

• \_\_\_\_\_ my company is the end-user of the imported product covered by this certification,

Or

• \_\_\_\_\_ my company is not the end-user of the imported products covered by this certification, but I have contacted the end-user and advised them in writing of the end-use requirements for the imported product and an official of the end-user has signed a copy of this certification;

• This tire cord wire rod shall be used for tire cord applications, which require that the tire cord wire rod be drawn into wire with a diameter of 0.405 mm or less;

• This tire cord wire rod will not be drawn into wire with a diameter greater than 0.405 mm;

• I understand that {INSERT NAME OF IMPORTING COMPANY} is required to maintain a copy of this certification (including a copy signed by an end-user that is not the importer) and sufficient documentation supporting this certification for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in the United States courts regarding such entries;

• I understand that {INSERT NAME OF IMPORTING COMPANY} is required to provide this certification and supporting records, upon entry, to U.S. Customs and Border Protection (CBP);

• I understand that the claims made herein, and the substantiating documentation, are subject to verification by CBP and/or the U.S. Department of Commerce (Commerce);

• I understand that failure to maintain the required certification and/or failure to substantiate the claims made herein will result in:

○ suspension of liquidation of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met; and

○ the requirement that the importer post applicable antidumping duty (AD) cash deposits equal to the rates as determined by Commerce;

• I understand that agents of the importer, such as brokers, are not permitted to make this certification;

• This certification was completed at the time of entry;

• I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. government.

IMPORTER SIGNATURE \_\_\_\_\_

NAME OF COMPANY OFFICIAL \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

END-USER SIGNATURE (if other than importer) \_\_\_\_\_

NAME OF COMPANY OFFICIAL \_\_\_\_\_

TITLE \_\_\_\_\_

COMPANY NAME \_\_\_\_\_

DATE \_\_\_\_\_

[FR Doc. 2018-24350 Filed 11-6-18; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-533-864]

#### Certain Corrosion-Resistant Steel Products From India: Notice of Court Decision Not in Harmony With the Affirmative Final Determination and Countervailing Duty Order

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

**SUMMARY:** On October 23, 2018, the United States Court of International Trade (CIT or the Court) sustained the final results of redetermination pertaining to the countervailing duty (CVD) investigation of certain corrosion-resistant steel products (CORE) from India for the period of investigation from January 1, 2014, through December 31, 2014. The Department of Commerce (Commerce) is notifying the public that the final judgment in this case is not in harmony with the *Final Determination* and *Order* of the investigation and that Commerce is amending the *Final Determination* and *Order* with respect to the CVD cash deposit rate assigned to JSW Steel Limited and JSW Steel Coated Products Limited (collectively JSW).

**DATES:** This order is effective November 2, 2018.

**FOR FURTHER INFORMATION CONTACT:** Christian Llinas, 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) 482-4877.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 2, 2016, Commerce published its *Final Determination* in the CVD investigation of CORE from India.<sup>1</sup> Commerce issued an *Amended Final Determination* explaining its critical circumstances analysis, on June 14, 2016.<sup>2</sup> Commerce published the countervailing duty order resulting from the investigation on July 25, 2016.<sup>3</sup>

<sup>1</sup> See *Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from India: Final Affirmative Determination*, 81 FR 35323 (June 2, 2016) (*Final Determination*) and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from India: Notice of Correction to Final Affirmative Determination; Negative Determination of Critical Circumstances*, 81 FR 38671 (June 14, 2016) (*Amended Final Determination*).

<sup>3</sup> See *Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order*, 81 FR 48387 (July 25, 2016) (*Order*).

On May 9, 2018, the CIT remanded the *Final Determination* to Commerce.<sup>4</sup> Specifically, the CIT remanded the *Final Determination* directing Commerce to recalculate JSW's CVD rate without regard to JSW Steel (Salav) Limited (Salav), a cross-owned input supplier.<sup>5</sup> On August 7, 2018, Commerce issued its final results of redetermination pursuant to remand in accordance with the CIT's order.<sup>6</sup> On remand, Commerce, under respectful protest,<sup>7</sup> recalculated JSW's CVD rate without regard to Salav, and also recalculated the "all-others" rate. On October 23, 2018, the CIT sustained Commerce's *Final Redetermination*.<sup>8</sup> The effective date of this notice is November 2, 2018.

#### Timken Notice

In its decision in *Timken*,<sup>9</sup> as clarified by *Diamond Sawblades*,<sup>10</sup> the Court of Appeals for the Federal Circuit (CAFC) held that, pursuant to section 516A of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision.<sup>11</sup> The CIT's October 23, 2018, final judgment affirming the *Final Redetermination* constitutes a final decision of the Court that is not in harmony with Commerce's *Final Determination* and *Order*. This notice is published in fulfillment of the publication requirements of *Timken* and section 516A of the Act.

#### Amended Final Determination

Because there is now a final court decision, Commerce is amending its *Final Determination* and *Order*. Commerce finds that the revised countervailable subsidy rate for JSW and the revised "all-others" rate are as follows:

<sup>4</sup> *JSW Steel Ltd. and JSW Steel Coated Products Ltd. v. United States*, Court No. 16-00165, Slip Op. 18-51 (CIT May 9, 2018).

<sup>5</sup> *Id.* at 8-9.

<sup>6</sup> See Final Results of Redetermination Pursuant to Court Remand *JSW Steel Limited and JSW Steel Coated Products Limited v. United States*, Slip Op. 18-51 (CIT May 9, 2018), dated August 7, 2018 (*Final Redetermination*).

<sup>7</sup> See *Viraj Group, Ltd. v. United States*, 343 F.3d 1371 (Fed. Cir. 2003).

<sup>8</sup> See *JSW Steel Ltd. and JSW Steel Coated Products Ltd. v. United States*, Court No. 16-00165, Slip Op. 18-147 (CIT Oct. 23, 2018).

<sup>9</sup> See *Timken Co., v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>10</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>11</sup> See Sections 516A(c) and (e) of the Act.

Producer/exporter	Net subsidy rate (percent)
JSW Steel Limited and JSW Steel Coated Products Limited .....	4.24
"All-others" rate .....	6.12

### Cash Deposit Requirements

Because JSW does not have a superseding cash deposit rate, *i.e.*, there have been no final results published in subsequent administrative reviews for JSW, Commerce will issue revised cash deposit instructions to CBP. Commerce will also instruct CBP to collect cash deposits for companies covered by the "all-others" cash deposit rate according to the table above.

### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c)(1) and (e), 705(c)(1)(B), and 777(i)(1) of the Act.

Dated: November 1, 2018.

#### James Maeder,

*Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XG571

### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Notice; availability of hatchery plan and request for comment.

**SUMMARY:** Notice is hereby given that the Bureau of Reclamation (Reclamation) and the California Department of Fish and Wildlife (CDFW) have submitted a Hatchery and Genetics Management Plan (HGMP) pursuant to the protective regulations promulgated for Pacific salmon and steelhead under the Endangered Species Act (ESA). The HGMP specifies the operation of a hatchery program rearing coho salmon in the upper Trinity River within the State of California. This document serves to notify the public of the availability of the HGMP and associated draft environmental assessment (EA) for comment prior to a

decision by NMFS whether to approve the proposed hatchery program.

**DATES:** Comments must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific time on December 7, 2018.

**ADDRESSES:** Written comments on the application should be addressed to NMFS West Coast Region, California Coastal Office, 1655 Heindon Road, Arcata, CA 95521, or faxed to (707) 825-4840. Comments may be submitted by email to: *TrinityRiverHatcheryPlan.wcr@noaa.gov*. Include in the subject line of the email comment the following identifier: Comments on the Trinity River Hatchery plan.

**FOR FURTHER INFORMATION CONTACT:** Seth Naman, at phone number: (707) 825-5180, or via email: *Seth.Naman@noaa.gov*.

#### SUPPLEMENTARY INFORMATION:

Species covered in this notice:

Coho salmon (*O. kisutch*): Threatened, naturally produced and artificially propagated Southern Oregon/Northern California (SONCC).

Reclamation and CDFW have submitted an HGMP to NMFS describing a hatchery program that releases coho salmon into the upper Trinity River, in northern California, for consideration pursuant to Limit 5 of the ESA 4(d) rule for salmon and steelhead.

The hatchery program that is the subject of the NMFS evaluation would operate to produce coho salmon to mitigate for lost natural production that would have occurred in historic spawning habitat upstream of the Trinity River Dam and the Lewiston Dam (*i.e.*, habitat blocked since the dams were constructed). The program would propagate coho salmon smolts that are derived from the local coho salmon population in the Trinity River, matching natural-origin coho salmon with their natural counterparts whenever possible, and striving for a high proportion of natural influence (average greater than 0.67). Measures would be applied in the hatchery program to reduce the risk of incidental adverse genetic, ecological, and demographic effects on natural-origin salmon populations.

As specified in the July 10, 2000, ESA 4(d) rule for salmon and steelhead (65 FR 42422) and updated June 28, 2005 (70 FR 37160), NMFS may approve an HGMP if it meets criteria set forth in 50 CFR 223.203(b)(5)(i)(A) through (K). Prior to final approval of an HGMP, NMFS must publish notification announcing its availability for public review and comment.

### Authority

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as s/he deems necessary and advisable for the conservation of species listed as threatened under the ESA. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005), specifies categories of activities that contribute to the conservation of ESA-listed salmonids and sets out the criteria for such activities. Limit 5 of the updated 4(d) rule (50 CFR 223.203(b)(5)) further provides that the prohibitions of paragraph (a) of the updated 4(d) rule (50 CFR 223.203(a)) do not apply to activities associated with artificial propagation programs provided that an HGMP has been approved by NMFS in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005).

Dated: November 1, 2018.

#### Angela Somma,

*Chief, Endangered Species Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### Proposed Information Collection; Comment Request; Evaluation of the Pacific Islands Managed and Protected Area Community (PIMPAC)

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before January 7, 2019.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at *prcomments@doc.gov*).