

provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB Control Number.

*Executive Order 12866 (Regulatory Planning and Review):* This notice has been determined to be not significant for purposes of Executive Order 12866.

*Executive Order 13132 (Federalism):* It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

*Administrative Procedure Act/Regulatory Flexibility Act:* Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or any other law for rules concerning grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: March 5, 2009.

**Dennis Alvord,**

*Acting Deputy Assistant Secretary for Economic Development and Chief Operating Officer.*

[FR Doc. E9-5081 Filed 3-9-09; 8:45 am]

BILLING CODE 3510-24-P

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1607]

#### Approval of Manufacturing Authority, Foreign-Trade Zone 76, Bridgeport, CT, Derecktor Shipyards Conn., LLC (Shipbuilding)

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Bridgeport Port Authority, grantee of FTZ 76, has requested authority under Section 400.28 (a)(2) of the Board's regulations on behalf of Derecktor Shipyards Conn., LLC, to construct and repair passenger vessels under FTZ procedures within FTZ 76 Site 4, Bridgeport, Connecticut (FTZ Docket 25-2008, filed 4-23-2008);

*Whereas*, the proposed shipbuilding and repair activity would be subject to the "standard shipyard restriction" (full customs duties paid on steel mill products);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (73 FR 24219, 5-2-2008);

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations would be satisfied, and that approval of the application would be in the public interest;

*Now, therefore*, the Board hereby grants authority for the construction and repair of passenger vessels within FTZ 76 for Derecktor Shipyards Conn., LLC, as described in the application and **Federal Register** notice, subject to the Act and the Board's regulations, including Section 400.28, and the following special conditions:

1. Any foreign steel mill product admitted to FTZ 76 for the DSC activity, including plate, angles, shapes, channels, rolled steel stock, bars, pipes and tubes, not incorporated into merchandise otherwise classified, and which is used in manufacturing, shall be subject to customs duties in accordance with applicable law, unless the Executive Secretary determines that the same item is not then being produced by a domestic steel mill.
2. DSC shall meet its obligation under 15 CFR § 400.28(a)(3) by annually advising the Board's Executive Secretary as to significant new contracts with appropriate information concerning foreign purchases otherwise dutiable, so that the Board may consider whether any foreign dutiable items are being imported for manufacturing in the zone primarily because of FTZ procedures and whether the Board should consider requiring customs duties to be paid on such items.
3. All foreign-origin mooring lines (HTSUS 5607.50) and linens (HTSUS Heading 6302) must be admitted to the zone in privileged foreign status (19 CFR § 146.41) or domestic (duty-paid) status (19 CFR § 146.43).

Signed at Washington, DC, this 26th day of February 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-5100 Filed 3-9-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1608]

#### Grant of Authority for Subzone Status, Wolverine World Wide, Inc. (Footwear and Apparel), Rockford, Cedar Springs and Howard City, MI

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for "...the establishment... of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in significant public benefit and is in the public interest;

*Whereas*, the Kent-Ottawa-Muskegon Foreign Trade Zone Authority, grantee of Foreign-Trade Zone 189, has made application to the Board for authority to establish a special-purpose subzone at the footwear and apparel distribution and processing facilities of Wolverine World Wide, Inc., located in Rockford, Cedar Springs and Howard City, Michigan (FTZ Docket 47-2008, filed 8/25/08);

*Whereas*, notice inviting public comment was given in the **Federal Register** (73 FR 51440, 9/03/08); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application would be in the public interest;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to footwear and apparel distribution and processing at the facilities of Wolverine World Wide, Inc., located in Rockford, Cedar Springs and Howard City, Michigan (Subzone 189C), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 26th day of February 2009.

**Ronald K. Lorentzen,**  
Acting Assistant Secretary of Commerce for  
Import Administration, Alternate Chairman,  
Foreign-Trade Zones Board.

Attest:

**Andrew McGilvray,**  
Executive Secretary.  
[FR Doc. E9-5120 Filed 3-9-09; 8:45 am]  
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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-274-804]

#### Carbon and Certain Alloy Steel Wire Rod From Trinidad and Tobago: Amended Final Results Pursuant to a Court Decision

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

**SUMMARY:** On December 3, 2008, the United States Court of Appeals for the Federal Circuit ("CAFC") affirmed the Department of Commerce's ("Department") final results of redetermination pursuant to the Department's voluntary remand, wherein the Department calculated credit expenses from the date of invoice, rather than the date of shipment for Mittal Steel Point Lisas Ltd. ("Mittal").<sup>1</sup> The Court also affirmed the Department's classification of Mittal's composite wire rod as non-prime merchandise. The period of review ("POR") is October 1, 2003, through September 30, 2004. The Department is amending the final results of the second

administrative review of carbon and certain alloy steel wire rod ("wire rod") from Trinidad and Tobago to reflect the U.S. Court of International Trade's ("CIT") decision.

**EFFECTIVE DATE:** March 10, 2009.

**FOR FURTHER INFORMATION CONTACT:** Dennis McClure, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5973.

**SUPPLEMENTARY INFORMATION:** On November 16, 2005, the Department published its final results in the second administrative review of the antidumping duty order on wire rod from Trinidad and Tobago covering the POR.<sup>2</sup>

On December 16, 2005, and January 17, 2006, respectively, Mittal filed a summons and complaint with the U.S. Court of International Trade ("CIT") challenging the Department's credit expense calculation and treatment of non-prime merchandise. On March 7, 2007, the Department requested a voluntary remand so that we could reevaluate the calculation of credit expenses and inventory carrying costs used to calculate constructed export price. On April 24, 2007, the CIT granted the Department's voluntary remand motion to reevaluate its calculation of credit expenses and inventory carrying costs and affirmed the Department's treatment of non-prime merchandise.

On June 21, 2007, the Department filed with the CIT its final results of redetermination, calculating credit expenses from the invoice date, rather

than the shipment date. The Department also changed the inventory carrying costs used in its constructed export price calculation to reflect the date of invoice as the date of sale. On August 8, 2007, the CIT sustained the final results of redetermination on remand. On September 7, 2007, the Department notified the public that the final judgment in this case is not in harmony with the *Final Results*.

On October 5, 2007, and October 9, 2007, respectfully, both Mittal and Gerdau Ameristeel Corp. and Keystone Consolidated Industries, Inc., the petitioners, appealed the CIT's decision. On December 3, 2008, the CAFC affirmed the CIT's decision on both issues. The deadline to appeal the redetermination pursuant to remand is March 3, 2009, 90 days after the date the CAFC affirmed the CIT's decision (*i.e.*, December 3, 2008). However, on January 12, 2009, Mittal filed a motion to lift the injunction on liquidating entries related to this case, in which it informed the CIT that neither it nor petitioners intended to petition the U.S. Supreme Court for *certiorari*. The CIT granted Mittal's motion on January 13, 2009. Therefore, the Department is amending the Final Results with respect to Mittal.

#### Amended Final Results of Review

The remand redetermination explained that the Department determined to calculate credit expense from the date of invoice. Based on this reconsideration, we are amending the final results for Mittal. Accordingly, we are applying to Mittal the following dumping margin.

Manufacturer/exporter	Period of review	Weighted-average margin (%)	
		Original:	Revised:
Mittal Steel Point Lisas Ltd. (formerly Caribbean Ispat Limited) .....	10/1/2003-9/30/2004	4.13	4.08

#### Assessment

The Department has determined, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries covered by these amended final results. The Department intends to issue assessment instructions to CBP 15 days after the publication date of these amended final results.

#### Notification to Interested Parties

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. Pursuant to 19 CFR 351.402(f)(3), failure to comply with this requirement could result in the Secretary's presumption

that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also 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 and as explained

<sup>1</sup> See *Mittal Steel Point Lisas Ltd. v. United States*, United States Court of Appeals 2008-1040, -1054 (Fed. Cir. 2008) ("Mittal v. United States").

<sup>2</sup> See *Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy*

*Steel Wire Rod from Trinidad and Tobago*, 70 FR 69512 (November 16, 2005) ("Final Results").

<sup>3</sup> See *Carbon and Certain Alloy Steel Wire Rod from Trinidad & Tobago: Amended Notice of Court Decision Not In Harmony with Final Results of*

*Antidumping Duty Administrative Review*, 72 FR 51408 (September 7, 2007).