

or exporters not covered in this review but covered in the original less-than-fair-value investigation or previous reviews, 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 review, a prior review, or the original 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 7.31 percent, the all-others rate established in *Notice of Amended Final Determination of Sales at Less Than Fair Value: Certain Polyester Staple Fiber From the Republic of Korea and Antidumping Duty Orders: Certain Polyester Staple Fiber From the Republic of Korea and Taiwan*, 65 FR 33807 (May 25, 2000). These cash deposit requirements shall remain in effect until further notice.

## Notifications

This notice 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 antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to the 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 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 and this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 28, 2012.

**Paul Piquado,**

Assistant Secretary for Import Administration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-839]

### Certain Polyester Staple Fiber From the Republic of Korea: Rescission of Antidumping Duty Administrative Review

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

**SUMMARY:** In response to requests from interested parties, the Department of Commerce ("the Department") initiated an administrative review of the antidumping duty order on certain polyester staple fiber from the Republic of Korea ("the Order"). The period of review is May 1, 2011, through April 30, 2012. Based on the withdrawal of requests for review, we are now rescinding this administrative review.

**DATES:** *Effective Date:* September 5, 2012.

**FOR FURTHER INFORMATION CONTACT:** Mahnaz Khan 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) 482-0914 or (202) 482-3183, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On May 1, 2012, the Department published in the **Federal Register** the notice of opportunity to request an administrative review of the Order for the period of review, May 1, 2011, through April 30, 2012.<sup>1</sup> On May 31, 2012, DAK Americas LLC, and Auriga Polymers, Inc. (the successor to Invista, S.a.r.L) (collectively, "Petitioners") timely requested that the Department conduct an administrative review of the following companies: (1) Huvis Corporation ("Huvis"); (2) Woongjin Chemical Company, Ltd. ("Woongjin"); and (3) Saehan Industries, Inc. ("Saehan").<sup>2</sup> On May 31, 2012, Woongjin and Huvis requested that the Department conduct an administrative review of their respective companies.<sup>3</sup> Pursuant to these requests, and in accordance with 19 CFR

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 77 FR 25679, 25680 (May 1, 2012).

<sup>2</sup> See Letter from Petitioners to the Department, dated May 31, 2012, at 2.

<sup>3</sup> See Letter from Woongjin to the Department, dated May 31, 2012, at 1-2; Letter from Huvis to the Department, dated May 31, 2012, at 1-2.

351.221(c)(1)(i), the Department published a notice initiating the administrative review of Huvis, Woongjin, and Saehan.<sup>4</sup> Petitioners withdrew their request for an administrative review of Huvis on July 20, 2012.<sup>5</sup> On July 25, 2012, Huvis withdrew its request for an administrative review.<sup>6</sup> On August 1, 2012, Petitioners withdrew their requests for an administrative review of Woongjin and Saehan, and Woongjin withdrew its request.<sup>7</sup>

### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, Petitioners withdrew their requests for review of Huvis, Woongjin, and Saehan within 90 days of the date of publication of the notice of initiation. Moreover, Huvis and Woongjin timely withdrew their requests for an administrative review of their respective companies. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding this review in its entirety.

### Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice of rescission of administrative review.

### 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

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 40565, 40567 (July 10, 2012).

<sup>5</sup> See Letter from Petitioners, dated July 20, 2012, at 2.

<sup>6</sup> See Letter from Huvis, dated July 25, 2012, at 1-2.

<sup>7</sup> See Letter from Petitioner, dated August 1, 2012, at 1-2; Letter from Woongjin, dated August 1, 2012, at 1-2.

presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3). Timely written 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 terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: August 29, 2012.

**Gary Taverman,**

*Senior Advisor for Antidumping and Countervailing Duty Operations.*

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**BILLING CODE 3510-DS-P**

#### DEPARTMENT OF COMMERCE

#### International Trade Administration

**[A-570-806]**

#### Silicon Metal from the People's Republic of China: Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On March 7, 2012, the Department of Commerce (“Department”) published the preliminary results of the administrative review of the antidumping duty order on silicon metal from the People's Republic of China (“PRC”). The period of review (“POR”) is June 1, 2010, through May 31, 2011.

Based on our analysis of the comments received, we have made changes to the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margin for Shanghai Jinneng International Trade Co., Ltd. (“Shanghai Jinneng”) is listed below in the section entitled “Final Results of the Review.”

**FOR FURTHER INFORMATION CONTACT:** Rebecca Pandolph or Howard Smith, AD/CVD Operations, Office 4, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3627, and (202) 482-5193, respectively.

**SUPPLEMENTARY INFORMATION:** On March 7, 2012, the Department published *Silicon Metal from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 77 FR 13534 (March 7, 2012) (“Preliminary Results”).

On March 27, 2012, Shanghai Jinneng submitted additional surrogate value information.<sup>1</sup> On March 30, 2012, the Department requested clarification of Shanghai Jinneng's surrogate value submission and on April 4, 2012, Shanghai Jinneng responded to the Department's request for clarification.<sup>2</sup> On April 16, 2012, Globe Metallurgical Inc. (“Petitioner”) submitted rebuttal surrogate value information.<sup>3</sup> On April 18, 2012, the Department requested clarification of Petitioner's rebuttal surrogate value submission and on April 19, 2012, Petitioner responded to the Department's request for clarification.<sup>4</sup>

On April 4, 2012, Petitioner requested additional time to submit case and rebuttal briefs.<sup>5</sup> On April 5, 2012 the Department extended the deadline for filing case briefs until April 13, 2012, and extended the deadline for filing

<sup>1</sup> See Letter from Shanghai Jinneng to the Honorable John Bryson, Secretary of Commerce, regarding, “Silicon Metal from the People's Republic of China,” dated March 27, 2012.

<sup>2</sup> See Letter from Howard Smith, Program Manager, AD/CVD Operations, Office 4 to All Interested Parties regarding, “Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China: Surrogate Values Submission,” dated March 30, 2012. See also Letter from Shanghai Jinneng to the Honorable John Bryson, Secretary of Commerce, regarding, “Silicon Metal from the People's Republic of China: Shanghai Jinneng International Trade Co., Ltd. —Supplement to Surrogate Value Submission,” dated April 4, 2012.

<sup>3</sup> See Letter from Petitioner to the Honorable John Bryson, Secretary of Commerce, regarding “Silicon Metal From the People's Republic of China; 2010–11 Administrative Review; Submission of Factual Information to Rebut, Clarify, or Correct Surrogate Value Information Submitted by Shanghai Jinneng International Trade Co., Ltd.,” dated April 16, 2012

<sup>4</sup> See Letter from Howard Smith, Program Manager, AD/CVD Operations, Office 4 to All Interested Parties regarding, “Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China: Rebuttal Surrogate Values Submission,” dated April 18, 2012. See also Letter from Petitioner to the Honorable John Bryson, Secretary of Commerce, regarding, “Silicon Metal From the People's Republic of China; 2010–11 Administrative Review; Response to Department Request for Information Regarding Globe's Rebuttal Surrogate Value Submission,” dated April 4, 2012.

<sup>5</sup> See Letter from Petitioner to the Honorable John Bryson, Secretary of Commerce, regarding “Silicon Metal From the People's Republic of China; 2010–11 Administrative Review; Request for Extension of Time to Submit Rebuttal Briefs,” dated April 24, 2012 and Letter from Howard Smith, Program Manager, AD/CVD Operations, Office 4 to Interested Parties regarding, “Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China for the period June 1, 2010 to May 31, 2011,” dated April 26, 2012.

rebuttal briefs until no later than five days after the time limit for filing the case briefs.<sup>6</sup> On April 6, 2012, Shanghai Jinneng requested additional time to submit case and rebuttal briefs.<sup>7</sup> On April 10, 2012, the Department extended the deadline for submitting case briefs until April 20, 2012 and extended the deadline for submitting rebuttal briefs until April 27, 2012.<sup>8</sup> On April 24, 2012, Petitioner requested additional time for filing rebuttal case briefs and on April 26, 2012, the Department granted an extension until May 4, 2012 to file rebuttal briefs.<sup>9</sup> On April 20, 2012, Petitioner and Shanghai Jinneng submitted case briefs and on May 4, 2012, both submitted rebuttal case briefs.

On April 5, 2012, Petitioner requested a public hearing and a closed session of the hearing.<sup>10</sup> On June 7, 2012, the Department held a hearing which was closed to the public, in part, pursuant to 19 CFR 351.310.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this review are addressed in the Memorandum from Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, “Issues and Decision Memorandum for the Final Results of the June 1, 2010 through May 31, 2011 Administrative Review of the Antidumping Duty Order on Silicon Metal from the People's Republic of China,” dated August 29, 2012, which is hereby adopted by this

<sup>6</sup> See Letter from Howard Smith, Program Manager, AD/CVD Operations, Office 4 to Interested Parties regarding, “Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China for the period June 1, 2010 to May 31, 2011,” dated April 5, 2012.

<sup>7</sup> See Letter from Shanghai Jinneng to the Honorable John Bryson, Secretary of Commerce, regarding, “Silicon Metal from the People's Republic of China,” dated April 6, 2012.

<sup>8</sup> See Letter from Howard Smith, Program Manager, AD/CVD Operations, Office 4 to Interested Parties regarding, “Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China for the period June 1, 2010 to May 31, 2011,” dated April 10, 2012.

<sup>9</sup> See Letter from Petitioner to the Honorable John Bryson, Secretary of Commerce, regarding “Silicon Metal From the People's Republic of China; 2010–11 Administrative Review; Request for Extension of Time to Submit Rebuttal Briefs,” dated April 24, 2012 and Letter from Howard Smith, Program Manager, AD/CVD Operations, Office 4 to Interested Parties regarding, “Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China for the period June 1, 2010 to May 31, 2011,” dated April 26, 2012.

<sup>10</sup> See Letter from Petitioner to the Honorable John Bryson, Secretary of Commerce, regarding “Silicon Metal From the People's Republic of China; 2010–11 Administrative Review; Request for Hearing and Closed Hearing Session,” dated April 5, 2012.