

**Notification Regarding APO's**

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 section 351.305(a)(3) of the Department's regulations. Timely written notification of the return/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 issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: August 10, 2009.

**John M. Andersen,**

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

[FR Doc. E9-19561 Filed 8-13-09; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****National Institute of Standards and Technology****Freedom of Information Act Requests for Photographs and Videos Collected by the National Institute of Standards and Technology for Its Investigation Into the Failures of the World Trade Center Buildings**

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** Photographers whose photographs and videos were provided to NIST for use in its investigation into the failures of World Trade Center (WTC) Buildings 1, 2 and 7 must provide NIST with a written response explaining how disclosure of their images would likely cause substantial competitive harm to their competitive position and/or impair the Government's ability to obtain similar information in the future if you believe that some or all of the images you submitted to NIST should be withheld in response to requests received by NIST under the Freedom of Information Act.

**DATES:** All written responses must be received by NIST by c.o.b., August 24, 2009.

**ADDRESSES:** All written responses must be sent to NIST Freedom of Information Act Officer, 100 Bureau Drive, Mail Stop

1710, Gaithersburg, Maryland 20899-1710 or by e-mail to [Catherine.fletcher@nist.gov](mailto:Catherine.fletcher@nist.gov).

**FOR FURTHER INFORMATION CONTACT:** NIST FOIA Officer by telephone at (301) 975-4074, or by e-mail at [Catherine.fletcher@nist.gov](mailto:Catherine.fletcher@nist.gov).

**SUPPLEMENTARY INFORMATION:** The National Institute of Standards and Technology (NIST) has received requests made under the Federal Freedom of Information Act (Title 5 U.S.C. 552) (FOIA) for the photographs and videos NIST collected as part of its investigation of the collapse of the World Trade Center Towers (Buildings 1 and 2) and World Trade Center Building 7. The FOIA requests are located at: [http://wtc.nist.gov/FOIA/FOIArequests09\\_15\\_42\\_63\\_88.pdf](http://wtc.nist.gov/FOIA/FOIArequests09_15_42_63_88.pdf). During the course of its investigation NIST received thousands of photographic and video images from hundreds of photographers.

Under the FOIA, the Government is required to release to a requester copies of documents it maintains that are not otherwise protected by an exemption to the FOIA. One particular exemption, exemption (b)(4), protects from disclosure any records, or portions thereof, which contain "trade secrets and commercial or financial information obtained from a person and privileged or confidential." 5 U.S.C. § 552(b)(4).

If you submitted photographic or video images to NIST for its World Trade Center investigation and if you believe that some or all of the images should be withheld, you must notify NIST in writing within ten (10) working days (*i.e.*, excluding Saturday, Sunday, and legal public holidays) from the date of publication of this **Federal Register** notice. Your written response must specifically identify which images you submitted to NIST for which you are asserting privilege under exemption (b)(4). You should include copies of your images with your written response to help identify your images. If you do not positively identify your image(s), your written response will not be considered. Your written response must indicate that you are responding to this **Federal Register** notice. Your written response must explain why the images are commercial or financial information that is privileged or confidential. In order to protect information under exemption (b)(4), your written response must explain, in detail, how disclosure of your images would likely cause substantial harm to your competitive position and/or how disclosure of your images will impair the Government's ability to obtain similar information in the future. A conclusory statement, to

the effect that the information is confidential because releasing it could cause substantial competitive harm, will not suffice. Your written response must include your full name and complete address. You may notify the NIST FOIA Officer of your position by sending an e-mail to [Catherine.fletcher@nist.gov](mailto:Catherine.fletcher@nist.gov) or by mailing a letter to: NIST Freedom of Information Act Officer, 100 Bureau Drive, Mail Stop 1710, Gaithersburg, Maryland 20899-1710.

NIST does not have current contact information for all of the photographers whose images were submitted for the NIST WTC Investigation. If you know a photographer whose images were submitted to NIST, please notify them of this notice.

FOIA lawsuits were filed for these records on May 28, 2009 and June 15, 2009. Therefore, time is of the essence in processing this request. If we do not receive a response from you within 10 working days from the date of publication of this **Federal Register** notice, your images might be released to the FOIA requester.

Dated: August 11, 2009.

**Katharine Gebbie,**

*Director, Physics Laboratory.*

[FR Doc. E9-19535 Filed 8-13-09; 8:45 am]

**BILLING CODE 3510-13-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648-XQ81**

**Incidental Taking of Marine Mammals; Taking of Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico**

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

**ACTION:** Notice; issuance of a letter of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA) and implementing regulations, notification is hereby given that NMFS has issued one-year Letter of Authorization (LOA) to take marine mammals incidental to the explosive removal of offshore oil and gas structures (EROS) in the Gulf of Mexico.

**DATES:** The authorization is effective from August 11, 2009, through August 10, 2010.

**ADDRESSES:** The application and LOA is available for review by writing to P. Michael Payne, Chief, Permits,

Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3235 or by telephoning the contact listed here (see **FOR FURTHER INFORMATION CONTACT**), or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Ken Hollingshead, Office of Protected Resources, NMFS, 301-713-2289.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the NMFS to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made by NMFS and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt capture, or kill marine mammals.

Authorization for incidental taking, in the form of an annual LOA, may be granted by NMFS for periods up to five years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals, and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat (i.e., mitigation), and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating rounds, and areas of similar significance. The regulations also must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking incidental to EROS were published on June 19, 2008 (73 FR 34889), and remain in effect through July 19, 2013. For detailed information on this action, please refer to that **Federal Register** notice. The species that applicants may take in small numbers during EROS activities are bottlenose dolphins (*Tursiops truncatus*), Atlantic spotted dolphins (*Stenella frontalis*), pantropical spotted dolphins (*Stenella attenuata*), Clymene dolphins (*Stenella clymene*), striped dolphins (*Stenella*

*coeruleoalba*), spinner dolphins (*Stenella longirostris*), rough-toothed dolphins (*Steno bredanensis*), Risso's dolphins (*Grampus griseus*), melon-headed whales (*Peponocephala electra*), short-finned pilot whales (*Globicephala macrorhynchus*), and sperm whales (*Physeter macrocephalus*).

Pursuant to these regulations, NMFS has issued an LOA to EOG Resources, Inc. Issuance of the LOA is based on a finding made in the preamble to the final rule that the total taking by these activities (with monitoring, mitigation, and reporting measures) will result in no more than a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on subsistence uses. NMFS also finds that the applicant will meet the requirements contained in the implementing regulations and LOA, including monitoring, mitigation, and reporting requirements.

Dated: August 10, 2009.

**James H. Lecky,**

Director, Office of Protected Resources,  
National Marine Fisheries Service.

[FR Doc. E9-19546 Filed 8-13-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Medical Trade Mission to India

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

**ACTION:** Notice.

#### Mission Description

The United States Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service is organizing a Medical Trade Mission to New Delhi, Chennai and Mumbai, India, March 8-13, 2010. The Medical Trade Mission to India will include representatives of U.S. medical/healthcare industry manufacturers (equipment and devices including laboratory, emergency, diagnostic, physiotherapy, and orthopedic equipment, and healthcare information technology) and service providers. The mission will introduce U.S. suppliers to prospective end-users and partners whose needs and capabilities are targeted to each U.S. participant's business objectives. The delegates will meet with Indian government officials to obtain first-hand information about regulations, policies and procedures and will visit healthcare

facilities. The Commercial Service in India (CS India) will organize appointments and briefings in New Delhi, Chennai and Mumbai, India's major healthcare industry hubs. U.S. participants will have the opportunity to interact with U.S. Embassy and Consulate officials and CS India healthcare specialists to discuss industry developments, opportunities, and marketing strategies.

Medical Fair India, one of the largest medical tradeshows in India, coincides in time and location with the last stop of the Trade Mission. Trade Mission participants, therefore, can exhibit at the tradeshow, in the U.S. Pavilion, as part of their program. Companies wishing to exhibit in the U.S. pavilion at the Medical Fair can register through the CS India office to receive a discount.

#### Commercial Setting

The Indian healthcare industry is experiencing a rapid transformation and is emerging as a promising market for U.S. suppliers of high-end products. The Indian healthcare market, currently at \$35 billion annually, is expected to reach more than \$75 billion annually by 2012. The growth in affluence of more than 300 million middle-income consumers is creating demand for higher standards of healthcare. The changing demographic profile and the rise of lifestyle-related diseases have altered the health seeking behavior of the consumer. While private insurance covers only 10% of the population, coverage is growing at 40% per year.

The medical infrastructure in India is insufficient for the population, with demand for hospitals and beds far exceeding supply. The problem is acute in rural India, which accounts for over half of India's population, while about 80 percent of available hospital beds are located in the urban centers. Both government and private operators have major expansion plans to meet demand and increase quality. Healthcare in India is provided through primary care facilities and secondary and tertiary care hospitals. While the public sector provides primary and secondary care, tertiary care hospitals are owned and managed by both government and private sector. Over the next 5-6 years, 150-200 tertiary hospital projects are expected to be constructed, including hospitals of varying capacities. Most Indian healthcare facilities use imported medical equipment for diagnosis, treatment and surgery with over 35% of the imports coming from the U.S. New specialty and super-specialty hospitals depend on the import of high-end medical equipment for over 65 percent