

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-081]

**Glycine From the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination**

**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 glycine from the People’s Republic of China (China) for the period of investigation January 1, 2017, through December 31, 2017. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 4, 2018.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Bordas or Tyler Weinhold, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3813 or (202) 482-1121, 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 April 25, 2018.<sup>1</sup> On June 7, 2018, in accordance with section 703(c)(1)(A) of the Act, Commerce postponed the preliminary determination of this investigation to August 27, 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 Department of 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 glycine 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*.

For a summary of the product coverage comments and rebuttal responses submitted to the record for this preliminary determination and accompanying discussion and analysis of all comments timely received, see the Preliminary Scope Decision Memorandum.<sup>6</sup> Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. See scope at Appendix I.

**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>7</sup> Commerce notes that, in making these findings, we relied in total on facts available and, because we find that the mandatory respondents did not act to the best of their ability to respond to Commerce’s requests for information,

we drew an adverse inference in selecting from among the facts otherwise available.<sup>8</sup> For further information, see “Use of Facts Otherwise Available and Adverse Inferences” in the Preliminary Decision Memorandum.

**All-Others Rate**

Sections 703(d)(1)(A) 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. Pursuant to section 705(c)(5)(A)(ii) of the Act, if the individual estimated countervailable subsidy rates established for all exporters and producers individually examined are zero, *de minimis*, or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated subsidy rate for all-other producers or exporters. In this investigation, we preliminarily determined the individually estimated subsidy rate for each of the individually examined respondents based entirely on facts available under section 776 of the Act. There is no other information on the record with which to determine an all-others rate. Consequently, pursuant to section 705(c)(5)(A)(ii) of the Act, we have established the all-others rate by applying the countervailable subsidy rate assigned to the mandatory respondents. For a full description of the methodology underlying Commerce’s analysis, see the Preliminary Decision Memorandum.

**Preliminary Determination**

We preliminarily determine that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent)
JC Chemicals Limited .....	144.01
Simagchem Corp .....	144.01
All-Others .....	144.01

**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

<sup>8</sup> See sections 776(a) and (b) of the Act.

<sup>1</sup> See *Glycine from India, the People’s Republic of China, and Thailand: Initiation of Countervailing Duty Investigations*, 83 FR 18002 (April 25, 2018) (*Initiation Notice*).

<sup>2</sup> See *Glycine from India, the People’s Republic of China, and Thailand: Postponement of Preliminary Determinations of Countervailing Duty Investigations*, 83 FR 26415 (June 7, 2018).

<sup>3</sup> See Memorandum, “Decision Memorandum for the Preliminary Affirmative Determination of the Countervailing Duty Investigation of Glycine 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*.

<sup>6</sup> See Memorandum, “Glycine from India, Japan, the People’s Republic of China and Thailand: Scope Comments Decision Memorandum for the Preliminary Determinations,” dated August 27, 2018. (Preliminary Scope Decision Memorandum).

<sup>7</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.

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.

#### 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

Because the examined respondents in this investigation did not provide information requested by Commerce and we preliminarily determine each of the examined respondents to have been uncooperative, we will not conduct verification.

#### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 25 days after the date of publication of the preliminary determination. 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>9</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 number of participants, whether any participant is a foreign national, 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, we 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: August 27, 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 this investigation is glycine at any purity level or grade. This includes glycine of all purity levels, which covers all forms of crude or technical glycine including but not limited to sodium glycinate, glycine slurry and any other forms of amino acetic acid or glycine. Subject merchandise also includes glycine and precursors of dried crystalline glycine that are processed in a third country, including, but not limited to, refining 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 in-scope glycine or precursors of dried crystalline glycine. Glycine has the Chemical Abstracts Service (CAS) registry number of 56-40-6. Glycine and glycine slurry are classified under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2922.49.4300. Sodium glycinate is classified in the HTSUS under 2922.49.8000. While the HTSUS subheadings and CAS registry number 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. Injury Test
- IV. Use of Facts Otherwise Available and Adverse Inferences
- V. Analysis of Programs
- VI. Calculation of the All-Others Rate
- VII. Conclusion

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Post-Disaster Research Methods Meeting

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** The National Institute of Standards and Technology (NIST) and the National Center for Disaster Medicine and Public Health (NCDMPH) will hold an open meeting on Thursday, September 6, 2018 from 8:30 a.m. to 5:00 p.m. Eastern Time and on Friday, September 7, 2018 from 8:30 a.m. to 12:00 p.m. Eastern Time. The primary purpose of this meeting is to discuss the state-of-the-practice in post-disaster field data collection methods, including sampling methodologies across multiple disciplines. The agenda will be posted on the NIST website at <https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/hurricane-maria-ncst>.

**DATES:** The meeting will be held on Thursday, September 6, 2018 from 8:30 a.m. to 5:00 p.m. Eastern Time and on Friday, September 7, 2018 from 8:30 a.m. to 12:00 p.m. Eastern Time.

**ADDRESSES:** The meeting will be held in person and via teleconference at the Henry M. Jackson Foundation Headquarters, 6720A Rockledge Drive, Bethesda, Maryland 20817. For instructions on how to participate in the meeting, please see the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Melissa Banner, Administrative Office Assistant, Community Resilience Program, Engineering Laboratory, NIST, 100 Bureau Drive, Mail Stop 8615, Gaithersburg, Maryland 20899-8604. Ms. Banner's email address is [Melissa.Banner@nist.gov](mailto:Melissa.Banner@nist.gov); and her phone number is (301) 975-8912.

**SUPPLEMENTARY INFORMATION:** The National Institute of Standards and Technology (NIST) and the National Center for Disaster Medicine and Public Health (NCDMPH) will hold an open meeting on Thursday, September 6, 2018 from 8:30 a.m. to 5:00 p.m. Eastern Time and on Friday, September 7, 2018 from 8:30 a.m. to 12:00 p.m. Eastern Time. The primary purpose of this meeting is to discuss the state-of-the-practice in post-disaster field data collection methods including sampling methodologies across multiple disciplines. The agenda will be posted on the NIST website at <https://>

<sup>9</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).