

During this assessment phase, the Wayne invites other government agencies, non-governmental parties, and the public to share relevant information that will help develop an understanding of conditions and trends of the assessment topics that are useful to making decisions about the revised plan content. This will include governmental or non-governmental assessments, plans, monitoring reports, studies, and other sources of relevant information about existing and changed conditions, trends, and perceptions of social, economic and ecological systems in the planning area. The Wayne will host a variety of public outreach forums in the spring and summer of 2018 to facilitate this effort, and the public is encouraged to participate and provide meaningful contributions. The Wayne is seeking local knowledge of social values, available data resources, areas of use, and activities, goods and services produced by lands within the Wayne that will help identify gaps in the current management plan, inform the need for change, and highlight priority issues that should be addressed in this revision. This will then lead to the next step of the revision process and inform desired conditions, standards and guidelines, land suitability determinations, and other components that will become part of the revised plan. Public participation is an essential step toward understanding current conditions, available data, and feedback needed to support an overall strategic, efficient and effective revision process.

Several guiding principles, developed to overcome stakeholder-identified challenges, will drive public engagement throughout the plan revision process. These guiding principles include providing direct and transparent communication through a variety of methods, maintaining focused public involvement, building relationships, and promoting sharing, learning and understanding between the agency, partners and the public. These guiding principles will help the Wayne ensure that public engagement in the current assessment phase and throughout the plan revision process will be functional, accessible, and representative.

**Plan Revision**—Using the need for change as a foundation, the Wayne, in coordination with partners and the public, will then begin the plan revision phase of the process. During this phase, participants will develop a vision statement and goals that will lead the forest into the future, specifying desired conditions and objectives to help achieve these goals. The Wayne will engage the public to identify issues and

develop plan alternatives. Finally, in compliance with the National Environmental Policy Act, a proposed action, an environmental impact statement (EIS), and eventually a revised Forest Plan will be completed, with announced opportunities for public review and comment. The plan is a programmatic document that will guide and define development of on-the-ground projects. However, the plan itself is not a decision document.

**Monitoring**—As part of the plan revision, the public will assist the Forest Service in developing a monitoring program, which will be carried out after the revised plan is approved and will continue through the life of the plan. The monitoring program should be designed to help evaluate progress towards meeting the desired conditions and objectives established by the Forest Plan, and may include monitoring questions that address the status of watershed conditions, visitor use and satisfaction, effects of management activities, and more. Monitoring efforts should be within the financial and technical capability of the agency and will help the Forest Service and the public evaluate the effectiveness of the Forest Plan by providing feedback and helping determine whether any changes in the plan are necessary.

To identify as much relevant information as possible, the Wayne is encouraging contributors to share their concerns and perceptions of the conditions and trends in social, economic and environmental systems within the Wayne planning area. Meetings, review and comment periods, and other opportunities for public engagement throughout the plan revision process will be publicized, with announcements posted on the Wayne's planning website at <https://www.fs.usda.gov/main/wayne/landmanagement/planning>. Information will also be sent out to the Forest's mailing list. If anyone is interested in being included in these notifications, please send an email to [WaynePlanRevision@fs.fed.us](mailto:WaynePlanRevision@fs.fed.us).

#### Responsible Official

The Responsible Official for the revision of the Forest Plan for Wayne National Forest is Anthony V. Scardina, Forest Supervisor, Wayne National Forest, 13700 US HWY 33, Nelsonville, OH 45764.

Dated: March 10, 2018.

#### Chris French,

Associate Deputy Chief, National Forest System.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-054]

#### Certain Aluminum Foil From the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (the ITC), Commerce is issuing a countervailing duty (CVD) order on certain aluminum foil (aluminum foil) from the People's Republic of China (China). In addition, Commerce is amending its final CVD determination with respect to aluminum foil from China, to correct ministerial errors.

**DATES:** Applicable April 19, 2018.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Bordas, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3813.

#### SUPPLEMENTARY INFORMATION:

*Period of Investigation:* The period of investigation (POI) is January 1, 2016, through December 31, 2016.

#### Background

In accordance with sections 705(a), 705(d), and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(c), on March 5, 2018, Commerce published in the **Federal Register** an affirmative final determination in the CVD investigation of aluminum foil from China.<sup>1</sup> Interested parties submitted timely filed allegations that Commerce made certain ministerial errors in the final CVD determination of aluminum foil from China. Section 705(e) of the Act and 19 CFR 351.224(f) define ministerial errors as errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial. We reviewed the allegations and determined that we made certain

<sup>1</sup> See *Certain Aluminum Foil from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 83 FR 9282 (March 5, 2018) (*Final Determination*), and accompanying Issues and Decision Memorandum (Final Decision Memorandum).

ministerial errors. See “Amendment to the Final Determination” section below for further discussion.

On April 9, 2018, the ITC notified Commerce of its affirmative determination pursuant to section 705(b)(1)(A)(i) and section 705(d) of the Act, that an industry in the United States is materially injured by reason of subsidized imports of aluminum foil from China.<sup>2</sup>

### Scope of the Order

The merchandise covered by this order is aluminum foil from China. For a complete description of the scope of this order, see the Appendix to this notice.

### Amendment to the Final Determination

On March 5, 2018, the petitioners<sup>3</sup> and Dingsheng Aluminum Industries (Hong Kong) Trading Co., Ltd. (Dingsheng HK) timely alleged that the *Final Determination* contained certain ministerial errors, and requested that Commerce correct such errors. No rebuttal comments were submitted.

Commerce reviewed the record and, on April 3, 2018, agreed that the errors referenced in the petitioners’ and Dingsheng HK’s allegations constitute ministerial errors within the meaning of 705(e) of the Act and 19 CFR 351.224(f).<sup>4</sup> Commerce found that it made errors in calculating Dingsheng HK’s benefit under the Policy Lending for Aluminum Foil and Government Provision of Primary Aluminum for Less Than Adequate Remuneration programs, and these errors were contrary to our methodological intention.<sup>5</sup> Pursuant to 19 CFR 351.224(e), Commerce is amending the *Final Determination* to reflect the correction of the ministerial errors described above. Based on our correction of the ministerial errors in Dingsheng HK’s calculation, the subsidy rate for Dingsheng HK increased from 19.98 percent *ad valorem* to 20.10 percent *ad valorem*.<sup>6</sup> Because the “all-others” rate is based, in part, on Dingsheng HK’s *ad valorem* subsidy rate, the correction noted above also increases the “all-others” rate determined in the *Final Determination* from 18.56 percent *ad valorem* to 18.62

percent *ad valorem*.<sup>7</sup> Because the rates for Loftan Aluminum (Hong Kong) Limited and Manakin Industries, LLC, were derived in part from the rates from Dingsheng HK, the correction also changes the rate for these companies from 80.97 percent *ad valorem* to 80.52 percent *ad valorem*.

### Countervailing Duty Orders

In accordance with section 705(b)(1)(A)(i) and 705(d) of the Act, the ITC has notified Commerce of its final determination in this investigation, in which it found that an industry in the United States is materially injured by reason of subsidized imports of aluminum foil from China. Therefore, in accordance with section 705(c)(2) of the Act, we are issuing this CVD order. Because the ITC determined that imports of aluminum foil from China are materially injuring a U.S. industry, unliquidated entries of such merchandise from China, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

As a result of the ITC’s final determination, in accordance with section 706(a) of the Act, Commerce will direct United States Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, countervailing duties equal to the net countervailable subsidy rates, for all relevant entries of aluminum foil from China. Upon further instruction by Commerce, countervailing duties will be assessed on unliquidated entries of aluminum foil from China entered, or withdrawn from warehouse, for consumption on or after August 14, 2017, the date of publication of the *Preliminary Determination*.<sup>8</sup>

### Amended Cash Deposits and Suspension of Liquidation

In accordance with section 706 of the Act, we will instruct CBP to suspend liquidation on all relevant entries of aluminum foil from China, as further described below. These instructions suspending liquidation will remain in effect until further notice. Commerce will also instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective

on the date of publication of the ITC’s final affirmative injury determination, CBP will require, at the same time as importers would normally deposit estimated duties on this subject merchandise, a cash deposit equal to the subsidy rates listed below.<sup>9</sup> The all-others rate applies to all producers or exporters not specifically listed, as appropriate.

| Company  | Subsidy rate (percent) |
|--|------------------------|
| Dingsheng Aluminum Industries (Hong Kong) Trading Co., Ltd <sup>10</sup> ..... | 20.10                  |
| Jiangsu Zhongji Lamination Materials Co., Ltd <sup>11</sup> .....              | 17.14                  |
| Loftan Aluminum (Hong Kong) Limited .....                                      | 80.52                  |
| Manakin Industries, LLC <sup>12</sup> .....                                    | 80.52                  |
| All-Others .....   | 18.62                  |

### Provisional Measures

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary CVD determination may not remain in effect for more than four months. In the underlying investigation, Commerce published the *Preliminary Determination* on August 14, 2017. Therefore, the four-month period beginning on the date of the publication of the *Preliminary Determination* ended on December 12, 2017. Furthermore, section 707(b) of the Act states that definitive duties are to begin on the date of publication of the ITC’s final injury determination. Therefore, in accordance with section 703(d) of the Act and our practice, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to duties,

<sup>9</sup> See section 706(a)(3) of the Act.

<sup>10</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Dingsheng HK: Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd.; Hangzhou Teemful Aluminum Co., Ltd.; Hangzhou Five Star Aluminum Co., Ltd.; Hangzhou DingCheng Aluminum Co., Ltd.; Luoyang Longding Aluminum Co., Ltd.; Hangzhou Dingsheng Industrial Group Co., Ltd.; Hangzhou Dingsheng Import & Export Co., Ltd.; and Watson (HK) Trading Co., Limited.

<sup>11</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Zhongji: Shantou Wanshun Package Material Stock Co., Ltd.; Jiangsu Huafeng Aluminum Industry Co., Ltd.; and Jiangsu Zhongji Lamination Materials Co., (HK) Ltd.

<sup>12</sup> As discussed in the Preliminary Decision Memorandum, Commerce finds that Manakin Industries and Suzhou Manakin Aluminum Processing Technology Co., Ltd., effectively function by joint operation as a trading company. Therefore, the rate for Manakin Industries also applies to Suzhou Manakin Aluminum Processing Technology Co., Ltd. For additional information, see Preliminary Decision Memorandum and Final Decision Memorandum.

<sup>2</sup> See Letter from the ITC to Commerce, dated April 9, 2018; see also *Aluminum Foil from China* (Investigation Nos. 701–TA–570 and 731–TA–1346 (Final), USITC Publication 4771, April 2018).

<sup>3</sup> The petitioners to this investigation are the Aluminum Association Trade Enforcement Working Group (the petitioners).

<sup>4</sup> See Memorandum “Ministerial Error Allegations Concerning Final Affirmative Countervailing Duty Determination,” dated April 3, 2018.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> See *Certain Aluminum Foil from the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination*, 82 FR 37844 (August 14, 2017) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum (Preliminary Decision Memorandum). However, as described further below, entries that occurred after the expiration of the provisional measures period, and prior to publication of the ITC’s final injury determination, are not subject to countervailing duties.

unliquidated entries of aluminum foil from China made on or after December 12, 2017. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

#### Notification to Interested Parties

This notice constitutes the CVD order with respect to aluminum foil from China pursuant to section 706(a) of the Act. Interested parties can find a list of CVD orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This order and amended final determination are published in accordance with section 706(a) and 19 CFR 351.211(b).

Dated: April 12, 2018.

**Gary Taverman,**

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

#### Appendix

##### Scope of the Order

The merchandise covered by this order is aluminum foil having a thickness of 0.2 mm or less, in reels exceeding 25 pounds, regardless of width. Aluminum foil is made from an aluminum alloy that contains more than 92 percent aluminum. Aluminum foil may be made to ASTM specification ASTM B479, but can also be made to other specifications. Regardless of specification, however, all aluminum foil meeting the scope description is included in the scope, including aluminum foil to which lubricant has been applied to one or both sides of the foil.

Excluded from the scope of this order is aluminum foil that is backed with paper, paperboard, plastics, or similar backing materials on one side or both sides of the aluminum foil, as well as etched capacitor foil and aluminum foil that is cut to shape.

Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above. The products under the order are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7607.11.3000, 7607.11.6000, 7607.11.9030, 7607.11.9060, 7607.11.9090, and 7607.19.6000. Further, merchandise that falls within the scope of this proceeding may also be entered into the United States under

HTSUS subheadings 7606.11.3060, 7606.11.6000, 7606.12.3045, 7606.12.3055, 7606.12.3090, 7606.12.6000, 7606.91.3090, 7606.91.6080, 7606.92.3090, and 7606.92.6080.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-053]

#### Certain Aluminum Foil From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (the ITC), Commerce is issuing an antidumping duty (AD) order on certain aluminum foil from the People's Republic of China (China). In addition, Commerce is amending its final determination of sales at less than fair value (LTFV) from China as a result of a ministerial error.

**DATES:** Applicable April 19, 2018.

**FOR FURTHER INFORMATION CONTACT:** Tom Bellhouse or Michael J. Heaney, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2057 or (202) 482-4475, respectively.

#### SUPPLEMENTARY INFORMATION:

*Period of Investigation:* The period of investigation (POI) is July 1, 2016, through December 31, 2016.

#### Background

On March 5, 2018, Commerce published in the **Federal Register** the *Final Determination* that aluminum foil from China is being, or is likely to be,

sold in the United States at LTFV, as provided in section 735 of the Tariff Act of 1930, as amended (Act).<sup>1</sup> On March 12, 2018, Hangzhou Dingsheng Import & Export Co. Ltd., Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd., Hangzhou Teemful Aluminum Co., Ltd., Hangzhou Five Star Aluminum Co., Ltd., Dingsheng Aluminum Industries (Hong Kong) Trading Co. Ltd., Inner Mongolia Liansheng New Energy Material Joint-Stock Co., Ltd. and Walson (HK) Trading Co., Ltd. (collectively, Dingsheng), and Jiangsu Zhongji Lamination Materials Co., (HK) Ltd., Jiangsu Zhongji Lamination Materials Stock Co., Ltd., and Jiangsu Huafeng Aluminium Industry Co., Ltd. (collectively, Zhongji) submitted ministerial error allegations concerning the *Final Determination*.<sup>2</sup> On March 19, 2018, the Aluminum Association Trade Enforcement Working Group submitted comments to address these allegations.<sup>3</sup> On April 9, 2018, the ITC notified Commerce of its affirmative determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of LTFV imports of aluminum foil from China.<sup>4</sup>

#### Scope of the Order

The merchandise covered by this order is aluminum foil from China. For a complete description of the scope of the order, *see* the Appendix to this notice.

#### Amendment to the Final Determination

After considering parties' comments and reviewing the record, pursuant to section 735(e) of the Act and 19 CFR 351.224(e) and (f), Commerce is amending the *Final Determination* to reflect the correction of a ministerial error it made in calculating the final margin assigned to Dingsheng.<sup>5</sup> In addition, because the rates for the companies receiving a separate rate and the rate of the China-wide entity are based on the margins for Dingsheng and Zhongji, we are also revising these rates.<sup>6</sup>

As a result of this amended final determination, we have revised the estimated weighted average dumping margins as follows:

<sup>1</sup> *See Certain Aluminum Foil from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 83 FR 9282 (March 5, 2018) (*Final Determination*), and accompanying Issues and Decision Memorandum.

<sup>2</sup> *See* Letter, "Dingsheng Final Determination Ministerial Error Comments in the Antidumping Duty Investigation of Aluminum Foil from the People's Republic of China," dated March 12, 2018;

*see also* Letter, "Certain Aluminum Foil from the People's Republic of China: Ministerial Memorandum Comments," dated March 12, 2018.

<sup>3</sup> *See* Letter, "Certain Aluminum Foil from the People's Republic of China—Petitioners' Rebuttal of Jiangsu Zhongji's Clerical Error Allegation," dated March 19, 2018.

<sup>4</sup> *See* Letter from the ITC, dated April 9, 2018; *see also* *Aluminum Foil from China* (Investigation Nos.

701-TA-570 and 731-TA-1346 (Final), USITC Publication 4771, April 2018).

<sup>5</sup> For a detailed discussion of the ministerial error allegations, *see* Memorandum, "Antidumping Duty Investigation of Certain Aluminum Foil from People's Republic of China: Ministerial Error Memorandum," dated concurrently with this notice (Amended Final Memorandum).

<sup>6</sup> *Id.*