

molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium.

The description of carbon-quality is intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to this order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Final Results of Changed Circumstances Review

Based on the information provided by Ternium, the Department's analysis in the *Preliminary Results*, and the fact that interested parties did not submit any briefs during the comment period, the Department hereby determines that Ternium is the successor-in-interest to Hylsa for antidumping duty cash deposit purposes.

Instructions to U.S. Customs and Border Protection

The Department will instruct U.S. Customs and Border Protection to continue to suspend liquidation of all shipments of the subject merchandise produced and exported by Ternium entered, or withdrawn from warehouse, for consumption, on or after the publication date of this notice in the **Federal Register** at 3.76 percent (*i.e.*, Hylsa's cash deposit rate). This deposit requirement shall remain in effect until further notice.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. 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 terms of an APO is a sanctionable violation.

We are issuing and publishing these final results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Tariff Act of 1930, as amended, and 19 CFR 351.216.

Dated: August 11, 2009.

Carole Showers,

Acting Deputy Assistant Secretary For Policy and Negotiations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-805]

Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico

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

SUMMARY: On June 18, 2009, the Department of Commerce (the Department) made its preliminary determination that Ternium Mexico S.A. de C.V. (Ternium) is the successor-in-interest to Hylsa S.A. de C.V. (Hylsa) and should be treated as such for antidumping duty cash deposit purposes. *See Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico*, 74 FR 28883 (June 18, 2009) (*Preliminary Results*). For purposes of these final results of review, the Department has determined that Ternium is the successor-in-interest to Hylsa and, as a result, should be accorded the same treatment previously accorded to Hylsa in regard to the antidumping duty order on certain circular welded non-alloy steel pipe and tube (standard pipe and tube) from Mexico as of the date of publication of this notice in the **Federal Register**.

DATES: *Effective Date:* August 18, 2009.

FOR FURTHER INFORMATION CONTACT: John Drury or Brian Davis, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0195 or (202) 482-7924, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 3, 2008, Ternium requested that the Department conduct a changed circumstances review of the antidumping duty order on standard pipe and tube from Mexico to determine whether Ternium is the successor-in-interest to Hylsa and should be treated as such for antidumping duty cash deposit purposes. *See Notice of*

Initiation of Antidumping Duty Changed Circumstances Review: Circular Welded Non-Alloy Steel Pipe and Tube, 73 FR 63682 (October 27, 2008) (*Notice of Initiation*). On June 18, 2009, the Department made its preliminary determination that Ternium is the successor-in-interest to Hylsa and should be treated as such for antidumping duty cash deposit purposes. *See Preliminary Results*.

On July 14, 2009, the Department published in the **Federal Register** a notice extending the time limit for these final results to August 17, 2009. *See Circular Welded Non-Alloy Steel Pipe and Tube from Mexico; Extension of Time Limit for Final Results of Antidumping Duty Changed Circumstances Review*, 74 FR 33994 (July 14, 2009).

In the *Preliminary Results*, we stated that interested parties could request a hearing no later than 30 days after the publication of the *Preliminary Results*, submit case briefs to the Department no later than 30 days after the publication of the *Preliminary Results*, and submit rebuttal briefs, limited to the issues raised in those case briefs, five days subsequent to the case briefs' due date. We did not receive any hearing requests or comments on the *Preliminary Results*.

Scope of the Order

The products covered by this order are circular welded non-alloy steel pipes and tubes, of circular cross-section, not more than 406.4 millimeters (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipes and tubes are generally known as standard pipes and tubes and are intended for the low-pressure conveyance of water, steam, natural gas, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses, and generally meet ASTM A-53 specifications.

Standard pipes and tubes may also be used for light load-bearing applications, such as for fence tubing, and as structural pipe tubing used for framing and support members for reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and related industries. Unfinished conduit pipe is also included in this order. All carbon steel pipes and tubes within the physical description outlined above are included within the scope of this order, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished

scaffolding, and finished conduit. Standard pipe and tube that is dual or triple certified/stenciled that enters the United States as line pipe of a kind used for oil or gas pipelines is also not included in this order.

Imports of the products covered by this order are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Final Results of Changed Circumstances Review

Based on the information provided by Ternium, the Department's analysis in the *Preliminary Results*, and the fact that interested parties did not submit any briefs during the comment period, the Department hereby determines that Ternium is the successor-in-interest to Hylsa for antidumping duty cash deposit purposes.

Instructions to U.S. Customs and Border Protection

The Department will instruct U.S. Customs and Border Protection to continue to suspend liquidation of all shipments of the subject merchandise produced and exported by Ternium entered, or withdrawn from warehouse, for consumption, on or after the publication date of this notice in the **Federal Register** at 10.38 percent (*i.e.*, Hylsa's cash deposit rate). This deposit requirement shall remain in effect until further notice.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. 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 terms of an APO is a sanctionable violation.

We are issuing and publishing these final results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Tariff Act of 1930, as amended, and 19 CFR 351.216.

Dated: August 11, 2009.

Carole Showers,

Acting Deputy Assistant Secretary for Policy and Negotiations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XQ23

Fisheries in the Western Pacific; Marine Conservation Plan for Pacific Insular Areas; American Samoa

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

ACTION: Notice of agency decision.

SUMMARY: NMFS announces the approval of a marine conservation plan (MCP) for American Samoa.

DATES: This agency decision is effective August 11, 2009, through August 10, 2012.

ADDRESSES: Copies of the MCP are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226.

FOR FURTHER INFORMATION CONTACT: Jarad Makaiau, Sustainable Fisheries, NMFS Pacific Islands Region, at 808-944-2108.

SUPPLEMENTARY INFORMATION: Under Section 204(e)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary) and in consultation with the Council, may negotiate and enter into a Pacific Insular Area fishery agreement (PIAFA) to allow foreign fishing within waters of the U.S. Exclusive Economic Zone (EEZ) adjacent to American Samoa, Guam, or the Northern Mariana Islands, and at the request and with the concurrence of, and in consultation with, the Governor of the Pacific Insular Area to which the PIAFA applies. Section 204(e)(4) of the Magnuson-Stevens Act requires that prior to entering into a PIAFA, the appropriate Governor and the Council shall develop a three-year MCP detailing the uses for any funds collected by the Secretary under the PIAFA.

Any payments received under a PIAFA shall be deposited into the United States Treasury and then covered over to the Treasury of the

Pacific Insular Area for which funds were collected. In the case of violations by foreign fishing vessels occurring within the EEZ off any Pacific Insular Area, any amount received by the Secretary which is attributable to fines and penalties imposed under the Magnuson-Stevens Act, including such sums collected from the forfeiture and disposition or sale of property seized subject to its authority, after payment of direct costs of the enforcement action to all entities involved in such action, shall be deposited into the Treasury of the Pacific Insular Area adjacent to the EEZ in which the violation occurred, to be used for fisheries enforcement and for implementation of an MCP. The MCP to be approved by the Secretary must be consistent with the Council's fishery management plans, identify conservation and management objectives (including criteria for determining when such objectives have been met), and prioritize planned marine conservation projects.

At its 144th meeting in March 2009, the Council reviewed and approved the MCP for American Samoa and recommended its submission to the Secretary for approval. NMFS, designee of the Secretary, received the MCP on June 22, 2009.

The American Samoa MCP contains seven broad conservation and management objectives that are consistent with the Council's fishery management plans. The MCP also identifies 37 individual projects that would be funded under a PIAFA. The objectives and projects are listed below, in priority order:

- Objective 1: Promote responsible domestic fisheries development to provide long term economic growth and stability and local food production.
 1. Construct dock for commercial fishing vessels;
 2. Construct cold storage and fish processing facilities;
 3. Purchase ice making equipment to support local and export markets;
 4. Develop fish marketing plan;
 5. Longline permit, reporting and quota utilization program;
 6. Fish handling and HACCP training;
 7. Develop American Samoa Fishermen's Cooperative;
 8. Deploy fish aggregation devices for non-LL vessels;
 9. Upgrade technology for AS bottomfish fleet; and
 10. Promote American Samoa as a sport fishing destination through tournaments.

- Objective 2: Support quality research and obtain the most complete scientific information available to assess and manage fisheries.