

### Treatment of Baosteel and Shanghai Pudong

In the *Preliminary Results*, because we did not have adequate no shipment claims for Baosteel or Shanghai Pudong, we determined that record evidence did not demonstrate that these companies had no exports, sales or entries of subject merchandise during the POR. We also determined in the *Preliminary Results* that because neither Baosteel nor Shanghai Pudong filed separate rate applications or certifications with the Department, neither entity established its eligibility for separate rate status; therefore, we treated both Baosteel and Shanghai Pudong as part of the PRC-wide entity. As stated above, we did not receive any comments on our *Preliminary Results*. In these final results, we continue to determine that Baosteel and Shanghai Pudong did not establish their eligibility for separate rate status and, thus, are part of the PRC-wide entity.

### Assessment

The Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.<sup>5</sup> The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review. The Department intends to instruct CBP to liquidate entries of subject merchandise from Baosteel and Shanghai Pudong at the PRC-wide rate of 128.59 percent. Additionally, consistent with the Department's assessment practice refinement in NME cases, because the Department determined that Hunan Valin had no reviewable transactions of subject merchandise during the POR, any suspended entries that entered under Hunan Valin's antidumping duty case number (*i.e.*, at that exporter's rate) will be liquidated at the PRC-wide rate.<sup>6</sup>

### 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the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For Hunan Valin, which claimed no shipments, the cash deposit rate will remain unchanged from the rate assigned to this company in the most recently completed review of the company; (2) for previously investigated or reviewed PRC and non-PRC exporters which are not under

review in this segment of the proceeding but which 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 that have not been found to be entitled to a separate rate, including Baosteel and Shanghai Pudong, the cash deposit rate will be the PRC-wide rate of 128.59 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 exporter(s) that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers Regarding the Reimbursement of Duties

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 POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

### Administrative Protective Order

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) of the Act.

Dated: December 6, 2013.

### Paul Piquado,

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-886]

### Polyethylene Retail Carrier Bags From the People's Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping Duty Order

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

**SUMMARY:** The Department of Commerce (the Department) preliminarily determines that imports of unfinished polyethylene retail carrier bags (PRCBs) from the People's Republic of China (PRC) are circumventing the antidumping duty order on PRCBs from the PRC.<sup>1</sup>

**DATES:** *Effective Date:* December 17, 2013.

### FOR FURTHER INFORMATION CONTACT:

Thomas Schauer or Minoo Hatten, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0410, and (202)482-1690, respectively.

### SUPPLEMENTARY INFORMATION:

#### Scope of the Antidumping Duty Order

The merchandise covered by the *Order* is PRCBs. PRCBs subject to the order are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 3923.21.0085. The HTSUS subheading is provided for convenience and customs purposes. A full description of the scope of the *Order* is contained in the memorandum from Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Preliminary Analysis Memorandum for the Circumvention Inquiry of the Antidumping Duty Order on Polyethylene Retail Carrier Bags from the People's Republic of China" dated concurrently with this notice (Preliminary Decision Memorandum), which is hereby adopted by this notice. The written description is dispositive. The Preliminary Decision Memorandum is a public document and is on file electronically via the Antidumping and Countervailing Duty Centralized

<sup>1</sup> See *Antidumping Duty Order: Polyethylene Retail Carrier Bags From the People's Republic of China*, 69 FR 48201 (August 9, 2004) (*Order*).

<sup>5</sup> See 19 CFR 351.212(b)(1).

<sup>6</sup> See *Assessment Practice Refinement*.

Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://www.trade.gov/enforcement/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

### Scope of the Circumvention Inquiry

This anticircumvention inquiry covers merchandise from the PRC that appears to be an unfinished PRCB which is sealed on all four sides, cut to length, and which appears ready to undergo the final step in the production process, *i.e.*, to use a die press to stamp out the opening and create the handles of a finished PRCB. The unfinished PRCBs subject to this inquiry may or may not have printing and may be of different dimensions as long as they otherwise meet the description of the scope of the order.

### Methodology

The Department has made this preliminary finding of circumvention in accordance with section 781(a) of the Tariff Act of 1930, as amended (Act) and 19 CFR 351.225(g). We have relied on the facts available with respect to certain aspects of our determination in accordance with section 776 of the Act because, apart from the petitioners, no parties came forward or submitted argument or information. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

### Preliminary Determination

As detailed in the Preliminary Decision Memorandum, we preliminarily determine, pursuant to section 781(a) of the Act, that imports of unfinished PRCBs from the PRC are circumventing the *Order*.

### Suspension of Liquidation

In accordance with 19 CFR 351.225(l)(2), we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of merchandise subject to this inquiry that is entered, or withdrawn from warehouse, for consumption on or after May 14, 2013, the date of publication of the initiation of this inquiry.<sup>2</sup> We will

also instruct CBP to require a cash deposit of estimated duties at the applicable rates for each unliquidated entry of the product entered, or withdrawn from warehouse, for consumption on or after May 14, 2013, in accordance with 19 CFR 351.225(l)(2).

### Invitation to Interested Parties To Participate

No responding interested party such as a foreign exporter or producer or U.S. importer has, to date, responded to the invitation stated in the *Initiation Notice* to participate in this anticircumvention inquiry.<sup>3</sup> In the interest of affording every possible opportunity to interested parties to participate, the Department continues to invite all interested parties to identify themselves and to provide information and argument that may inform the Department's determination. Any such interested party should enter an appearance pursuant to 19 CFR 351.103(d)(1) indicating their willingness to participate in this proceeding. Because of the relatively late stage of this proceeding, we require that any interested party submit its entry of appearance no later than 45 days after the date of publication of this notice.

### Public Comment

Pursuant to 19 CFR 351.309(c) and (d), interested parties may submit case and rebuttal briefs. As described in the "Invitation to Interested Parties to Participate" section, above, we are reiterating our solicitation to interested parties to participate in this anticircumvention inquiry. If any interested parties come forward within 45 days after the date of publication of this notice, we will issue the briefing schedule and requirements for requesting a hearing at a later date.

If no interested party comes forward within 45 days after the date of publication of this notice, then case briefs will be due not later than 50 days after the date of publication of this notice. Pursuant to 19 CFR 351.309(d), rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs. Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument:

(1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Additionally, if no interested party comes forward within 45 days after the date of publication of this notice, then pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically *via* IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Standard Time within 50 days after the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. We intend to issue our final determination of circumvention by March 3, 2014.

### Notification of the International Trade Commission

Pursuant to section 781(e) of the Act, we will notify the International Trade Commission of the proposed inclusion of unfinished PRCBs in the *Order*.

This preliminary determination of circumvention is in accordance with section 781(a) of the Act and 19 CFR 351.225.

Dated: December 11, 2013.

### Paul Piquado,

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Preliminary Decision Memorandum

1. Background
2. Scope of the Order
4. Merchandise Subject to the Minor Alterations Antidumping Circumvention Inquiry
5. Statutory and Regulatory Framework
6. Allegations of Circumvention as Identified in the Initiation of Inquiry
7. Facts Available
8. Analysis
  - A. Merchandise of the Same Class or Kind
  - B. Completion of Merchandise in the United States
  - C. Minor or Insignificant Process
  - D. Value of the Parts or Components Produced in the Foreign Country Is a Significant Portion of the Total Value of the Merchandise
  - E. Factors To Consider in Determining Whether Action Is Necessary
    - Pattern of Trade, Including Sourcing Patterns
    - Affiliation
    - Subsequent Import Volume

<sup>2</sup> See *Polyethylene Retail Carrier Bags From the People's Republic of China: Initiation of Anticircumvention Inquiry on Antidumping Duty*

*Order*, 78 FR 28194 (May 14, 2013) (*Initiation Notice*).

<sup>3</sup> *Id.*

## 9. Preliminary Findings

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**DEPARTMENT OF COMMERCE****International Trade Administration****Secretarial Infrastructure Business Development Mission to the United Arab Emirates, the Kingdom of Saudi Arabia and Qatar**

March 8-14, 2014.

**AGENCY:** International Trade Administration, Department of Commerce.**ACTION:** Notice.**Mission Description**

The United States Secretary of Commerce will lead an Infrastructure Business Development Mission to the United Arab Emirates, the Kingdom of Saudi Arabia and Qatar from March 8-14, 2014. This business development mission will promote U.S. exports to the Gulf region by helping U.S. companies launch or increase their business in the infrastructure sector. The mission will include government and business-to-business meetings, market briefings and networking events. In all three countries, the governments and private sector are investing significant money in infrastructure projects. As a result, the mission will focus on export-ready U.S. firms with product and services in a broad range of leading U.S. infrastructure sectors with an emphasis on project management and engineering (including construction, architecture and design), renewable energy (solar, wind, waste-to-energy), smart grid and energy efficiency, and environmental technologies (including water/wastewater; air pollution control; and waste management).

The mission will stop in the United Arab Emirates, the Kingdom of Saudi Arabia and Qatar. In each country, participants will meet with pre-screened potential agents, distributors, and representatives, as well as other business partners and government officials. They will also attend market briefings by U.S. Embassy officials, as well as networking events offering further opportunities to speak with local business and industry decision-makers.

The delegation will be composed of representatives from 20-25 U.S. firms in the mission's target sectors. Representatives of the Export-Import Bank of the United States (Ex-Im) and the Overseas Private Investment Corporation (OPIC) will be invited to participate to provide information and

counseling regarding their suite of programs, services, and interests in the Middle East.

**Commercial Setting***The United Arab Emirates*

The US-UAE trade relationship is undergoing a period of rapid expansion as the UAE seeks to undertake major investment in its infrastructure and transport systems. U.S. exports to the UAE totaled almost \$23 billion in 2012. U.S. exports to the UAE increased by 36% in 2011, 42% in 2012 and are poised to grow an additional 15% in 2013. Key market opportunities for U.S. firms will continue to be present in project management and design work on urban transport, rail, oil&gas, and power generation (including alternative energy). Demand for imports is being fueled by economic growth rates of 3-4%, and bolstered by strong oil revenues as the UAE implements a one-third increase in its petroleum production.

In addition to accounting for virtually all UAE oil production and defense sector acquisitions, the Emirate of Abu Dhabi is also moving forward to develop a \$10 billion urban transit system, a national railroad network and a nuclear energy industry. Dubai continues to expand its role as the major regional trade hub and has begun development of one the world's largest new airport projects. On November 27, 2013, the Emirate won the award to host the 2020 World Expo which will result in the undertaking of major infrastructure and hospitality development.

Specific projects in these sectors include an urban transit project in Abu Dhabi (light rail and below ground subway); development of the Etihad Rail network to link the UAE's major ports and cities; development of Dubai's new Al Maktoum airport and adjacent logistics, commercial, residential and recreational sites; and the anticipated design and construction of over 100 new hotels and multiple venues for the 2020 World Expo with an estimated project value of \$40 billion.

Additionally, there are many major clean energy opportunities for U.S. firms. Dubai plans to develop a 1,000 mw solar energy capacity and Abu Dhabi continues plans to create a nuclear power industry.

*Kingdom of Saudi Arabia*

Saudi Arabia is the 9th largest trading partner of the United States with a bilateral trade of \$74 billion in 2012 and is also the 20th largest destination for U.S. exports. In 2012, U.S. exports to Saudi Arabia exceeded \$18 billion

mark, an increase of 31% from 2011. The Saudi economy—the largest in the Middle East and North Africa region—has been growing at a robust pace. The private sector has been the key driver behind the stronger non-oil sector growth, with an annual growth rate close to 7 percent since 2000. The private sector is expected to continue to be a key driver of non-oil growth. The country has benefited enormously from oil and gas reserves that have generated vast financial liquidity in the six years between 2006 and 2012. As a result, there are currently about \$960 billion worth of projects planned or under way in Saudi Arabia. Of these, more than \$700 billion are megaprojects, or large master planned developments of more than \$1 billion, making Saudi Arabia the biggest opportunity in the region for businesses involved in the infrastructure and construction sectors. The revenues from hydrocarbon resources are expected to be sufficient to support planned development spending and support private sector growth. The FY-2013 budget, the largest in Saudi history, projected spending of \$221 billion.

Significant opportunities exist for U.S. companies interested in Saudi Arabia's construction project management, architectural, engineering and design, and renewable energy sectors. The King Abdullah City for Atomic and Renewable Energy has a stated goal to spend more than \$150 billion to develop renewable energy capabilities, specifically solar, to reduce the country's reliance on burning oil for domestic power generation. The \$22.5 billion Riyadh Metro, along with rail schemes in Mecca, Jeddah, Medina and Dammam, promises to transform transport infrastructure. The King Abdullah and Jizan Economic Cities are in the process of creating new industrial clusters and new communities. The government is committed to continue to spend heavily in the education, health, municipality, transportation and water sectors. Some of the anticipated capital expenditures for 2014 include the construction of new schools, hospitals, and roads across the country. Urbanization and population growth in Saudi Arabia have boosted demand for housing, especially affordable housing. The Saudi Government remains committed to building 500,000 houses over the next five years. Likewise, demand for power generation will continue to climb over the next five years on the back of a rapidly growing population, and resulting high investments in social and physical infrastructure.