

respectively.<sup>1</sup> On September 3, 2013, the Department published the notice of initiation of the first sunset reviews of the AD orders on EMD from Australia and the PRC, pursuant to section 751(c) of the Act.<sup>2</sup> On September 12, 2013, pursuant to 19 CFR 351.218(d)(1), the Department received timely and complete notices of intent to participate in the sunset reviews for both orders from Erachem Comilog, Inc. and Tronox LLC (collectively “Domestic Producers”). On October 2, 2013, pursuant to 19 CFR 351.218(d)(3), Domestic Producers filed a timely and adequate substantive response for both orders. The Department did not receive substantive responses from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted expedited (120-day) sunset reviews of the AD orders on EMD from Australia and the PRC.

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013.<sup>3</sup> Therefore, all deadlines in this segment of the proceeding have been extended by 16 days. The revised deadline for the final results of this sunset review is now January 21, 2014.

### Scope of the Orders

The merchandise covered by these orders includes all manganese dioxide ( $MnO_{2}$ ) that has been manufactured in an electrolysis process, whether in powder, chip, or plate form. Excluded from the scope are natural manganese dioxide (NMD) and chemical manganese dioxide (CMD). The merchandise subject to these orders is classified in the Harmonized Tariff Schedule of the United States (“HTSUS”) at subheading 2820.10.00.00. While the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

<sup>1</sup> See *Electrolytic Manganese Dioxide From the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 73 FR 48195 (August 18, 2008) (“PRC Final Determination”); see also *Notice of Final Determination of Sales at Less Than Fair Value and Termination of Critical-Circumstances Investigation: Electrolytic Manganese Dioxide from Australia*, 73 FR 47586 (August 14, 2008) (“Australia Final Determination”).

<sup>2</sup> See *Initiation of Five-Year (“Sunset”) Review*, 78 FR 54237 (September 3, 2013).

<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).

### Analysis of Comments Received

A complete discussion of all issues raised in these sunset reviews is provided in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice.<sup>4</sup> The issues discussed in the I&D Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the dumping margins likely to prevail if the orders are revoked. The I&D Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (“IA ACCESS”). Access to IA ACCESS is available in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the I&D Memorandum can be accessed at <http://enforcement.trade.gov/frn/>. The signed I&D Memorandum and the electronic versions of the I&D Memorandum are identical in content.

### Final Results of Sunset Reviews

The Department determines that revocation of the AD orders on EMD from Australia and the PRC would be likely to lead to continuation or recurrence of dumping, with the following dumping margins likely to prevail:

Exporter/producer	Weighted-average percentage margin
<b>PRC</b>	
Guizhou Redstar Developing Import & Export Company, Ltd./ Guizhou Redstar Developing Dalong Manganese Industrial Co., Ltd. ....	149.92
PRC–Wide Entity (including Xiangtan Electrochemical Scientific Ltd.) ....	149.92
<b>Australia</b>	
Delta Australia Pty Ltd. ....	83.66
All Others ....	83.66

<sup>4</sup> See “Issues and Decision Memorandum for the Expedited First Sunset Reviews of the Antidumping Duty Orders on Electrolytic Manganese Dioxide from Australia and the People's Republic of China,” from Abdelali Elouaradia, Director, Office IV, Antidumping and Countervailing Duty Operations, to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, dated concurrently with this notice (“I&D Memorandum”).

### Notification Regarding Administrative Protective Orders

This notice also serves as the only reminder to parties subject to administrative protective orders (“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.

We are issuing and publishing the results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: January 16, 2014.

**Christian Marsh,**

*Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Five-Year (“Sunset”) Review

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

**SUMMARY:** In accordance with section 751(c) of the Tariff Act of 1930, as amended (“the Act”), the Department of Commerce (“the Department”) is automatically initiating five-year reviews (“Sunset Reviews”) of the antidumping and countervailing duty (“AD/CVD”) orders listed below. The International Trade Commission (“the Commission”) is publishing concurrently with this notice its notice of *Institution of Five-Year Review* which covers the same orders.

**DATES:** *Effective Date:* February 1, 2014.

**FOR FURTHER INFORMATION CONTACT:** The Department official identified in the *Initiation of Review* section below at AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230. For information from the Commission contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

**SUPPLEMENTARY INFORMATION:**

## Background

The Department's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005).

Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final*

*Modification*, 77 FR 8101 (February 14, 2012).

## Initiation of Review

In accordance with 19 CFR 351.218(c), we are initiating Sunset Reviews of the following antidumping and countervailing duty orders:

DOC Case No.	ITC Case No.	Country	Product	Department contact
A-570-880 .....	731-TA-1020 .....	China .....	Barium Carbonate (2nd Review) .....	Charles Riggle, (202) 482-0650.
A-570-930 .....	731-TA-1144 .....	China .....	Circular Welded Austenitic Stainless Pressure Pipe (1st Review).	Charles Riggle, (202) 482-0650.
C-570-931 .....	701-TA-454 .....	China .....	Circular Welded Austenitic Stainless Pressure Pipe (1st Review).	David Goldberger, (202) 482-4136.
A-570-882 .....	731-TA-1022 .....	China .....	Refined Brown Aluminum Oxide (2nd Review).	David Goldberger, (202) 482-4136.

## Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the pertinent statute and Department's regulations, the Department's schedule for Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on the Department's Web site at the following address: "<http://enforcement.trade.gov/sunset/>". All submissions in these Sunset Reviews must be filed in accordance with the Department's regulations regarding format, translation, and service of documents. These rules, including electronic filing requirements via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS"), can be found at 19 CFR 351.303.<sup>1</sup>

This notice serves as a reminder that any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information.<sup>2</sup> Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all AD/CVD investigations or proceedings initiated on or after August 16, 2013.<sup>3</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.

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 antidumping and countervailing duty proceedings: the definition of factual information (19 CFR 351.102(b)(21), and 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 segments initiated on or after May 10, 2013. Please review the final rule, available at <http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt>, prior to submitting factual information in this

segment. To the extent that other regulations govern the submission of factual information in a segment (such as 19 CFR 351.218), these time limits will continue to be applied.

On September 20, 2013, the Department modified its regulation concerning the extension of time limits for submissions in antidumping and countervailing duty proceedings: *Extension of Time Limits*, 78 FR 57790 (September 20, 2013). The modification clarifies that parties may request an extension of time limits before a time limit established under part 351 of the Department's regulations 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. 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. Please review the final rule, available at <http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>, prior to

<sup>1</sup> See also *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

<sup>2</sup> See section 782(b) of the Act.

<sup>3</sup> See *Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) ("Final Rule") (amending 19 CFR 351.303(g)).

submitting factual information in these segments.

Pursuant to 19 CFR 351.103(d), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Because deadlines in Sunset Reviews can be very short, we urge interested parties to apply for access to proprietary information under administrative protective order (“APO”) immediately following publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The Department’s regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304–306.

#### Information Required From Interested Parties

Domestic interested parties, as defined in section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b), wishing to participate in a Sunset Review must respond not later than 15 days after the date of publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with the Department’s regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review.<sup>4</sup>

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department’s regulations provide that all parties wishing to participate in a Sunset Review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that the Department’s information requirements are distinct from the Commission’s information requirements. Please consult the Department’s regulations for information regarding the Department’s

conduct of Sunset Reviews. Please consult the Department’s regulations at 19 CFR part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: January 24, 2014.

**Christian Marsh,**

*Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Scope Rulings

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

**DATES: Effective Date:** February 3, 2014.

**SUMMARY:** The Department of Commerce (“Department”) hereby publishes a list of scope rulings and anticircumvention determinations made between July 1, 2013, and September 30, 2013. We intend to publish future lists after the close of the next calendar quarter.

#### FOR FURTHER INFORMATION CONTACT:

Brenda E. Waters, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202–482–4735.

#### SUPPLEMENTARY INFORMATION:;

#### Background

The Department’s regulations provide that the Secretary will publish in the **Federal Register** a list of scope rulings on a quarterly basis.<sup>1</sup> Our most recent notification of scope rulings was published on September 27, 2013.<sup>2</sup> This current notice covers all scope rulings and anticircumvention determinations made by Enforcement and Compliance between July 1, 2013, and September 30, 2013, inclusive. As described below, subsequent lists will follow after the close of each calendar quarter.

*Scope Rulings Made Between July 1, 2013, and September 30, 2013*

Italy

*A-475-818 and C-475-819: Certain Pasta From Italy*

Requestor: Valdigrano di Flavio Pagani S.r.L (Valdigrano); Valdigrano’s product made from dough that contains 2.5 percent egg white, by weight, is within the scope of the antidumping and countervailing duty orders because Valigrano’s product contains less than two percent egg white content; July 18, 2013.

*A-475-703: Granular Polytetrafluoroethylene Resin From Italy*

Requestor: Industrial Plastics and Machine, Inc.; certain granular polytetrafluoroethylene resin products that are processed in Italy using raw unfilled granular polytetrafluoroethylene resin from Russia or the People’s Republic of China, and in some cases also processed using glass fiber from Japan, are outside the scope of the antidumping duty order because record evidence indicates that these products do not undergo substantial transformation in Italy; July 17, 2013.

People’s Republic of China

*A-570-967 and C-570-968: Aluminum Extrusions From the People’s Republic of China*

Requestor: Port-A-Cool LLC.; Port-A-Cool’s Cyclone-model-specific louver assemblies are outside the scope of the order because the louvers in question, as imported, each contain all of the components of a louver (including non-aluminum extrusion parts) permanently assembled, completed, and ready for use. Moreover, the louvers are a complementary finished product that work in conjunction with the Cyclone air cooling system to direct airflow, but are not essential to the air cooling system itself; September 9, 2013.

*A-570-967 and C-570-968: Aluminum Extrusions From the People’s Republic of China*

Requestor: Law St. Enterprises, LLC.; its disappearing screens are within the scope of the antidumping and countervailing duty orders because they are composed of covered aluminum extrusions and further do not meet the exclusion for finished goods kits because they do not enter the United States as a packaged combination of parts to fully assemble a disappearing screen; September 12, 2013.

*A-570-909: Certain Steel Nails From the People’s Republic of China*

<sup>4</sup> See 19 CFR 351.218(d)(1)(iii).

<sup>1</sup> See 19 CFR 351.225(o).

<sup>2</sup> See Notice of Scope Rulings, 78 FR 59653 (September 27, 2013).