

and the National Aeronautics and Space Administration.

A-4 Siting/construction/operation of microwave/radio communication towers less than 200 feet in height without guy wires on previously disturbed ground.

DOC, through NTIA is involved in issuing grants for siting, construction, operation, and maintenance, communications systems and similar electronic equipment. These types of electronic equipment are essential to support the nationwide telecommunications network.

This CE is supported by Findings of No Significant Impact on the recently completed Programmatic EA for NTIA and on EAs from the U.S. Department of Energy. Furthermore, this CE is supported by long-standing categorical exclusions from the Federal Emergency Management Agency.

A-5 Retrofit/upgrade existing microwave/radio communication towers that do not require ground disturbance.

This CE is supported by the recently completed Programmatic EA for NTIA with a Finding of No Significant Impact and an EA for the National Aeronautics and Space Administration, also with a Finding of No Significant Impact.

A-6 Adding fiber optic cable to transmission structures or burying fiber optic cable in existing transmission line rights-of-way.

This CE is supported by a long-standing categorical exclusion with the U.S. Department of Energy and Findings of No Significant Impact on Environmental Assessments prepared for the Bureau of Land Management, Vandenberg Air Force Base, the U.S. Park Service, and the Tennessee Valley Authority.

A-7 Acquisition, installation, operation, and removal of communications systems, data processing equipment, and similar electronic equipment.

This CE is supported by a legacy categorical exclusion from the U.S. Department of Energy and Findings of No Significant Impact on several Description Memorandums from the U.S. Department of Energy.

A-8 Planning activities and classroom-based training and classroom-based exercises using existing conference rooms and training facilities.

This CE is supported by a long-standing categorical exclusion with the U.S. Department of Energy and a Finding of No Significant Impact on an Environmental Assessment from the recently completed Programmatic EA for NTIA.

A-9 Purchase of mobile and portable equipment and infrastructure which is

stored in previously existing structures or facilities.

This CE is supported by a long-standing categorical exclusion with the U.S. Coast Guard and a Finding of No Significant Impact on an EA from the recently completed Programmatic EA for NTIA.

A-10 Siting, construction (or modification), and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). This CE does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines that it does not have an applicable Categorical Exclusion.

This CE is supported by a long-standing categorical exclusion with the U.S. Department of Energy and two Memoranda for File for relevant projects and their supporting documentation that indicated insignificant impacts, also with the U.S. Department of Energy.

A-11 Personnel, fiscal, management, and administrative activities, such as recruiting, processing, paying, recordkeeping, resource management, budgeting, personnel actions, and travel.

The actions contemplated by this CE are a variety of administrative activities that have no inherent potential for significant environmental impacts. This CE is supported by long-standing categorical exclusions from the U.S. Coast Guard, U.S. Navy, Federal Emergency Management Agency, U.S. Air Force, U.S. Army, and the U.S. Department of the Interior. Further, the Panel found that actions of a similar nature, scope, and intensity were performed throughout the Federal government without significant environmental impacts.

#### Paperwork Reduction Act

This notice does not contain collection-of-information requirements subject to the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*). Notwithstanding any other provision of law, no person is required to, nor shall a 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.

A Paperwork package for the associated "Departmental NEPA Checklist" referenced in the Supplementary Information has been submitted to the Office of Management

and Budget (OMB) for review and approval. A Notice of Action will be published in the **Federal Register** at the conclusion of OMB's review of the information collection.

#### Environmental Impact

This notice supplements CEQ regulations and Department of Commerce NEPA procedures and provides guidance to DOC employees regarding procedural requirements for the application of NEPA provisions to funding decisions including grants and funding applicant actions. CEQ does not direct agencies to prepare a NEPA analysis or document before establishing agency procedures that supplement the CEQ regulations for implementing NEPA. Agency NEPA procedures are procedural guidance to assist agencies in the fulfillment of agency responsibilities under NEPA. The requirements for establishing agency NEPA procedures are set forth at 40 CFR 1505.1 and 1507.3

Dated: July 6, 2009.

**Paul N. Doremus**,  
NOAA NEPA Coordinator, Office of Program Planning and Integration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) for Duty-Free Entry of Scientific Instruments

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), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before July 30, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 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: 09-032. Applicant: National Renewable Energy Laboratory, 1617 Cole Blvd., Golden, Colorado 80401. Instrument: MicroTime 200 Single Molecule Fluorescence Lifetime Imaging System. Manufacturer: PicoQuant GmbH, Germany. Intended

Use: This instrument will be used in biomass characterization. The instrument will be capable of doing Fluorescence Lifetime Imaging, measuring Fluorescence resonance Energy Transfer and Fluorescence Correlation Spectroscopy for single fluorescent molecules. Justification for Duty-Free Entry: There are no instruments of the same general category being manufactured within the United States. Application accepted by Commissioner of Customs: June 17, 2009.

Docket Number: 09-034. Applicant: University of Georgia, 1151 East Whitehall Rd., Athens, GA 30605. Instrument: Gasification Unit. Manufacturer: Termoquip Energia Alternativa LTDA, Brazil. Intended Use: This instrument will be used to turn biomass into syngas, which is composed of hydrogen and carbon monoxide that can be catalytically upgraded to liquid fuel, chemicals and energy. Justification for Duty-Free Entry: There are no instruments of the same general category being manufactured within the United States. Application accepted by Commissioner of Customs: June 2, 2009.

Dated: July 1, 2009.

**Christopher Cassel,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. E9-16287 Filed 7-9-09; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

#### Continuation of Antidumping Duty Order on Certain Frozen Fish Fillets From the Socialist Republic of Vietnam

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

**DATES:** *Effective Date:* July 10, 2009.

**SUMMARY:** As a result of the determinations by the Department of Commerce ("Department") and the International Trade Commission ("ITC") that revocation of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the antidumping duty order.

**FOR FURTHER INFORMATION CONTACT:** Matthew Renkey, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department

of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-2312.

**SUPPLEMENTARY INFORMATION:** On July 1, 2008, the Department published the notice of initiation of the sunset review of the antidumping duty order on certain frozen fish fillets from Vietnam pursuant to section 751(c) of the Tariff Act of 1930, as amended ("Act"). See *Initiation of Five-year ("Sunset") Review*, 73 FR 37411 (July 1, 2008).

As a result of its review, the Department determined that revocation of the antidumping duty order on certain frozen fish fillets from Vietnam would likely lead to a continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the order be revoked. See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Notice of Final Results of Expedited Sunset Review of Antidumping Duty Order*, 74 FR 5819 (February 2, 2009).

On July 6, 2009, the ITC determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on certain frozen fish fillets from Vietnam would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable future. See *Certain Frozen Fish Fillets from Vietnam; Determination*, 74 FR 31975 (July 6, 2009), and USITC Publication 4083 (June 2009).

#### Scope of the Order

The product covered by this Order is frozen fish fillets, including regular, shank, and strip fillets and portions thereof, whether or not breaded or marinated, of the species *Pangasius Bocourti*, *Pangasius Hypophthalmus* (also known as *Pangasius Pangasius*), and *Pangasius Micronemus*. Frozen fish fillets are lengthwise cuts of whole fish. The fillet products covered by the scope include boneless fillets with the belly flap intact ("regular" fillets), boneless fillets with the belly flap removed ("shank" fillets), boneless shank fillets cut into strips ("fillet strips/finger"), which include fillets cut into strips, chunks, blocks, skewers, or any other shape. Specifically excluded from the scope are frozen whole fish (whether or not dressed), frozen steaks, and frozen belly-flap nuggets. Frozen whole dressed fish are deheaded, skinned, and eviscerated. Steaks are bone-in, cross-section cuts of dressed fish. Nuggets are the belly-flaps. The subject merchandise will be hereinafter referred to as frozen "basa" and "tra" fillets, which are the Vietnamese common names for these species of fish. These products are

classifiable under tariff article codes 1604.19.4000, 1604.19.5000, 0305.59.4000, 0304.29.6033 (Frozen Fish Fillets of the species *Pangasius* including basa and tra) of the Harmonized Tariff Schedule of the United States ("HTSUS").<sup>1</sup> This Order covers all frozen fish fillets meeting the above specification, regardless of tariff classification. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of the Order is dispositive.

#### Continuation of the Order

As a result of these determinations by the Department and the ITC that revocation of the antidumping duty order would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping order on certain frozen fish fillets from Vietnam. United States Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This five-year (sunset) review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: July 7, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

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<sup>1</sup> Until July 1, 2004, these products were classifiable under tariff article codes 0304.20.60.30 (Frozen Catfish Fillets), 0304.20.60.96 (Frozen Fish Fillets, NESOI), 0304.20.60.43 (Frozen Freshwater Fish Fillets) and 0304.20.60.57 (Frozen Sole Fillets) of the HTSUS. Until February 1, 2007, these products were classifiable under tariff article code 0304.20.60.33 (Frozen Fish Fillets of the species *Pangasius* including basa and tra) of the HTSUS.