

## Notifications to Interested Parties

This notice constitutes the antidumping duty order with respect to welded line pipe from India pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This order is published in accordance with sections 735(c) and 736(a) of the Act and 19 CFR 351.211(b).

Dated: February 28, 2019.

**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 welded carbon and alloy steel line pipe (other than stainless steel pipe), more than 406.4 mm (16 inches) in nominal outside diameter (large diameter welded line pipe), regardless of wall thickness, length, surface finish, grade, end finish, or stenciling. Large diameter welded pipe may be used to transport oil, gas, slurry, steam, or other fluids, liquids, or gases.

Large diameter welded line pipe is used to transport oil, gas, or natural gas liquids and is normally produced to the American Petroleum Institute (API) specification 5L. Large diameter welded line pipe can be produced to comparable foreign specifications, grades and/or standards or to proprietary specifications, grades and/or standards, or can be non-graded material. All line pipe meeting the physical description set forth above, including any dual- or multiple-certified/stenciled pipe with an API (or comparable) welded line pipe certification/stencil, is covered by the scope of this order.

Subject merchandise also includes large diameter welded line pipe that has been further processed in a third country, including but not limited to coating, painting, notching, beveling, cutting, punching, welding, or any other processing that would not otherwise remove the merchandise from the scope of the order if performed in the country of manufacture of the in-scope large diameter welded line pipe.

Excluded from the scope of this order is structural pipe, which is produced only to American Society for Testing and Materials (ASTM) standards A500, A252, or A53, or other relevant domestic specifications, or comparable foreign specifications, grades and/or standards or to proprietary specifications, grades and/or standards. Also excluded is large diameter welded pipe produced only to specifications of the American Water Works Association (AWWA) for water and sewage pipe.

The large diameter welded line pipe that is subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7305.11.1030, 7305.11.1060, 7305.11.5000, 7305.12.1030, 7305.12.1060,

7305.12.5000, 7305.19.1030, 7305.19.1060, and 7305.19.5000. Merchandise currently classifiable under subheadings 7305.31.4000, 7305.31.6090, 7305.39.1000 and 7305.39.5000 and that otherwise meets the above scope language is also covered. While 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–570–010]

### Certain Crystalline Silicon Photovoltaic Products From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2017–2018

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that Sol-lite Manufacturing Company Limited (Sol-lite), Ri Shen Products (SZ) (Ri Shen), and Shenzhen Sungold Solar Co., Ltd. (Sungold) have not demonstrated their eligibility for a separate rate during the period of review (POR) February 1, 2017 through January 31, 2018.

**DATES:** Applicable March 6, 2019.

**FOR FURTHER INFORMATION CONTACT:** Jeff Pedersen, AD/CVD Operations, Office IV, Enforcement & Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2769.

#### SUPPLEMENTARY INFORMATION:

#### Background

Commerce published the notice of initiation of this review with respect to 12 companies/company groups on April 16, 2018.<sup>1</sup> On September 7, 2018, Commerce published a notice rescinding the review with respect to nine companies for which all review requests had been withdrawn.<sup>2</sup> The only three companies remaining under review are Sol-lite, Ri Shen, and Sungold. On October 19, 2018, Commerce postponed the preliminary

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 16298 (April 16, 2018) (*Initiation Notice*).

<sup>2</sup> See *Certain Crystalline Silicon Photovoltaic Products From the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review; 2017–2018*, 83 FR 45417 (September 7, 2018) (*Partial Rescission Notice*).

results of this review until January 29, 2019.<sup>3</sup> Subsequent to that postponement, Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.<sup>4</sup> If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the preliminary results decision is now March 11, 2019. For a complete description of the events that followed the initiation of this administrative review, see the Preliminary Decision Memorandum.<sup>5</sup>

#### Scope of the Order

The merchandise covered by the order is modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials.<sup>6</sup> Merchandise covered by the order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.60.15, 8541.40.6020, 8541.40.6030, 8541.40.60.35 and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the order is dispositive.

#### Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(B) of the Tariff

<sup>3</sup> See memorandum to 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, "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review" dated October 19, 2018.

<sup>4</sup> See memorandum to the Record from 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, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

<sup>5</sup> See "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China; 2017–2018", issued concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum).

<sup>6</sup> For a complete description of the scope of the order, see Preliminary Decision Memorandum.

Act of 1930, as amended (the Act). For a full description of the methodology underlying the preliminary results of this review, see the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an Appendix 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 the electronic versions of the Preliminary Decision Memorandum are identical in content.

#### **Preliminary Determination Regarding No Shipments Claim**

Based on an analysis of U.S. Customs and Border Protection (CBP) information, we determine that Sungold, which claimed no exports, sales or entries of subject merchandise during the POR, did, in fact, ship subject merchandise to the United States during the POR. For additional information regarding this preliminary determination, see the Preliminary Decision Memorandum.

#### **Separate Rates**

In proceedings involving non-market economy (NME) countries, Commerce begins with a rebuttable presumption that all companies within the NME country are subject to government control and that a single weighted-average dumping margin (China-wide entity rate) is applicable to all exporters under review unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate. Sol-lite was selected as a mandatory respondent in the instant review, but failed to respond to Commerce's questionnaire. Sungold made shipments during the POR but did not file a separate rate certification. Ri Shen also did not file a separate rate certification. Therefore, Commerce preliminarily determines that neither Sol-lite, Ri Shen, nor Sungold is entitled to a separate rate and has treated them as part of the China-wide entity. Because no party requested a review of the China-wide entity, the entity is not under review and the entity's rate (*i.e.*, 151.98 percent) is not subject to change

in this review.<sup>7</sup> For additional information regarding Commerce's separate rates determination, see the Preliminary Decision Memorandum.

#### **Public Comment**

Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.<sup>8</sup> Rebuttal briefs may be filed no later than five days after case briefs are due and may respond only to arguments raised in the case briefs.<sup>9</sup> A table of contents, list of authorities used, and an executive summary of issues should accompany any briefs submitted to Commerce. The summary should be limited to five pages total, including footnotes.<sup>10</sup>

Interested parties who wish to request a hearing 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.<sup>11</sup> Requests should contain the party's name, address, and telephone number, the number of participants that will attend, whether any participant is a foreign national, and a list of the issues to be discussed at the hearing. Oral arguments at the hearing will be limited to issues raised in case and rebuttal briefs. If a hearing is held, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a date and time 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 of the hearing.

All submissions, with limited exceptions, must be filed electronically using ACCESS.<sup>13</sup> An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time (ET) on the due date. Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with the APO/Dockets Unit in Room 18022 and stamped with the date and time of receipt by 5 p.m. ET on the due date.<sup>14</sup>

<sup>7</sup> See *Certain Silicon Photovoltaic Products from the People's Republic of China: Antidumping Duty Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 80 FR 8592 (February 18, 2015).

<sup>8</sup> See 19 CFR 351.309(c)(ii).

<sup>9</sup> See 19 CFR 351.309(d).

<sup>10</sup> See 19 CFR 351.309(c)(2), (d)(2).

<sup>11</sup> See 19 CFR 351.310(c).

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

<sup>13</sup> See generally 19 CFR 351.303.

<sup>14</sup> See 19 CFR 351.303 (for general filing requirements); *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures*;

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, within 120 days of publication of these preliminary results of review, pursuant to section 751(a)(3)(A) of the Act.

#### **Assessment Rates**

Upon issuance of the final results, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review. If Commerce continues to find that Sol-lite, Ri Shen, and Sungold are ineligible for a separate rate in the final results of this review, it will instruct CBP to liquidate all POR entries of subject merchandise from these companies at 151.98 percent, *i.e.*, the rate for the China-wide entity. Commerce intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

#### **Cash Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of review, as provided for by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed Chinese and non-Chinese exporters who are not under review in this segment of the proceeding, but which have a separate rate from a completed prior segment of the proceeding, the cash deposit rate will be the exporter-specific separate rate currently in effect from a previously completed segment of the proceeding; (2) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity, 151.98 percent; and (3) for all non-Chinese exporters of subject merchandise which have not received their own separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### **Notification to Importers**

This notice also 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 Commerce's presumption that reimbursement of antidumping duties has occurred, and the subsequent assessment of doubled antidumping duties.

#### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213 and 351.221(b)(4).

Dated: February 28, 2019.

#### 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

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

1. Summary
2. Background
3. Respondent Selection
4. Scope of the Order
5. Preliminary Determination Regarding No Shipments Claim
6. Separate Rates
7. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-077]

#### Large Diameter Welded Pipe From the People's Republic of China: 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 (ITC), Commerce is issuing an antidumping duty order on large diameter welded carbon and alloy steel line and structural pipe from the People's Republic of China (China).

**DATES:** Applicable March 6, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ryan Mullen at (202) 482-5260, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

#### Background

On November 14, 2018, Commerce published its affirmative final determination in the less-than-fair-value (LTFV) investigation of large diameter welded pipe from China.<sup>1</sup> The scope of the investigation in Commerce's final determination covered large diameter welded carbon and alloy steel line pipe (welded line pipe), large diameter welded carbon and alloy steel structural pipe (welded structural pipe), and stainless steel large diameter welded pipe (stainless steel pipe) from China.<sup>2</sup> As discussed below, the ITC subsequently found three domestic like products covered by the scope of the investigation (welded line pipe, welded structural pipe, and stainless steel pipe) and, accordingly, made a separate injury determination with respect to each domestic like product. On January 30, 2019, the ITC notified Commerce of its final determination, pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), 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 welded structural pipe from China, and is threatened with material injury within the meaning of section 735(b)(1)(A)(ii) of the Act by reason of LTFV imports of welded line pipe from China.<sup>3</sup> Additionally, the ITC made a negative determination of material injury or threat of material injury with respect to stainless steel pipe.<sup>4</sup> On February 13, 2019, Commerce released draft revised scope language for comment by parties. No party objected to the revised scope language in this proceeding.

#### Scope of the Order

The products covered by this order are welded line and structural pipe from China. For a complete description of the scope of this order, see the Appendix to this notice.

#### Antidumping Duty Order

On January 30, 2019, in accordance with sections 735(b)(1)(A)(i) and (ii) and

735(d) of the Act, the ITC notified Commerce of its final determination in this investigation, in which it found that imports of welded structural pipe from China are materially injuring a U.S. industry, and that imports of welded line pipe from China threaten material injury.<sup>5</sup> As a result, and in accordance with sections 735(c)(2) and 736 of the Act, we are publishing this antidumping duty order. As noted above, in its determination, the ITC found three domestic like products covered by the scope of the investigation: welded line pipe, welded structural pipe, and stainless steel pipe. The ITC made a negative determination with respect to stainless steel pipe from China. The ITC made an affirmative determination with respect to welded line pipe and welded structural pipe from China. Because the ITC made distinct and different injury determinations for separate domestic like products, Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on entries of welded line pipe and welded structural pipe (subject merchandise) from China and not on entries of stainless steel pipe (excluded merchandise) from China.

#### Welded Line Pipe

The Final ITC Report describes welded line pipe as a tubular product produced from carbon and alloy steel, produced to American Petroleum Institute (API) 5L specifications, and designed for conveying liquids and gases.<sup>6</sup> Because the ITC determined that LTFV imports of welded line pipe from China are threatening material injury to a U.S. industry,<sup>7</sup> Commerce will direct CBP that unliquidated entries of subject merchandise from China, entered or withdrawn from warehouse, are subject to the assessment of antidumping duties pursuant to section 736 of the Act. Specifically, as a result of the ITC's final determination, in accordance with section 736(a) of the Act, Commerce will direct CBP to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise for all relevant entries of welded line pipe from China.

Pursuant to section 736(b)(2) of the Act, duties shall be assessed on subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's

<sup>1</sup> See *Large Diameter Welded Pipe from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 83 FR 56816 (November 14, 2018) (*Final Determination*).

<sup>2</sup> *Id.*

<sup>3</sup> See ITC Notification Letter regarding ITC Investigation Nos. 701-TA-593-594 and 731-TA-1402 and 1404 (January 2019) (ITC Notification). See also *Large Diameter Welded Pipe from China and India; Determinations*, 84 FR 1785 (February 5, 2019) (*ITC Final Determination*) and *Large Diameter Welded Pipe from China, Investigation Nos. 701-TA-583-594, 731-TA-1402 and 731-TA-1404 (Final)*, Publication 4859, January 2019 (Final ITC Report).

<sup>4</sup> *Id.*

<sup>5</sup> See ITC Notification; *ITC Final Determination*, 84 FR at 1785.

<sup>6</sup> *Id.* at 11-12.

<sup>7</sup> *Id.* at 1 and 3.