

414. Tianjin Minghai Petroleum Tubular Co., Ltd.  
 415. Tianjin Opka Oil Pipe Co., Ltd.  
 416. Tianjin Pipe Group Corporation  
 417. Tianjin Pipe Industry Development Company  
 418. Tianjin Pipe International Economic & Trading Corp.  
 419. Tianjin Rainbox Steel Pipe Product Corporation  
 420. Tianjin Ring-Top Petroleum Manufacture Co., Ltd.  
 421. Tianjin Seamless Steel Pipe Plant  
 422. Tianjin SERI Machinery Equipment Corporation Limited  
 423. Tianjin Shengcai Yuan Steel Trading Co., Ltd.  
 424. Tianjin Shenzhoutong Steel Pipe Co. Ltd.  
 425. Tianjin Shuangjie Pipe Manufacturing Co., Ltd.  
 426. Tianjin Tiangang Special Petroleum Pipe Manufacturer Co., Ltd.  
 427. Tianjin Tiansheng Petroleum Pipe Manufacturing Co., Ltd.  
 428. Tianjin Tianye Seamless Steel Pipe Plant Ltd.  
 429. Tianjin Top Connect Manufacturing Co., Ltd.  
 430. Tianjin TPCO & TISCO Welding Pipe Corporation  
 431. Tianjin Tubular Goods Machining Co., Ltd.  
 432. Tianjin United Steel Pipe Co (UNISTEEL)  
 433. Tianjin Walt Pipe Co., Ltd.  
 434. Tianjin Xingyuda Steel Pipe Co., Ltd.  
 435. Tianjin Zhongshun Industry Trade Co., Ltd.  
 436. Tianjin ZhongShun Petroleum Steel Pipe Co., Ltd.  
 437. Tianjing Boyu Steel Tube Co., Ltd.  
 438. Tieling Yida Petroleum Machinery Manufacture Co., Ltd.  
 439. TLD International  
 440. Tonghua Iron & Steel Group Panishi Seamless Steel Tube Company Limited  
 441. TPCO Yuantong Pipe and Tube Corporation Limited  
 442. Tuha Petroleum Machinery  
 443. UNI Tube Ltd.  
 444. United Offshore Construction Co., Ltd. CONHW, Zhanjiang  
 445. Uno-steel (Jiangyin) Drilling Products Manufacturing Limited  
 446. Weifang East Pipe Industry Technical Co., Ltd.  
 447. Weifang Weierds Steel Pipe Co., Ltd.  
 448. Westcan Oilfield Supply Ltd.  
 449. WSP Holding Limited  
 450. Wuhan Seamless Oil Steel Tube Co., Ltd.  
 451. Wuhan Wugang Group Hanyang Steel Factory  
 452. Wuxi Baoda Petroleum Special Pipe Manufacture Co., Ltd.  
 453. Wuxi City DongQun Steel Tube Co.  
 454. Wuxi City Jianhong Metal Products Co., Ltd.  
 455. Wuxi DeRui Seamless Steel Pipe Co., Ltd.  
 456. Wuxi Dexin Steel Pipe Co., Ltd.  
 457. Wuxi Dingyuan Precision Cold-Drawn Steel Pipe Co.  
 458. Wuxi Eastsun Petroleum Tubular Manufacturing Co., Ltd.  
 459. Wuxi Endless Petro Geo-Equipment Co., Ltd.  
 460. Wuxi Erquan Special Steel  
 461. Wuxi Fanyong Liquid Presses Tube Company Limited  
 462. Wuxi Fastube Dingyuan Precision Steel Pipe Co., Ltd.  
 463. Wuxi Fastube Industry Co.  
 464. Wuxi Free Petroleum Tubulars Manufacture Co., Ltd.  
 465. Wuxi Gedemei Oil Machinery Equipment Manufacture Co., Ltd.  
 466. Wuxi Horizon Petroleum Special Pipe Manufacture Company Limited  
 467. Wuxi Huaxin Petroleum Machine Co., Ltd.  
 468. Wuxi Huayou Special Steel Co., Ltd.  
 469. Wuxi Huazin Petroleum Machine Company Limited  
 470. Wuxi Hui Long Wufeng Steel Tube Limited Company  
 471. Wuxi Jiangan High Precision Pipe Co., Ltd.  
 472. Wuxi Jinding Oil Pipe Fittings Co., Ltd.  
 473. WuXi OuLong Special Steel Pipe Co., Ltd.  
 474. Wuxi Precese Special Steel Co., Ltd.  
 475. Wuxi Ruiyuan Special Steel Pipe Company Limited  
 476. Wuxi Runfeng Special Pipe Co., Ltd.  
 477. Wuxi Seamless Oil Pipe Co., Ltd.  
 478. Wuxi SP Steel Tube Manufacturing Co. Ltd.  
 479. Wuxi Special Steel Material Co., Ltd.  
 480. Wuxi Sunshine Textile Science and Technology Co., Ltd.  
 481. Wuxi Xijin Petroleum Equipment Fittings Manufacturing Co. Ltd.  
 482. Wuxi Xingya Seamless Steel Tube  
 483. Wuxi Zhen Dong Steel Pipe Works  
 484. Wuxi Zhenda Special Steel Tube Manufacturing Co., Ltd. and Wu Xi Zhen Da Special Steel Tube Manufacturing Co., Ltd.  
 485. X'ian Hangwei Petrochemical Equipment Co., Ltd.  
 486. Xi'an Changqing Tianhe Petroleum Machinery Co., Ltd.  
 487. Xigang Seamless Steel Tube Co., Ltd.  
 488. XiNing Special Steel Co., Ltd.  
 489. Xinjiang Petro Administration Bureau Machinery Manufacture General Company  
 490. Xinjiang Ster Petroleum Tubes and Pipes Manufacturing Co., Ltd.  
 491. Xinjiang Younaite Petroleum Steel Tube Co., Ltd.  
 492. Xinxiang Central Plain Petroleum and Chemical Machine Manufacturing Co., Ltd.  
 493. Xinxing Ductile Iron Pipes Co., Ltd.  
 494. Xinyuantai Steel Pipe Group Co., Ltd.  
 495. Xuzhou E&R Petroleum Equipment Co., Ltd.  
 496. Xuzhou Guanghuan Steel Tube (Group) Co., Ltd.  
 497. Xuzhou Guanghuan Steel Tube Co., Ltd.  
 498. Xuzhou Oilfield Equipment Co., Ltd.  
 499. Xuzhou Taifeng Oilwell Products Co., Ltd.  
 500. Yan'an JiaSheng Petroleum Machinery Co., Ltd.  
 501. Yan'an Shoushan Mechanical and Production Engineering Technology Co., Ltd.  
 502. Yancheng Steel Tube Co., Ltd.  
 503. Yancheng Teda Special Pipe Co., Ltd.  
 504. Yangxin Universal Electromechanical Equipment Co., Ltd.  
 505. Yangzhou BaoRuiDe Petroleum Machinery Co., Ltd.  
 506. Yangzhou Chengde Steel Tube Co., Ltd..  
 507. Yangzhou Chicheng Petroleum Machinery Co., Ltd.  
 508. Yangzhou Lontrin Steel Tube Co., Ltd.  
 509. Yangzhou Sinopetro Superbskill Machine Co., Ltd.  
 510. Yantai KIYOFO Seamless Steel Pipe Company Limited  
 511. Yantai Steel Pipe Co., Ltd. of Laiwu Iron & Steel Group  
 512. Yantai Yuanhua Steel Tubes Company Limited  
 513. Yieh Corporation  
 514. YingKou OuYang Metal Manufacturing Co., Ltd.  
 515. Zhangjiagang HengFeng Oil Pipe & Part Co., Ltd.  
 516. ZhangJiaGang ZhongYuan Pipe-Making Co.  
 517. Zhangjiakou Haite Steel Pipe Co., Ltd.  
 518. Zhangzhou Stronghold Steel Works Co., Ltd.  
 519. Zhejiang Guobang Steel Co., Ltd.  
 520. Zhejiang Jianli Co., Ltd.  
 521. Zhejiang JiuLi Hi-Tech Metals Co., Ltd.  
 522. Zhejiang Kingland Pipe Industry Co., Ltd.  
 523. Zhejiang Minghe Steel Pipe Co., Ltd.  
 524. Zhejiang Seamless Steel Tube Co., Ltd. and Zhejiang Gross Seamless Steel Tube Co. Ltd.  
 525. Zhongshi Special Steel Tubes Co., Ltd.  
 526. Zhongyuan Pipeline Manufacturing Co., Ltd.  
 527. Zibo Hongyang Petroleum Equipment Co., Ltd.  
 528. Zibo Pipe Manufacturing  
 529. ZYZJ Petroleum Equipment Co., Ltd.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-998]

#### 1,1,1,2-Tetrafluoroethane From the People's Republic of China: Initiation of Antidumping Duty Investigation

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

**DATES:** *Effective Date:* December 9, 2013.

**FOR FURTHER INFORMATION CONTACT:** Frances Veith or Joshua Startup at (202) 482-4295, (202) 482-5260, respectively, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

## The Petition

On October 22, 2013, the Department of Commerce (“Department”) received an antidumping duty (“AD”) petition concerning imports of 1,1,1,2-Tetrafluoroethane (“tetrafluoroethane”) from the People’s Republic of China (“PRC”) filed in proper form on behalf of Mexichem Fluor, Inc. (“Petitioner”).<sup>1</sup> Petitioner is a domestic producer of tetrafluoroethane. On October 25 and November 6, 2013, the Department requested additional information and clarification of certain areas of the Petition, and on October 29 and November 8, 2013, respectively, Petitioner filed a response to each request.<sup>2</sup> On November 7, 2013, Petitioner filed a response to the Department’s November 6, 2013, request for additional information and clarification of the scope of the Petition.<sup>3</sup>

In accordance with section 732(b) of the Tariff Act of 1930, as amended (“the Act”), Petitioner alleges that imports of tetrafluoroethane from the PRC are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to Petitioner in support of its allegations.

The Department finds that Petitioner filed this Petition on behalf of the domestic industry because Petitioner is an interested party as defined in section 771(9)(C) of the Act. The Department also finds that Petitioner has demonstrated sufficient industry support with respect to the initiation of the AD investigation that Petitioner is requesting.<sup>4</sup>

<sup>1</sup> See “Petition for the Imposition of Antidumping Duties on Imports of 1,1,1,2-Tetrafluoroethane from the People’s Republic of China,” dated October 22, 2013 (“Petition”).

<sup>2</sup> See Petitioner’s October 29, 2013, filing titled, “1,1,1,2-Tetrafluoroethane from the People’s Republic of China: Response to Antidumping Supplemental Questionnaire,” (“AD Supplement to the Petition”); see also Petitioner’s October 29, 2013, filing titled, “1,1,1,2-Tetrafluoroethane from the People’s Republic of China: Response to General Issues Supplemental Questionnaire,” (“General Issues Supplement”), and Petitioner’s November 8, 2013, filing, titled “1,1,1,2-Tetrafluoroethane from the People’s Republic of China: Response to Second Antidumping Supplemental Questionnaire.”

<sup>3</sup> See Petitioner’s November 7, 2013, filing titled, “1,1,1,2-Tetrafluoroethane from the People’s Republic of China: Response to Scope Questionnaire.”

<sup>4</sup> See the “Determination of Industry Support for the Petitions” section, below.

## Period of Investigation

Pursuant to 19 CFR 351.204(b)(1), because the Petition was filed on October 22, 2013, the period of investigation (“POI”) is April 1, 2013, through September 30, 2013.<sup>5</sup>

## Scope of the Investigation

The product covered by this investigation is tetrafluoroethane from the PRC.<sup>6</sup>

## Comments on the Scope of the Investigation

During our review of the Petition, we discussed the scope with Petitioner to ensure that it is an accurate reflection of the product for which the domestic industry is seeking relief. Moreover, as discussed in the preamble to the regulations,<sup>7</sup> we are setting aside a period for interested parties to raise issues regarding product coverage. The Department encourages all interested parties to submit such comments by December 23, 2013, 5:00 p.m. Eastern Time.<sup>8</sup> All comments must be filed on the record of the AD investigation, as well as the concurrent PRC countervailing duty (“CVD”) investigation. The period of scope comments is intended to provide the Department with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determinations.

## Comments on the Product Characteristics for Antidumping Duty Questionnaire

The Department requests comments from interested parties regarding the appropriate physical characteristics of tetrafluoroethane to be reported in response to the Department’s AD questionnaire. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant factors and costs of production accurately, as well as to develop appropriate product-comparison criteria.

Interested parties may provide any information or comments that they feel

<sup>5</sup> See 19 CFR 351.204(b)(1).

<sup>6</sup> See Appendix I of this notice for a full description of the scope of this investigation.

<sup>7</sup> See *Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

<sup>8</sup> Scope comments are typically due 20 calendar days from the signature date of this notice, which in this case falls on a Sunday. Department practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See Notice of Clarification: *Application of “Next Business Day” Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533, 24533 (May 10, 2005).

are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) General product characteristics and (2) product-comparison criteria. We note that it is not always appropriate to use all product characteristics as product-comparison criteria. We base product-comparison criteria on meaningful commercial differences among products. In other words, while there may be some physical product characteristics utilized by manufacturers to describe tetrafluoroethane, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, the Department attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaire, we must receive comments on product characteristics by December 23, 2013. Rebuttal comments must be received by December 30, 2013. All comments and submissions to the Department must be filed electronically using Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS).

## Filing Requirements

All submissions to the Department must be filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by 5:00 p.m. on the due date.<sup>9</sup> Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with Enforcement and Compliance’s APO/Dockets Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the deadline noted above.

## Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the

<sup>9</sup> 19 CFR 351.303(b)(1).

domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the industry.

Section 771(4)(A) of the Act defines the “industry” as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (“ITC”), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product,<sup>10</sup> they do so for different purposes and pursuant to a separate and distinct authority. In addition, the Department’s determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>11</sup>

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (i.e., the class or kind of merchandise to be investigated, which normally will be the scope as defined in the Petition).

With regard to the domestic like product, Petitioner does not offer a definition of domestic like product distinct from the scope of the investigation. Based on our analysis of

the information submitted on the record, we have determined that tetrafluoroethane, as defined in the scope of the investigation, constitutes a single domestic like product and we have analyzed industry support in terms of that domestic like product.<sup>12</sup>

On November 1, 2013, the Department extended the initiation deadline by 20 days to poll the domestic industry in accordance with section 732(c)(4)(D) of the Act, because it was “not clear from the Petitions whether the industry support criteria have been met . . . .”<sup>13</sup>

On November 7, 2013, we issued polling questionnaires to all known producers of tetrafluoroethane identified in the Petition and by the ITC. We requested that each company complete the polling questionnaire and certify its response by the due date specified in the cover letter to the questionnaire.<sup>14</sup> The questionnaire stated that, if a company did not take a position with respect to the Petition (either support, oppose, or no opinion), we would presume the company has no opinion.

Our analysis of the data received in the polling questionnaire responses indicates that the domestic producers of tetrafluoroethane which support the Petition account for at least 25 percent of the total production of the domestic like product and more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.<sup>15</sup> Accordingly, the Department determines that the industry support requirements of section 732(c)(4)(A) of the Act have been met. Therefore, the Department determines that Petitioner filed this Petition on behalf of the domestic industry because it is an interested party as defined in section 771(9)(C) of the Act and it has demonstrated sufficient industry

support with respect to the AD investigation that it is requesting the Department initiate.<sup>16</sup>

### Allegations and Evidence of Material Injury and Causation

Petitioner alleges that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at less than normal value (“NV”). In addition, Petitioner alleges that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>17</sup>

Petitioner contends that the industry’s injured condition is illustrated by reduced market share; underselling and price depression or suppression; lost sales and revenues; decline in U.S. sales; and decline in financial performance.<sup>18</sup> We have assessed the allegations and supporting evidence regarding material injury, threat of material injury, and causation, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.<sup>19</sup>

### Allegation of Sales at Less Than Fair Value

The following is a description of the allegation of sales at less than fair value upon which the Department has based its decision to initiate investigations of imports of tetrafluoroethane from the PRC. The sources of data for the deductions and adjustments relating to U.S. price and NV are discussed in greater detail in the AD Initiation Checklist.

### Export Price

Petitioner calculated export price (“EP”) based on one price quote for Chinese tetrafluoroethane provided by a domestic distributor of PRC chemical products, as identified in affidavits regarding U.S. price.<sup>20</sup> Based on the price quote’s delivery terms, Petitioner deducted from this price the charges and expenses associated with exporting and delivering the product to the U.S.

<sup>16</sup> *Id.*

<sup>17</sup> See General Issues Supplement at 5–6 and Exhibit 5.

<sup>18</sup> See Volume I of the Petition, at 4–13 and Exhibits I–5 and I–8 through I–10; see also General Issues Supplement, at 5–6 and Exhibits 4 and 5.

<sup>19</sup> See AD Initiation Checklist, at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Petitions Covering 1,1,1,2-Tetrafluoroethane from the People’s Republic of China.

<sup>20</sup> See AD Initiation Checklist at 6; see also Volume II of the Petition, at 4 and Exhibit II–7; see also AD Supplement to the Petition, at 2–3 and Exhibit 5.

<sup>12</sup> See Antidumping Duty Investigation Initiation Checklist: 1,1,1,2-Tetrafluoroethane from the People’s Republic of China (“AD Initiation Checklist”) at Attachment II, Analysis of Industry Support for the Petitions Covering 1,1,1,2-Tetrafluoroethane from the People’s Republic of China (“Attachment II”). This checklist is dated concurrently with this notice and on file electronically via IA ACCESS. Access to documents filed via IA ACCESS is also available in the Central Records Unit (“CRU”), Room 7046 of the main Department of Commerce building.

<sup>13</sup> See *Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping Duty and Countervailing Duty Petitions: 1,1,1,2-Tetrafluoroethane From the People’s Republic of China*, 78 FR 66894, 66895 (November 7, 2013).

<sup>14</sup> For a detailed discussion of the responses received, see AD Initiation Checklist at Attachment II. The polling questionnaire and questionnaire responses are on file electronically via IA ACCESS and can also be accessed through the CRU.

<sup>15</sup> See AD Initiation Checklist at Attachment II.

<sup>10</sup> See section 771(10) of the Act.

<sup>11</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff’d* 865 F.2d 240 (Fed. Cir. 1989)).

customer (e.g., insurance and freight, U.S. duty and U.S inland freight).<sup>21</sup> Petitioner made no other adjustments.<sup>22</sup>

### Normal Value

Petitioner claims that the PRC is a non-market economy (“NME”) country, and that this designation remains in effect as of the date of this Petition.<sup>23</sup> The presumption of NME status for the PRC has not been revoked by the Department and, therefore, in accordance with section 771(18)(C)(i) of the Act, remains in effect for purposes of the initiation of this investigation. Accordingly, the NV of the product for the investigation is appropriately based on factors of production valued in a surrogate market-economy country in accordance with section 773(c) of the Act. In the course of this investigation, all parties will have the opportunity to provide relevant information related to the issues of the PRC’s NME status and granting of separate rates to individual exporters.

Petitioner contends that Thailand is the appropriate surrogate country for the PRC because: (1) It is at a level of economic development comparable to that of the PRC, (2) it is a significant producer of comparable merchandise relative to the tetrafluoroethane that is the subject of the petition, and (3) the data available from Thailand for valuing factors of production are available and reliable.<sup>24</sup> Based on the information provided by Petitioner, we conclude that it is appropriate to use Thailand as a surrogate country for initiation purposes.<sup>25</sup> After initiation of this investigation, interested parties will have the opportunity to submit comments regarding surrogate country selection and, pursuant to 19 CFR 351.301(c)(3)(i), will be provided an opportunity to submit publicly available information to value factors of production (FOPs) within 30 days before the scheduled date of the preliminary determination.<sup>26</sup>

Petitioner calculated NV using the Department’s NME methodology as required by 19 CFR 351.202(b)(7)(i)(C) and 19 CFR 351.408. In calculating NV, Petitioner based the quantity of each of the inputs used to manufacture the subject merchandise on its own consumption experience which, Petitioner contends, to the best of its

knowledge, is similar to the consumption of PRC producers.<sup>27</sup>

Petitioner valued the factors of production using reasonably available, public surrogate country data, specifically, Thai import data from the Global Trade Atlas (“GTA”) for the period February through July 2013, the most recent six-month period for which data were available.<sup>28</sup> Petitioner excluded all import values from countries previously determined by the Department to maintain broadly available, non-industry-specific export subsidies and from countries previously determined by the Department to be NME countries. Further, Petitioner made currency conversions, where applicable, based on the POI-average Thai Baht/U.S. dollar exchange rates.<sup>29</sup> The Department determines that the surrogate values used by Petitioner are reasonably available and, thus, are acceptable for purposes of initiation.

Petitioner determined direct materials costs from Thai import data from the GTA.<sup>30</sup> Petitioner applied certain conversion factors to align the units of measure with its own factors of production.<sup>31</sup> Petitioner calculated financial ratios (i.e., factory overhead expenses, selling, general, and administrative (“SG&A”) expenses, and profit) based on the most recent audited financial statements of Thai Central Chemical Public Company Limited, a Thai manufacturer of comparable merchandise (i.e., chemical fertilizers).<sup>32</sup>

### Fair Value Comparisons

Based on the data provided by Petitioner, there is reason to believe that imports of tetrafluoroethane from the PRC are being, or are likely to be, sold in the United States at less than fair value. Based on comparisons of EP to NV in accordance with section 773(c) of the Act, Petitioner calculated the estimated dumping margin to be 198.52 percent with respect to imports of tetrafluoroethane from the PRC.<sup>33</sup>

### Initiation of Antidumping Duty Investigation

Based on our examination of the Petition on tetrafluoroethane from the PRC, the Department finds that the

petition meets the requirements of section 732 of the Act. Therefore, we are initiating an AD investigation to determine whether imports of tetrafluoroethane from the PRC are being, or likely to be, sold in the United States at less than fair value. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will issue our preliminary determination no later than 140 days after the publication date of this initiation.

### Respondent Selection and Quantity and Value Questionnaire

In accordance with our standard practice for respondent selection in AD investigations involving NME countries, we intend to issue quantity and value questionnaires to each potential respondent, and will base respondent selection on the responses received. In addition, the Department will post the quantity and value questionnaire along with the filing instructions on the Enforcement and Compliance Web site (<http://www.trade.gov/enforcement/news.asp>). Exporters and producers of tetrafluoroethane from the PRC that do not receive quantity and value questionnaires via mail may still submit a quantity and value response, and can obtain a copy from the Enforcement and Compliance Web site. The quantity and value questionnaire must be submitted by all PRC exporters/producers by no later than December 16, 2013. All quantity and value questionnaires must be filed electronically using IA ACCESS.

### Separate Rates

In order to obtain separate rate status in an NME AD investigation, exporters and producers must submit a separate rate application.<sup>34</sup> The specific requirements for submitting the separate rate application in the PRC investigation are outlined in detail in the application itself, which will be available on the Department’s Web site at <http://trade.gov/enforcement/ia-highlights-and-news.html> on the date of publication of this initiation notice in the **Federal Register**. The separate rate application will be due 60 days after the publication of this initiation notice. For exporters and producers who submit a separate rate status application and have been selected as mandatory respondents, these exporters and producers will not longer be eligible for

<sup>27</sup> See Volume II of the Petition at 2 and Exhibits II-2 and II-6.

<sup>28</sup> See Volume II of the Petition at 3 and Exhibit II-3.

<sup>29</sup> See Volume II of the Petition at Exhibit II-4; see also AD Supplement to the Petition at 4-5 and Exhibit 2.

<sup>30</sup> See Volume II of the Petition at Exhibit II-3.

<sup>31</sup> *Id.* at Exhibit II-2.

<sup>32</sup> See AD Supplement to Petition at 5.

<sup>33</sup> *Id.* at Exhibit 6, AD Margin.

<sup>34</sup> See Policy Bulletin 05.1: Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation Involving Non-Market Economy Countries (April 5, 2005) (Separate Rates and Combination Rates Bulletin), available on the Department’s Web site at <http://enforcement.trade.gov/policy/>.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> See Volume II of the Petition at 1-2.

<sup>24</sup> *Id.* at 1-3 and Exhibits II-3 through and II-6.

<sup>25</sup> See AD Initiation Checklist.

<sup>26</sup> See 19 CFR 351.301(c)(3)(i). Note that this is the revised regulation published on April 10, 2013. See <http://www.gpo.gov/fdsys/pkg/CFR-2013-title19-vol3/html/CFR-2013-title19-vol3.htm>.

consideration for separate rate status unless they respond to all parts of the Department's AD questionnaire as mandatory respondents. The Department requires that the PRC respondents submit a response to the separate rate application by the deadline referenced above in order to receive consideration for separate rate status.

#### Use of Combination Rates

The Department will calculate combination rates for certain respondents that are eligible for a separate rate in an NME investigation. The Separate Rates and Combination Rates Bulletin states:

{w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that the Department will now assign in its NME investigations will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the weighted-average of the individually calculated rates. This practice is referred to as the application of "combination rates" because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question and produced by a firm that supplied the exporter during the period of investigation.<sup>35</sup>

#### Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, and 19 CFR 351.202(f), copies of the public version of the Petition have been provided to the Government of the PRC via IA ACCESS. Because of the particularly large number of producers/exporters identified in the Petition, the Department considers the service of the public version of the Petition to the foreign producers/exporters to be satisfied by the provision of the public versions of the Petition to the Government of the PRC, consistent with 19 CFR 351.203(c)(2).

#### International Trade Commission Notification

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

#### Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is

a reasonable indication that imports of tetrafluoroethane from the PRC are materially injuring, or threatening material injury to, a U.S. industry.<sup>36</sup> A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

#### Submission of Factual Information

On April 10, 2013, the Department published *Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule*, 78 FR 21246 (April 10, 2013), which modified two regulations related to AD and CVD proceedings: (1) The definition of factual information (19 CFR 351.102(b)(21)), and (2) the time limits for the submission of factual information (19 CFR 351.301). The final rule identifies five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The final rule requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The final rule also modified 19 CFR 351.301 so that, rather than providing general time limits, there are specific time limits based on the type of factual information being submitted. These modifications are effective for all proceeding segments initiated on or after May 10, 2013, and thus are applicable to this investigation. Please review the final rule, available at <http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt>, prior to submitting factual information for this investigation.

#### Revised Extension of Time Limits Regulation

On September 20, 2013, the Department modified its regulation concerning the extension of time limits for submissions in AD and CVD proceedings. The modification clarifies

that parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) Case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual information to value factors under section 19 CFR 351.408(c), or to measure the adequacy of remuneration under section 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning CBP data; and (5) quantity and value questionnaires. Under certain circumstances, the Department may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, the Department will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. This modification also requires that an extension request must be made in a separate, stand-alone submission, and clarifies the circumstances under which the Department will grant untimely-filed requests for the extension of time limits. These modifications are effective for all segments initiated on or after October 21, 2013. Review *Extension of Time Limits; Final Rule*, available at <http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>, prior to submitting factual information in this segment.

#### Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.<sup>37</sup> Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all AD or CVD investigations or proceedings initiated on or after August 16, 2013,

<sup>35</sup> See Separate Rates and Combination Rates Bulletin at 6 (emphasis added).

<sup>36</sup> See section 733(a) of the Act.

<sup>37</sup> See section 782(b) of the Act.

including this investigation.<sup>38</sup> The formats for the revised certifications are provided at the end of the *Final Rule*. The Department intends to reject factual submissions if the submitting party does not comply with the revised certification requirements.

#### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures*, 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (e.g., the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: December 2, 2013.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The product subject to this investigation is 1,1,1,2-Tetrafluoroethane, R-134a, or its chemical equivalent, regardless of form, type, or purity level. The chemical formula for 1,1,1,2-tetrafluoroethane is CF<sub>3</sub>-CH<sub>2</sub>F, and the Chemical Abstracts Service ("CAS") registry number is CAS 811-97-2.

1,1,1,2-Tetrafluoroethane is sold under a number of trade names including Klea 134a and Zephex 134a (Mexichem Fluor); Genetron 134a (Honeywell); Suva 134a, Dymel 134a, and Dymel P134a (DuPont); Solkane 134a (Solvay); and Forane 134a (Arkema). Generically, 1,1,1,2-tetrafluoroethane has been sold as Fluorocarbon 134a, R-134a, HFC-134a, HF A-134a, Refrigerant 134a, and UN3159.

Merchandise covered by the scope of this investigation is currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 2903.39.2020. Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-836]

#### Glycine From the People's Republic of China: Final Rescission of Antidumping Duty New Shipper Review; 2012

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

**SUMMARY:** On August 23, 2013, the Department of Commerce (the Department) published its *Preliminary Rescission* for the new shipper review of the antidumping duty order on glycine from the People's Republic of China (PRC) covering the period of review March 1, 2012, through August 31, 2012, for Hebei Donghua Jiheng Fine Chemical Company, Ltd. (Donghua Fine Chemical).<sup>1</sup> For these final results, we continue to find that, because Donghua Fine Chemical appears to be affiliated with PRC-companies that have had prior shipments of subject merchandise to the United States, it has therefore failed to certify to its first U.S. entry, U.S. shipment, and U.S. sale, as required under 19 CFR 351.214(b)(2)(iv)(A) and (C). We also continue to find that Donghua Fine Chemical failed to report its first U.S. entry and/or U.S. shipment within one year of its request for a new shipper review, thus failing to satisfy the deadline requirements of 19 CFR 351.214(c). Because Donghua Fine Chemical's request did not satisfy the regulatory requirements for a new shipper review, we are rescinding the new shipper for Donghua Fine Chemical.

**DATES:** *Effective Date:* December 9, 2013.

**FOR FURTHER INFORMATION CONTACT:** Brian Davis or Angelica Mendoza, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-7924 or (202) 482-3019, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Period of Review

The new shipper review covers Hebei Donghua Jiheng Fine Chemical Company, Ltd. (Donghua Fine Chemical) for the period of review March 1, 2012, through August 31, 2012.

#### Scope of the Order

The product covered by the antidumping duty order is glycine, which is a free-flowing crystalline material, like salt or sugar. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2922.49.4020. The HTSUS subheading is provided for convenience and customs purposes only; the written product description of the scope of the order is dispositive.<sup>2</sup>

#### Tolling Deadlines

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, we have exercised our discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. Therefore, all deadlines in this segment of the proceeding have been extended by 16 days. If the new deadline falls on a non-business day, in accordance with the Department's practice, the deadline will become the next business day. Accordingly, the revised deadline for the final results of this review is now December 2, 2013.<sup>3</sup>

#### Methodology

We have conducted this new shipper review in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214. For a full description of the methodology underlying our conclusions, please see Final Decision Memorandum and Proprietary Analysis Memorandum,<sup>4</sup> both dated concurrently with, and hereby adopted by, this notice.

<sup>2</sup> See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, regarding, "Issues and Decision Memorandum for the Final Rescission of the Antidumping Duty New Shipper Reviews of Glycine from the People's Republic of China" (Final Decision Memorandum), dated concurrently with these results and hereby adopted by this notice, for a complete description of the scope of the order; see also *Antidumping Duty Order: Glycine From the People's Republic of China*, 60 FR 16116 (March 29, 1995).

<sup>3</sup> See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013).

<sup>4</sup> See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, regarding "Proprietary Analysis Memorandum for the Final Rescission of the Antidumping Duty New Shipper Review of Glycine from the People's Republic of China" (Proprietary Analysis Memorandum) dated concurrently with these results and hereby adopted by this notice, as much of the discussion is proprietary in nature.

<sup>38</sup> See *Certifications of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) ("Final Rule").

<sup>1</sup> See *Glycine from the People's Republic of China: Preliminary Rescission of Antidumping Duty New Shipper Review; 2012*, 78 FR 52501 (August 23, 2013) (*Preliminary Rescission*).