

conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders.<sup>3</sup>

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an antidumping duty administrative reviews.<sup>4</sup> Accordingly, the NME entity

will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.<sup>5</sup> In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an antidumping administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at <http://access.trade.gov>.<sup>6</sup> Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

Commerce will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of August 2019. If Commerce does not receive, by the last day of August 2019, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of

*Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

<sup>5</sup> In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

<sup>6</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures "gap" period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: July 22, 2019.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-853]

#### **Certain Crystalline Silicon Photovoltaic Products From Taiwan: Notice of Final Results of Antidumping Duty Changed Circumstances Review**

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

**SUMMARY:** On June 10, 2019, the Department of Commerce (Commerce) published the preliminary results of the changed circumstances review of the antidumping duty order on certain crystalline silicon photovoltaic products (solar products) from Taiwan. For these final results, Commerce continues to find that United Renewable Energy Co., Ltd. (URE) is the successor-in-interest to Gintech Energy Corporation (Gintech), Neo Solar Power Corporation (Neo Solar), and Solartech Energy Corporation (Solartech).

**DATES:** Applicable August 2, 2019.

**FOR FURTHER INFORMATION CONTACT:** Robert Galantucci, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2923.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On February 18, 2015, Commerce published in the **Federal Register** an antidumping duty order on solar

<sup>3</sup> See also the Enforcement and Compliance website at <http://trade.gov/enforcement/>.

<sup>4</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent*

products from Taiwan.<sup>1</sup> On February 1, 2019, Commerce received a request on behalf of URE for an expedited changed circumstances review (CCR) to determine whether URE is the successor-in-interest to Gintech, Neo Solar, and Solartech.<sup>2</sup> On March 26, 2019, we initiated a CCR and published a notice in the **Federal Register**.<sup>3</sup>

On June 10, 2019, we published the *Preliminary Results* of this review, in which we determined that URE is the successor-in-interest to Gintech, Neo Solar, and Solartech.<sup>4</sup> In the *Preliminary Results*, we provided all interested parties with an opportunity to comment and request a public hearing regarding our preliminary finding.<sup>5</sup> We received no comments or requests for a public hearing from interested parties.

### Scope of the Order

The merchandise covered by the Order is crystalline silicon photovoltaic cells, and 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.

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, 8541.40.6020, 8541.40.6030, 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. For a full description of the scope of the order, please refer to the Preliminary Decision Memorandum.<sup>6</sup>

### Final Results of Changed Circumstances Review

For the reasons stated in the *Preliminary Results*, and because we

<sup>1</sup> See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Antidumping Duty Order*, 80 FR 8596 (February 18, 2015) (*Order*).

<sup>2</sup> See URE's Letter, "Certain Crystalline Silicon Photovoltaic Products from Taiwan: Request for Changed Circumstances Review and Successor-in-Interest Determination," dated February 1, 2019.

<sup>3</sup> See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Initiation of Antidumping Duty Changed Circumstances Review*, 84 FR 11284 (March 26, 2019).

<sup>4</sup> See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review*, 84 FR 26816 (June 10, 2019) (*Preliminary Results*).

<sup>5</sup> *Id.* at 26817.

<sup>6</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Antidumping Duty Changed Circumstances Review: Certain Crystalline Silicon Photovoltaic Products from Taiwan," dated June 4, 2019 (Preliminary Decision Memorandum).

received no comments from interested parties to the contrary, Commerce continues to find that URE is the successor-in-interest to Gintech, Neo Solar, and Solartech.<sup>7</sup> As a result of this determination and consistent with established practice, we find that URE should receive the cash deposit rate previously assigned to Gintech, Neo Solar, and Solartech in the most recently completed review of the Order. The cash deposit rate assigned to Gintech, Neo Solar, and Solartech in the most recently completed review was 1.33 percent.<sup>8</sup> Consequently, Commerce will instruct U.S. Customs and Border Protection to suspend liquidation of all shipments of subject merchandise produced or exported by URE and entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register** at 1.33 percent, which is the current antidumping duty cash deposit rate for Gintech, Neo Solar, and Solartech. This cash deposit requirement shall remain in effect until further notice.

### Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

### Notification to Interested Parties

We are issuing this determination and publishing these final results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 351.221(c)(3).

Dated: July 19, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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<sup>7</sup> See *Preliminary Results*, 84 FR at 26817.

<sup>8</sup> See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Final Results of Antidumping Duty Administrative Review; 2016-2017*, 83 FR 30401, 30402 (June 28, 2018).

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 181019964-9283-01]

RIN 0648-XG584

### Announcement of Change in Hearing Date Regarding Proposed Waiver and Regulations Governing the Taking of Marine Mammals

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

**ACTION:** Notice of change to the hearing date and related deadlines.

**SUMMARY:** The hearing date previously announced in the **Federal Register** for a proposed waiver under the Marine Mammal Protection Act (MMPA) and proposed regulations governing the hunting of eastern North Pacific (ENP) gray whales by the Makah Indian Tribe in northwest Washington State, and the related deadlines for submission of testimony and motions, is being changed as noted below.

**DATES:** Administrative Law Judge George J. Jordan will convene a hearing on the proposed waiver and regulations on Thursday, November 14, 2019 at 1:00 p.m. PDT in the Henry M. Jackson Federal Building, 915 Second Avenue, 4th Floor Auditorium, Seattle, WA 98174.

*Filing Deadlines:* The presiding officer has changed certain filing deadlines from those previously published in the notice of final agenda (June 26, 2019; 84 FR 30088). The final date to submit direct testimony to rebut testimony previously submitted is now August 6, 2019. The final date for submission of direct testimony on issues of fact not included in the notice of hearing (April 5, 2019; 84 FR 13639) is August 6, 2019, and the final date for rebuttal to such testimony is September 11, 2019. The parties may file motions to exclude any issues listed in the Final Hearing Agenda (June 26, 2019; 84 FR 30088) by August 9, 2019. Motions to exclude based on any rebuttal evidence the parties submit must be filed by August 16, 2019. The parties to this proceeding will have ten days to respond to any such motions, and additional replies will be authorized only on a showing of good cause.

**ADDRESSES:** The hearing will be held before Administrative Law Judge George J. Jordan of the United States Coast Guard at the Henry M. Jackson Federal Building, 915 Second Avenue, 4th Floor Auditorium, Seattle, WA 98174.