9</sup>

#### Public Comment

Interested parties may submit case briefs not later than 14 days after the date of publication of this notice.<sup>10</sup> Rebuttal briefs, which must be limited to issues raised in such case briefs, may be filed not later than 19 days after the date of publication of this notice.<sup>11</sup> Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Any interested party may request a hearing within 7 days of publication of this notice.<sup>12</sup> Any hearing, if requested, may be held 21 days after the date of publication of this notice, or the first working day thereafter, as practicable. Consistent with 19 CFR 351.216(e), we will issue the final results of these changed circumstances reviews not later than 270 days after the date on which these reviews were initiated.

This notice is published in accordance with section 751(b)(1) of the Act and 19 CFR 351.216, 351.221(c)(3), and 351.222.

Dated: November 5, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

[FR Doc. 2012-27678 Filed 11-13-12; 8:45 am]

**BILLING CODE 3510-DS-P**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Northeast Region Permit Family of Forms

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

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before January 14, 2013.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Lindsey Feldman, (978) 675-2179 or [Lindsey.Feldman@noaa.gov](mailto:Lindsey.Feldman@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This request is for revision and extension of a current information collection. Under the Magnuson-Stevens Fishery Conservation and Management Act, the Secretary of Commerce (Secretary) has the responsibility for the conservation and management of marine fishery resources. Much of this responsibility has been delegated to the National Oceanic and Atmospheric Administration (NOAA)/National Marine Fisheries Service (NMFS). Under this stewardship role, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is to collect information from users of the resource.

As regional Fishery Management Councils develop specific Fishery Management Plans (FMP), the Secretary has promulgated rules for the issuance of permits to individuals and organizations participating in Federally controlled fisheries in order to: (1) Register fishermen, fishing vessels, fish dealers and processors, (2) List the characteristics of fishing vessels and/or dealer/processor operations, (3) Exercise influence over compliance (e.g. withhold issuance pending collection of unpaid penalties), (4) Provide a mailing list and email list for the dissemination of important information to the industry, (5) Register participants to be considered for limited entry, and (6) Provide a universe for data collection samples. Identification of the participants, their gear types, vessels, and expected activity levels is an effective tool in the enforcement of fishery regulations.

Limited access fishing permits, where entry is reviewed during a one-time application period, place size, tonnage, and horsepower restrictions on the ability of a vessel owner to upgrade or replace their vessel. If a vessel owner

wishes to upgrade any of the specifications of his/her vessel such as length overall, net tonnage, gross tonnage, horsepower, or vessel fish hold capacity, he/she must submit, in writing, a request for a vessel upgrade. A request, in writing, also must be made in order to replace one limited access permitted vessel with another as vessel size restrictions are limited to 10-percent above the baseline length overall, gross, and net tonnage, 20-percent above the baseline horsepower, and 10-percent above the vessel hold capacity measurement for limited access vessels with Tier 1 or 2 Atlantic mackerel permits.

Vessels with particular permits are also required to use an electronic vessel monitoring system (VMS) to declare their intent to fish before starting a particular trip, change their intent to fish during a trip, and to report real-time catch and discard information. While vessels are also required to report catch information weekly or monthly depending on their permit through vessel trip reports (VTRs)(VTR collection approved in OMB Control No. 0648-0212), it is often necessary to have daily catch reporting in order to have a real-time understanding of the operation of the fishery. Real-time catch reporting is especially important for high volume fisheries, where large amounts of fish are landed in short periods of time, so that the fishery can be shut down when approaching the annual, regional, or seasonal quota.

This collection also includes the requirement of participants in certain fisheries to notify NMFS before fishing trips for the purpose of observer placement. The placement of fisheries observers is critical to accurately monitoring and collecting information on fish catch, discards, gear performance, socio-economic information about vessel crew and operations, etc. Vessels are also required to request, in writing, participation in any of the various exemption programs offered in the Northeast region. Exemption programs may allow a vessel to fish in an area that is limited to vessels of a particular size, using a certain gear type, or fishing for a particular species. Vessels are also required to request gillnet and lobster tags through the Northeast region permit office when using gillnet gear or lobster traps. Lastly, vessel owners that own multiple vessels, but would like to request communication from NMFS be consolidated into one mailing (and not separate mailings for each vessel), may request the single letter vessel owner option to improve efficiency of their business practice.

<sup>9</sup> *Id.*

<sup>10</sup> See 19 CFR 351.309(c)(ii).

<sup>11</sup> See 19 CFR 351.309(d).

<sup>12</sup> See 19 CFR 351.310(c).