

appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213 and 351.221(b)(4).

Dated: October 2, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the non-exclusive duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Use of Facts otherwise Available and Application of Adverse Inferences
- V. Application of the Countervailing Duty Law to Imports from the PRC
- VI. Subsidies Valuation
- VII. Interest Rate Benchmarks, Discount Rates, Input, Electricity, and Land Benchmarks
- VIII. Analysis of Programs
- IX. Disclosure and Public Comment
- X. Verification
- XI. Conclusion

Appendix II

Companies Not Selected for Review

1. Aeolus Tyre Co., Ltd.
2. Air Sea Transport Inc
3. Air Sea Worldwide Logistics Ltd
4. AM Global Shipping Lines
5. Apex Maritime Co Ltd
6. Apex Maritime Thailand Co Ltd
7. BDP Intl LTD China
8. Beijing Kang Jie Kong Intl Cargo Agent Co Ltd
9. C&D Intl Freight Forward Inc
10. Caesar Intl Logistics Co Ltd
11. Caterpillar & Paving Products Xuzhou Ltd
12. CH Robinson Freight Services China LTD
13. Changzhou Kafurter Machinery Co Ltd
14. Cheng Shin Rubber (Xiamen) Ind Ltd
15. China Intl Freight Co Ltd
16. Chonche Auto Double Happiness Tyre Corp Ltd
17. City Ocean Logistics Co Ltd
18. Consolidator Intl Co Ltd
19. Crown tyre Industrial Co. Ltd
20. CTS Intl Logistics Corp
21. Daewoo Intl Corp
22. De Well Container Shipping Inc
23. Double Coin Holdings Ltd; Double Coin Group Shanghai Donghai Tyre Co., Ltd; and Double Coin Group Rugao Tyre Co., Ltd. (collectively "Double Coin")

24. England Logistics (Qingdao) Co Ltd
25. Extra Type Co Ltd
26. Fedex International Freight Forwarding Services Shanghai Co Ltd
27. FG Intl Logistics Ltd
28. Global Container Line
29. Honour Lane Shipping
30. Innova Rubber Co., Ltd.
31. Inspire Intl Enterprise Co Ltd
32. JHJ Intl Transportation Co
33. Jiangsu Feichi Co. Ltd.
34. Kenda Rubber (China) Co Ltd
35. KS Holding Limited/KS Resources Limited
36. Laizhou Xiongying Rubber Industry Co., Ltd.
37. Landmax Intl Co Ltd
38. LF Logistics China Co Ltd
39. Mai Shandong Radial Tyre Co., Ltd.
40. Maine Industrial Tire LLC
41. Master Intl Logistics Co Ltd
42. Melton Tire Co. Ltd
43. Merityre Specialists Ltd
44. Mid-America Overseas Shanghai Ltd
45. Omni Exports Ltd
46. Orient Express Container Co Ltd
47. Oriental Tyre Technology Limited
48. Pudong Prime Intl Logistics Inc
49. Q&J Industrial Group Co Ltd
50. Qingdao Aotai Rubber Co Ltd
51. Qingdao Apex Shipping
52. Qingdao Chengtai Handtruck Co Ltd
53. Qingdao Chunangtong Founding Co Ltd
54. Qingdao Free Trade Zone Full-World International Trading Co., Ltd.
55. Qingdao Haojia (Xinhai) Tyre Co.
56. Qingdao Haomai Hongyi Mold Co Ltd
57. Qingdao J&G Intl Trading Co Ltd
58. Qingdao Jinhaoyang International Co. Ltd
59. Qingdao Kaoyoung Intl Logistics Co Ltd
60. Qingdao Milestone Tyres Co Ltd.
61. Qingdao Nexen Co Ltd
62. Qingdao Qihang Tyre Co.
63. Qingdao Qizhou Rubber Co., Ltd.
64. Qingdao Shijikunyun Intl Co Ltd
65. Qingdao Sinorient International Ltd.
66. Qingdao Taifa Group Imp. And Exp. Co., Ltd./Qingdao Taifa Group Co., Ltd.
67. Qingdao Wonderland
68. Qingdao Zhenhua Barrow Manufacturing Co., Ltd.
69. Rich Shipping Company
70. RS Logistics Ltd
71. Schenker China Ltd
72. Seastar Intl Enterprise Ltd
73. SGL Logistics South China Ltd
74. Shandong Huitong Tyre Co., Ltd.
75. Shandong Linglong Tyre Co., Ltd.
76. Shandong Taishan Tyre Co. Ltd.
77. Shanghai Cartec Industrial & Trading Co Ltd
78. Shanghai Grand Sound Intl Transportation Co Ltd

79. Shanghai Hua Shen Imp & Exp Co Ltd
80. Shanghai Part-Rich Auto Parts Co Ltd
81. Shanghai TCH Metals & Machinery Co Ltd
82. Shantou Zhisheng Plastic Co Ltd
83. Shiyan Desizheng Industry & Trade Co., Ltd.
84. Techking Tires Limited
85. Thi Group (Shanghai) Ltd
86. Tianjin Leviathan International Trade Co., Ltd.
87. Tianjin United Tire & Rubber International Co., Ltd.
88. Tianjin Wanda Tyre Group Co.
89. Tianshui Hailin Import and Export Corporation
90. Tiremart Qingdao Inc
91. Translink Shipping Inc
92. Trelleborg Wheel Systems (Xingtai) China, Co. Ltd.
93. Trelleborg Wheel Systems Hebei Co Ltd
94. Triangle Tyre Co. Ltd.
95. Universal Shipping Inc
96. UTI China Ltd
97. Weifang Jintongda Tyre Co., Ltd.
98. Weihai Zhongwei Rubber Co., Ltd.
99. Weiss-Rohlig China Co Ltd
100. World Bridge Logistics Co Ltd
101. World Tyres Ltd.
102. Xiamen Ying Hong Import & Export Trade Co Ltd
103. Xuzhou Xugong Tyres Co Ltd; Xuzhou Armour Rubber Company Ltd.; HK Lande International Investment Limited; Armour Tires Inc. (collectively "Xugong")
104. Yoho Holding
105. Zhejiang Wheel World Industrial Co Ltd
106. Zhejiang Xinchang Zhongya Industry Co., Ltd.
107. Zhongce Rubber Group Company Limited
108. ZPH Industrial Ltd

[FR Doc. 2017-21586 Filed 10-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 84-28A12]

Export Trade Certificate of Review

ACTION: Notice of Application for an Amended Export Trade Certificate of Review by Northwest Fruit Exporters, Application No. 84-28A12.

SUMMARY: The Secretary of Commerce, through the International Trade Administration, Office of Trade and Economic Analysis (OTE), has received an application for an amended Export Trade Certificate of Review ("Certificate") from Northwest Fruit

Exporters. This notice summarizes the proposed amendment and seeks public comments on whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT:

Joseph E. Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 84-28A12."

A summary of the current application follows.

Summary of the Application

Applicant: Northwest Fruit Exporters, 105 South 18th Street, Suite 227, Yakima, WA 98901.

Contact: Fred Scarlett, Manager, (509) 576-8004.

Application No.: 84-28A12.

Date Deemed Submitted: September 20, 2017.

Proposed Amendment: Northwest Fruit Exporters seeks to amend its Certificate as follows:

1. Add a definition of "export quota" to clarify that export quotas are those imposed by an authorized government entity in the receiving country. The term does not include a growers association.

2. Add the Affiliate Contractor to the Export Trade Certificate of Review, as the Affiliate Contractor will provide management services by contract to assist Northwest Fruit Exporters in carrying out its activities authorized under the Export Trade Certificate of Review:

3. Add a definition of "Affiliate Contractor" to recognize that the Northwest Horticultural Council ("NHC") will be providing management services by contract to assist NFE in carrying out its activities authorized under the Export Trade Certificate of Review.

4. Add a clarifying amendment restating that meetings at which the NFE Board of Directors may allocate quotas among its members or establish export prices shall not be open to the public or to members of NFE not represented on the NFE Board of Directors. Employees of the Affiliate Contractor are eligible to attend such meetings.

5. Add an amendment that through the management services agreement between NFE and NHC, NHC staff may receive or have access to NFE information that is confidential or proprietary ("Confidential Information"). Employees of NHC will be required to maintain the confidentiality of the Confidential Information as is currently required of NFE employees. Failure to maintain the confidentiality of NFE's Confidential Information shall be cause for termination of employment

6. Change the name of the following existing Member:

- From Columbia Marketing International, LLC to CMI Orchards, LLC

Northwest Fruit Exporter's Export Trade Certificate of Review complete amended membership is listed below:

1. Allan Bros., Naches, WA
2. AltaFresh L.L.C. dba Chelan Fresh Marketing, Chelan, WA
3. Apple House Warehouse & Storage, Inc.,

- Brewster, WA
4. Apple King, L.L.C., Yakima, WA
5. Auvil Fruit Co., Inc., Orondo, WA
6. Baker Produce, Inc., Kennewick, WA
7. Blue Bird, Inc., Peshastin, WA
8. Blue Star Growers, Inc., Cashmere, WA
9. Borton & Sons, Inc., Yakima, WA
10. Brewster Heights Packing & Orchards, LP, Brewster, WA
11. Broetje Orchards LLC, Prescott, WA
12. C.M. Holtzinger Fruit Co., Inc., Yakima, WA
13. CMI Orchards, LLC, Wenatchee, WA
14. Chelan Fruit Cooperative, Chelan, WA
15. Chiawana, Inc. dba Columbia Reach Pack, Yakima, WA
16. Columbia Fruit Packers, Inc., Wenatchee, WA
17. Columbia Fruit Packers/Airport Division, Wenatchee, WA
18. Columbia Valley Fruit, L.L.C., Yakima, WA
19. Congdon Packing Co. L.L.C., Yakima, WA
20. Conrad & Adams Fruit L.L.C., Grandview, WA
21. Cowiche Growers, Inc., Cowiche, WA
22. CPC International Apple Company, Tieton, WA
23. Crane & Crane, Inc., Brewster, WA
24. Custom Apple Packers, Inc., Quincy, and Wenatchee, WA
25. Diamond Fruit Growers, Odell, OR
26. Domex Superfresh Growers LLC, Yakima, WA
27. Douglas Fruit Company, Inc., Pasco, WA
28. Dovex Export Company, Wenatchee, WA
29. Duckwall Fruit, Odell, OR
30. E. Brown & Sons, Inc., Milton-Freewater, OR
31. Evans Fruit Co., Inc., Yakima, WA
32. E.W. Brandt & Sons, Inc., Parker, WA
33. Frosty Packing Co., LLC, Yakima, WA
34. G&G Orchards, Inc., Yakima, WA
35. Gilbert Orchards, Inc., Yakima, WA
36. Gold Digger Apples, Inc., Oroville, WA
37. Hansen Fruit & Cold Storage Co., Inc., Yakima, WA
38. Henggeler Packing Co., Inc., Fruitland, ID
39. Highland Fruit Growers, Inc., Yakima, WA
40. HoneyBear Growers, Inc., Brewster, WA
41. Honey Bear Tree Fruit Co., LLC, Wenatchee, WA
42. Hood River Cherry Company, Hood River, OR
43. Ice Lakes LLC, East Wenatchee, WA
44. JackAss Mt. Ranch, Pasco, WA
45. Jenks Bros Cold Storage & Packing Royal City, WA
46. Kershaw Fruit & Cold Storage, Co., Yakima, WA
47. L&M Companies, Union Gap, WA
48. Larson Fruit Co., Selah, WA
49. Legacy Fruit Packers LLC, Wapato, WA
50. Manson Growers Cooperative, Manson, WA
51. Matson Fruit Company, Selah, WA
52. McDougall & Sons, Inc., Wenatchee, WA
53. Monson Fruit Co. Selah, WA
54. Morgan's of Washington dba Double Diamond Fruit, Quincy, WA
55. Naumes, Inc., Medford, OR
56. Northern Fruit Company, Inc., Wenatchee, WA
57. Olympic Fruit Co., Moxee, WA
58. Oneonta Trading Corp., Wenatchee, WA

59. Orchard View Farms, Inc., The Dalles, OR
 60. Pacific Coast Cherry Packers, LLC, Yakima, WA
 61. Peshastin Hi-Up Growers, Peshastin, WA
 62. Phillippi Fruit Company, Inc., Wenatchee, WA
 63. Piepel Premium Fruit Packing LLC, East Wenatchee, WA
 64. Polehn Farm's Inc., The Dalles, OR
 65. Price Cold Storage & Packing Co., Inc., Yakima, WA
 66. Pride Packing Company, Wapato, WA
 67. Quincy Fresh Fruit Co., Quincy, WA
 68. Rainier Fruit Company, Selah, WA
 69. Roche Fruit, Ltd., Yakima, WA
 70. Sage Fruit Company, L.L.C., Yakima, WA
 71. Smith & Nelson, Inc., Tonasket, WA
 72. Stadelman Fruit, L.L.C., Milton-Freewater, OR, and Zillah, WA
 73. Stemilt Growers, LLC, Wenatchee, WA
 74. Strand Apples, Inc., Cowiche, WA
 75. Symms Fruit Ranch, Inc., Caldwell, ID
 76. The Dalles Fruit Company, LLC, Dallesport, WA
 77. Underwood Fruit & Warehouse Co., Bingen, WA
 78. Valicoff Fruit Co., Inc., Wapato, WA
 79. Valley Fruit III L.L.C., Wapato, WA
 80. Washington Cherry Growers, Peshastin, WA
 81. Washington Fruit & Produce Co., Yakima, WA
 82. Western Sweet Cherry Group, LLC, Yakima, WA
 83. Western Traders LLC, E. Wenatchee, WA
 84. Whitby Farms, Inc. dba: Farm Boy Fruit Snacks LLC, Mesa, WA
 85. Yakima Fresh, Yakima, WA
 86. Yakima Fruit & Cold Storage Co., Yakima, WA
 87. Zirkle Fruit Company, Selah, WA

Dated: October 2, 2017.

Joseph E. Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration.

[FR Doc. 2017-21557 Filed 10-5-17; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-977]

High Pressure Steel Cylinders From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Determination in Less Than Fair Value Investigation, Notice of Amended Final Determination Pursuant to Court Decision, Notice of Revocation of Antidumping Duty Order in Part, and Discontinuation of Fifth Antidumping Duty Administrative Review

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

SUMMARY: On August 17, 2017, the Court of International Trade (CIT or Court) sustained the Department of

Commerce's (Department) remand redetermination pertaining to the final determination in the less than fair value (LTFV) investigation of high pressure steel cylinders from the People's Republic of China (PRC). Because of the CIT's final decision, we are notifying the public that this court decision is not in harmony with the Department's final determination in the LTFV investigation, and we are also amending our final determination, revoking this antidumping duty order, in part, and discontinuing the fifth administrative review.

DATES: Applicable August 27, 2017.

FOR FURTHER INFORMATION CONTACT: Annatheia Cook, 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) 482-0250.

SUPPLEMENTARY INFORMATION:

Background

As noted above, on August 17, 2017, the CIT sustained the Department's Third Remand Redetermination pertaining to the final determination in the less than fair value (LTFV) investigation of high pressure steel cylinders from the People's Republic of China (PRC).¹ In the underlying LTFV investigation, the Department found that, pursuant to section 777A(d)(1)(B) of the Tariff Act of 1930, as amended (Act), "there was a pattern of prices that differ significantly by time period" for respondent Beijing Tianhai Industry Co., Ltd. (BTIC), and that "application of the standard A-to-A {(average-to-average)} methodology would result in the masking of dumping that is unmasked by application of the alternative A-to-T {(average-to-transaction)} methodology when calculating BTIC's weighted-average dumping margin."² In the *Final Determination*, the Department calculated BTIC's estimated weighted-average dumping margin using the A-to-

T comparison method, applied to all of BTIC's export sales.³ In *Beijing Tianhai I*,⁴ the CIT held that the Department's explanation of its "meaningful difference" analysis in the *Final Determination* was insufficient to satisfy the explanation requirement under section 777A(d)(1)(B)(ii) of the Act, and also found that "the explanation ignores the potential use of the {transaction-to-transaction} methodology entirely."⁵ With respect to BTIC's challenge to the Department's application of the A-to-T methodology to all of BTIC's export sales as being inconsistent with 19 CFR 351.414(f), a regulation BTIC alleged had been inappropriately withdrawn, the CIT also held that "even if the Department's withdrawal of 19 CFR 351.414(f) (2007) was in violation of the APA's {(Administrative Procedure Act)} notice and comment requirement, that error was harmless as it relates to the plaintiff in this case," and also that "the Department need not adhere to the requirements of 19 CFR 351.414(f) (2007)."⁶ The Court deferred resolution of several other issues pertaining to the Department's targeted dumping analysis and application of the A-to-T comparison method when determining BTIC's estimated weighted-average dumping margin in *Beijing Tianhai I*.⁷

Following the Department's First Remand Redetermination,⁸ the CIT in *Beijing Tianhai II* sustained the Department's *Final Determination* as to the other issues that BTIC challenged, for which the CIT had deferred consideration in *Beijing Tianhai I*.⁹ However, with regard to the Department's "meaningful difference" analysis and the further analysis the Department provided in the First Remand Redetermination on that issue, the CIT held that "the Department has chosen a narrative rather than an explanation," and "failed to satisfy the requirements of the statute."¹⁰ The Court again remanded that issue to the Department.¹¹

³ *Id.* at 24-26.

⁴ See *Beijing Tianhai Indus. Co. v. United States*, 7 F. Supp. 3d 1318 (CIT 2014) (*Beijing Tianhai I*).

⁵ See *Beijing Tianhai I*, 7 F. Supp. 3d at 1331-32.

⁶ *Id.* at 1332-37.

⁷ *Id.* at 1337.

⁸ See Final Results of Redetermination Pursuant to Court Remand, High Pressure Steel Cylinders from the People's Republic of China, *Beijing Tianhai Indus. Co., Ltd. v. United States*, Court No. 12-00203, Slip Op. 14-104 (CIT September 9, 2014), dated January 7, 2015 (First Remand Redetermination).

⁹ See *Beijing Tianhai Indus. Co. v. United States*, 106 F. Supp. 3d 1342, 1352-56 (CIT 2015) (*Beijing Tianhai II*).

¹⁰ *Id.* at 1351.

¹¹ *Id.*

¹ See *Beijing Tianhai Indus. Co. v. United States*, Slip Op. 17-105 (CIT August 17, 2017) (*Beijing Tianhai IV*); see also Final Results of Redetermination Pursuant to Court Remand, High Pressure Steel Cylinders from the People's Republic of China, *Beijing Tianhai Indus. Co., Ltd. v. United States*, Court No. 12-00203, Slip Op. 17-79 (CIT July 5, 2017), dated August 3, 2017 (Third Remand Redetermination); *High Pressure Steel Cylinders from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 77 FR 26739 (May 7, 2012) (*Final Determination*), and accompanying Issues and Decision Memorandum; and *High Pressure Steel Cylinders from the People's Republic of China: Antidumping Duty Order*, 77 FR 37377 (June 21, 2012) (*Order*).

² See *Final Determination*, and accompanying Issues and Decision Memorandum at 23-24.