

IV. Adjournment

Dated: May 17, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017-10414 Filed 5-19-17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-905]

**Certain Polyester Staple Fiber From the People's Republic of China: Final Results of the Antidumping Duty Administrative Review; 2015-2016**

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

**SUMMARY:** The Department of Commerce (the Department) conducted an administrative review of the antidumping duty order on certain polyester staple fiber from the People's Republic of China (PRC), for the period of review (POR), June 1, 2015, through May 31, 2016. On March 3, 2017, the Department published the preliminary results of this review, and received no comments from interested parties. As the Department continues to determine that the sole remaining mandatory respondent under review failed to establish its eligibility for a separate rate for the POR, and thus, is part of the PRC-wide entity, the final results do not differ from the preliminary results. The final dumping margin of sales at the PRC-Wide Entity rate is listed below in the "Final Results" section of this notice.

**DATES:** Effective May 22, 2017.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Courtney Canales, 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) 482-1394 or (202) 482-4997, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 3, 2017, the Department published the *Preliminary Results*.<sup>1</sup> No party submitted comments on the *Preliminary Results*.

<sup>1</sup> See *Certain Polyester Staple Fiber from the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2015-2016*, 82 FR 12435 (March 3, 2017) (*Preliminary Results*).

**Scope of the Order**

The merchandise subject to the order is certain polyester staple fiber. The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) numbers 5503.20.0045 and 5503.20.0065. Although the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope of the order remains dispositive.<sup>2</sup>

**Final Results of Review**

As noted in the *Preliminary Results*, the sole mandatory respondent, Hangzhou Huachuang Co., Ltd. (Hangzhou Huachuang), did not respond to the antidumping questionnaire, and failed to establish its eligibility for a separate rate.<sup>3</sup> As such, consistent with the Department's practice regarding conditional review of the PRC-wide entity, the Department determines that Hangzhou Huachuang remains part of the PRC-wide entity.<sup>4</sup> Under this practice, the PRC-wide entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity.<sup>5</sup> Because no party requested a review of the PRC-wide entity, the entity is not under review and the entity's rate is not subject to change. Therefore, for these final results, we will instruct U.S. Customs and Border Protection (CBP) to liquidate Hangzhou Huachuang's entries at the rate previously established for the PRC-wide entity, which is 44.30 percent.

The final weighted-average dumping margin is as follows:

Exporter	Estimated weighted-average margin (percent)
PRC-Wide Entity <sup>6</sup> .....	44.30

<sup>2</sup> For a full description of the scope, see Memorandum from James Maeder, Senior Director, Office I, AD/CVD Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, entitled, "Certain Polyester Staple Fiber from the People's Republic of China: Decision Memorandum for the Preliminary Results of the 2015-2016 Antidumping Duty Administrative Review," (Preliminary Decision Memorandum) dated February 27, 2017.

<sup>3</sup> See *Preliminary Results*, 82 FR 12435.

<sup>4</sup> See Preliminary Decision Memorandum at 2-4.

<sup>5</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65970 (November 4, 2013).

**Assessment Rates**

Because Hangzhou Huachuang did not respond to the antidumping duty questionnaire, and is thus a part of the PRC-wide entity, we have not calculated any assessment (or cash deposit) rates in this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

**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 for by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (2) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-Wide rate of 44.30 percent; and (3) 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 exporters that supplied that non-PRC exporter. The deposit requirements, when imposed, shall remain in effect until further notice.

**Disclosure**

Because the Department determined that the sole remaining respondent under review, Hangzhou Huachuang, is part of the PRC-wide entity, and has been assigned the PRC-wide rate; no disclosure of calculations is necessary for these final results.

**Notification to Importers**

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 occurred and the subsequent assessment of doubled antidumping duties.

<sup>6</sup> The PRC-wide entity includes mandatory respondent, Hangzhou Huachuang.

### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or 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.

We are issuing and publishing these final results of administrative review in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: May 16, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-830]

#### Steel Concrete Reinforcing Bar From the Republic of Turkey: Final Affirmative Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce (the Department) determines that countervailable subsidies are being provided to exporters and producers of steel concrete reinforcing bar (rebar) from the Republic of Turkey (Turkey). The period of investigation (POI) is January 1, 2015, through December 31, 2015. For information on the estimated subsidy rates, see the “Final Determination” section of this notice.

**DATES:** Effective May 22, 2017.

**FOR FURTHER INFORMATION CONTACT:** Kaitlin Wojnar, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3857.

#### SUPPLEMENTARY INFORMATION:

#### Background

On March 1, 2017, the Department published its affirmative *Preliminary Determination* of this countervailing

duty (CVD) investigation.<sup>1</sup> The petitioner in this investigation is the Rebar Trade Action Coalition and its individual members.<sup>2</sup> The mandatory respondent in this investigation is Habaş Sinai ve Tibbi Gazlar Istihsal Endüstrisi A.Ş. (Habas),<sup>3</sup> including certain cross-owned companies and subcontractors.<sup>4</sup> Both Habas and the Government of Turkey (the GOT) participated in this investigation. A complete summary of the events that occurred since publication of the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum, which is dated concurrently with and hereby adopted by this notice.<sup>5</sup> The Issues and Decision Memorandum is a public document and is available 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 parties in the Central Records Unit, room B-8024 of the Department’s main building. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version are identical in content.

#### Scope of the Investigation

The scope of the investigation covers rebar from Turkey. The Department did not receive any scope comments and has not updated the scope of the investigation since the *Preliminary Determination*. For a complete

<sup>1</sup> See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination with Final Antidumping Duty Determination*, 82 FR 12195 (March 1, 2017) (*Preliminary Determination*).

<sup>2</sup> The Rebar Trade Action Coalition is comprised of Byer Steel Group, Inc., Commercial Metals Company, Gerdau Ameristeel U.S. Inc., Nucor Corporation, and Steel Dynamics, Inc.

<sup>3</sup> Habas is the sole Turkish rebar producer/exporter excluded from the existing CVD order on rebar from Turkey. See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Countervailing Duty Order*, 79 FR 65926 (November 6, 2014) (*2014 Turkey CVD Order*).

<sup>4</sup> The Habas companies include Habas, Habaş Elektrik Üretim A.Ş., Habaş Endüstri Tesisleri A.Ş., Habaş Petrol A.Ş., Mertaş Turizm Nakliyat ve Ticaret A.Ş., Cebitaş Demir Çelik Endüstrisi A.Ş., Ege Çelik Endüstrisi Sanayi ve Ticaret A.Ş., and Osman Sönmez (İnşaat Taahhüt Ticaret).

<sup>5</sup> See Department Memorandum, “Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Steel Concrete Reinforcing Bar from the Republic of Turkey,” May 15, 2017 (Issues and Decision Memorandum).

description of the scope of this investigation, see Appendix I to this notice.

#### Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation, as well as the issues raised in the case briefs and rebuttal briefs submitted by interested parties in this proceeding, are discussed in the Issues and Decision Memorandum. A list of the issues raised by parties and responded to by the Department in the Issues and Decision Memorandum is attached at Appendix II to this notice.

#### Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), during February and March 2017, the Department verified the subsidy information reported by the GOT and Habas. We used standard verification procedures, including an examination of relevant accounting records and original source documents provided by the respondents.

#### Use of Adverse Facts Available

In making this final determination, the Department relied, in part, on facts available. As discussed in the Issues and Decision Memorandum,<sup>6</sup> we determine that Habas withheld necessary information with respect to certain import duty rebates/drawbacks received during the POI and, accordingly, did not act to the best of its ability in responding to the Department’s request for information. Therefore, we drew an adverse inference, where appropriate, in selecting from among the facts otherwise available.<sup>7</sup> For further information, see the “Use of Facts Otherwise Available and Adverse Inferences” in the accompanying Issues and Decision Memorandum.

#### Changes Since the Preliminary Determination

Based on our analysis of the comments received and our findings at verification, we made certain changes to the subsidy rate calculations since the *Preliminary Determination*. These changes are discussed in the “Analysis of Programs” section of the Issues and Decision Memorandum.<sup>8</sup>

<sup>6</sup> See Issues and Decision Memorandum at 5–8.

<sup>7</sup> See Sections 776(a) and (b) of the Act.

<sup>8</sup> See Issues and Decision Memorandum at 8; see also Department Memorandum, “Steel Concrete Reinforcing Bar from the Republic of Turkey: Calculations for the Final Countervailing Duty Determination,” May 15, 2017.