

appearance as discussed at 19 CFR 351.103(d)).

#### Notification to Interested Parties

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)), and 19 CFR 351.221(c)(1)(i).

Dated: March 20, 2024.

**James Maeder,**

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

[FR Doc. 2024-06470 Filed 3-26-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-875]

#### Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results Scope Ruling

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** On March 11, 2024, the U.S. Court of International Trade (CIT or Court) issued its final judgment in *MCC Holdings dba Crane Resistoflex v. United States and ASC Engineered Solutions LLC.*, Court No. 18-00248, Slip Op. 24-30 (CIT March 11, 2024) (*Crane Slip Op. 24-28*), sustaining the final remand results of the U.S. Department of Commerce (Commerce), pertaining to the final scope ruling on certain non-malleable cast iron pipe fittings (pipe fittings) from the People's Republic of China (China). Commerce is therefore amending its Final Scope Ruling to find that ductile iron flanges exported by MCC Holdings dba Crane Resistoflex (Crane) are not within the scope of the antidumping (AD) order on pipe fittings from China. Commerce is also notifying the public that the CIT's final judgment is not in harmony with the Final Scope Ruling.

**DATES:** Applicable March 21, 2024.

**FOR FURTHER INFORMATION CONTACT:** Maisha Cryor, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5831.

#### SUPPLEMENTARY INFORMATION:

#### Background

On November 19, 2018, Commerce issued its Final Scope Ruling on pipe

fittings from China.<sup>1</sup> In its Final Scope Ruling, Commerce found that Crane's ductile iron flanges were within the scope of the AD order<sup>2</sup> on pipe fittings from China.<sup>3</sup> Crane appealed Commerce's final scope ruling. During the course of litigation, the CIT issued several remand orders culminating in *MCC Holdings dba Crane Resistoflex v. United States and ASC Engineered Solutions, LLC*, Court No. 18-00248, Slip Op. 22-128 (November 18, 2022) (*Crane III*). In *Crane III*, the CIT directed Commerce to issue a new determination, based on reasoning that did not misconstrue a previous decision of the court and in a form that would go into effect if sustained upon judicial review, determining whether Crane's ductile iron flanges are within the scope of the *Order*.<sup>4</sup> Pursuant to the CIT's instructions, on remand, and under respectful protest, on December 16, 2022, Commerce found that Crane's ductile iron flanges are outside the scope of the *Order*.<sup>5</sup> On March 11, 2024, the CIT sustained Commerce's Third Remand Redetermination.<sup>6</sup>

#### Timken Notice

In its decision in *Timken*,<sup>7</sup> as clarified by *Diamond Sawblades*,<sup>8</sup> the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's March 11, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's final scope ruling. This notice is published in fulfillment of the publication requirements of *Timken*.

<sup>1</sup> See Memorandum, "Final Scope Ruling on the Antidumping Duty Order on Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China: MCC Holdings dba Crane Resistoflex," dated November 19, 2018 (Final Scope Ruling).

<sup>2</sup> See *Notice of Antidumping Duty Order: Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China*, 68 FR 16765 (April 7, 2003) (*Order*).

<sup>3</sup> See Final Scope Ruling.

<sup>4</sup> See *Crane III* at 18-19.

<sup>5</sup> See *Final Results of Redetermination Pursuant to Court Remand, MCC Holdings dba Crane Resistoflex v. United States and ASC Engineered Solutions, LLC* Court No. 18-00248, Slip Op. 22-128 (December 16, 2022) (Third Remand Redetermination) available at: <https://access.trade.gov/Resources/remands/22-128.pdf>.

<sup>6</sup> See *Crane Slip Op. 24-28*.

<sup>7</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>8</sup> See *Diamond Sawblades Mfrs. Coal. v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

#### Amended Final Scope Ruling

There is now a final scope decision with respect to the Final Scope Ruling. Therefore, Commerce is amending its Final Scope Ruling and finds that the scope of the *Order* does not cover the products addressed in the Final Scope Ruling. The period to appeal the CIT's ruling expires on May 10, 2024. Commerce will instruct U.S. Customs and Border Protection (CBP) that, pending any appeals, the cash deposit rate will be zero percent for entries of Crane's ductile iron flanges from China. In accordance with the CIT's order sustaining Commerce's third final remand redetermination, Commerce intends to, with the publication of this notice, issue instructions to CBP to lift suspension of liquidation of such entries, and to liquidate entries of the door thresholds without regard to antidumping duties, with consideration for any potential appeal of the CIT's final judgement.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e), of the Act.

Dated: March 21, 2024.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2024-06473 Filed 3-26-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XD825]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow a federally permitted fishing vessel to fish outside fishery regulations in support of exempted fishing activities. Regulations

under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before April 11, 2024.

**ADDRESSES:** You may submit written comments by the following method:

- *Email: nmfs.gar.efp@noaa.gov.* Include in the subject line “Haddock Sink Gillnet Exploratory Fishing”.

All comments received are a part of the public record and will generally be posted for public viewing in <https://www.noaa.gov/organization/information-technology/foia-reading-room> without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by

the sender will be publicly accessible. NMFS will accept anonymous comments (enter “anonymous” as the signature if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Elise Scholl, Fishery Management Specialist, [Elise.Scholl@noaa.gov](mailto:Elise.Scholl@noaa.gov), (978) 281–9189.

**SUPPLEMENTARY INFORMATION:** This EFP would exempt the participating vessel from the following Federal regulation:

TABLE 1—REQUESTED EXEMPTION

CFR citation	Regulation	Need for exemption
50 CFR 648.80(a)(3)(iv)(B)(1) .....	Minimum mesh size for Trip Gillnet Vessels in the Gulf of Maine.	To deploy 6-inch (15.24 cm) mesh gillnet gear in Gulf of Maine Regulated Mesh Area.

TABLE 2—PROJECT SUMMARY

Project title	Haddock sink gillnet fishing
Project Start .....	April 2024.
Project End .....	May 31, 2024.
Project objectives .....	To evaluate the efficacy of 6-inch (15.24 cm) mesh gillnet for haddock without increasing the catch of cod and sublegal sized haddock.
Project location .....	Gulf of Maine.
Number of vessels .....	1.
Number of trips .....	12.
Trip duration (days) .....	3.
Total number of days .....	36.
Gear type(s) .....	6-inch (15.24 cm) Gillnet.
Number of tows or sets .....	16.
Duration of tows or sets .....	24 hours.

**Project Narrative**

The proposed EFP is a continuation of a project conducting exploratory fishing in the Gulf of Maine (GOM) that mimics the structure of the GOM Sink Gillnet Mesh Exemption originally approved for sectors from fishing years 2010 through 2012. The objective of the sector exemption was to increase haddock catch while avoiding the catch of cod and sublegal sized haddock. In fishing year 2013, we did not approve the exemption due to concerns regarding the status of the GOM haddock stock, which at the time was subject to overfishing and approaching an overfished condition.

In 2019, the Operational Assessment for GOM haddock determined that the haddock stock was not overfished or subject to overfishing, and that spawning stock biomass was above the biomass target. In 2020, the current applicant proposed an EFP using 6-inch (15.24 cm) mesh gillnets to increase haddock catch without an increased catch of cod or sublegal haddock. The goal of the EFP was to collect data that could be used to inform the efficacy of the 6-inch (15.24 cm) mesh gillnet, and

possibly lead to a defined geographic area of a future exemption area. We approved this EFP for fishing years 2021–22 and 2022–23. The proposed EFP would be unchanged from prior EFPs and would be the third year of this project.

From the date of issuance through May 31, 2024, the participating vessel would conduct up to 12 trips under the EFP in the GOM Regulated Mesh Area (RMA) during which it would make up to 16 hauls with 6-inch (15.24 cm) mesh gillnet gear. The maximum number of individual nets that could be deployed is 75. Gillnets would be set for a soak of up to 24 hours, and would be actively tended by the vessel (*i.e.*, the vessel would not leave the fishing grounds while nets are deployed).

A northeast fisheries at-sea monitor or observer would be deployed on all groundfish trips taken under the EFP. Allowable discards would be discarded at-sea, while all other species would be retained, landed, and processed per normal commercial fishing procedures. Monitors would document all discards of allocated sub-legal catch.

While on EFP trips, the vessel may also occasionally deploy longline and

6.5-inch (16.51 cm) mesh gillnet gear, in order to generate catch composition data that could be used to compare the catchability of the 6-inch (15.24 cm) mesh gear with other gears used on a normal fishing trip. The gillnet gear would consist of 12 to 24 nets in a single string, while the longline gear would have between 1,000 and 2,400 hooks. All groundfish catch, including both discards and landings, would be deducted from the appropriate sector allocation and the EFP would not authorize catch above the sector allocation.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: March 22, 2024.  
**Everett Wayne Baxter,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
 [FR Doc. 2024-06501 Filed 3-26-24; 8:45 am]  
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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XD833]

**Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit application contains all of the required information and warrants further consideration. The Exempted Fishing Permit would allow commercial fishing vessels to fish outside fishery regulations in support of research conducted by the applicant. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

**DATES:** Comments must be received on or before April 11, 2024.

**ADDRESSES:** You may submit written comments by any of the following methods:

- *Email: nmfs.gar.efp@noaa.gov.* Include in the subject line “NEFSC Study Fleet EFP”.

**FOR FURTHER INFORMATION CONTACT:** Elise Scholl, Fishery Management Specialist, (978) 281-9189.

**SUPPLEMENTARY INFORMATION:** The applicant submitted a complete application for an Exempted Fishing Permit (EFP) to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
648.83	Multispecies Minimum Fish Sizes	Allow possession of haddock, yellowtail flounder, winter flounder, and American plaice below minimum size on common pool and sector vessels for biological sampling purposes.
684.86(a)	Haddock Possession Restriction	Allow possession of haddock for biological sampling.
648.86(d)	Small-Mesh Multispecies Possession Restriction.	Exempt vessels from small-mesh possession restrictions for biological sampling.
648.86(g)	Yellowtail Flounder Possession Restriction.	Exempt common pool vessels from yellowtail possession restrictions and limitations.
648.86(j)	Georges Bank Winter Flounder Possession Restriction.	Exempt common pool vessels from winter flounder restrictions.

TABLE 2—PROJECT SUMMARY

Project title	Study fleet program
Applicant	Northeast Fisheries Science Center’s Cooperative Research Branch.
Project objectives	Allow fishermen and Center staff to collect biological data and biological samples relevant to stock assessments and fish biology.
Project period	May 1, 2024–April 30, 2025.
Project location	The Gulf of Maine, Georges Bank, Southern New England, and the Mid-Atlantic.
Number of vessels	25.
Number of trips	250.
Trip duration (days)	5.
Total number of days	1,250.
Gear type(s)	Otter trawl, scallop dredge, midwater otter trawl, paired trawl.
Number of tows or sets	7.
Duration of tows or sets	1 hour.

**Project Narrative**

The Northeast Fisheries Science Center’s Cooperative Research Branch is requesting an EFP to allow participants in their Study Fleet Program to collect biological information on catch. The Center established the Study Fleet Program in 2002 to more fully characterize commercial fishing operations and provide sampling opportunities to augment NOAA’s National Marine Fisheries Service’s data collection programs. As part of the program, the Center contracts commercial fishing vessels to collect

biological data and fish specimens for use in research relevant to stock assessments and fish biology.

Under the EFP, Study Fleet participants would be allowed to temporarily possess catch that is below minimum size restrictions and above possession limits for the purposes of biological sampling. When directed by the Center, participating vessels would be authorized to retain and land specific amounts of fish exceeding possession limits and/or below minimum fish sizes, for research purposes only. The captain or crew would deliver these fish to Center staff or local Port Agents upon

landing. In these limited circumstances, the Study Fleet Program would give participating vessels a formal biological sampling request prior to landing. This would ensure that the landed fish do not exceed any collection needs of the Study Fleet Program, as detailed below.

During EFP trips, crew would sort, weigh, measure, and collect biological data from fish prior to discarding. During sampling, some discarded fish would remain on deck slightly longer than they would under normal sorting procedures. Exemptions from minimum fish sizes and possession restrictions