

entity. As a result, the PRC-wide entity came under review. Further, we preliminarily applied adverse facts available to the PRC-wide entity because an element of the entity, Aifudi, failed to act to the best of its ability in complying with the Department's request for information in this review.³ After issuing the *Preliminary Results*, the Department did not receive any comments from interested parties. Therefore, for these final results, in accordance with section 776(a) and (b) of the Act, and as explained in more detail in the *Preliminary Results*, the Department continues to find that because Aifudi, as part of the PRC-wide entity, failed to submit any responses to the Department's questionnaire, it is appropriate to apply an adverse inference in selecting from the facts otherwise available to determine a margin for the PRC-wide entity and to assign to the PRC-wide entity the highest dumping margin on the record of any segment of this proceeding, *i.e.*, 91.73 percent.⁴ Furthermore, as stated in the *Preliminary Results*, we continue to find that the 91.73 percent rate is both reliable and relevant, and continue to determine that it has probative value.⁵ Accordingly, we find that the rate of 91.73 percent, which is the current PRC-wide rate, is in accordance with the requirement of section 776(c) of the Act that secondary information be corroborated (*i.e.*, that it have probative value). Thus, we have assigned this adverse facts available rate to exports of the subject merchandise from the PRC-wide entity, including Aifudi.

Final Results of Review

The Department determines that the following dumping margin exists for the period August 1, 2011, through July 31, 2012:

Exporter	Margin (percent)
PRC-Wide Entity (including Zibo Aifudi Plastic Packaging Co., Ltd.)	91.73

³ See *Preliminary Results* and accompanying Decision Memorandum at 1, 4–6.

⁴ See *Laminated Woven Sacks from the People's Republic of China: Final Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances*, 73 FR 35646 (June 24, 2008); see also *Laminated Woven Sacks From the People's Republic of China: Preliminary Results of the Second Administrative Review*, 75 FR 81218 (December 27, 2010) unchanged in *Laminated Woven Sacks From the People's Republic of China: Final Results of Second Antidumping Duty Administrative Review*, 76 FR 21333 (April 15, 2011).

⁵ See *Preliminary Results* and accompanying Decision Memorandum at 6–7.

Assessment

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review. The Department recently announced a refinement to its assessment practice in non-market economy (“NME”) cases.⁶ Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the NME-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the NME-wide rate.⁷

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (2) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 91.73 percent; and (3) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notifications

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries

⁶ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

⁷ See *id.*

during this POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to the administrative protective order (“APO”) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results and this notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: March 25, 2013.

Paul Piquado,
Assistant Secretary for Import Administration.

[FR Doc. 2013–07407 Filed 3–28–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–580–818]

Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Final Results of Countervailing Duty Administrative Review; 2010

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

SUMMARY: The Department of Commerce (the Department) has completed its administrative review of the countervailing duty (CVD) order on corrosion-resistant carbon steel flat products from the Republic of Korea for the period January 1, 2010, through December 31, 2010. On September 21, 2012, we published the preliminary results of this review.¹ In these final results we find that the respondents, Dongbu Steel Co., Ltd. (Dongbu), Hyundai HYSCO Ltd. (HYSCO), and Pohang Iron & Steel Co. Ltd. (POSCO), received subsidies that result in *de minimis* net subsidy rates.

DATES: *Effective Date:* March 29, 2013.

¹ See *Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review*, 77 FR 58512 (September 21, 2012) (*Preliminary Results*).

FOR FURTHER INFORMATION CONTACT:

Robert Copyak or Andrew Medley, AD/CVD Operations, Office 8, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-2209 and (202) 482-4987, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On September 21, 2012, we published the *Preliminary Results* in the **Federal Register**. Following the *Preliminary Results*, from January 16 through January 25, 2013, we conducted verification of the questionnaire responses submitted by Dongbu, HYSCO, POSCO, and the Government of the Republic of Korea (GOK). We issued the verification reports in February. We received case briefs from POSCO, HYSCO, and Nucor Corporation (Nucor) on February 27, 2013, and rebuttal briefs from United States Steel Corporation (U.S. Steel), Nucor, and HYSCO on March 4, 2013. We did not hold a hearing in this review, as one was not requested.

Scope of the Order

Products covered by this order are certain corrosion-resistant carbon steel flat products from Korea. The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7210.30.0000, 7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.49.0091, 7210.49.0095, 7210.60.0000, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.9030, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.20.1500, 7217.22.5000, 7217.23.5000, 7217.29.1000, 7217.29.5000, 7217.30.15.0000, 7217.32.5000, 7217.33.5000, 7217.39.1000, 7217.39.5000, 7217.90.1000 and 7217.90.5000.

Although the HTSUS numbers are provided for convenience and customs purposes, the written product description, available in the *Preliminary Results*, remains dispositive.

Analysis of Comments Received

All issues raised in the case briefs and rebuttal briefs are addressed in the Memorandum from Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, entitled "Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Corrosion-Resistant Carbon Steel Flat Products from Korea; 2010," dated March 22, 2013 (Issues and Decision Memorandum), which is hereby adopted by this notice. A list of the issues raised is attached to this notice as Appendix I. The Issues and Decision Memorandum is a public document and is available on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of Review

In accordance with 19 CFR 351.221(b)(5), we calculated net subsidy rates for Dongbu, POSCO, and HYSCO of 0.12, 0.16, and 0.19 percent *ad valorem*, respectively, which are *de minimis* rates. See 19 CFR 351.106(c)(1).

Assessment Rates

The Department intends to issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results, to liquidate shipments of subject merchandise by Dongbu, POSCO, and HYSCO entered, or withdrawn from warehouse, for consumption on or after January 1, 2010, through December 31, 2010.

Cash Deposit Instructions

On March 19, 2013, the Department published the *Revocation Notice* in the **Federal Register** in which it explained that 15 days after the publication date of the *Revocation Notice*, the Department would instruct CBP to terminate the suspension of liquidation and to discontinue the collection of cash deposits on entries of the subject merchandise, entered or withdrawn from warehouse, on or after February

14, 2012.² Pursuant to the *Revocation Notice* the Department will further instruct CBP to refund with interest all cash deposits on entries made on or after February 14, 2012. Further, as explained in the *Revocation Notice*, entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping and/or countervailing duty deposit requirements and assessments. Lastly, in the *Revocation Notice*, the Department explained that it will complete any pending or requested administrative reviews of these orders covering entries prior to February 14, 2012.³

Thus, as a result of the revocation of the order, the Department will not issue cash deposit instructions in connection with this administrative review.

Administrative Protective Order

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding, in accordance with 19 CFR 351.224(b).

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: March 22, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

Appendix—Issues in Decision Memorandum

- Comment 1: Whether Two Additional R&D Projects for Which Information Was Collected during POSCO's Verification Should be Included in the Benefit Calculation for the Industrial Technology Innovation Promotion Act (ITIPA) Program
 Comment 2: Whether HYSCO's Sales to Cross-Owned Affiliates Should be Included in the Sales Denominators

² See *Corrosion-Resistant Carbon Steel Flat Products from Germany and the Republic of Korea: Revocation of Antidumping and Countervailing Duty Orders*, 78 FR 16832 (March 19, 2013) (*Revocation Notice*).

³ *Id.*

Comment 3: Whether to Apply Adverse Facts Available with Regard to HYSCO's D/A Financing Under KEXIM's Trade Rediscount Program and HYSCO's D/A Loans Issued by the KDB and Other Government-Owned Banks

Comment 4: Whether Three of HYSCO's R&D Grants are Tied to Non-Subject Merchandise

Comment 5: Whether HYSCO's Overseas Development Loans are Tied to Non-Subject Merchandise

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC587

Notice of Availability of a Supplemental Draft Environmental Impact Statement for Effects of Oil and Gas Activities in the Arctic Ocean

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

ACTION: Notice of availability of a Supplemental Draft Environmental Impact Statement; request for comments.

SUMMARY: NMFS announces the availability of the "Supplemental Draft Environmental Impact Statement (Supplemental DEIS) for the Effects of Oil and Gas Activities in the Arctic Ocean." Publication of this notice begins the official public comment period for this Supplemental DEIS. The purpose of the Supplemental DEIS is to evaluate, in compliance with the National Environmental Policy Act (NEPA), the potential direct, indirect, and cumulative impacts of implementing the alternative approaches for authorizing the take of marine mammals incidental to oil and gas exploration activities in the Arctic Ocean pursuant to the Marine Mammal Protection Act (MMPA). The U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) is a cooperating agency on this DEIS, and as such, this DEIS also evaluates the potential direct, indirect, and cumulative impacts of implementing the alternative approaches for authorizing geological and geophysical (G&G) surveys and ancillary activities under the Outer Continental Shelf Lands Act (OCSLA) in the Arctic Ocean. The North Slope Borough (NSB) is also a cooperating agency on this DEIS. The Environmental Protection Agency is serving as a consulting agency, and

NMFS is coordinating with the Alaska Eskimo Whaling Commission pursuant to our co-management agreement under the MMPA.

DATES: Written, telefaxed, or electronic comments must be received on or before May 28, 2013.

ADDRESSES: The Supplemental DEIS is available for review online at <http://www.nmfs.noaa.gov/pr/permits/eis/arctic.htm>. You may submit comments on this document, identified by NOAA-NMFS-2013-0054, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal www.regulations.gov. To submit comments via the e-Rulemaking Portal, enter NOAA-NMFS-2013-0054 in the keyword search. Locate the document you wish to comment on from the resulting list and click on the "Comment Now" icon on the right of that line.

- *Mail:* Office of Protected Resources, 1315 East-West Highway, Room 13115, Silver Spring, MD 20910

- *Fax:* (301) 713-0376, Attn: Candace Nachman

- *Public Hearings:* Oral and written comments will be accepted during the upcoming public meetings. See **SUPPLEMENTARY INFORMATION**, Public Meetings (below) for more information.

Instructions: Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Candace Nachman, Jolie Harrison, or Michael Payne, Office of Protected Resources, NMFS, at (301) 427-8401.

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 proposed authorization is provided to the public for review. The term "take" under the MMPA means "to harass, hunt, capture or kill, or attempt to harass, hunt, capture, or kill." 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]."

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."

NMFS, as the lead federal agency, prepared this Supplemental DEIS to evaluate a broad range of reasonably foreseeable levels of exploration activities and associated mitigation measures that may occur in the U.S. Beaufort and Chukchi Seas. BOEM and the NSB are serving as formal cooperating agencies; the Environmental Protection Agency (EPA) is serving as a consulting agency; and NMFS is coordinating with the Alaska Eskimo Whaling Commission (AEWC) pursuant to our co-management agreement under the MMPA.

NMFS has published this Supplemental DEIS to disclose the potential impacts associated with their issuance of incidental take