

### Analysis of Comments Received

All issues raised in the case briefs are addressed in the Final Decision Memorandum.<sup>3</sup> A list of the issues raised is attached to this notice as an Appendix. The Final Decision Memorandum is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Final Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed Final Decision Memorandum and the electronic versions of the Final Decision Memorandum are identical in content.

### Final Results of Review

In accordance with 19 CFR 351.221(b)(5), we calculated a subsidy rate for the mandatory respondent, Yida Group.

Producer/exporter	Net subsidy rate (percent)
Shanxi Yida Special Steel Imp. & Exp. Co., Ltd. and its cross-owned affiliates Shanxi Yida Special Steel Group Co., Ltd. and Shanxi Yida Petroleum Equipment Manufacturing Co., Ltd. (collectively, Yida Group) ....	5.07

### Assessment Rates

The Department intends to issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results, to liquidate shipments of subject merchandise by Yida Group entered, or withdrawn from warehouse, for consumption on or after March 3, 2011, through December 31, 2011.

### Cash Deposit Instructions

The Department also intends to instruct CBP to collect cash deposits of estimated CVDs in the amount shown above on shipments of subject merchandise by Yida Group entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed companies, we will instruct CBP to continue to collect cash deposits at the

most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to companies covered by this order, but not examined in this review, are those established in the most recently completed segment of the proceeding for each company.<sup>4</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Administrative Protective Order

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 Tariff Act of 1930, as amended.

Dated: July 29, 2013.

**Paul Piquado,**  
*Assistant Secretary+ for Import Administration.*

### Appendix—Issues in Decision Memorandum

Comment 1: Double Counting  
 Comment 2: Policy Lending to Drill Pipe Producers  
 Comment 3: Calculation of Benefit under Policy Lending to Drill Pipe Producers  
 Comment 4: Electricity Benchmark Rates  
 Comment 5: Calculation of Benefit under Provision of Electricity for Less Than Adequate Remuneration  
 Comment 6: Sales Denominator for Shanxi Yida Special Steel Imp. & Exp. Co., Ltd.  
 [FR Doc. 2013-18856 Filed 8-2-13; 8:45 am]

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### DEPARTMENT OF COMMERCE

#### International Trade Administration

[C-533-825]

### Polyethylene Terephthalate (PET) Film, Sheet, and Strip From India: Final Results of the Expedited Second Sunset Review of the Countervailing Duty Order

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

**DATES:** *Effective Date:* August 5, 2013.

**SUMMARY:** On April 2, 2013, the Department of Commerce (“Department”) initiated the second sunset review of the countervailing duty order on polyethylene terephthalate (PET) film, sheet, and strip (“PET film”) from India. The Department finds that revocation of this countervailing duty order (CVD”) would be likely to lead to the continuation or recurrence of net countervailable subsidies at the rates in the “Final Results of Review” section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Sean Carey or Dana Mermelstein, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-3964 or 482-1391, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

The CVD order on PET film from India was published on July 1, 2002. *See Notice of Countervailing Duty Order: Polyethylene Terephthalate Film, Sheet, and Strip From India*, 67 FR 44179 (July 1, 2002). On April 2, 2012, the Department initiated the second sunset review of the order, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). *See Initiation of Five-Year (“Sunset”) Reviews*, 78 FR 19647 (April 2, 2013). The Department received notices of intent to participate from DuPont Teijin Films, Mitsubishi Polyester Film, Inc., and SKC, Inc. (collectively, “domestic interested parties”) within the deadline specified in 19 CFR 351.218(d)(1)(i). The Department received an adequate substantive response to the notice of initiation from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). The Department received no substantive responses from the Government of India (“GOI”) and respondent interested parties.

The regulations provide, at 19 CFR 351.218 (e)(1)(ii)(A), that the Department will normally conclude that respondent interested parties have provided adequate response to a notice of initiation where it receives complete substantive responses from respondent interested parties accounting on average for more than 50 percent, on a volume basis (or a value basis, if appropriate), of the total exports of the subject merchandise to the United States over the five calendar years preceding the year of publication of the notice of initiation. Moreover, in a sunset review of a CVD order, the Department will

<sup>3</sup> See *id.*

<sup>4</sup> See *CVD Order*, 76 FR at 11759.

normally conduct a full review only if it receives adequate responses from domestic and respondent interested parties and a complete substantive response from the foreign government. See 19 CFR 351.218(e)(2) and 351.218(e)(1)(ii)(B) and (C). Because the Department received no responses from the GOI and respondent interested parties, the Department is conducting an expedited (120-day) sunset review of the CVD order on PET film from India pursuant to 19 CFR 351.218(e)(1)(ii)(C)(2).

**Scope of the Order**

The products covered by the order are all gauges of raw, pretreated, or primed PET film, whether extruded or coextruded. Excluded are metalized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film are classifiable in the Harmonized Tariff Schedule of the United States (“HTSUS”) under item number

3920.62.00.90. Effective July 1, 2003, the HTSUS subheading 3920.62.00.00 was divided into 3920.62.00.10 (metalized PET film) and 3920.62.00.90 (non-metalized PET film). Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive.

**Analysis of Comments Received**

All issues raised in this review are addressed in the Issues and Decision Memorandum (“Decision Memorandum”) from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, dated concurrently with this notice, which is hereby adopted by this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the order was revoked. Parties can find a complete discussion of all issues raised in this review and the

corresponding recommendations in this public memorandum, which is on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (“IA ACCESS”). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit in room 7046 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://ia.ita.doc.gov/ia/>. The signed Decision Memorandum and electronic versions of the Decision Memorandum are identical in content.

**Final Results of Review**

Pursuant to sections 752(b)(1) and (3) of the Act, the Department determines that revocation of the CVD order on PET film from India would be likely to lead to continuation or recurrence of countervailable subsidies at the following net countervailable subsidy rates:

Manufacturers/exporters/producers	Net countervailable subsidy (percent)
Ester Industries Ltd .....	27.37% <i>ad valorem</i>
Garware Polyester Ltd .....	33.42% <i>ad valorem</i>
Polyplex Corporation Ltd .....	22.69% <i>ad valorem</i>
All others .....	29.34% <i>ad valorem</i>

This notice also serves as the only reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

The Department is issuing and publishing these final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.

Dated: July 30, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[Docket No. 121025586–3654–01]

**RIN 0648–XC326**

**Listing Endangered or Threatened Species: 12-Month Finding on a Petition To Delist the Southern Resident Killer Whale**

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

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** We, the National Marine Fisheries Service (NMFS), are issuing a 12-month finding on a petition to delist the Southern Resident killer whale (*Orcinus orca*) Distinct Population Segment (DPS) under the Endangered Species Act (ESA). We listed the Southern Resident killer whale DPS as endangered under the ESA in 2005. We accepted the petition to delist the Southern Resident killer whale DPS on November 27, 2012, initiating a public

comment period and a status review. Based on our review of the petition, public comments, and the best available scientific information, we find that delisting the Southern Resident killer whale DPS is not warranted.

**DATES:** The finding announced in this document was made on August 5, 2013.

**ADDRESSES:** This finding and supporting information are available on our Web page at: [http://www.nwr.noaa.gov/protected\\_species/marine\\_mammals/killer\\_whale/delist\\_petition.html](http://www.nwr.noaa.gov/protected_species/marine_mammals/killer_whale/delist_petition.html).

**FOR FURTHER INFORMATION CONTACT:** Lynne Barre, NMFS Northwest Region, (206) 526–4745; Marta Nammack, NMFS Office of Protected Resources, (301) 427–8469.

**SUPPLEMENTARY INFORMATION:**

**ESA Statutory Provisions and Policy Considerations**

On August 2, 2012, we received a petition submitted by the Pacific Legal Foundation on behalf of the Center for Environmental Science Accuracy and Reliability, Empresas Del Bosque, and Coburn Ranch to delist the endangered Southern Resident killer whale DPS under the ESA. Copies of the petition