

*Final Third Redetermination*<sup>8</sup> on December 9, 2016. On March 16, 2017, the Court affirmed the Department's *Final Third Redetermination* in its entirety.<sup>9</sup>

**Timken Notice**

In its decision in *Timken*,<sup>10</sup> as clarified by *Diamond Sawblades*,<sup>11</sup> 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 March 16, 2017, judgment affirming the *Final Third Redetermination* constitutes a final decision of that court that is not in harmony with the *Wind Towers Final Determination*. This notice is published in fulfillment of the publication requirements of *Timken*.

**Amended Final Determination**

Because there is now a final court decision with respect to this litigation, the Department is amending the *Wind Towers Final Determination* with respect to the CS Wind Group's dumping margin and cash deposit rate. The revised dumping margin and cash deposit rate for this exporter/producer combination is 0.00 percent.<sup>12</sup>

Producer	Exporter	Estimated weighted-average dumping margin (percent)
CS Wind Group .....	CS Wind Group .....	0.00

**Partial Exclusion From the Antidumping Duty Order and Partial Discontinuation of the Antidumping Duty Administrative Review**

Pursuant to sections 735(c)(2) of the Act, "the investigation shall be terminated upon publication of that negative determination" and the Department shall "terminate the suspension of liquidation" and "release any bond or other security, and refund any cash deposit." See Sections 735(c)(2)(A) and (B) of the Act. As a result of this amended final determination, in which the Department calculated a weighted-average dumping margin of 0.00 percent for CS Wind Group, the Department is hereby excluding merchandise from the following producer/exporter chain from the antidumping duty order:

*Producer:* CS Wind Group.  
*Exporter:* CS Wind Group.

Accordingly, the Department will direct U.S. Customs and Border Protection (CBP) to release any bonds or other security and refund cash deposits. This exclusion does not apply to merchandise produced by CS Wind Group and exported by any other company. Therefore, resellers of merchandise produced, or produced and exported by CS Wind Group, are not entitled to the exclusion. Similarly, the exclusion does not apply to merchandise produced by any other company and exported by CS Wind Group.

We note, however, that pursuant to *Timken*, the suspension of liquidation must continue during the pendency of the appeals process. Thus, at this time

we will instruct CBP to continue the suspension of liquidation at a cash deposit rate of 0.00 percent for entries produced and exported by CS Wind Group until otherwise instructed and to release any bond or other security that CS Wind Group made pursuant to the *Final Third Redetermination*. If the CIT's ruling is not appealed, or if appealed and upheld, the Department will instruct CBP to terminate the suspension of liquidation and to liquidate entries produced and exported by CS Wind Group without regard to antidumping duties. As a result of the exclusion, the Department will not initiate any new administrative reviews of the antidumping duty order with respect to merchandise produced and exported by CS Wind Group. The review will continue with regard to merchandise produced by CS Wind Group and exported by another company or produced by any other company and exported by CS Wind Group.

Finally, we note that, at this time, the Department remains enjoined by Court order from liquidating entries produced and/or exported by CS Wind Group during the period February 13, 2013, through January 31, 2014. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

**Notification to Interested Parties**

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

Dated: March 24, 2017.

**Gary Taverman,**

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

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-009]

**Calcium Hypochlorite From the People's Republic of China: Final Decision To Rescind the Countervailing Duty New Shipper Review of Haixing Jingmei Chemical Products Sales Co., Ltd.**

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

**SUMMARY:** On January 3, 2017, the Department of Commerce (the Department) published its Preliminary intent to rescind the new shipper review (NSR) of the countervailing duty order on calcium hypochlorite from the People's Republic of China (PRC). The period of review is May 27, 2014, through December 31, 2015. As discussed below, we announced our preliminary intent to rescind this review because the Department requested but did not receive from Haixing Jingmei Chemical Products Sales Co., Ltd. (Jingmei) and its customers' information requested by the Department to determine whether, and conclude that, the sale under review is *bona fide*.

<sup>8</sup> See Final Results of Redetermination Pursuant to Court Order, *CS Wind Vietnam Co., Ltd. and CS Wind Corporation v. United States*, Consol. Court No. 13-00102, dated October 4, 2016 (*Third Final Redetermination*).

<sup>9</sup> See *CS Wind Vietnam Co., Ltd. and CS Wind Corporation v. United States*, Consol. Court No. 13-00102, Slip Op. 17-26 (CIT March 16, 2017); see also <http://enforcement.trade.gov/remands/index.html>.

<sup>10</sup> *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>11</sup> *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>12</sup> See *Final Third Redetermination*.

Based on our analysis of the comments received, we make no changes to the preliminary intent to rescind. Accordingly, we have determined to rescind this NSR.

**DATES:** Effective March 29, 2017.

**FOR FURTHER INFORMATION CONTACT:** Ryan Mullen or Elizabeth Lobaugh, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5260 or (202) 482-7425, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

For a complete description of the events that followed the publication of the *Preliminary Intent to Rescind*,<sup>1</sup> see the Issues and Decision Memorandum.<sup>2</sup> The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and to all users in the Department's Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

**Scope of the Order**

The merchandise covered by the order is calcium hypochlorite, regardless of form (e.g., powder, tablet (compressed), crystalline (granular), or in liquid solution), whether or not blended with other materials, containing at least 10% available chlorine measured by actual weight. Calcium hypochlorite is currently classifiable under the subheading 2828.10.0000 of the

Harmonized Tariff Schedule of the United States.<sup>3</sup>

**Analysis of Comments Received**

All issues raised in the case briefs by parties are addressed in the Issues and Decision Memorandum.<sup>4</sup> A list of the issues which parties raised is attached to this notice as an Appendix.

**Final Rescission of Jingmei New Shipper Review**

In the *Preliminary Intent to Rescind*, we preliminarily determined to rescind this review because we requested, but were not provided, sufficient information to determine whether, and conclude that, Jingmei's sale of subject merchandise to the United States was *bona fide*. Based on the Department's complete analysis of all the information and comments on the record of this review, we make no changes to the *Preliminary Intent to Rescind*. Accordingly, we have determined to rescind this NSR. For a complete discussion, see the Issues and Decision Memorandum and the Preliminary *Bona Fides* Memo.<sup>5</sup>

**Assessment**

As the Department is rescinding this NSR, we have not calculated a company-specific subsidy rate for Jingmei.

**Cash Deposit Requirements**

Effective upon publication of this notice of the final rescission of the NSR of Jingmei, the Department will instruct U.S. Customs and Border Protection to discontinue the option of posting a bond or security in lieu of a cash deposit for entries of subject merchandise from Jingmei. Because we did not calculate a subsidy rate for Jingmei, Jingmei continues to be subject to the all-others rate. The all-others rate is 65.85 percent.<sup>6</sup> The current cash deposit requirements shall remain in effect until further notice.

<sup>3</sup> For a complete description of the scope of the order, see the Issues and Decision Memorandum.

<sup>4</sup> See Issues and Decision Memorandum.

<sup>5</sup> See Memorandum to James C. Doyle, Director, Office V, Antidumping and Countervailing Duty Operations, through Catherine Bertrand, Program Manager, Office V, Antidumping and Countervailing Duty Operations, from Elizabeth Lobaugh, International Trade Analyst, "Bona Fide Nature of the Sale in the Countervailing Duty New Shipper Review of Calcium Hypochlorite from the People's Republic of China: Haixing Jingmei Chemical Products Sales Co., Ltd." (December 27, 2016) (Preliminary *Bona Fides* Memo).

<sup>6</sup> See *Calcium Hypochlorite from the People's Republic of China: Countervailing Duty Order*, 80 FR 5085 (January 30, 2015).

**Administrative Protective Orders**

This notice also serves as a 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, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

The Department is issuing and publishing these results in accordance with sections 751(a)(2)(B) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.214 and 19 CFR 351.221(b)(5).

Dated: March 23, 2017.

**Gary Taverman,**

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

**Appendix List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues
  - Comment:* Whether the Record Contains Sufficient Information To Conduct a *Bona Fides* Analysis
- V. Recommendation

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XF304**

**Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meetings**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of SEDAR 56 Assessment Webinars.

**SUMMARY:** The SEDAR 56 assessment of the South Atlantic stock of black seabass will consist of a series of webinars. See **SUPPLEMENTARY INFORMATION.**

**DATES:** SEDAR 56 Assessment webinars will be held on Wednesday, June 21, 2017, from 9 a.m. until 1 p.m.; Thursday, July 20, 2017, from 1 p.m.

<sup>1</sup> See *Calcium Hypochlorite from the People's Republic of China: Preliminary Intent to Rescind the New Shipper Review of Haixing Jingmei Chemical Products Sales Co., Ltd.*, 82 FR 83 (January 3, 2017) (*Preliminary Intent to Rescind*).

<sup>2</sup> See Memorandum to Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from James Doyle, Director, Office V, "Issues and Decision Memorandum for the Final Rescission of the Countervailing Duty New Shipper Review of Calcium Hypochlorite from the People's Republic of China: Haixing Jingmei Chemical Products Sales Co., Ltd." dated concurrently with and hereby adopted by this notice (Issues and Decision Memorandum).