

- NEO Tech.; Chatsworth, CA
- Net-Inspect, LLC; Kirkland, WA
- New England Airfoil Products, Inc.; Farmington, CT
- Nokia US; Murray Hill, NJ
- Norsk Titanium US Inc.; Plattsburgh, NY
- Northrop Grumman Corporation; Los Angeles, CA
- Omega Aerial Refueling Services, Inc.; Alexandria, VA
- O'Neil & Associates, Inc.; Miamisburg, OH
- Orbital ATK, Inc.; Dulles, VA
- Pacific Design Technologies; Goleta, CA
- Parker Aerospace; Irvine, CA
- Pegasus Steel, LLC; Goose Creek, SC
- Plexus Corporation; Neenah, WI
- PPG Aerospace-Sierracin Corporation; Sylmar, CA
- PrecisionHawk Inc.; Raleigh, NC
- Primus Aerospace; Lakewood, CO
- Primus Technologies Corporation; Williamsport, PA
- PTC Inc.; Needham, MA
- PWC Aerospace & Defense Advisory Services; McLean, VA
- Range Generation Next LLC; Sterling, VA
- Raytheon Company; Waltham, MA
- Rhinestahl Corporation; Mason, OH
- Rix Industries; Benecia, CA
- Rockwell Collins; Cedar Rapids, IA
- Rolls-Royce North America Inc.; Reston, VA
- salesforce.com, inc.; San Francisco, CA
- SAP America, Inc.; Newtown Square, PA
- Securitas Critical Infrastructure Services, Inc.; Springfield, VA
- Siemens PLM Software; Plano, TX
- Sierra Nevada Corporation, Space Systems; Littleton, CO
- Sparton Corporation; Schaumburg, IL
- Special Aerospace Services, LLC; Boulder, CO
- Spirit AeroSystems; Wichita, KS
- SupplyOn North America, Inc.; San Diego, CA
- Tech Manufacturing, LLC; Wright City, MO
- Textron Inc.; Providence, RI
- The Aerospace Corporation, Civil Systems Group; El Segundo, CA
- The Boeing Company; Chicago, IL
- The Lundquist Group LLC
- The NORDAM Group, Inc.; Tulsa, OK
- The Padina Group, Inc.; Lancaster, PA
- Therm, Incorporated; Ithaca, NY
- Tip Technologies; Waukesha, WI
- Tribus Aerospace Corporation; Poway, CA
- TriMas Aerospace; Los Angeles, CA
- Triumph Group, Inc.; Wayne, PA
- TT Electronics; Perry, OH
- Universal Protection Services; Santa Ana, CA

- Unitech Aerospace; Hayden, ID
- United Technologies Corporation; Hartford, CT
- Verify, Inc.; Irvine, CA
- Virgin Galactic, LLC; Las Cruces, NM
- Wesco Aircraft Hardware Corporation; Valencia, CA
- Woodward, Inc.; Fort Collins, CO
- Xerox; Norwalk, CT

Dated: April 16, 2018.

**Joseph Flynn,**

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

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**BILLING CODE 3510-DR-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-074]

**Common Alloy Aluminum Sheet From the People's Republic of China: Preliminary Affirmative Countervailing Duty (CVD) Determination, Alignment of Final CVD Determination With Final Antidumping Duty Determination, and Preliminary CVD Determination of Critical Circumstances**

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of common alloy aluminum sheet (common alloy sheet) from the People's Republic of China (China). The period of investigation is January 1, 2016, through December 31, 2016. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable April 23, 2018.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Bordas, Lana Nigro, or John Anwesen, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3813, (202) 482-1779, or (202) 482-0131, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on December 4, 2017.<sup>1</sup> On January 19,

<sup>1</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Initiation of Less-Than-Fair-Value and Countervailing Duty Investigation*, 82 FR 57214 (December 4, 2017) (*Initiation Notice*).

2018, Commerce postponed the preliminary determination of this investigation until April 16, 2018.<sup>2</sup> For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>3</sup> A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. 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 (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

**Scope of the Investigation**

The product covered by this investigation is common alloy sheet from China. For a complete description of the scope of this investigation, see Appendix I.

**Scope Comments**

In accordance with the preamble to Commerce's regulations,<sup>4</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage, (*i.e.*, scope).<sup>5</sup> Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce intends to issue its preliminary decision regarding comments concerning the scope of the antidumping duty (AD) and CVD investigations in the preliminary determination of the companion AD investigation.

<sup>2</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation*, 83 FR 2768 (January 19, 2018); see also Commerce memorandum, "Countervailing Duty Investigation of Common Alloy Aluminum Sheet from the People's Republic of China: Correction of the Preliminary Determination Deadline," dated April 9, 2018.

<sup>3</sup> See Decision Memorandum for the Preliminary Affirmative Determination: Countervailing Duty Investigation of Common Alloy Aluminum Sheet from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>4</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

<sup>5</sup> See *Initiation Notice*.

## Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup> In making these findings, we relied, in part, on facts available and, because one or more respondents did not act to the best of their ability to respond to Commerce’s requests for information, we drew an adverse inference where appropriate in selecting from among the facts otherwise available.<sup>7</sup> For further information, *see* “Use of Facts Otherwise Available and Adverse Inferences” in the Preliminary Decision Memorandum.

## Preliminary Affirmative Determination of Critical Circumstances, in Part

In accordance with section 703(e)(1) of the Act, Commerce preliminarily determines that critical circumstances exist with respect to imports of common alloy sheet from China for Chalco Ruimin Co., Ltd.; Chalco-SWA Cold Rolling Co., Ltd., and all other exporters or producers not individually examined. Commerce preliminarily determines that critical circumstances do not exist with respect to Yong Jie New Material Co., Ltd.; Henan Mingtai Industrial Co., Ltd.; and Zhengzhou Mingtai Industry Co., Ltd. For a full description of the methodology and results of Commerce’s analysis, *see* the Preliminary Decision Memorandum.

## Alignment

As noted in the Preliminary Decision Memorandum, in accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final determination in this investigation with the final determination in the companion AD investigation of common alloy sheet from China. 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 August 29, 2018, unless postponed.

## All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate

for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act. Notwithstanding the language of section 705(c)(5)(A)(i) of the Act, we have not calculated the “all-others” rate by weight-averaging the rates of the two individually investigated respondents, because doing so risks disclosure of proprietary information. Therefore, for the “all-others” rate, we calculated a simple average of the two responding companies’ rates.

## Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent)
Chalco Ruimin Co., Ltd .....	113.30
Chalco-SWA Cold Rolling Co., Ltd .....	113.30
Henan Mingtai Industrial Co., Ltd./Zhengzhou Mingtai Industry Co., Ltd. <sup>8</sup> .....	34.99
Yong Jie New Material Co., Ltd. <sup>9</sup> .....	31.20
All-Others .....	33.10

## Suspension of Liquidation

In accordance with section 703(d)(1)(B) and (d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the rates indicated above.

Section 703(e)(2) of the Act provides that, given an affirmative determination of critical circumstances, any suspension of liquidation shall apply to unliquidated entries of merchandise entered, or withdrawn from warehouse, for consumption on or after the later of (a) the date which is 90 days before the

date on which the suspension of liquidation was first ordered, or (b) the date on which notice of initiation of the investigation was published. Commerce preliminarily finds that critical circumstances exist for imports of subject merchandise produced and/or exported by Chalco Ruimin Co., Ltd.; Chalco-SWA Cold Rolling Co., Ltd., and all other exporters or producers not individually examined. In accordance with section 703(e)(2)(A) of the Act, the suspension of liquidation shall apply to unliquidated entries of merchandise from the exporters/producers identified in this paragraph that were entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days before the publication of this notice.

## Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

## Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

## Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.<sup>10</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party’s name, address, and telephone number, the

<sup>10</sup> See 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements).

<sup>6</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

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

<sup>8</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found Henan Gongdian Thermal Co., Ltd. to be cross-owned with Henan Mingtai Industrial Co., Ltd. and Zhengzhou Mingtai Industry Co., Ltd.

<sup>9</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Yong Jie New Material: Zhejiang Yongjie Aluminum Co., Ltd.; Zhejiang Nanjie Industry Co., Ltd.; Zhejiang Yongjie Holding Co., Ltd.; and Nanjie Resources Co., Ltd.

number of participants, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

#### International Trade Commission Notification

In accordance with section 703(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination.

#### Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act and 19 CFR 351.205(c).

Dated: April 16, 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 I

##### Scope of the Investigation

The merchandise covered by the investigation is aluminum common alloy sheet (common alloy sheet), which is a flat-rolled aluminum product having a thickness of 6.3 mm or less, but greater than 0.2 mm, in coils or cut-to-length, regardless of width. Common alloy sheet within the scope of the investigation includes both not clad aluminum sheet, as well as multi-alloy, clad aluminum sheet. With respect to not clad aluminum sheet, common alloy sheet is manufactured from a 1XXX-, 3XXX-, or 5XXX-series alloy as designated by the Aluminum Association. With respect to multi-alloy, clad aluminum sheet, common alloy sheet is produced from a 3XXX-series core, to which cladding layers are applied to either one or both sides of the core.

Common alloy sheet may be made to ASTM specification B209-14, but can also be made to other specifications. Regardless of specification, however, all common alloy sheet meeting the scope description is included in the scope. Subject merchandise includes common alloy sheet that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the common alloy sheet.

Excluded from the scope of the investigation is aluminum can stock, which is suitable for use in the manufacture of aluminum beverage cans, lids of such cans, or tabs used to open such cans. Aluminum can stock is produced to gauges that range from 0.200 mm to 0.292 mm, and has an H-19, H-41, H-48, or H-391 temper. In addition, aluminum can stock has a lubricant applied to the flat surfaces of the can stock to facilitate its movement through machines used in the manufacture of beverage cans. Aluminum can stock is properly classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7606.12.3045 and 7606.12.3055.

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 for the above.

Common alloy sheet is currently classifiable under HTSUS subheadings 7606.11.3060, 7606.11.6000, 7606.12.3090, 7606.12.6000, 7606.91.3090, 7606.91.6080, 7606.92.3090, and 7606.92.6080. Further, merchandise that falls within the scope of these investigation may also be entered into the United States under HTSUS subheadings 7606.11.3030, 7606.12.3030, 7606.91.3060, 7606.91.6040, 7606.92.3060, 7606.92.6040, 7607.11.9090. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

#### Appendix II

##### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope Comments
- IV. Scope of the Investigation
- V. Injury Test
- VI. Preliminary Determination of Critical Circumstances
- VII. Application of the CVD Law to Imports From China
- VIII. Subsidies Valuation
- IX. Benchmarks and Interest Rates
- X. Use of Facts Otherwise Available and Adverse Inferences
- XI. Analysis of Programs
- XII. ITC Notification
- XIII. Disclosure and Public Comment
- XIV. Verification
- XV. Conclusion

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**BILLING CODE 3510-DS-P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

RIN 0648-XG165

##### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit application contains all of the required information and warrants further consideration. This Exempted Fishing Permit would exempt one commercial fishing vessel from the Northeast multispecies minimum mesh size and minimum fish size regulations in support of gear research to target healthy haddock and redfish stocks.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

**DATES:** Comments must be received on or before May 8, 2018.

**ADDRESSES:** You may submit written comments by any of the following methods:

- *Email:* [nmfs.gar.efp@noaa.gov](mailto:nmfs.gar.efp@noaa.gov).

Include in the subject line "GMRI Off-bottom Trawl EFP."

- *Mail:* Michael Pentony, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "GMRI Off-bottom Trawl EFP."

**FOR FURTHER INFORMATION CONTACT:** Spencer Talmage, Fishery Management Specialist, 978-281-9232.

**SUPPLEMENTARY INFORMATION:** The Gulf of Maine Research Institute (GMRI) submitted a complete application for an Exempted Fishing Permit (EFP) on March 20, 2018, in support of a 2016 Saltonstall-Kennedy Program project titled "Complementary testing of off-bottom trawls to target Georges Bank haddock." The EFP would exempt one fishing vessel from minimum mesh size requirements at 50 CFR 648.80(a)(3)(ii) and temporarily exempt the vessel from minimum fish size requirements in 50 CFR part 648, subparts B and D through