DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–875]

Carbon and Alloy Steel Cut-To-Length Plate From Japan: Rescission of Antidumping Duty Administrative Review; 2018–2019

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

SUMMARY: The Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty order on carbon and alloy steel cut-to-length plate from Japan for the period May 1, 2018, through April 30, 2019, based on the timely withdrawal of the request for review.


Background

On May 1, 2019, Commerce published in the Federal Register a notice of opportunity to request an administrative review of the antidumping duty (AD) order on carbon and alloy steel cut-to-length plate (CTL plate) from Japan for the period May 1, 2018, through April 30, 2019.1 On May 31, 2019, Commerce received a timely request to conduct an administrative review of the AD order on CTL plate from Japan from Hitachi Metals, Ltd. (Hitachi Metals).2 On July 15, 2019, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the AD order on CTL plate from Japan with respect to Hitachi Metals.3 On August 6, 2019, Hitachi Metals timely withdrew its request for an administrative review.4

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication date of the notice of initiation of the requested review. Hitachi Metals withdrew its request for review within the 90-day deadline. Because Commerce received no other requests for review of Hitachi Metals, and no other requests were made for a review of the AD order on CTL plate from Japan with respect to other companies, we are rescinding the administrative review covering the period May 1, 2018, through April 30, 2019, in full, in accordance with 19 CFR 351.213(d)(1).

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess AD duties on all appropriate entries of CTL plate from Japan during the period of review. For the company for which this review is rescinded, AD duties shall be assessed at rates equal to the cash deposit rate of estimated AD duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice in the Federal Register.

Notification to Importers

This notice serves as the only reminder to importers whose entries will be liquidated as a result of this rescission notice, of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of AD duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of the AD duties occurred and the subsequent assessment of double AD duties.

Notification Regarding Administrative Protective Order

This notice also 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 the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–026, C–570–027]

Corrosion-Resistant Steel Products From the People’s Republic of China: Initiation of Anti-Circumvention Inquiries on the Antidumping Duty and Countervailing Duty Orders

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

SUMMARY: Based on available information, the Department of Commerce (Commerce) is self-initiating country-wide anti-circumvention inquiries to determine whether imports of corrosion-resistant steel products (CORE) completed in Costa Rica, Guatemala, Malaysia, South Africa, and the United Arab Emirates (UAE) (collectively, third countries) using hot-rolled steel (HRS) and cold-rolled steel (CRS) flat products manufactured in the People’s Republic of China (China) are circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on CORE from China.


SUPPLEMENTARY INFORMATION:

Background

On June 3, 2015, AK Steel Corporation, ArcelorMittal USA LLC, California Steel Industries, Inc., Nucor Corporation, Steel Dynamics, Inc., and
United States Steel Corporation filed petitions seeking the imposition of antidumping and countervailing duties on imports of CORE from China, India, Italy, the Republic of Korea, and Taiwan.\(^1\) Following Commerce’s affirmative determinations of dumping and countervailable subsidies,\(^2\) and the U.S. International Trade Commission’s (ITC) finding of material injury,\(^3\) Commerce issued AD and CVD orders on imports of CORE from China.\(^4\)

**Scope of the Orders**

The products covered by the Orders are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals (CORE). For a full description of the scope of these orders, see the “Scope of the Orders,” in the Appendix to this notice.

**Prior Circumvention Finding**

On November 14, 2016, pursuant to section 781(b) of the Act and 19 CFR 351.225(b), Commerce initiated anti-circumvention inquiries on the Orders to determine whether certain imports of CORE completed in the Socialist Republic of Vietnam (Vietnam) using HRS and CRS flat products manufactured in China were circumventing the Orders.\(^5\) Following the completion of the inquiries, on May 23, 2018, Commerce determined that imports of CORE completed in Vietnam using HRS or CRS manufactured in China were circumventing the Orders and, therefore, determined that such imports fall within the scope of the Orders.\(^6\)

**Merchandise Subject to the Anti-Circumvention Inquiries**

These anti-circumvention inquiries cover CORE completed in the third countries using HRS or CRS manufactured in China and subsequently exported from the third countries to the United States.

**Initiation of Anti-Circumvention Inquiries**

Section 781(b)(1) of the Tariff Act of 1930, as amended (the Act), provides that Commerce may find circumvention of an AD or CVD order when merchandise of the same class or kind subject to the order is completed or assembled in a foreign country other than the country to which the order applies. In conducting anti-circumvention inquiries, under section 781(b)(1) of the Act, Commerce relies on the following criteria: (A) Merchandise imported into the United States is of the same class or kind as any merchandise produced in a foreign country that is the subject of an antidumping or countervailing duty order or finding, (B) before importation into the United States, such imported merchandise is completed or assembled in another foreign country from merchandise which is subject to the order or merchandise which is produced in the foreign country that is subject to the order, (C) the process of assembly or completion in the foreign country referred to in section (B) is minor or insignificant, (D) the value of the merchandise produced in the foreign country to which the AD or CVD order applies is a significant portion of the total value of the merchandise exported to the United States, and (E) the administering authority determines that action is appropriate to prevent evasion of such order or finding.

In determining whether or not the process of assembly or completion in a third country is minor or insignificant under section 781(b)(1)(C) of the Act, section 781(b)(2) of the Act directs Commerce to consider: (A) The level of investment in the foreign country, (B) the level of research and development in the foreign country, (C) the nature of the production process in the foreign country, (D) the extent of production facilities in the foreign country, and (E) whether or not the value of processing performed in the foreign country represents a small proportion of the value of the merchandise imported into the United States. However, no single factor, by itself, controls Commerce’s determination of whether the process of assembly or completion in a third country is minor or insignificant.\(^7\) Accordingly, it is Commerce’s practice to evaluate each of these five factors as they exist in the third country, depending on the totality of the circumstances of the particular anti-circumvention inquiry.\(^8\)

Furthermore, section 781(b)(3) of the Act sets forth additional factors to consider in determining whether to include merchandise assembled or completed in a third country within the scope of an antidumping and/or countervailing duty order. Specifically, Commerce shall take into account such factors as: (A) The pattern of trade, including sourcing patterns; (B) whether the manufacturer or exporter of the merchandise is affiliated with the person who, in the third country, uses the merchandise to complete or assemble the merchandise which is subsequently imported into the United States; and (C) whether imports of the merchandise into the third country have increased after the initiation of the investigation that resulted in the issuance of such order or finding.

We have analyzed the criteria above and from available information we determine, pursuant to section 781(b) of the Act and 19 CFR 351.225(b) and (h), that initiation of anti-circumvention inquiries is warranted to determine whether certain imports of CORE, completed in Costa Rica, Guatemala, Malaysia, South Africa, and the UAE using HRS and CRS flat products manufactured in China, are circumventing the Orders. For a full discussion of the basis for our decision to initiate these anti-circumvention inquiries, see the Anti-Circumvention Initiation Memo.\(^9\) As explained in the

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\(^1\) See Certain Corrosion-Resistant Steel Products from India, Italy, the People’s Republic of China, the Republic of Korea, and Taiwan: Initiation of Less-Than-Fair-Value Investigations, 80 FR 37228 (June 30, 2015); Certain Corrosion-Resistant Steel Products from the People’s Republic of China, India, Italy, the Republic of Korea, and Taiwan: Initiation of Countervailing Duty Investigations, 80 FR 37223 (June 30, 2015).


\(^3\) See Certain Corrosion-Resistant Steel Products from China, India, Italy, Korea, and Taiwan: Determinations, 81 FR 47177 (July 20, 2016); see also Certain Corrosion-Resistant Steel Products from China, India, Italy, Korea, and Taiwan: Inv. No. 701-TA–557 and 731-TA–1274–1278, USITC Pub. 4620 (July 2016) (Final) (hereinafter, USITC CORE Report).

\(^4\) See Certain Corrosion-Resistant Steel Products from India, Italy, the People’s Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders, 81 FR 48390 (July 25, 2016); 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) (collectively, Orders).


\(^8\) See Recovered Inherently Units from the People’s Republic of China: Final Affirmative Determination of Circumvention of the Antidumping Duty Order, 83 FR 65626 (December 21, 2018), and accompanying Issues and Decision Memorandum at 4.

Anti-Circumvention Initiation Memo, the available information warrants initiating these anti-circumvention inquiries on a country-wide basis. Commerce has taken this approach in a prior anti-circumvention inquiry, where the facts warranted initiation on a country-wide basis.10

Consistent with the approach in the prior anti-circumvention inquiry that was initiated on a country-wide basis, Commerce intends to issue questionnaires to solicit information from producers and exporters in each of the third countries concerning their shipments of CORE to the United States and the origin of any imported HRS and CRS being processed into CORE. A company’s failure to respond completely to Commerce’s requests for information may result in the application of partial or total facts available, pursuant to section 776(a) of the Act, which may include adverse inferences, pursuant to section 776(b) of the Act.

Notification to Interested Parties

In accordance with 19 CFR 351.225(b), Commerce determines that available information warrants initiating these anti-circumvention inquiries to determine whether certain imports of CORE, completed in Costa Rica, Guatemala, Malaysia, South Africa, and the UAE using HRS and CRS flat products manufactured in China, are circumventing the Orders. Accordingly, Commerce hereby notifies all parties on initiation of anti-circumvention inquiries. In addition, in accordance with 19 CFR 351.225(f)(1)(i) and (ii), in this notice of initiation issued under 19 CFR 351.225(b), we have included a description of the product that is the subject of these anti-circumvention inquiries (i.e., CORE completed in the third countries using HRS and CRS flat products manufactured in China), and an explanation of the reasons for Commerce’s decision to initiate these anti-circumvention inquiries, as provided above. Commerce will establish a schedule for questionnaires and comments on the issues in these inquiries.

In accordance with 19 CFR 351.225(f)(2), if Commerce issues preliminary affirmative determinations, we will then instruct U.S. Customs and Border Protection to maintain records and require a cash deposit of estimated antidumping and countervailing duties, at the applicable rate, for each unliquidated entry of the merchandise at issue, entered or withdrawn from warehouse for consumption on or after the date of initiation of the inquiries. Commerce intends to issue its final determinations within 300 days of the date of publication of this initiation, in accordance with section 781(f) of the Act and 19 CFR 351.225(f)(5).

This notice is published in accordance with section 781(b) of the Act and 19 CFR 351.225(f).

Dated: August 12, 2019.

Jeffrey L. Kessler,
Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The products covered by these Orders are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-aluminum-nickel or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (e.g., in successively superimposed layers, spirally oscillating, etc.). The products covered also include products not in coils (e.g., in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater, regardless of form of coil (e.g., in direct rolling). The products covered also include products not in coils (e.g., in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least 10 times the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, i.e., products which have been “worked after rolling” (e.g., products which have been beveled or rounded at the edges). For purposes of the width and thickness requirements referenced above:

(1) where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (e.g., the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these Orders are products in which: (1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight; and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

• 2.50 percent of manganese, or
• 3.30 percent of silicon, or
• 1.50 percent of copper, or
• 1.50 percent of aluminum, or
• 1.25 percent of chromium, or
• 0.30 percent of cobalt, or
• 0.40 percent of lead, or
• 2.00 percent of nickel, or
• 0.30 percent of tungsten (also called wolfram), or
• 0.80 percent of molybdenum, or
• 0.10 percent of niobium (also called columbium), or
• 0.30 percent of vanadium, or
• 0.30 percent of zirconium

Unless specifically excluded, products are included in this scope regardless of levels of boron and titanium.

For example, specifically included in this scope are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (IF)) steels and high strength low alloy (HSLA) steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium and/or niobium added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with microalloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum.

Furthermore, this scope also includes Advanced High Strength Steels (AHSS) and Ultra High Strength Steels (UHSS), both of which are considered high tensile strength and high elongation steels. Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting 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 corrosion resistant steel.

All products that meet the written physical description, and in which the chemistry quantities do not exceed any one of the noted element levels listed above, are within the scope of these Orders unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of these Orders:

Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (terne plate), or both chromium and chromium oxides (tin free steel), whether or not painted, varnished

10 See, e.g., Certain Corrosion-Resistant Steel Products from the Republic of Korea and Taiwan: Initiation of Anti-Circumvention Inquiries on the Antidumping Duty and Countervailing Duty Orders, 83 FR 37785 (August 2, 2018); see also Carbon Steel Butt-Weld Pipe Fittings from the People’s Republic of China: Initiation of Anti-Circumvention Inquiry on the Antidumping Duty Order, 82 FR 40556, 40560 (August 25, 2017) (stating at initiation that Commerce would evaluate the extent to which a country-wide finding applicable to all exports might be warranted); Certain Corrosion-Resistant Steel Products from the People’s Republic of China: Initiation of Anti-Circumvention Inquiry on the Antidumping Duty and Countervailing Duty Orders, 81 FR 79454, 79458 (November 14, 2016) (stating at initiation that Commerce would evaluate the extent to which a country-wide finding applicable to all exports might be warranted).
or coated with plastics or other non-metallic substances in addition to the metallic coating:
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness; and
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant flat-rolled steel products less than 4.75 mm in composite thickness that consist of a flat-rolled steel product clad on both sides with stainless steel in a 20%–60%–20% ratio.

The products subject to the Orders are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0060, 7210.49.0030, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000.

The products subject to the Orders may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.91.0000, 7225.92.0000, 7225.95.0090, 7226.99.0110, 7226.99.0130, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the Orders is dispositive.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).


Title: Northeast Region Permit Family of Forms.

OMB Control Number: 0648–0202.

Form Number(s): None.

Type of Request: Regular.

Number of Respondents: 65,360.

Average Hours per Response: 5 minutes: Dealer Permit Renewal, VMS Certification Form, Industry Call to Confirm Reporting to NOAA, Emails for US EEZ, Arrival/Departure and Transshipment Activity, VMS Reporting, Exemption programs authorized for permit holders. Change in Multispecies Permit Category, Gillnet Designations; 10 minutes: VMS certification form and Installation confirmation, Lobster Area Designation and Requests for Trap Tags; 15 minutes: Initial Dealer Permit, VMS Power Down Exemption; 20 minutes: Lobster Area 5 Waiver; 30 minutes: Vessel Permit Renewal, Good Samaritan Credit, Entangled Whale DAS Credit, Canceled Trip DAS Credit, Vessel Owner Single Letter Option; 45 minutes: Initial Vessel Permit; 1 hour: Initial Operator Permit, Operator Permit Renewal, VMS Installation, State Quota Transfer; 1.3 hours: Installation and Operation Maintenance Fees; 1.5 hours: Replacement/CPF, History Retention; 2 hours: Notification and Communication with USCG and Center for Coastal Studies regarding Entangled Whale.

Burden Hours: 20,825.

Needs and Uses: The information collected via permit issuance (vessel, dealer, and operator) and through the Vessel Monitoring Systems (VMS) is used by several offices of the NOAA Fisheries Service, the U.S. Coast Guard, the Councils, and state fishery enforcement agencies under contract to the NOAA Fisheries Service in order to develop, implement, and monitor fishery management strategies. Identification of the participants, gear types, vessels, expected activity, and activity levels is an effective and necessary tool in the enforcement and management of fishery regulations.

Affected Public: Businesses and other for-profit organizations are primarily affected. Individuals or households, state, local or tribal governments, and the Federal Government are also affected.

Frequency: On occasion, weekly, monthly, annually, every three years.

Respondent’s Obligation: Mandatory.

This information collection request may be viewed at reginfo.gov. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to OIRA_Submission@omb.eop.gov or fax to (202) 395–5806.

Sheleen Dumas,
Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.

DEPARTMENT OF COMMERCE
National Telecommunications and Information Administration

Nevada Broadband Workshop

AGENCY: National Telecommunications and Information Administration, U.S. Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The National Telecommunications and Information Administration’s (NTIA) BroadbandUSA Program will host a Broadband Workshop in Reno, Nevada on September 27, 2019. The purposes of the Workshop are to engage the public and stakeholders with information to accelerate broadband connectivity, improve digital inclusion, and support local priorities. The Workshop will provide information on topics including local broadband planning, funding, and engagement with service providers. Speakers and attendees from Nevada, federal agencies, and across the country will come together to explore ways to facilitate the expansion of broadband capacity, access, and utilization.

DATES: The Broadband Workshop will be held on September 27, 2019, from 8:30 a.m. until 3:30 p.m. Pacific Time.

ADDRESSES: The Broadband Workshop will be held in Reno, Nevada at Lawlor Events Center at the University of Nevada, Reno, 1664 North Virginia Street, Reno, NV 89557.

FOR FURTHER INFORMATION CONTACT: Janice Wilkins, National Telecommunications and Information Administration, U.S. Department of Commerce, Room 4678, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5791; email: broadbandusaevents@ntia.doc.gov. Please direct media inquiries to NTIA’s Office of Public Affairs, (202) 482–7002; email: press@ntia.gov.

SUPPLEMENTARY INFORMATION: The NTIA’s BroadbandUSA program promotes innovation and economic growth by supporting efforts to expand broadband access and meaningful use across America.

The Broadband Workshop is open to the public. Pre-registration is requested because space may be limited. NTIA asks registrants to provide their first and last name, title, organization/company, and email address for registration purposes, name tags to be provided at the workshop, and to receive any updates on the workshop. Information about the workshop is subject to change. Registration information, meeting