

barrel capacity) at the Pacific Terminals, Long Beach Terminal storage facility, located at 2685 Seaside Blvd., Long Beach, some 1.4 miles from the refinery.

The applicant is now requesting authority to expand the subzone to include an additional site (proposed Site 4) at the Wilmington Asphalt Plant. The proposed site (41 employees) consists of 6.4 acres and is located at 1651 Alameda in Wilmington, California, approximately 1.6 miles from the main refinery complex. The addition of the site would increase the overall crude distillation capacity of the refinery to 126,000 BPD. No additional feedstocks or products have been requested.

Zone procedures would exempt production at the proposed site from customs duty payments on the foreign products used in its exports. On domestic sales, the company would be able to choose the customs duty rates for certain petrochemical feedstocks (duty-free) by admitting foreign crude oil in non-privileged foreign status. The application indicates that the savings from zone procedures would help improve the refinery's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman of the FTZ staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is June 2, 2008. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to June 16, 2008.

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce Export Assistance Center, 51 11150 West Olympic Boulevard, Suite 975, Los Angeles, CA 90064.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2111, 1401 Constitution Ave. NW., Washington, DC 20230.

For further information, contact Elizabeth Whiteman at [Elizabeth\\_Whiteman@ita.doc.gov](mailto:Elizabeth_Whiteman@ita.doc.gov) or (202) 482-0473.

Dated: March 21, 2008.

**Andrew McGilvray,**  
Executive Secretary.

[FR Doc. E8-6704 Filed 3-31-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1547]

#### **Grant of Authority for Subzone Status; Medline Industries, Inc. (Medical Supply Distribution and Processing); Mundelein, Waukegan, and Libertyville, IL**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for “\* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Illinois International Port District, grantee of Foreign-Trade Zone 22, has made application for authority to establish special-purpose subzone status at the medical supply distribution and processing facilities of Medline Industries, Inc., in Mundelein, Waukegan, and Libertyville, Illinois (Docket 12-2007, filed 3-28-2007);

*Whereas*, notice inviting public comment was given in the **Federal Register** (72 FR 16763, 4-5-2007); and

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations would be satisfied, and that approval of the application would be in the public interest if approval were subject to restriction;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to medical supply distribution and processing at the Medline Industries, Inc., facilities located in Mundelein, Waukegan, and Libertyville, Illinois (Subzone 22O), as described in the application and **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including Section 400.28, and further subject to a restriction requiring that certain foreign-origin textile and apparel

products<sup>1</sup> must be admitted to the subzone under privileged foreign status (19 CFR 146.41) or domestic status (19 CFR 146.43).

Signed at Washington, DC, this 19th day of March, 2008.

**David M. Spooner,**

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. E8-6707 Filed 3-31-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1553]

#### **Grant of Authority For Subzone Status; MOVA Pharmaceutical Corporation (Pharmaceuticals); Manati, Puerto Rico**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for “\* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Puerto Rico Industrial Development Company, grantee of FTZ

<sup>1</sup> Textile and apparel products that must be admitted to Subzone 22O in privileged foreign status or domestic (Duty-paid) status: 4202.92.9026, 5207.10, 5207.90, 5208.11, 5208.12, 5208.13, 5208.19, 5208.21, 5208.21.6090, 5208.22, 5208.29, 5208.31, 5208.32, 5208.33, 5208.39, 5208.41, 5208.42, 5208.43, 5208.49, 5208.51, 5208.52, 5208.59, 5602.10, 5602.21, 5602.29, 5602.90, 5603.11, 5603.12, 5603.13, 5603.14, 5603.91, 5603.92, 5603.12.0090, 5603.93, 5806.31, 5806.10, 5806.20, 5806.31, 5806.32, 5806.39, 5906.91.25, 5906.99.25, 6111.20, 6111.30, 6111.90, 6117.10, 6117.80.30, 6117.80.95, 6117.90, 6207.11, 6207.19, 6207.21, 6207.22, 6207.29, 6207.91, 6207.99, 6208.11, 6208.19, 6208.21, 6208.22, 6208.29, 6210.10, 6210.20.50, 6210.20.90, 6210.30, 6210.40, 6210.50.50, 6210.50.90, 6211.11, 6211.12, 6211.20, 6211.32, 6211.33, 6211.39, 6211.41, 6211.42, 6211.43, 6211.49, 6301.10, 6301.20, 6301.30, 6301.40, 6301.90, 6302.10, 6302.21, 6302.22, 6302.31, 6302.32, 6302.39, 6302.40, 6302.51, 6302.53, 6302.59, 6302.60, 6302.91, 6302.93, 6302.99, 6307.10, 6307.90.

7, has made application to the Board for authority to establish special-purpose subzone status at the pharmaceutical manufacturing plant of MOVA Pharmaceutical Corporation, located in Manatí, Puerto Rico (FTZ Docket 38–2007, filed 8/14/07);

Whereas, notice inviting public comment has been given in the **Federal Register** (72 FR 49255, 8/28/07); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants authority for subzone status for activity related to pharmaceutical manufacturing at the MOVA Pharmaceutical Corporation, facility located in Manatí, Puerto Rico (Subzone 7L), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 19th day of March, 2008.

**David M. Spooner,**

*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

[FR Doc. E8–6708 Filed 3–31–08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A–570–803

#### **13th Administrative Review of Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, from the People's Republic of China: Notice of Amended Final Results of Sales at Less Than Fair Value and Antidumping Duty Order Pursuant to Court Decision**

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

**EFFECTIVE DATE:** April 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: 202- 482–0413.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

This matter arose from a challenge to the results in the Department of Commerce's (the "Department") *Heavy*

*Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China: Final Results of Antidumping Duty Administrative Reviews and Final Rescission and Partial Rescission of Antidumping Duty Administrative Reviews*, 70 FR 54897 (September 19, 2005) ("Final Results"), and accompanying Issues and Decisions Memorandum, covering the period of review ("POR"), February 1, 2003 January 31, 2004. Following publication of the *Final Results*, the Petitioner, Ames True Temper Inc. ("Ames"), filed a lawsuit with the Court of International Trade ("CIT") challenging the Department's *Final Results*. Ames contested several aspects of the *Final Results*, including the Department's decision to only use certain factors of production ("FOPs") to value Shandong Huarong Machinery Co., Ltd.'s self-produced, metal pallets.

On August 31, 2007 the CIT directed the Department to reopen the record and obtain additional evidence regarding Huarong's production of metal pallets. See *Ames True Temper v. United States*, 2007 Ct. Int'l Trade LEXIS 131, Slip Op. 2007–133 (CIT 2007) ("Ames").

Pursuant to the CIT's remand instructions, we issued supplemental questionnaires on September 19, 2007 and October 19, 2007. Huarong responded to the questionnaires on October 17, 2007 and October 26, 2007, respectively. In the supplemental questionnaires the Department requested: (a) consumption ratios for all factors of production ("FOPs") associated with the production of pallets used in packing and shipping heavy forged hand tools; (b) information to select surrogate values for any unreported pallet making FOPs; and, (c) supplier distances for any unreported pallet making FOPs.

The Department released the *Draft Results of Redetermination Pursuant to Court Remand* to Ames and Huarong for comment on November 16, 2007. No party submitted comments. On November 28, 2007 the Department filed its final results of redetermination pursuant to remand in *Ames* with the CIT. See *Final Results of Redetermination Pursuant to Court Remand*, Court No. 05–00581 (November 28, 2007) ("Final Redetermination"), found at <http://ia.ita.doc.gov/remands/07–133.pdf>. In the remand redetermination, the Department determined that welding wire was consumed in Huarong's pallet making process and that welding wire should have been reported by Huarong as a FOP during the thirteenth review. The Department valued welding wire

using publicly available Indian import statistics for February 2003 - January 2004 from the *World Trade Atlas* ("WTA"). Thus, the Department included the cost of welding wire in Huarong's normal value, including freight costs associated with Huarong's purchases of the welding wire. On January 18, 2008 the CIT sustained all aspects of the remand redetermination made by the Department pursuant to the CIT's remand of the *Final Results*. See *Ames True Temper v. United States*, Slip Op. 08–8 (CIT 2008).

On January 30, 2008, consistent with the decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the Court's decision was not in harmony with the Department's final results. See *Heavy Forged Hand Tools from the People's Republic of China: Notice of Court Decision Not In Harmony With Final Results of Administrative Review*, 73 FR 5514 (January 30, 2008). No party appealed the CIT's decision. As there is now a final and conclusive court decision in this case, we are amending our *Final Results*.

#### **Amended Final Results**

As the litigation in this case has concluded, the Department is amending the *Final Results* to reflect the results of our remand determination. The revised dumping margin for the order on axes/adzes in the amended final results is as follows:

Exporter	Margin
Shandong Huarong Machinery Co., Ltd. ....	175.04%

The PRC-wide rate continues to be 175.04 percent as determined in the Department's *Final Results*. The Department intends to issue instructions to U.S. Customs and Border Protection ("CBP") fifteen days after publication of this notice, to revise the cash deposit rates for the company listed above, effective as of the publication date of this notice. Because Huarong obtained a preliminary injunction, we will also instruct CBP to liquidate all entries at the appropriate rate.<sup>1</sup>

This notice is published in accordance with sections 735(d) and 777(i) of the Tariff Act of 1930, as amended.

<sup>1</sup> We will not issue liquidation instructions with respect to any other heavy forged handtools order, i.e., bars/wedges, picks/mattocks and hammers/sledges.