

all of the information necessary to calculate dumping margins for these sales, we find it appropriate to rely on partial facts available pursuant to section 776(a) of the Act. Furthermore, because Poly Plast possessed the necessary records to provide a complete U.S. sales list but did not do so, we find that it did not act to the best of its ability to comply with our request for information.

Accordingly, because Poly Plast failed to cooperate in reporting all of its U.S. sales of subject merchandise, we find that use of information adverse to the interests of Poly Plast, as facts otherwise available, is appropriate pursuant to section 776(b) of the Act. As adverse facts available we have applied the highest transaction-specific margin we determined for sales Poly Plast reported to the value of unreported U.S. sales. For a complete discussion on this issue, see Decision Memorandum at Comment 2.

#### Sales Below Cost in the Home Market

For these final results of review, the Department disregarded home-market sales by NPG and Poly Plast that failed the cost-of-production test.

#### Final Results of the Review

As a result of our review, we determine that the following percentage weighted-average dumping margins exist on PCRBs from Thailand for the period August 1, 2006, through July 31, 2007:

Producer/Exporter	Margin (percent)
King Pac (aka King Pak) .....	122.88
Master Packaging .....	122.88
NPG .....	32.67
Poly Plast .....	8.94

#### Assessment Rates

Upon issuance of these final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

We calculated importer/customer-specific duty-assessment amounts with respect to export-price sales by NPG and Poly Plast in the following manner. We divided the total dumping margins (calculated as the difference between normal value and the export price) for each exporter's importer or customer by the total number of units the exporter sold to that importer or customer. We will direct CBP to assess the resulting per-unit dollar amount against each

unit of merchandise on each of that importer's or customer's entries during the review period. See 19 CFR 351.212(b)(1). Where the assessment amount is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer or customer.

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment-Policy Notice*). This clarification will apply to entries of subject merchandise during the period of review produced by companies included in these final results of review for which the reviewed companies did not know that the merchandise they sold to an intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediary involved in the transaction. See *Assessment-Policy Notice* for a full discussion of this clarification.

Because we are relying on total adverse facts available to establish the dumping margins for King Pac and Master Packaging, we will instruct CBP to apply a dumping margin of 122.88 percent to all entries of subject merchandise produced and/or exported by these companies.

#### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, consistent with section 751(a)(1) of the Act: (1) the cash-deposit rates for the reviewed companies will be the rates shown above; (2) for previously investigated or reviewed companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this or a previous review or the original less-than-fair-value (LTFV) investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash-deposit rate for all other manufacturers or exporters will continue to be 2.80 percent, the all-others rate from the amended final determination of the LTFV investigation published on July 15, 2004. See *Notice of Amended Final Determination of*

*Sales at Less Than Fair Value: Polyethylene Retail Carrier Bags From Thailand*, 69 FR 42419 (July 15, 2004).

These deposit requirements shall remain in effect until further notice.

#### Notification Requirements

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties. See *id.*

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(a)(3). Timely notification of the return or 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. We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: January 7, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix

1. Adverse Facts Available
  2. Unreported Sales by Poly Plast
- [FR Doc. E9-634 Filed 1-14-09; 8:45 am]  
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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[C-580-818]

#### Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Final Results of Countervailing Duty Administrative Review

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

**SUMMARY:** On September 9, 2008, the U.S. Department of Commerce ("the Department") published in the **Federal Register** its preliminary results of the administrative review of the countervailing duty ("CVD") order on corrosion-resistant carbon steel flat products ("CORE") from the Republic of Korea ("Korea") for the period of review

("POR") January 1, 2006, through December 31, 2006. *See Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review*. 73 FR 52315 (September 9, 2008) ("Preliminary Results"). We preliminarily found that Pohang Iron and Steel Co. Ltd. ("POSCO") and Dongbu Steel Co., Ltd. ("Dongbu") received de minimis countervailable subsidies during the POR. We received comments on our preliminary results from POSCO, a respondent company. The final results are listed in the section "Final Results of Review" below.

**EFFECTIVE DATE:** January 15, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Robert Copyak or Gayle Longest, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-2209 and (202) 482-3338, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 17, 1993, the Department published in the **Federal Register** the CVD order on CORE from Korea. *See Countervailing Duty Orders and Amendments of Final Affirmative Countervailing Duty Determinations: Certain Steel Products from Korea*, 58 FR 43752 (August 17, 1993). On September 9, 2008, the Department published in the **Federal Register** its preliminary results of the administrative review of this order for the period January 1, 2006, through December 31, 2006. *See Preliminary Results*, 73 FR 52315. In accordance with 19 CFR 351.213(b), this administrative review covers POSCO and Dongbu, producers and exporters of subject merchandise.

In the *Preliminary Results*, we invited interested parties to submit briefs or request a hearing. We received comments from POSCO, a respondent. We received no comments from United States Steel Corporation and Nucor Corporation, ("petitioners"), or Dongbu. The Department did not conduct a hearing in this review because none was requested.

**Scope of Order**

Products covered by this order are certain corrosion-resistant carbon steel flat products from Korea. These products include flat-rolled carbon steel products, of rectangular shape, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-

based alloys, whether or not corrugated or painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness. The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7210.30.0000, 7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.60.0000, 7210.61.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.9030, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.20.1500, 7217.22.5000, 7217.23.5000, 7217.29.1000, 7217.29.5000, 7217.30.15.0000, 7217.32.5000, 7217.33.5000, 7217.39.1000, 7217.39.5000, 7217.90.1000 and 7217.90.5000. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise is dispositive.

**Period of Review**

The POR for which we are measuring subsidies is from January 1, 2006, through December 31, 2006.

**Analysis of Comments**

On October 9, 2008, POSCO filed comments. Neither Dongbu nor petitioners filed a case brief or a rebuttal brief. All issues in POSCO's case brief are addressed in the accompanying Issues and Decision Memorandum for the Countervailing Duty Administrative Review on Corrosion-Resistant carbon Steel Flat Products from Korea ("Decision Memorandum"), issued concurrently and hereby adopted by this notice. A listing of the issues that parties raised and to which we have responded is attached to this notice as Appendix I. Parties can find a complete discussion of the issues raised in this review and the corresponding recommendations in this public

memorandum, which is on file in the Central Records Unit ("CRU"), Room 1117 of the main Commerce building. In addition, a complete version of the Decision Memorandum, can be accessed directly on the World Wide Web at <http://ia.ita.doc.gov>. The paper copy and the electronic version of the Decision Memorandum are identical in content.

**Final Results of Review**

After reviewing POSCO's comments, we have not changed our findings from the *Preliminary Results* as explained in our Decision Memorandum. Consistent with the *Preliminary Results*, we find that POSCO and Dongbu received *de minimis* countervailable subsidies during the POR at the rates below:

Company	Net Subsidy Rate
Pohang Iron and Steel Co. Ltd. (POSCO) .....	0.09 percent ad valorem (de minimis)
Dongbu Steel Co. Ltd. (Dongbu) .....	0.22 percent ad valorem (de minimis)

**Assessment Rates/Cash Deposits**

The Department intends to issue assessment instructions to U.S. Customs and Border Protection ("CBP") 15 days after the date of publication of these final results of review to liquidate shipments of subject merchandise by POSCO and Dongbu entered, or withdrawn from warehouse, for consumption on or after January 1, 2006, through December 31, 2006, without regard to countervailing duties. We will also instruct CBP not to collect cash deposits of estimated countervailing duties on shipments of the subject merchandise produced by POSCO and Dongbu, entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review.

For all non-reviewed companies, the Department has instructed CBP to assess countervailing duties at the cash deposit rates in effect at the time of entry, for entries between January 1, 2006, and December 31, 2006. The cash deposit rates for all companies not covered by this review are not changed by the results of this review.

**Return or Destruction of Proprietary Information**

This notice 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(a)(3). Timely written notification of return or 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.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: January 7, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

## Appendix I - Issues and Decision Memorandum

### Company-Specific Issue

Whether Certain Research and Development ("R&D") Grants Under the Industrial Development Act ("IDA") Are Tied to Non-Subject Merchandise [FR Doc. E9-633 Filed 1-14-09; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Prepare an Environmental Impact Statement for Basing the U.S. Marine Corps Joint Strike Fighter F-35B on the East Coast

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Section (102)(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality Regulations (40 Code of Federal Regulations [CFR] Parts 1500-1508), the Department of the Navy NEPA regulations (32 CFR Part 775), and Marine Corps NEPA directives (Marine Corps Order P5090.2A, change 1), the Department of the Navy intends to prepare an Environmental Impact Statement (EIS) and conduct public scoping meetings for the proposed basing and operation of 13 Joint Strike Fighter (JSF) F-35B squadrons at Marine Corps Air Station (MCAS) Beaufort, in Beaufort, South Carolina and MCAS Cherry Point in Havelock, North Carolina.

**DATES:** Public scoping meetings, following an informal open house format, will be held from 4 p.m. to 7 p.m. on the dates indicated below, at the following locations:

(1) February 3, 2009, Holiday Inn Resort, Conference Room, 2225 Boundary St., Beaufort, SC.

(2) February 4, 2009, Senior Center, 15 Thornton Drive, NE., Ludowici, GA.

(3) February 5, 2009, McIntosh County Middle School, Cafeteria, 500 Green Street, Darien, GA.

(4) February 10, 2009, Havelock Tourist and Event Center, 201 Tourist Center Drive, Havelock, NC.

(5) February 11, 2009, Emerald Isle Community Center, 7500 Emerald Isle Dr., Emerald Isle, NC.

(6) February 12, 2009, Fred A. Anderson Elementary School, Cafeteria, 507 Anderson Dr., Bayboro, NC.

Federal, state, and local agencies, and interested parties and persons are encouraged to attend any of the open house scoping meetings. At these open houses, proposal-related displays and material will be available for public review; Marine Corps and Navy staff will be present to address questions; and the public will have an opportunity to submit written comments on environmental concerns that should be addressed in the EIS.

**ADDRESSES:** All are encouraged to provide comments on the proposed action and alternatives at any public scoping open houses and anytime during the 30-day scoping comment period, which ends February 16, 2009. There are three ways in which comments can be submitted: (1) By attending one of the public scoping open houses, (2) by e-mail using the project public Web site at <http://www.usmcJSFest.com> or (3) by mail. All written comments on the scope of the EIS should be submitted and postmarked no later than February 16, 2009. Comments submitted by mail should be sent to: USMC F-35B East Coast Stationing EIS, P.O. Box 56488, Jacksonville, FL 32241-6488.

**FOR FURTHER INFORMATION CONTACT:** The F-35B EIS Project Manager at 757-444-1126. Please submit requests for special assistance, sign language interpretation for the hearing impaired, or other auxiliary aids needed at the public meeting to the F-35B EIS Project Manager by January 28, 2009.

**SUPPLEMENTARY INFORMATION:** The Marine Corps variant of the JSF, the F-35B, is a short take-off/vertical landing (STOVL), multi-role fighter aircraft whose primary emphasis is air-to-ground combat. The aircraft is designed to replace existing fleets of F-18 A/C/D Hornets (strike fighter), AV-8B Harriers (attack), and the EA-6B Prowler (electronic warfare) aircraft. The F-35B East Coast basing proposal would take approximately 11 years to implement and would begin in 2012. The proposal would base up to 216 aircraft (*i.e.*, 10 active-duty and 1 reserve squadron of

up to 16 aircraft each and 2 Pilot Training Center (PTC) squadrons at 20 aircraft each) at MCAS Beaufort and MCAS Cherry Point. Facility construction and modifications would occur prior to and continue throughout F-35B squadron arrivals; the F-35B would operate within existing airspace and at training ranges currently used by Marine Corps Hornet, Harrier, and Prowler aircraft.

### Proposed Action

The proposed action would base and operate a total of 13 F-35B (the Marine Corps variant of the JSF) squadrons at both MCAS Beaufort and MCAS Cherry Point. This F-35B is a next generation, stealth, supersonic, multi-role fighter aircraft that will replace aging Marine Corps fleets of F-18 A/C/D Hornets, AV-8B Harriers, and EA-6B Prowlers in the 2nd and 4th Marine Air Wings. Specifically, the squadrons would include up to 10 F-35B active-duty squadrons of up to 16 aircraft per squadron, 1 reserve F-35B squadron comprising up to 16 aircraft, and 2 PTC F-35B squadrons composed of up to 20 aircraft per squadron.

### Purpose and Need

To meet any crisis or conflict that may arise both now and into the future, Marine Corps Aviation must be manned, trained, and equipped to conduct worldwide air combat operations. For this reason, technological superiority in its air fleet is an essential requirement. The purpose of the proposed action, therefore, is to provide state-of-the-art F-35B aircraft to Marine Corps fleets by replacing aging aircraft inventories. The basing action would provide both the facilities and functions to support and maintain these new aircraft as well as the airfields, airspace, and ranges to train air crews in these next-generation aircraft.

### Preliminary Alternatives

The Marine Corps developed a range of reasonable basing alternatives in a three-tiered alternatives development process. The process applied the purpose and need to identify potential sites that could maximize JSF integration into existing Marine Air Ground Task Force organizations, maximize utilization of existing infrastructure, and provide efficient use of existing ranges. The alternative development process identified five preliminary basing alternatives. These alternatives distribute differing combinations of F-35B active-duty, reserve, and PTC squadrons at MCAS Beaufort and MCAS Cherry Point. The basing alternatives include: