

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review**

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

**FOR FURTHER INFORMATION CONTACT:** Brenda E. Waters, Office of 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.

**Background**

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (“the Act”), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (“the Department”) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by the Department discussed below refer to the number of calendar days from the applicable starting date.

**Respondent Selection**

In the event the Department limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, the Department intends to select respondents based on U.S. Customs and Border Protection (“CBP”) data for U.S. imports during the period of review. We intend to release the CBP data under Administrative Protective Order (“APO”) to all parties having an APO

within five days of publication of the initiation notice and to make our decision regarding respondent selection within 21 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. The Department invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event the Department decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act.

In general, the Department finds that determinations concerning whether particular companies should be “collapsed” (*i.e.*, treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, the Department will not conduct collapsing analyses at the respondent selection phase of this review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.*, investigation, administrative review, new shipper review or changed circumstances review). For any company subject to this review, if the Department determined, or continued to treat, that company as collapsed with others, the Department will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, the Department will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete

the Quantity and Value Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of this proceeding where the Department considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

**Deadline for Withdrawal of Request for Administrative Review**

Pursuant to 19 CFR 351.213(d)(1), a party that requests a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that the Department may extend this time if it is reasonable to do so. In order to provide parties additional certainty with respect to when the Department will exercise its discretion to extend this 90-day deadline, interested parties are advised that, with regard to reviews requested on the basis of anniversary months on or after November 2014, the Department does not intend to extend the 90-day deadline unless the requestor demonstrates that an extraordinary circumstance prevented it from submitting a timely withdrawal request. Determinations by the Department to extend the 90-day deadline will be made on a case-by-case basis.

The Department is providing this notice on its Web site, as well as in its “Opportunity to Request Administrative Review” notices, so that interested parties will be aware of the manner in which the Department intends to exercise its discretion in the future.

*Opportunity To Request a Review:* Not later than the last day of November 2014,<sup>1</sup> interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in November for the following periods:

	Period of review
<b>Antidumping Duty Proceedings</b>	
<b>BRAZIL:</b>	
Circular Welded Non-Alloy Steel Pipe, A-351-809 .....	11/1/13-10/31/14
Polyethylene Terephthalate Film, Sheet and Strip, A-351-841 .....	11/1/13-10/31/14
<b>GERMANY:</b> Lightweight Thermal Paper, A-428-840 .....	11/1/13-10/31/14
<b>INDONESIA:</b> Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses, A-560-823 .....	11/1/13-10/31/14
<b>MEXICO:</b>	

<sup>1</sup> Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when the Department is closed.

	Period of review
Certain Circular Welded Non-Alloy Steel Pipe, A-201-805 .....	11/1/13-10/31/14
Seamless Refined Copper Pipe and Tube, A-201-838 .....	11/1/13-10/31/14
REPUBLIC OF KOREA: Certain Circular Welded Non-Alloy Steel Pipe, A-580-809 .....	11/1/13-10/31/14
TAIWAN:	
Certain Hot-Rolled Carbon Steel Flat Products, A-583-835 .....	11/1/13-10/31/14
Certain Circular Welded Non-Alloy Steel Pipe, A-583-814 .....	11/1/13-10/31/14
THAILAND: Certain Hot-Rolled Carbon Steel Flat Products, A-549-817 .....	11/1/13-10/31/14
THE PEOPLE'S REPUBLIC OF CHINA:	
Certain Cut-to-Length Carbon Steel Plate, A-570-849 .....	11/1/13-10/31/14
Certain Hot-Rolled Carbon Steel Flat Products, A-570-865 .....	11/1/13-10/31/14
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses, A-570-958 .....	11/1/13-10/31/14
Diamond Sawblades and Parts Thereof, A-570-900 .....	11/1/13-10/31/14
Fresh Garlic, A-570-831 .....	11/1/13-10/31/14
Lightweight Thermal Paper, A-570-920 .....	11/1/13-10/31/14
Paper Clips, A-570-826 .....	11/1/13-10/31/14
Polyethylene Terephthalate Film, Sheet and Strip, A-570-924 .....	11/1/13-10/31/14
Pure Magnesium in Granular Form, A-570-864 .....	11/1/13-10/31/14
Refined Brown Aluminum Oxide, A-570-882 .....	11/1/13-10/31/14
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe, A-570-956 .....	11/1/13-10/31/14
Seamless Refined Copper Pipe and Tube, A-570-964 .....	11/1/13-10/31/14
UKRAINE: Certain Hot-Rolled Carbon Steel Flat Products, A-823-811 .....	11/1/13-10/31/14
UNITED ARAB EMIRATES: Polyethylene Terephthalate Film, Sheet and Strip, A-520-803 .....	11/1/13-10/31/14
<b>Countervailing Duty Proceedings</b>	
INDONESIA: Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses, C-560-824 .....	1/1/13-12/31/13
THE PEOPLE'S REPUBLIC OF CHINA:	
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses, C-570-959 .....	1/1/13-12/31/13
Lightweight Thermal Paper, C-570-921 .....	1/1/13-12/31/13
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe, C-570-957 .....	1/1/13-12/31/13
<b>Suspension Agreements</b>	
UKRAINE: Certain Cut-to-Length Carbon Steel Plate, A-823-808 .....	11/1/13-10/31/14

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party the Department was unable to locate in prior segments, the Department will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who

files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011) the Department clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders.<sup>2</sup>

Further, as explained in *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of*

<sup>2</sup> See also the Enforcement and Compliance Web site at <http://trade.gov/enforcement/>.

*the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013), the Department clarified its practice with regard to the conditional review of the non-market economy (NME) entity in administrative reviews of antidumping duty orders. The Department will no longer consider the NME entity as an exporter conditionally subject to administrative reviews. Accordingly, the NME entity will not be under review unless the Department specifically receives a request for, or self-initiates, a review of the NME entity.<sup>3</sup> In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, the Department will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review

<sup>3</sup> In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

(although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity).

Following initiation of an antidumping administrative review when there is no review requested of the NME entity, the Department will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS") on the IA ACCESS Web site at <http://iaaccess.trade.gov>.<sup>4</sup> Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

The Department will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of November 2014. If the Department does not receive, by the last day of November 2014, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures "gap" period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: October 14, 2014.

**Christian Marsh,**

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

[FR Doc. 2014-26089 Filed 10-31-14; 8:45 am]

**BILLING CODE 3510-DS-P**

<sup>4</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-523-809]

#### **Certain Steel Nails From the Sultanate of Oman: Preliminary Negative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination With Final Antidumping Duty Determination**

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

**SUMMARY:** The Department of Commerce (the Department) preliminarily determines that *de minimis* countervailable subsidies are being provided to producers/exporters of certain steel nails (nails) from the Sultanate of Oman (Oman). The period of investigation is January 1, 2013, through December 31, 2013. Interested parties are invited to comment on this preliminary determination.

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

**FOR FURTHER INFORMATION CONTACT:**

Dana Mermelstein or Trisha Tran, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1391 and (202) 482-4852, respectively.

**SUPPLEMENTARY INFORMATION:** On June 25, 2014, the Department initiated this countervailing duty (CVD) investigation.<sup>1</sup> On the same day, the Department also initiated an antidumping duty (AD) investigation of nails from Oman.<sup>2</sup> On August 7, in response to a request from the Petitioner, Mid-Continent Steel & Wire, Inc., the Department postponed the preliminary determinations in the CVD investigations.

#### **Alignment of Final Countervailing Duty (CVD) Determination With Final Antidumping Duty (AD) Determination**

In accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.210(b)(4), and based on Petitioner's request, we are aligning the final CVD determination in this investigation with the final

<sup>1</sup> See *Certain Steel Nails From India, the Republic of Korea, Malaysia, the Sultanate of Oman, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam*, 79 FR 36014 (June 25, 2014).

<sup>2</sup> See *Certain Steel Nails From the Republic of Korea, Malaysia, the Sultanate of Oman, Taiwan, and the Socialist Republic of Vietnam: Initiation of Antidumping Duty Investigations*, 79 FR 36019 (June 25, 2014).

determination in the companion AD investigation of nails from Oman. Consequently, the final CVD determination will be issued on the same date as the final AD determination, which is currently scheduled to be issued no later than March 2, 2015, unless postponed.

#### **Scope of the Investigation**

The products covered by this investigation are certain steel nails. For a complete description of the scope of the investigation, see Appendix 1 to this notice.

#### **Methodology**

The Department is conducting this CVD investigation in accordance with section 701 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.<sup>3</sup> The Preliminary Decision 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). 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://enforcement.trade.gov/frn/index.html>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

In accordance with section 703(d)(1)(A)(i) of the Act, we calculated a CVD rate for Oman Fasteners LLC, the only individually investigated producer/exporter of the subject merchandise.

#### **Preliminary Determination**

We preliminarily determine the countervailable subsidy rates to be:

Company	Subsidy rate
Oman Fasteners LLC .....	0.25 percent ( <i>de minimis</i> ). <sup>4</sup>

<sup>3</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 "Decision Memorandum for the Preliminary Determination in the Countervailing Duty Investigation of Certain Steel Nails from Oman," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum). For a list of topics discussed in the Preliminary Decision Memorandum, see Appendix 2 to this notice.