

Chairperson). The Council will also receive and discuss Committee Reports and address under continuing business the need to clarify squid control dates regarding Amendment 14 to the Squid, Mackerel, and Butterfish FMP and any other continuing or new business.

Although non-emergency issues not contained in this agenda may come before the Council for discussion, these issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address such emergencies.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Bryan, (302) 674-2331 ext 18, at least 5 days prior to the meeting date.

Dated: September 21, 2009.

**William D. Chappell,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-23054 Filed 9-23-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Exporters' Textile Advisory Committee; Notice of Open Meeting

A meeting of the Exporters' Textile Advisory Committee will be held on Wednesday, November 4, 2009. The meeting will be from 1:00-4:30 p.m. Location: Training Room A, Trade Information Center, Ronald Reagan Building, 1300 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

The Committee provides advice and guidance to Department officials on the identification and surmounting of barriers to the expansion of textile exports, and on methods of encouraging textile firms to participate in export expansion.

The Committee functions solely as an advisory body in accordance with the provisions of the Federal Advisory Committee Act.

The meeting will be open to the public with a limited number of seats available. For further information contact Kim-Bang Nguyen at (202) 482-4805 or Laurie Mease at (202) 482-2043.

Minutes of all ETAC meetings are posted at [otexa.ita.doc.gov](http://otexa.ita.doc.gov).  
Dated: September 18, 2009.

**Kimberly Glas,**

*Deputy Assistant Secretary for Textiles and Apparel.*

[FR Doc. E9-23120 Filed 9-23-09; 8:45 am]

**BILLING CODE 3510-DS**

## DEPARTMENT OF COMMERCE

### International Trade Administration

**A-570-904**

#### Certain Activated Carbon from the People's Republic of China: Notice of Rescission of Changed Circumstances Review

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

**EFFECTIVE DATE:** September 24, 2009.

**SUMMARY:** On April 30, 2009, the Department of Commerce ("Department") published a notice of initiation of changed circumstance review ("CCR") of the antidumping duty order on certain activated carbon from the People's Republic of China ("PRC"). See *Certain Activated Carbon From the People's Republic of China: Notice of Initiation of Changed Circumstances Review*, 74 FR 19934 (April 30, 2009) ("Initiation"). The Department is now rescinding this CCR because Hebei Foreign Trade and Advertising Corporation ("Hebei Foreign") because the factual information upon which the Department relied in the initiation of this change circumstances review was later found to be false, and we find there was not a change in circumstances to warrant this review.

**FOR FURTHER INFORMATION CONTACT:** Katie Marksberry, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-7906.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 24, 2009, the Department received a request from Hebei Foreign<sup>1</sup>

<sup>1</sup> The Department received a similar CCR request from Hebei Foreign on November 7, 2008, and denied the request because the Department found that changed circumstances sufficient to warrant a review did not exist. See Letter from Hebei Foreign, to the Department, regarding Certain Activated Carbon from the People's Republic of China; Request for Changed Circumstances Review (November 7, 2008); see also Letter from the Department to Hebei Foreign, regarding Changed Circumstance Review: Certain Activated Carbon from the People's Republic of China ("PRC") (December 8, 2008).

for an expedited CCR to find that Hebei Foreign has been succeeded by Hebei Shenglun, and therefore Hebei Shenglun should receive the separate rate assigned to Hebei Foreign in the case of certain activated carbon from the PRC.<sup>2</sup> On March 4, 2009, the Department received comments from Petitioners in opposition to the CCR, stating that Hebei Foreign's February 24, 2009, request for a CCR is nearly identical to the November 7, 2008, request, which the Department denied.<sup>3</sup>

On April 30, 2009, the Department published a notice of initiation of CCR of the antidumping duty order on certain activated carbon from the People's Republic of China. See *Initiation*. However, the Department found that Hebei Foreign did not provide complete supporting documentation or conclusive evidence that would allow the Department to expedite the CCR by combining the preliminary results of review with the notice of initiation as provided for in 19 CFR 351.221(c)(3)(ii). See *Initiation*.

On June 12, 2009, the Department issued a supplemental questionnaire to Hebei Foreign, and on July 6, 2009, Hebei Foreign submitted its response.<sup>4</sup> On July 9, 2009, the Department received comments from Petitioner<sup>5</sup> concerning Hebei Foreign's supplemental questionnaire response. Petitioners argue that Hebei Foreign's supplemental response demonstrates that there is no basis for continuing with a changed circumstances proceeding, and additionally that the Department should revoke Hebei Foreign's separate rate based on Hebei Foreign's alleged intentional misrepresentation of its operations and management.<sup>6</sup> Petitioners specifically reference statements submitted by Hebei Foreign that reveal that the managers listed in Hebei Foreign's response are not

<sup>2</sup> See Letter from Hebei Foreign, to the Department, regarding Certain Activated Carbon from the People's Republic of China; Request for Changed Circumstances Review (February 24, 2009) ("Hebei Foreign's CCR Request").

<sup>3</sup> See Letter from Petitioners to the Department, regarding Certain Activated Carbon from the People's Republic of China (March 4, 2009).

<sup>4</sup> See Letter from the Department to Hebei Foreign, regarding Changed Circumstance Review: Certain Activated Carbon from the People's Republic of China ("PRC") (June 12, 2009); also see Letter from Hebei Foreign to the Department, regarding Certain Activated Carbon from the People's Republic of China; Supplemental Response of Hebei Foreign Trade and Advertising Corp. (July 6, 2009) ("Hebei Foreign's Supplemental Questionnaire Response").

<sup>5</sup> Petitioners in this case are Calgon Carbon Corporation and Norit Americas Inc. (collectively, "Petitioners").

<sup>6</sup> See Letter from Petitioners to the Department, regarding Certain Activated Carbon from the People's Republic of China (July 9, 2009).

employees of Hebei Foreign, and that Wang Kezheng, who certified the responses, is not employed by Hebei Foreign. Additionally, Petitioners express concerns that Hebei Foreign is being used by Weng Kezheng and his business partner, Jiang Hua, as a “front company” to export subject merchandise to the United States under Hebei Foreign’s separate rate.<sup>7</sup>

#### Scope of Changed Circumstances Review

The merchandise subject to this order is certain activated carbon. Certain activated carbon is a powdered, granular, or pelletized carbon product obtained by “activating” with heat and steam various materials containing carbon, including but not limited to coal (including bituminous, lignite, and anthracite), wood, coconut shells, olive stones, and peat. The thermal and steam treatments remove organic materials and create an internal pore structure in the carbon material. The producer can also use carbon dioxide gas (CO<sub>2</sub>) in place of steam in this process. The vast majority of the internal porosity developed during the high temperature steam (or CO<sub>2</sub> gas) activated process is a direct result of oxidation of a portion of the solid carbon atoms in the raw material, converting them into a gaseous form of carbon.

The scope of this order covers all forms of activated carbon that are activated by steam or CO<sub>2</sub>, regardless of the raw material, grade, mixture, additives, further washing or post-activation chemical treatment (chemical or water washing, chemical impregnation or other treatment), or product form. Unless specifically excluded, the scope of this order covers all physical forms of certain activated carbon, including powdered activated carbon (“PAC”), granular activated carbon (“GAC”), and pelletized activated carbon.

Excluded from the scope of the order are chemically activated carbons. The carbon-based raw material used in the chemical activation process is treated with a strong chemical agent, including but not limited to phosphoric acid, zinc chloride sulfuric acid or potassium hydroxide, that dehydrates molecules in the raw material, and results in the formation of water that is removed from the raw material by moderate heat treatment. The activated carbon created by chemical activation has internal porosity developed primarily due to the action of the chemical dehydration agent. Chemically activated carbons are typically used to activate raw materials

with a lignocellulosic component such as cellulose, including wood, sawdust, paper mill waste and peat.

To the extent that an imported activated carbon product is a blend of steam and chemically activated carbons, products containing 50 percent or more steam (or CO<sub>2</sub> gas) activated carbons are within this scope, and those containing more than 50 percent chemically activated carbons are outside this scope. This exclusion language regarding blended material applies *only* to mixtures of steam and chemically activated carbons.

Also excluded from the scope are reactivated carbons. Reactivated carbons are previously used activated carbons that have had adsorbed materials removed from their pore structure after use through the application of heat, steam and/or chemicals.

Also excluded from the scope is activated carbon cloth. Activated carbon cloth is a woven textile fabric made of or containing activated carbon fibers. It is used in masks and filters and clothing of various types where a woven format is required.

Any activated carbon meeting the physical description of subject merchandise provided above that is not expressly excluded from the scope is included within this scope. The products subject to the order are currently classifiable under the Harmonized Tariff Schedule of the United States (“HTSUS”) subheading 3802.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

#### Rescission of Changed Circumstances Review

Based on information provided by Hebei Foreign in its original submission, the Department initiated a changed circumstance review. In its CCR request, Hebei Foreign stated that the complete transfer from Hebei Foreign to Hebei Shenglun was accomplished in November 2008. The Department determined that this constituted sufficient evidence to initiate this CCR to determine whether Hebei Shenglun is Hebei Foreign’s successor-in-interest.<sup>8</sup> However, in its supplemental questionnaire response, Hebei Foreign clearly stated that it is still in operation, had recently shipped subject merchandise to the United States, and

would continue to do so as Hebei Foreign.<sup>9</sup> Additionally, the Department notes that that Hebei Foreign’s submissions and questionnaire response were certified by Wang Kezheng as the manager of the No. 1 Business Department of Hebei Foreign.<sup>10</sup> However, Hebei Foreign’s supplemental response clearly states that Wang Kezheng is not employed by Hebei Foreign. The Department is mindful of the concerns raised by Petitioners with regard to Hebei Foreign’s certifications. Accordingly, the Department reminds parties of their obligation pursuant to 19 CFR 351.303(g) to certify factual information submitted to the Department.

Accordingly, because there has been no change in Hebei Foreign’s operations from the period of investigation, and because this CCR was initiated based on information that was later determined to be false, and the certifications submitted by Hebei Foreign are questionable, we find that a rescission of this review is appropriate. Therefore, we are now rescinding this change circumstances review.

This notice is issued and published in accordance with sections 751(b)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 C.F.R. 351.216.

Dated: September 18, 2009.

**John M. Andersen,**

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

[FR Doc. E9–23116 Filed 9–23–09; 8:45 am]

**BILLING CODE 3510-DS-S**

#### DEPARTMENT OF EDUCATION

##### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before October 26, 2009.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs,

<sup>9</sup> See Letter from Hebei Foreign to the Department, regarding Certain Activated Carbon from the People’s Republic of China; Supplemental Response of Hebei Foreign Trade and Advertising Corp. at page 1 (July 6, 2009) (“Hebei Foreign’s Supplemental Questionnaire Response”).

<sup>10</sup> See *id.* at page 1.

<sup>7</sup> See *id.*

<sup>8</sup> See Letter from Hebei Foreign, to the Department, regarding Certain Activated Carbon from the People’s Republic of China; Request for Changed Circumstances Review (February 24, 2009) (≥Hebei Foreign’s CCR Request≥); see also *Initiation*.