

Decision Memorandum, which is a public document, is on file in the Central Records Unit, main Department of Commerce building, Room 7046, and is accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

**Changes From the Preliminary Results**

As a result of our analysis of the comments we received, we have made certain changes to the margin calculation for PSC VSMPO–AVISMA Corporation (AVISMA) for the final results. Specifically, we have revised

AVISMA’s reported costs of production for the April 1 through December 31, 2009, period to reflect the treatment of chlorine gas as a byproduct of raw magnesium production. We then calculated AVISMA’s POR costs as the weighted average of the revised costs for the period April 1 through December 31, 2009, and the costs for the period January 1 through March 31, 2010, that we calculated for the *Preliminary Results*. For further discussion of this change, see Comment 1.A of the Decision Memorandum.

Our comparison of AVISMA’s revised costs to its reported sales establishes that all of AVISMA’s sales in the

comparison market were made at prices below cost. In accordance with section 773(b)(1)(B) of the Act, we have relied upon the constructed value of the subject merchandise for purposes of these final results. For further discussion of this change, see Comment 1.B of the Decision Memorandum.

**Final Results of the Review**

As a result of our review, we determine that the following weighted-average dumping margins on magnesium metal from the Russian Federation exist for the period April 1, 2009, through March 31, 2010:

Manufacturer/exporter	Margin (percent)
PSC VSMPO–AVISMA Corporation .....	2.24
Solikamsk Magnesium Works .....	*

\* No shipments or sales subject to this review.

**Assessment Rates**

The Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate for AVISMA reflecting these final results of review.

The Department clarified its “automatic assessment” regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by AVISMA or SMW for which AVISMA or SMW did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries of merchandise produced by AVISMA or SMW at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

The Department intends to issue instructions to CBP 15 days after the publication of the final results of review.

**Cash-Deposit Requirements**

Because we revoked the order effective April 15, 2010, no cash deposit for estimated antidumping duties on future entries of subject merchandise is required.

**Notifications**

This notice serves as a final 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.

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 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: September 6, 2011.

**Ronald K. Lorentzen,**  
Deputy Assistant Secretary for Import Administration.

**Appendix**

1. Cost Methodology
2. Affiliation
3. Zeroing

[FR Doc. 2011–23379 Filed 9–12–11; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A–570–929]

**Small Diameter Graphite Electrodes from the People’s Republic of China: Final Results of the First Administrative Review of the Antidumping Duty Order and Final Rescission of the Administrative Review, in Part**

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

**SUMMARY:** On March 7, 2011, the Department of Commerce (“Department”) published the preliminary results of the first administrative review of the antidumping duty order on small diameter graphite electrodes (“SDGE”) from the People’s Republic of China (“PRC”), covering the period August 21, 2008, through January 31, 2010. See *Small Diameter Graphite Electrodes from the People’s Republic of China: Preliminary Results of the First Administrative Review of the Antidumping Duty Order; Partial Rescission of Administrative Review; and Intent to Rescind Administrative Review, in Part*, 75 FR 12325 (March 7, 2011) (“*Preliminary Results*”).

We invited interested parties to comment on our *Preliminary Results*. Based on our analysis of the comments received, we made certain changes to our margin calculations for the mandatory respondents. The final dumping margins for this review are

listed in the “Final Results of the Review” section below.

**DATES:** *Effective Date:* September 13, 2011.

**FOR FURTHER INFORMATION CONTACT:** Lindsey Novom or Frances Veith, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC, 20230; telephone: (202) 482–5256 or (202) 482–4295, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 7, 2011, the Department published the *Preliminary Results* of the first administrative review of the antidumping duty order on SDGE from the PRC. On March 28, 2011, the following parties each submitted additional surrogate value (“SV”) information: SGL Carbon LLC and Superior Graphite Co. (“Petitioners”); Fushun Jinly Petrochemical Carbon Co., Ltd. (“Fushun Jinly”); and Beijing Fangda Carbon Tech Co., Ltd. (“Beijing Fangda”), Chengdu Rongguang Carbon Co., Ltd. (“Rongguang”), Fangda Carbon New Material Co., Ltd. (“Fangda Carbon”), Fushun Carbon Co., Ltd. (“Fushun Carbon”), and Hefei Carbon Co., Ltd. (“Hefei”) (collectively “the Fangda Group”). On March 28, 2011, Petitioners submitted comments on an apparent discrepancy between the volume of subject merchandise sold and exported to the United States during the period of review (“POR”) as (1) reported in the U.S. sales listings of the mandatory respondents (*i.e.*, Fushun Jinly and the Fangda Group) and (2) reported in the U.S. Customs and Border Protection (“CBP”) data on the administrative record relating to entries of subject merchandise during the period of review. On April 5, 2011, the Department requested new factual information from the mandatory respondents regarding their customers’ import processes, including a description of any documents generated by the customer, the Fangda Group, and/or Fushun Jinly related to the importation process. On April 11, 2011, the mandatory respondents submitted new factual information as requested by the Department. On April 25, 2011, Petitioners provided comments on the mandatory respondents’ April 11, 2011 new factual information submission. On April 28, 2011, the Department placed CBP data on the record. Petitioners submitted comments on the CBP data on May 5, 2011, and the mandatory respondents rebutted Petitioners’ comments regarding CBP data on May

16, 2011. On May 23, 2011, Petitioners submitted a case brief and the mandatory respondents submitted a joint case brief. On May 31, 2011, the mandatory respondents submitted a joint rebuttal brief and Petitioners submitted a rebuttal brief; however, on June 2, 2011, the Department rejected Petitioners’ rebuttal brief because it contained comments on arguments not raised in respondents’ case brief. Petitioners submitted their redacted rebuttal brief on June 6, 2011. We did not receive briefs or rebuttal briefs from any other interested party to this review. On June 21, 2011, the Department published a notice in the **Federal Register** extending the time limit for the final results of review by the full 60 days allowed under section 751(a)(3)(A) of the Tariff Act of 1930, as amended (“the Act”), to September 6, 2011.<sup>1</sup> On June 29, 2011, the Department released a Memorandum to the File, titled “Industry-Specific Surrogate Wage Rates and Surrogate Financial Ratio Adjustments,” dated June 29, 2011 (“Wage Rate Memorandum”), for use in these final results. We did not receive comments from interested parties pertaining to the Wage Rate Memorandum.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs filed by parties in this review are addressed in the Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, titled “Small Diameter Graphite Electrodes from the People’s Republic of China: Issues and Decision Memorandum for the Final Results of the 2008–2010 Administrative Review,” dated concurrently with this notice (“Issues and Decision Memorandum”), which is hereby adopted by this notice. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum follows as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file in the Central Records Unit (“CRU”), Main Commerce Building, Room 7046, and is also accessible on the web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

<sup>1</sup> See *Small Diameter Graphite Electrodes From the People’s Republic of China: Extension of Time Limit for the Final Results of the First Administrative Review of the Antidumping Duty Order*, 76 FR 36092 (June 21, 2011).

**Period of Review**

The POR is August 21, 2008, through January 31, 2010.

**Scope of the Order**

The merchandise covered by this order includes all small diameter graphite electrodes of any length, whether or not finished, of a kind used in furnaces, with a nominal or actual diameter of 400 millimeters (16 inches) or less, and whether or not attached to a graphite pin joining system or any other type of joining system or hardware. The merchandise covered by this order also includes graphite pin joining systems for small diameter graphite electrodes, of any length, whether or not finished, of a kind used in furnaces, and whether or not the graphite pin joining system is attached to, sold with, or sold separately from, the small diameter graphite electrode. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes are most commonly used in primary melting, ladle metallurgy, and specialty furnace applications in industries including foundries, smelters, and steel refining operations. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes that are subject to this order are currently classified under the Harmonized Tariff Schedule of the United States (“HTSUS”) subheading 8545.11.0000. The HTSUS number is provided for convenience and customs purposes, but the written description of the scope is dispositive.

**Changes Since the Preliminary Results**

Based on an analysis of the comments received from interested parties, the Department has made certain changes to the margin calculations. For the final results, the Department has made the following changes:

**Changes to Fushun Jinly’s Margin Calculation**

- We revised Fushun Jinly’s toller’s electricity consumption because, in the *Preliminary Results*, we inadvertently overstated this toller’s electricity consumption when we applied partial facts available to the toller’s FOP data.<sup>2</sup>
- We have revised Fushun Jinly’s by-product offset in the final results and

<sup>2</sup> See Issues and Decision Memorandum at Comment 13. See also Memorandum to the File, titled “2008–2010 Administrative Review of the Antidumping Duty Order on Small Diameter Electrodes from the People’s Republic of China: Analysis of the Final Results Margin Calculation for Fushun Jinly Petrochemical Carbon Co., Ltd.,” dated concurrently with this notice (“Fushun Jinly’s Final Analysis Memorandum”).

will use the production quantity from the verification documentation as the basis for Fushun Jinly's by-product offsets.<sup>3</sup>

- We are excluding certain sales reported in Fushun Jinly's U.S. shipment database where we have evidence that they did not enter the United States for consumption.<sup>4</sup>
- In accordance with sections 776(a)(2)(C) and 776(b) of the Act, as partial adverse facts available, we have adjusted the reported graphitizing FOPs by increasing the reported consumption of inputs used in the graphitization stage to reflect the largest difference between the weight of semi-finished products before graphitizing and the weight of semi-finished products after graphitizing based on Fushun Jinly's Verification Exhibit 19.<sup>5</sup>

#### *Changes to the Fangda Group's Margin Calculation*

- We are excluding certain sales reported in the Fangda Group's U.S. shipment database where we have evidence that they did not enter the United States for consumption during the POR.<sup>6</sup>

#### *Changes to Surrogate Values*

- We have revised the surrogate value source used to value respondents' natural gas. The revised surrogate value is derived from the Indian gas prices as published by the Indian Gas Utility Gail.<sup>7</sup>

- In light of *Dorbest Ltd. v. United States*, 604 F.3d 1363 (Fed. Cir. 2010) and consistent with *Antidumping Methodologies in Proceedings Involving Non-Market Economies: Valuing the Factor of Production: Labor*, 76 FR 36092 (June 21, 2011), we have made revisions to the surrogate labor rate and the surrogate manufacturing overhead

<sup>3</sup> See Issues and Decision Memorandum at Comment 12. See also Fushun Jinly's Final Analysis Memorandum. See also Fushun Jinly's Verification Exhibit 22.

<sup>4</sup> See Issues and Decision Memorandum at Comment 1. See also Fushun Jinly's Final Analysis Memorandum.

<sup>5</sup> See Issues and Decision Memorandum at Comment 18. See also Fushun Jinly's Final Analysis Memorandum.

<sup>6</sup> See Issues and Decision Memorandum at Comment 1. See also Memorandum to the File, titled "2008–2010 Administrative Review of the Antidumping Duty Order on Small Diameter Electrodes from the People's Republic of China: Analysis of the Final Results Margin Calculation for the Fangda Group," dated concurrently with this notice.

<sup>7</sup> See Issues and Decision Memorandum at Comment 10. See also Memorandum to the File, titled "First Administrative Review of the Antidumping Duty Order on Small Diameter Graphite Electrodes from the People's Republic of China: Selection of Factor Values," ("Final Factors Memorandum") dated concurrently with this notice.

("MOH") ratio for the final results of this administrative review. For these final results, the surrogate labor rate has changed from US\$1.47/hour to 75.41 Indian Rupees per hour and the surrogate MOH ratio changed from 25.94 percent to 23.87 percent. See Wage Rate Memorandum; see also Final Factors Memorandum.

#### **Final Rescission, in Part, of the Administrative Review**

In the *Preliminary Results*, the Department stated its intent to rescind the review with respect to UK Carbon & Graphite ("UKCG") because the Department preliminarily determined that UKCG had no shipments of subject merchandise to the United States during the POR.<sup>8</sup> Interested parties had an opportunity to submit comments on the Department's intent to rescind this review with respect to UKCG. The Department did not receive any comments from interested parties with respect to rescinding the review of UKCG. Thus, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice, we are rescinding this review with respect to UKCG.

#### **Separate Rates Determination**

In the *Preliminary Results*, we determined that Fushun Jinly, the Fangda Group, and Xinghe County Muzi Carbon Co., Ltd. ("Muzi Carbon") met the criteria for separate rate status.<sup>9</sup> We have not received any information since issuance of the *Preliminary Results* that provides a basis for reconsidering this preliminary determination. Therefore, the Department continues to find that Fushun Jinly, the Fangda Group, and Muzi Carbon meet the criteria for a separate rate.

#### **Margin for Separate Rate Company**

Consistent with the Department's practice, as the separate rate, we have established a margin for Muzi Carbon based on the weighted-average of the rates we calculated for the mandatory respondents, the Fangda Group and Fushun Jinly, excluding, where appropriate, any rates that were zero, *de minimis*, or based entirely on AFA.<sup>10</sup>

<sup>8</sup> See *Preliminary Results*, 75 FR at 12328–29.

<sup>9</sup> See *Preliminary Results*, 75 FR at 12330–31.

<sup>10</sup> See, e.g., *Preliminary Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances: Certain Polyester Staple Fiber from the People's Republic of China*, 71 FR 77373, 77377 (December 26, 2006), unchanged in *Final Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances: Certain Polyester Staple Fiber from the People's Republic of China*, 72 FR 19690 (April 19, 2007).

#### **The PRC-Wide Entity**

As explained in the *Preliminary Results*, Shijiazhuang Huanan Carbon Factory ("Huanan Carbon"), Sinosteel Jilin Carbon Co., Ltd./Sinosteel Jilin Carbon Import & Export Co., Ltd. ("Sinosteel Jilin"), Jilin Carbon Graphite Material Co., Ltd. ("Jilin Carbon"), and Jilin Carbon Import and Export Company ("Jilin Carbon I&E") did not apply for separate-rate status. As such, they have not demonstrated their eligibility for a rate separate status in this administrative review.<sup>11</sup> Additionally, none of these companies notified the Department that they had no shipments of subject merchandise during the POR. In the *Preliminary Results* we determined that, because there were exports of merchandise under review from PRC exporters that did not demonstrate their eligibility for separate rate status, they should be treated as part of the PRC-wide entity. We have not received any information since issuance of the *Preliminary Results* that provides a basis for reconsidering this preliminary determination. Therefore, the Department continues to find that they should be treated as part of the PRC-wide entity and subject to the PRC-wide entity rate.

In accordance with section 776(a) and (b) of the Act and as explained in more detail in the *Preliminary Results*, we determined that the PRC-wide entity's rate should be based on total AFA.<sup>12</sup> No party has commented on the use of a total AFA rate for the PRC-wide entity. Accordingly, the Department continues to assign an AFA rate to the PRC-wide entity. As an AFA rate, the Department continues to use the highest percent margin alleged in the Petition,<sup>13</sup> 159.64 percent.<sup>14</sup> As explained in the *Preliminary Results*, the Department considers that rate corroborated pursuant to section 776(c) of the Act based upon our pre-initiation analysis of the adequacy and accuracy of the information in the Petition.<sup>15</sup> No party has commented on the Department's corroboration of the selected total AFA rate for the PRC-wide entity.

<sup>11</sup> See *Preliminary Results*, 75 FR at 12331–32.

<sup>12</sup> See *Preliminary Results*, 75 FR at 12331–33.

<sup>13</sup> See Petition for the Imposition of Antidumping Duties Against Small Diameter Graphite Electrodes from the People's Republic of China, Exhibit General 3, Volume I (January 17, 2008) ("Petition").

<sup>14</sup> See *Final Determination of Sales at Less Than Fair Value and Affirmative Determination of Critical Circumstances: Small Diameter Graphite Electrodes from the People's Republic of China*, 74 FR 2049, 2054 (January 14, 2009).

<sup>15</sup> See *Preliminary Results*, 75 FR at 12332–33.

**Final Results of the Review**

period August 21, 2008, through January 31, 2010:

The Department has determined that the following margins exist for the

## SDGE from the PRC

Exporters	Percent margin
Beijing Fangda Carbon Tech Co., Ltd., Fangda Carbon New Material Co., Ltd., Fushun Carbon Co., Ltd., Hefei Carbon Co., Ltd., (collectively, The Fangda Group) .....	2.75
Fushun Jinly Petrochemical Carbon Co., Ltd .....	56.63
Xinghe Country Muzi Carbon Co., Ltd .....	23.47
PRC-wide Entity* .....	159.64

\* The PRC-wide Entity includes, *inter alia*, Huanan Carbon, Sinosteel Jilin, Jilin Carbon, and Jilin Carbon I&E.

**Assessment Rates**

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of these reviews. For assessment purposes, we calculated exporter/importer- (or customer-) specific assessment rates for merchandise subject to this review consistent with 19 CFR 351.212(b)(1). Where appropriate, we calculated an *ad valorem* rate for each importer (or customer) by dividing the total dumping margins for reviewed sales to that party by the total entered values associated with those transactions. For duty-assessment rates calculated on this basis, we will direct CBP to assess the resulting *ad valorem* rate against the entered customs values for the subject merchandise. Where appropriate, we calculated a per-unit rate for each importer (or customer) by dividing the total dumping margins for reviewed sales to that party by the total sales quantity associated with those transactions. For duty-assessment rates calculated on this basis, we will direct CBP to assess the resulting per-unit rate against the entered quantity of the subject merchandise. Where an importer- (or customer-) specific assessment rate is *de minimis* (*i.e.*, less than 0.50 percent), the Department will instruct CBP to assess that importer's (or customer's) entries of subject merchandise without regard to antidumping duties in accordance with 19 CFR 351.106(c)(2). We intend to instruct CBP to liquidate entries containing subject merchandise exported by the PRC-wide entity at the PRC-wide rate we determine in the final results of this review.

**Cash-Deposit Requirements**

The following cash-deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For the Fangda Group, Fushun Jinly, and Muzi Carbon, the cash deposit rate will be the margins listed above; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 159.64 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

**Notification to Importers**

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

**Administrative Protective Order**

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their

responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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 violation which is subject to sanction.

**Disclosure**

We intend to disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

We are issuing and publishing the final results and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: September 6, 2011.

**Ronald K. Lorentzen,**

Deputy Assistant Secretary for Import Administration.

**Appendix**

- Comment 1: Whether To Apply Total Adverse Facts Available To the Mandatory Respondents
- Comment 2: Whether the Fangda Group and Fushun Jinly Properly Reported Their Universe of U.S. Sales
- Comment 3: Whether the Respondents Reported All of Their U.S. Selling Expenses
- Comment 4: Whether the Fangda Group Reported Accurate Energy & Labor Consumption
- Comment 5: Whether to Impute Reporting Failures of Fushun Carbon to the Other Fangda Group Producers
- Comment 6: Whether the Fangda Group Reported Accurate Supplier Distances
- Comment 7: Whether the Fangda Group Reported Accurate Market Economy Purchases
- Comment 8: The Fangda Group's By-Products
- Comment 9: Whether the Fangda Group Reported Complete and Reliable FOPs for Itself and Its Tollers

Comment 10: Whether the Fangda Group Reported Accurate Sales Prices  
 Comment 11: Surrogate Value for Natural Gas  
 Comment 12: Whether Fushun Jinly Failed to Submit CONNUM-Specific Factor Data  
 Comment 13: Whether Fushun Jinly's By-Product Offsets Should Be Rejected  
 Comment 14: Whether Fushun Jinly Reported Accurate Electricity Consumption Factors and Whether the Department Incorrectly Valued Fushun Jinly's Coal Consumption  
 Comment 15: Whether Fushun Jinly's Reported Market Economy Purchase Prices for Needle Coke Are Understated  
 Comment 16: Whether Fushun Jinly Reported All Factor Data  
 Comment 17: Whether to Reject Fushun Jinly's Tollers' Data Because It Included Non-Subject Merchandise in the FOP Allocations  
 Comment 18: Whether Fushun Jinly's Graphitization Toller's FOP Data are Understated, Incomplete and Unreliable  
 Comment 19: Whether Fushun Jinly's Accounting Records Can Be Reconciled to the Toller's Records With Respect to Quantities  
 Comment 20: Whether Fushun Jinly's Toller #1's Data Are Incomplete  
 Comment 21: Whether Fushun Jinly's Toller #2's Data Are Incomplete  
 Comment 22: Fushun Jinly's Toller #2's Electricity Consumption  
 Comment 23: Whether Fushun Jinly's Toller's Data Are Otherwise Understated  
 Comment 24: Offsetting Negative Margins

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-810]

#### **Stainless Steel Bar from India: Final Results of the Antidumping Duty Administrative Review, and Revocation of the Order, in Part**

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

**SUMMARY:** On March 4, 2011, the Department ("Department") published the preliminary results of the administrative review of the antidumping duty order on stainless steel bar from India. The review covers shipments of subject merchandise to the United States for the period February 1, 2009, through January 31, 2010, by Facor Steels Ltd./Ferro Alloys Corporation, Ltd. ("Facor"), Mukand Ltd. ("Mukand"), and Venus Wire Industries Pvt. Ltd. ("Venus Wire").<sup>1</sup> Based on our analysis

of the comments received, we have made changes to the preliminary results, which are discussed below. For the final dumping margins, see the "Final Results of the Review" section below. Finally, we are announcing our revocation of the order on stainless steel bar from India, in part, with respect to subject merchandise produced and/or exported by Venus to the United States.

**DATES:** *Effective Date:* September 13, 2011.

#### **FOR FURTHER INFORMATION CONTACT:**

Austin Redington, Scott Holland, or Yasmin Nair, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-1664, (202) 482-1279, or (202) 482-3813, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 4, 2011, the Department published *Stainless Steel Bar From India: Preliminary Results of, and Partial Rescission of, the Antidumping Duty Administrative Review, and Intent Not To Revoke the Order, in Part*, 76 FR 12044 (March 4, 2011) ("*Preliminary Results*"). After publishing the *Preliminary Results*, the Department conducted verification of the cost of production responses from Venus Wire and its affiliate, Sieves, from March 7, 2011, through March 18, 2011. The results of this verification were disclosed to the interested parties on April 29, 2011. See Memorandum from Angie Sepulveda and Heidi K. Schriefer to Neal M. Halper, "Verification of the Cost Response of Venus Wire Industries Pvt. Ltd. in the Antidumping Review of Stainless Steel Bar from India," dated April 29, 2011; see also Memorandum from Angie Sepulveda and Heidi K. Schriefer to Neal M. Halper, "Verification of the Cost Response of Sieves Manufacturers (India) Private Limited in the Antidumping Review of Stainless Steel Bar from India," dated April 29, 2011, which are on file in the Central Records Unit ("CRU") in room 7046 in the main Department building.

entity and collapsed for the purposes of this review. See Memorandum from Patricia Tran and Austin Redington to the File, "Whether to Collapse Venus Wire Industries Pvt., Ltd. and Hindustan Inox in the Preliminary Results" dated July 20, 2010; see also Memorandum from Austin Redington to the File, "Relationship of Venus Wire Industries Pvt. Ltd. and Precision Metals," dated May 20, 2010; see also Memorandum from Austin Redington to the File, "Relationship of Wire Industries Pvt. Ltd. and Sieves Manufacturers (India) Pvt. Ltd.," dated May 20, 2010. The collapsed entity is referred to as "Venus."

We preliminarily determined to treat Venus Wire and its affiliate Hindustan as a single entity for this review. See *Preliminary Results*; see also Memorandum from Austin Redington to the File, "Whether to Collapse Venus Wire Industries Pvt., Ltd. and Hindustan Inox in the Preliminary Results," dated July 20, 2010. We invited comment on this issue from the interested parties: None was received. We are continuing to treat Venus Wire and its affiliate Hindustan as a single entity for the final results of this review.

On April 14, 2011, the Department extended the time limit for the completion of the final results of this review by 60 days (to August 31, 2011), in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.213(h)(2). See *Stainless Steel Bar From India: Extension of Time Limit for the Final Results of the 2009-2010 Antidumping Duty Administrative Review*, 76 FR 20950 (April 14, 2011).

We invited parties to comment on the *Preliminary Results*. On April 4, 2011, we received a letter from Venus detailing and correcting administrative errors in its questionnaire response and verification. On April 25, 2011, we received a response to Venus' April 4, 2011 letter from Petitioners.<sup>2</sup> On May 3, 2011, we received an additional letter from Venus, which clarified its comments of April 4, 2011.

On June 16, 2011, we received case briefs from Venus and Petitioners. On June 16, 2011, pursuant to a request from Mukand, we extended the deadline for submission of case briefs to June 20, 2011. See Memorandum from Seth Isenberg to the File, "2009/2010 Administrative Review of Stainless Steel Bar from India: Revised Briefing Schedule," dated June 16, 2011. On June 20, 2011, we again extended the deadline, pursuant to a request from Mukand, Ltd. See Memorandum from Seth Isenberg to the File, "2009/2010 Administrative Review of Stainless Steel Bar from India: Revised Briefing Schedule," dated June 20, 2011. On June 22, 2011, we received case briefs from Mukand and Facor. On June 24, 2011, we extended the deadline for submission of rebuttal briefs to June 29, 2011, pursuant to a request from Petitioners. See Memorandum from the Team to the File, "2009/2010 Administrative Review of Stainless Steel Bar from India: Revised Briefing Schedule," dated June 24, 2011. We

<sup>1</sup> For the reasons explained in the *Preliminary Results*, we have determined that Venus Wire and its affiliates, Hindustan Inox, Precision Metals ("Hindustan") and Sieves Manufacturers (India) Pvt. Ltd. ("Sieves"), should be treated as a single

<sup>2</sup> Carpenter Technology Corporation, Valbruna Slater Stainless, Inc., Electralloy Corporation, a Division of G.O. Carlson, Inc., Universal Stainless (collectively "Petitioners").