

Jiangsu Zhongweiyu Communication Equipment Co. Ltd.  
 Jiashan Steelfit Trading Co. Ltd.  
 Jiaxing Brother Standard Part  
 Jiaxing Yaoliang Import & Export Co. Ltd.  
 Jinan Banghe Industry & Trade Co., Ltd.  
 Macropower Industrial Inc.  
 Midas Union Co., Ltd.  
 Nanjing Prosper Import & Export Corporation Ltd.  
 New Pole Power System Co. Ltd.  
 Ningbiao Bolts & Nuts Manufacturing Co.  
 Ningbo Beilun Milfast Metalworks Co. Ltd.  
 Ningbo Dexin Fastener Co. Ltd.  
 Ningbo Dongxin High-Strength Nut Co., Ltd.  
 Ningbo Fastener Factory  
 Ningbo Fengya Imp. And Exp. Co. Ltd.  
 Ningbo Haishu Holy Hardware Import And Export Co. Ltd.  
 Ningbo Haishu Wit Import & Export Co. Ltd.  
 Ningbo Haishu Yixie Import & Export Co. Ltd.  
 Ningbo Jinding Fastening Pieces Co., Ltd.  
 Ningbo Mpf Manufacturing Co. Ltd.  
 Ningbo Panxiang Imp. & Exp. Co. Ltd.  
 Ningbo Yinzhou Foreign Trade Co., Ltd.  
 Ningbo Zhongjiang High Strength Bolts Co. Ltd  
 Ningbo Zhongjiang Petroleum Pipes & Machinery Co. Ltd.  
 Orient International Holding Shanghai Rongheng Intl Trading Co. Ltd.  
 Prosper Business And Industry Co., Ltd.  
 Qingdao Free Trade Zone Health Intl.  
 Qingdao Top Steel Industrial Co. Ltd.  
 Shaanxi Succeed Trading Co., Ltd.  
 Shanghai East Best Foreign Trade Co.  
 Shanghai East Best International Business Development Co., Ltd.  
 Shanghai Fortune International Co. Ltd.  
 Shanghai Furen International Trading  
 Shanghai Nanshi Foreign Economic Co.  
 Shanghai Overseas International Trading Co. Ltd.  
 Shanghai Printing & Dyeing And Knitting Mill  
 Shanghai Printing & Packaging Machinery Corp.  
 Shanghai Recky International Trading Co., Ltd.  
 Shanghai Sinotex United Corp. Ltd.  
 T and C Fastener Co. Ltd.  
 T and L Industry Co. Ltd.  
 Wuxi Metec Metal Co. Ltd.  
 Zhejiang Heiter Industries Co., Ltd.  
 Zhejiang Heiter Mfg & Trade Co. Ltd.  
 Zhejiang Jin Zeen Fasteners Co. Ltd.  
 Zhejiang Morgan Brother Technology Co. Ltd.  
 Zhejiang Yanfei Industrial Co., Ltd (a/k/a Jiangsu Ronry Nico Co., Ltd., Formerly Jiangsu Yanfei Industrial Co., Ltd.)

## Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum:

1. Background
2. Respondent Selection
3. Scope of the Order
4. Non-Market Economy Country
5. Separate Rates
6. PRC-Wide Entity
7. Surrogate Country and Surrogate Value Data
8. Surrogate Country
9. Date of Sale

10. U.S. Price—Export Price
11. Normal Value
12. Fair Value Comparisons
13. Factor Valuations
14. Currency Conversion
15. Conclusion

[FR Doc. 2014–12380 Filed 5–27–14; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–832]

#### Pure Magnesium From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results

**SUMMARY:** On February 5, 2014, the United States Court of Appeals for the Federal Circuit (“CAFC”) affirmed the judgment of the United States Court of International Trade (“CIT”) sustaining the Department of Commerce’s (“the Department”) final results of redetermination pursuant to remand of the 2008–2009 antidumping duty administrative review of pure magnesium from the People’s Republic of China (“PRC”) (“*Remand Redetermination*”).<sup>1</sup> Consistent with the decision of the CAFC in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (“*Timken*”), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (CAFC 2010) (“*Diamond Sawblades*”), the Department is notifying the public that the final judgment in this case is not in harmony with the Department’s *Final Results* and is amending the *Final Results* of the administrative review of pure magnesium from the PRC with respect to the margin assigned to Tianjin Magnesium International Co., Ltd. (“TMI”) covering the period of review (“POR”) May 1, 2008, through April 30, 2009.<sup>2</sup>

**DATES:** *Effective Date:* December 1, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Laurel LaCivita, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

<sup>1</sup> See *Final Results Of Redetermination Pursuant To Remand issued by the Department of Commerce, Consol. Ct. No. 11–00006, Slip Op. 12–63 (CIT 2012)*, dated August 30, 2012.

<sup>2</sup> See *Pure Magnesium from the People’s Republic of China: Final Results of the 2008–2009 Antidumping Duty Administrative Review of the Antidumping Duty Order*, 75 FR 80791 (December 23, 2010); *Amended Final Results of the 2008–2009 Antidumping Duty Administrative Review: Pure Magnesium from the People’s Republic of China*, 76 FR 7813 (February 11, 2011) (collectively, “*Final Results*”).

Avenue NW., Washington, DC 20230; telephone: (202) 482–4243.

**SUPPLEMENTARY INFORMATION:** In the *Final Results*, TMI received a calculated margin based upon information it submitted during the review. TMI’s margin was 0.80 percent.<sup>3</sup> Both TMI and petitioner challenged the *Final Results* with respect to several issues. Upon review, the CIT remanded the *Final Results*, holding that the Department’s “decision not to apply total adverse facts available to TMI was not supported by substantial evidence in the record and was not in accord with the law.”<sup>4</sup> On remand, the Department reconsidered its findings and determined to apply total adverse facts available to TMI based upon its submission of falsified documents during the administrative review. The Department assigned TMI an adverse facts available rate of 111.73 percent, thereby replacing the rate of 0.80 percent originally assigned. The CIT sustained the Department’s remand results on November 21, 2012, making the effective date of this notice December 1, 2012.<sup>5</sup> Furthermore, the CAFC recently affirmed the CIT’s findings in a non-precedential order.<sup>6</sup>

#### Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (“the Act”), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s November 21, 2012 judgment sustaining the Department’s remand results with respect to TMI constitutes a final decision of that court that is not in harmony with the Department’s *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal, or if appealed, pending a final and conclusive court decision. The cash deposit rate will remain the company-specific rate established for the most recent period

<sup>3</sup> See *Amended Final Results*.

<sup>4</sup> See *Tianjin Magnesium Int’l v. United States*, 844 F. Supp. 2d 1342, 1344 (CIT May 16, 2012).

<sup>5</sup> See *Tianjin Magnesium Int’l v. United States*, 878 F. Supp. 2d 1351 (CIT Nov. 21, 2012).

<sup>6</sup> See *Tianjin Magnesium Int’l v. United States*, 2014 U.S. App. LEXIS 2679 (Fed. Cir. Feb. 5, 2014) (non-precedential).

during which the respondent was reviewed.<sup>7</sup>

#### Amended Final Results

Because there is now a final court decision, we are amending the *Final*

*Results* with respect to TMI's margin for the period May 1, 2008 through April 30, 2009. The revised weighted-average dumping margin is as follows:

Exporter	Percent margin
Tianjin Magnesium International Co., Ltd. ....	111.73

In the event the CAFC's ruling is not appealed, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on entries of the subject merchandise exported by TMI during the POR using the revised assessment rate calculated by the Department in the *Remand Redetermination*.

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: May 16, 2014.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2014-12386 Filed 5-27-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Seventh Annual U.S. Industry Program at the International Atomic Energy Agency General Conference

**AGENCY:** International Trade Administration (ITA), Department of Commerce (DOC).

**ACTION:** Notice.

#### Event Description

The United States Department of Commerce's (DOC) International Trade Administration (ITA), with participation from the U.S. Departments of Energy and State, is organizing the 7th Annual U.S. Industry Program at the International Atomic Energy Agency (IAEA) General Conference, to be held September 21-24, 2014, in Vienna, Austria. The IAEA General Conference is the premier global meeting of civil nuclear policymakers and typically attracts senior officials and industry representatives from all 162 Member States. The U.S. Industry Program is part of the Department of Commerce-led Civil Nuclear Trade Initiative (CNTI), [www.trade.gov/mas/ian/nuclear/index.asp](http://www.trade.gov/mas/ian/nuclear/index.asp), a U.S. Government effort to help U.S. civil nuclear companies identify and capitalize on commercial

civil nuclear opportunities around the world. The purpose of the program is to help the U.S. nuclear industry promote its services and technologies to an international audience, including senior energy policymakers from current and emerging markets as well as IAEA staff.

Representatives of U.S. companies from across the U.S. civil nuclear supply chain are eligible to participate. In addition, organizations providing related services to the industry, such as universities, research institutions, and U.S. trade associations in the civil nuclear industry, are eligible for participation. The mission will help U.S. participants gain market insights, make industry contacts, solidify business strategies, and identify or advance specific projects with the goal of increasing U.S. civil nuclear exports to a wide variety of countries interested in nuclear energy.

The schedule will include: (1) Meetings with foreign delegations; (2) briefings from senior U.S. Government officials and IAEA staff on important civil nuclear topics including regulatory, technology and standards issues; liability, export controls, financing, infrastructure development, and R&D cooperation; and (3) networking events. Past U.S. Industry Programs have included participation by the U.S. Secretary of Energy, the Chairman of the U.S. Nuclear Regulatory Commission (NRC) and other senior U.S. Government officials from the Departments of Commerce, Energy, State, the U.S. Export-Import Bank and the National Security Council.

There are significant opportunities for U.S. businesses in the global civil nuclear energy market. With 173 nuclear plant projects planned in 26 countries, this translates to a market demand for equipment and services totaling \$500-740 billion over the next ten years. This mission contributes to the President's National Export Initiative (NEI, [www.trade.gov/nei](http://www.trade.gov/nei)) and DOC's CNTI, by assisting U.S. businesses in entering or expanding in international markets and enhancing opportunities for U.S. exports.

#### Event Setting

The IAEA General Conference is the premier global meeting of civil nuclear policymakers, and typically attracts over 1,200 senior officials and industry representatives from all 162 IAEA Member States. As such, it is an opportunity to highlight the breadth and depth of the U.S. civil nuclear sector to foreign energy policymakers and potential customers. The U.S. Industry Program will provide opportunities for U.S. industry representatives to meet with U.S. Government and IAEA officials and to discuss key issues of interest for civil nuclear exporters. The program also will feature exclusive briefings from foreign government representatives, providing opportunities for participants to develop contacts in potential export markets. Past U.S. Industry Programs have included participation from U.S. companies and organizations from across the U.S. civil nuclear supply chain, including large reactor and small modular reactor (SMR) designers; component manufacturers; engineering, procurement, and construction firms; civil nuclear program management providers; advisory services firms; fuel cycle service providers (including uranium enrichment); National Laboratories; and industry trade associations and professional organizations.

#### Event Goals

The purpose of the U.S. Industry Program is to highlight the benefits of U.S. civil nuclear technology to foreign decision makers in key export markets and to enable representatives from the U.S. public and private sector to discuss U.S. industry's role in the safe and secure expansion of civil nuclear power worldwide. U.S. participants also will have the opportunity to network and build relationships in the global civil nuclear sector, interact with foreign government and industry officials, and learn more about current and future project opportunities. Foreign government participants will hear about the expertise that the U.S. industry has

<sup>7</sup> See *Pure Magnesium from the People's Republic of China: Final Results of Antidumping Duty*

*Administrative Review; 2011-2012*, 79 FR 94 (January 2, 2014).