importation.[7] The Department further determined that the mopping kits at issue do not meet the exclusion criteria for finished goods kits and, thus, are covered by the scope of the *Orders* because they lack the disposable mop ends at the time of importation.[8]

In *Rubbermaid I* the Court held that the Department failed to adequately explain its reasoning in the final scope ruling that the Quick-Connect frames and Quick-Connect handles at issue did not meet the finished merchandise exclusion because they were ''designed to function collaboratively'' with other components to form a completed cleaning device.[9] Thus, on remand, the Court ordered the Department to reconsider its analysis of the finished merchandise exclusion and its application to products designed to work in conjunction with other goods,[10] and to further consider Rubbermaid's argument distinguishing ''finished goods'' (to be excluded) from ''intermediate goods'' (to be included).[11] In addition, the Court ordered the Department to reconsider its alleged distinction between merchandise that is designed to be adaptable, interchangeable and flexible, and merchandise that is permanently assembled, in light of any appropriate scope rulings.[12] The Court also held that if the Department continues to find that the Quick-Connect handles and Quick-Connect frames do not constitute ''finished merchandise'', then the Department must affirmatively define that term, taking into account Rubbermaid's proposed definition.[13] Lastly, concerning the mopping kits at issue, the Court ordered the Department to reconsider its interpretation of the finished goods kit exclusion, taking into account applicable scope rulings that discuss the adaptable, interchangeable nature of products for purposes of this exclusion.[14]

In the Remand Results, the Department clarified its interpretation of the exclusion criteria for ''finished merchandise'' and ''finished goods kits.'' [15] The Department first found that, pursuant to its interpretation of the finished merchandise exclusion, the quick-connect frames and quick-connect handles were excluded from the *Orders* because (1) they are comprised of extruded aluminum and non-extruded aluminum components (thus satisfying the ''aluminum extrusions as parts . . .'' definition of the exclusion), and (2) they are ''fully and permanently assembled and completed at the time of entry,'' regardless of whether they are later incorporated with other components, or assembled into a larger downstream product (*i.e.,* a subassembly).[16]

With respect to the mopping kits, the Department found that these products met the exclusion for finished goods kits because (1) they were comprised of aluminum extrusions plus an additional non-extruded aluminum component which went beyond mere fasteners, and (2) in light of the certain other scope rulings,[17] the interchangeable disposable mop end was not necessary to meet the exclusion for a finished goods kit.[18] On July 22, 2015, the CIT sustained the Department's Remand Results.[19]

**Timken Notice**

In its decision in *Timken* [20] as clarified by *Diamond Sawblades,* the CAFC has held that, pursuant to sections 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision that is not ''in harmony'' with a Department determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's July 22, 2015, judgment in *Rubbermaid II* sustaining the Department's decision in the Remand Results to find that the Quick-Connect frames, Quick-Connect handles, and mopping kits at issue to be excluded from the scope of the *Orders,* constitutes a final decision of that court that is not in harmony with the Department's Final Scope Ruling on Cleaning System Components. This notice is published in fulfillment of the publication requirements of *Timken.* Accordingly, the Department will continue the suspension of liquidation of the Quick-Connect frames, Quick-Connect handles, and mopping kits at issue pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

**Amended Final Determination**

Because there is now a final court decision with respect to the Final Scope Ruling on Cleaning System Components, the Department amends its final scope ruling. The Department finds that the scope of the *Orders* does not cover the 13 product models of Quick-Connect frames, Quick-Connect handles, and mopping kits addressed in the underlying Scope Request filed by Rubbermaid. The Department will instruct U.S. Customs and Border Protection (CBP) that the cash deposit rate will be zero percent for Rubbermaid's Quick-Connect frames, Quick-Connect handles, and mopping kits. In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct CBP to liquidate entries of Rubbermaid's Quick-Connect frames, Quick-Connect handles, and mopping kits without regard to antidumping and/or countervailing duties, and to lift suspension of liquidation of such entries.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: August 19, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2015–21047 Filed 8–24–15; 8:45 am]

BILLING CODE 3510–DS–P

[7] *See* Final Scope Ruling on Cleaning System Components at 9.

[8] *Id.*

[9] *See Rubbermaid I,* Slip Op. 14–113 at 17–20.

[10] *Id.* at 20.

[11] *Id.* at 20–23.

[12] *Id.* at 23–27.

[13] *Id.* at 28–29.

[14] *Id.* at 30–33, referencing Banner Stands Scope Ruling and the Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, ''Final Scope Ruling on EZ Fabric Wall Systems,'' (November 9, 2011) (EZ Fabric Wall Systems Scope Ruling).

[15] *See* Remand Results 11–12, 14–17.

[16] *Id.* at 11–12, 14–17.

[17] *See* Banner Stands Scope Ruling; *see also* EZ Wall Systems Scope Ruling.

[18] *Id.*

[19] *See Rubbermaid II,* Slip Op. 15–79 at 15.

[20] *See Timken,* 893 F.2d at 341.

## DEPARTMENT OF COMMERCE

### International Trade Administration

**[C–570–955]**

### Certain Magnesia Carbon Bricks From the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (the Department) is rescinding its administrative review of the countervailing duty (CVD) order on certain magnesia carbon bricks (MCBs) from the People's Republic of China (PRC) for the period January 1, 2013, through December 31, 2013 (POR).

**DATES:** *Effective date:* August 25, 2015.

**FOR FURTHER INFORMATION CONTACT:** Gene H. Calvert, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3586.

**SUPPLEMENTARY INFORMATION:**

## Background

On September 2, 2014, the Department published in the **Federal Register** a notice of ''Opportunity to Request Administrative Review'' of the CVD order on MCBs from the PRC for the POR.[1] The deadline for the completion of the preliminary results is August 31, 2015.[2] On September 30, 2014, Petitioner in this proceeding, Resco Products, Inc., and an interested party, Magnesita Refractories Company (Magnesita), submitted a timely request for an administrative review of five companies: (1) Fedmet Resources Corporation; (2) Fengchi Imp. and Exp. Co., Ltd. of Haicheng City (Fengchi Co.); (3) Fengchi Mining Co., Ltd. of Haicheng City (Fengchi Mining); (4) Fengchi Refractories Corp. (Fengchi Refractories); and (5) Puyang Refractories Co., Ltd. (collectively, Companies Subject to Review).[3] On October 30, 2014, in accordance with 19 CFR 351.221(c)(1)(i), the Department published in the **Federal Register** a notice of initiation of an administrative review on the CVD order on MCBs from the PRC with respect to the Companies Subject to Review.[4]

The Department stated in the *Initiation Notice* that it intended to rely on U.S. Customs and Border Protection (CBP) data to select respondents.[5] On November 5, 2014, we released U.S. Customs and Border Protection (CBP) entry data to interested parties for comments regarding respondent selection.[6] On November 14, 2014, Fengchi Co. submitted comments on the Original CBP Data, and expressed concerns that the Original CBP Data may not accurately reflect POR entries of subject merchandise.[7] No other party commented on the Original CBP Data.

On December 19, 2014, we received timely no shipment certifications from Fengchi Co., Fengchi Mining, and Fengchi Refractories.[8] These three companies also requested that we rescind this administrative review.[9] Although Fengchi Co., Fengchi Mining, and Fengchi Refractories each certified that they had had no reviewable entries of subject merchandise during the POR, the Original CBP Data did show that Fengchi Co. had exports of subject merchandise that were entered during the POR.[10] As a result, in our Respondent Selection Memorandum, we selected Fengchi Co. as our sole mandatory respondent.[11]

Subsequently, the Department found that its data query that generated the Original CBP Data had been constructed for an incorrect period. The Department placed Corrected CBP Data onto the record on July 22, 2015, and gave interested parties an opportunity to comment on these data.[12] Our review of the Corrected CBP Data led us to conclude that there were no entries of MCBs from the PRC that were subject to countervailing duties with respect to the Companies Subject to Review during the POR.[13] Accordingly, we sent requests to CBP to notify us if there was any indication from CBP ports that shipments of MCBs from the PRC regarding the Companies Subject to Review entered the United States during the POR.[14] We received no information from CBP to contradict the Corrected CBP Data.

On July 28, 2015, Resco, Magnesita, and Harbison Walker International submitted timely comments on the Corrected CBP Data, requesting that the Department ask CBP for entry summary information regarding the entries listed in the Corrected CBP Data.[15] No other party commented on the Corrected CBP Data.

On August 12, 2015, the Department issued a memorandum stating that it intended to rescind this review based on the lack of suspended entries for Companies Subject to Review.[16] We invited parties to comment on our intent to rescind this administrative review;[17] we did not receive any comments from any interested party.

## Rescission of Review

Section 351.213(d)(3) of the Department's regulations states that ''{the} Secretary may rescind an administrative review, in whole or only with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, there were no entries, exports, or sales of the subject merchandise, as the case may be.''[18] At the end of a review, the suspended entries are liquidated at the assessment rate calculated for the review period.[19] Therefore, for an administrative review to be conducted there must be a suspended entry to be liquidated at the newly calculated assessment rate. The Department's practice of rescinding annual reviews when there are no entries of subject merchandise during the POR has been upheld by the Court of Appeals for the Federal Circuit.[20]

In this instance, because the Corrected CBP Data show there are no suspended

[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review,* 79 FR 51958 (September 2, 2014).

[2] *See* Department Memoranda, ''Certain Magnesia Carbon Bricks from the People's Republic of China: Extension of Time Limit for Preliminary Results of the Countervailing Duty Administrative Review,'' (May 22, 2015), and ''Certain Magnesia Carbon Bricks from the People's Republic of China: Second Extension of Time Limit for Preliminary Results of the Countervailing Duty Administrative Review,'' (July 1, 2015).

[3] *See* Letter to the Secretary from Petitioner and Magnesita, ''Certain Magnesia Carbon Bricks from the People's Republic of China: Countervailing Duty Administrative Review,'' (September 30, 2014).

[4] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 79 FR 64565, 64568 (October 30, 2014) (*Initiation Notice*); *see also Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 79 FR 66694, 66695 (November 10, 2014), and *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 80 FR 37588, 37596 (July 1, 2015), correcting printing errors in the *Initiation Notice.*

[5] *See Initiation Notice* at ''Respondent Selection.''

[6] *See* Department Memorandum, ''2013 Countervailing Duty Administrative Review of Certain Magnesia Carbon Bricks from the People's Republic of China: U.S. Customs and Border Protection Entry Data,'' (November 5, 2014) (Original CBP Data).

[7] *See* Letter to the Secretary from Fengchi Co., ''Magnesia Carbon Bricks form the People's Republic of China, Case No. C–570–955: Comments on U.S. Customs and Border Protection Entry Data,'' (November 14, 2014) (Fengchi Co. CBP Data Comments).

[8] *See* Letter to the Secretary from Fengchi Co., Fengchi Mining, and Fengchi Refractories, ''Magnesia Carbon Brick from the People's Republic of China, Case No. C–570–955: No Shipments Letter,'' (December 19, 2014).

[9] *Id.*

[10] *See* Original CBP Data.

[11] *See* Department Memorandum, ''Administrative Review of the Countervailing Duty Order on Certain Magnesia Carbon Bricks from the People's Republic of China: Respondent Selection,'' (January 28, 2015) (Respondent Selection Memorandum).

[12] *See* Department Memorandum, ''Administrative Review of the Countervailing Duty Order on Certain Magnesia Carbon Bricks from the People's Republic of China: Respondent Selection—Corrected POR Entry Information,'' (July 14, 2015) (Corrected CBP Data).

[13] *Id.*

[14] *See* CBP Inquiries, Message Nos.: 5174303 (June 23, 2015); 5174304 (June 23, 2015); 5198315 (July 17, 2015); and 5219308 (August 7, 2015).

[15] *See* Letter to the Secretary from the Magnesia Carbon Bricks Fair Trade Committee, ''Certain Magnesia Carbon Bricks From the People's Republic of China: Petitioners' Comments on the CBP Data,'' (July 28, 2015).

[16] *See* Department Memorandum, ''Administrative Review of the Countervailing Duty Order on Certain Magnesia Carbon Bricks from the People's Republic of China; Intent to Rescind Administrative Review,'' (August 12, 2015).

[17] *Id.*

[18] *See, e.g., Certain Preserved Mushrooms From India: Notice of Rescission of Antidumping Duty Administrative Review,* 79 FR 52300 (September 3, 2014) (*Mushrooms from India*); *see also Certain Frozen Warmwater Shrimp From Brazil: Notice of Rescission of Antidumping Duty Administrative Review,* 77 FR 32498 (June 1, 2012).

[19] *See* 19 CFR 351.212(b)(2). *See also* section 751(a)(1)(A) of the Act.

[20] *See Allegheny Ludlum Corp.* v. *United States,* 346 F.3d 1368 (Fed. Cir. 2003).

entries from the Companies Subject to Review upon which to assess duties for the POR, the Department is rescinding this review of the countervailing duty order on MCBs from the PRC pursuant to 19 CFR 351.231(d)(3). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of this notice.

**Administrative Protective Order**

This notice serves as a reminder to parties subject to 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 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.

This notice is published in accordance with section 751 of the Act and 19 CFR 351.213(d)(4).

Dated: August 18, 2015.

**Christian Marsh,**

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

[FR Doc. 2015–21048 Filed 8–24–15; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### Proposed Information Collection; Comment Request; Expenditure Survey of Atlantic Highly Migratory Species Tournaments and Participants

**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 October 26, 2015.

**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).*

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to George Silva at (301) 427–8503 or *george.silva@noaa.gov.*

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This request is for a new collection of information.

The objective of the study is to collect information on the earnings and expenditures of Atlantic Highly Migratory Species (HMS) tournament operators and participants. The study will use two survey instruments to collect information from tournament operators and participants. One survey will ask tournament operators to characterize and quantify their operating costs and income sources in addition to describing their tournament participants. The other survey instrument will ask fishing tournament participants to estimate their expenditures associated with travel to, entering, and participating in the tournament.

The National Marine Fisheries Service (NMFS) will collect cost and earnings data from all tournaments registered within the year (approximately 260 based on recent years' tournament registration data). In addition, NMFS will select fifty percent of registered tournaments to distribute expenditure surveys to anglers registered for those tournament events. The Atlantic HMS Management Division is currently consulting with tournament organizers and participants to design the survey instruments to ensure NMFS captures data on all relevant expenditures.

As specified in the Magnuson-Stevenson Fishery Conservation and Management Act of 1996 (and reauthorized in 2007), NMFS is required to enumerate the economic impacts of the policies it implements on fishing participants and coastal communities. The cost and earnings data collected in this survey will be used to estimate the economic contributions and impacts of Atlantic HMS tournaments regionally.

**II. Method of Collection**

The primary data collection vehicle will be paper and/or internet-based survey forms delivered at tournament events. Telephone and personal interviews may be employed to supplement and verify written survey responses.

**III. Data**

*OMB Control Number:* 0648–XXXX.

*Form Number:* None.

*Type of Review:* Regular submission (request for a new information collection).

*Affected Public:* Members of the public.

*Estimated Number of Respondents:* 260 tournament operators and 2,500 tournament participants.

*Estimated Time Per Response:* 15 minutes per survey.

*Estimated Total Annual Burden Hours:* 690.

*Estimated Total Annual Cost to Public:* $0 in recordkeeping/reporting costs.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: August 19, 2015.

**Sarah Brabson,**

*NOAA PRA Clearance Officer.*

[FR Doc. 2015–20890 Filed 8–24–15; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### Availability of Seats for National Marine Sanctuary Advisory Councils, Correction

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice and request for applications; correction.

**SUMMARY:** ONMS published a request for applications for vacant seats on seven of its 13 national marine sanctuary advisory councils on August 14, 2015