

in accordance with section 776 of the Act, Commerce preliminarily applied AFA to Uttam Galva, the mandatory respondent, and Commerce has preliminarily determined as the AFA rate a dumping margin applied in a prior segment of this proceeding.

Interested parties may submit case briefs to Commerce no later than 30 days after the date of publication of this notice.<sup>9</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing 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 proceeding 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. Case and rebuttal briefs should be filed using ACCESS.<sup>11</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Standard Time within 30 days after the date of publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. 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.<sup>12</sup> Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless the deadline is extended.<sup>13</sup>

#### Assessment Rates

Upon issuance of the final results, Commerce shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this

review.<sup>14</sup> The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.<sup>15</sup> We intend to issue instructions to CBP 15 days after the date of publication of the final results of this review.

#### Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Uttam Galva will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which the company was reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 0.00 percent, the all-others rate established in the investigation.<sup>16</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

The 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 351.221(b)(4).

Dated: December 21, 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.*

#### Appendix

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Use of Facts Available and Adverse Inferences
  - A. Legal Authority
  - B. Application of Facts Available to Uttam Galva
  - C. Use of Adverse Inference
  - D. Selection and Corroboration of AFA Rate
- V. Preliminary Determination of No Shipments
- VI. Conclusion

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[C-570-098, C-533-886]

#### Polyester Textured Yarn From India and the People's Republic of China: Postponement of Preliminary Determinations in the Countervailing Duty Investigations

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

**DATES:** Applicable February 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Joseph Dowling at (202) 482-1646 (China); Janae Martin at (202) 482-0238 (India), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On November 7, 2018, the Department of Commerce (Commerce) initiated countervailing duty (CVD) investigations of imports of polyester textured yarn from India and the People's Republic of China (China).<sup>1</sup> Currently, the preliminary determinations are due no later than January 11, 2018.

<sup>1</sup> See *Polyester Textured Yarn from India and the People's Republic of China: Initiation of Countervailing Duty Investigations*, 83 FR 58232 (November 19, 2018).

<sup>9</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>10</sup> See 19 CFR 351.309(d).

<sup>11</sup> See 19 CFR 351.303.

<sup>12</sup> See 19 CFR 351.310(c).

<sup>13</sup> See section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

<sup>14</sup> See 19 CFR 351.212(b).

<sup>15</sup> See section 751(a)(2)(C) of the Act.

<sup>16</sup> See *Order*, 81 FR at 48393.

### Postponement of Preliminary Determinations

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioners<sup>2</sup> makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioners must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On December 10, 2018, the petitioners submitted timely requests that Commerce postpone the preliminary CVD determinations.<sup>3</sup> The petitioners stated that they request postponement of the preliminary determinations because Commerce requires additional time to select mandatory respondents and collect and analyze the questionnaire responses.<sup>4</sup> Furthermore, additional time will permit the petitioners to review the data submitted by the mandatory respondents selected, as well as the Governments of China and India, and for Commerce to issue supplemental questionnaires and gather additional or clarifying information, as necessary.<sup>5</sup>

In accordance with 19 CFR 351.205(e), the petitioners have stated the reasons for requesting a postponement of the preliminary determinations, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is

<sup>2</sup> The petitioners are Unifi Manufacturing, Inc. and Nan Ya Plastics Corporation, America.

<sup>3</sup> See the petitioners' letter, "Countervailing Duty Investigation of Polyester Textured Yarn from China—Petitioners' Request to Postpone Preliminary Determination," dated December 10, 2018 (China Postponement Letter); and the petitioners' letter, "Countervailing Duty Investigation of Polyester Textured Yarn from India—Petitioners' Request to Postpone Preliminary Determination," dated December 10, 2018 (India Postponement Letter).

<sup>4</sup> See China Postponement Letter at 2; India Postponement Letter at 2.

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

postponing the deadline for the preliminary determinations to no later than 130 days after the date on which these investigations were initiated, *i.e.*, to March 18, 2019.<sup>6</sup> Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determinations.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: December 21, 2018.

#### P. Lee Smith,

*Deputy Assistant Secretary for Policy and Negotiations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free Trade Agreement (NAFTA), Article 1904; Binational Panel Reviews: Notice of Completion of Panel Review

**AGENCY:** United States Section, NAFTA Secretariat, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Completion of Panel Review in the matter of Uncoated Groundwood Paper From Canada: Injury Determination (Secretariat File Number: USA-CDA-2018-1904-07).

**SUMMARY:** The U.S. Section of the NAFTA Secretariat received Requests for Panel Review filed on behalf of Resolute FP Canada Inc. and Resolute FP US Inc. (collectively, "Resolute") on October 26, 2018, and on behalf of the Government of Quebec on October 29, 2018, pursuant to NAFTA Article 1904. Panel Review was requested of the U.S. International Trade Commission's final injury determination involving imports of Uncoated Groundwood Paper from Canada. Pursuant to Rule 39(1) of the *NAFTA Rules of Procedure for Article 1904 Binational Panel Reviews (Rules)*, an interested person shall file a Complaint within 30 days after the filing of a first Request for Panel Review. Given that no Complaint has

<sup>6</sup> Postponing the preliminary determinations to 130 days after the date of initiation of these investigations would place the deadline on Sunday, March 17, 2019. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

been filed in a timely manner, the panel review has been terminated pursuant to Rule 71(3), and notice is hereby given that panel review of the NAFTA Groundwood Paper Injury dispute has been completed effective November 27, 2018.

**FOR FURTHER INFORMATION CONTACT:** Paul E. Morris, United States Secretary, NAFTA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of Article 1904 of NAFTA provides a dispute settlement mechanism involving trade remedy determinations issued by the government of the United States, the government of Canada, and the government of Mexico. There are established *Rules*, which were adopted by the three governments and require Notices of Completion of Panel Review to be published in accordance with Rule 78. For the complete *Rules*, please see <https://www.nafta-sec-alena.org/Home/Texts-of-the-Agreement/Rules-of-Procedure/Article-1904>.

Dated: January 29, 2019.

Paul E. Morris,

*U.S. Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-082]

#### Steel Wheels From the People's Republic of China: Postponement of Final Determination of Sales at Less-Than-Fair-Value

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

**SUMMARY:** The Department of Commerce (Commerce) is postponing the deadline for issuing the final determination in the less-than-fair-value (LTFV) investigation of certain steel wheels from the People's Republic of China (China) until February 11, 2019.

**DATES:** Applicable February 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Lingjun Wang, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2316.

**SUPPLEMENTARY INFORMATION:**

#### Background

Commerce published an *Initiation Notice* on April 24, 2018 and a