

this review, we intend to calculate an importer-specific assessment rate on the basis of the ratio of the total amount of antidumping duties calculated for the importer's examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1).¹⁹ If the respondent's weighted-average dumping margin is zero or *de minimis* in the final results, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.²⁰ The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable.

In the case of no change in the methodology used in the final results from these preliminary results, for entries of subject merchandise during the POR produced by Conduit, Mueller, or RYMCO for which that producer did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue liquidation instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following deposit requirements for estimated antidumping duties will be effective upon publication of the notice of final results of this review for all shipments of certain circular welded non-alloy steel pipe from Mexico entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Conduit, Mueller, and RYMCO, subject to this review, will be the rate established in the final results of the review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (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 recent period for the producer of the

¹⁹ In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

²⁰ *Id.*, 77 FR at 8102.

merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 36.62 percent,²¹ the all-others rate established in the less-than-fair-value investigation. 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 Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Orders

This notice also serves as a 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 the terms of an APO is a sanctionable violation.

Notification to Interested Parties

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

Dated: September 11, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Analysis
- V. Conclusion

Appendix II

Companies for Which This Administrative Review Is Being Rescinded

1. Abastecedora y Perfiles y Tubos, S.A. de C.V.
2. ArcelorMittal Tubular Products Monterrey, S.A. de C.V.
3. Arceros El Aguila y
4. Arco Metal, S.A. de C.V.
5. Burner Systems International De Mexico,

²¹ See *Order*.

- S.A. de C.V.
6. fischer Mexicana Stainless Steel Tubing S.A. de C.V.
7. fischer Tubtech S.A. de C.V.
8. Fabricaciones Industriales Tumex, S.A. de C. V.
9. Forza Steel, S.A. de C.V.
10. Galvak, S.A. de C.V.
11. Impulsora Tlaxcalteca de Industrias, S.A. de C.V.
12. Industrias Monterrey S.A. de C.V.
13. La Metalica, S.A. de C.V.
14. Lamina y Placa Comercial, S.A. de C.V.
15. Mach 1 Aero Servicios, S. de R.L. de C.V.
16. Mach 1 Global Services, Inc.
17. Maquilacero, S.A. de C.V.
18. Nacional de Acero, S.A. de C.V.
19. Nova Tube and Coil de Mexico, S. de R.L. de C.V.
20. Perfiles y Herrajes LM, S.A. de C.V.
21. Precitubo S.A. de C.V.
22. Productos Especializados de Acero, S.A. de C.V.
23. Productos Laminados de Monterrey, S.A. de C.V.
24. PYTCO, S.A. de C.V.
25. Regiomontana de Perfiles y Tubos, S.A. de C.V.
26. Servicios Swecomex, S.A. de C.V.
27. Talleres Acerorey, S.A. de C.V.
28. Ternium Mexico, S.A. de C.V.
29. Tubac, S.A. de C.V.
30. Tubacero S. de R.L. de C.V.
31. Tuberia Laguna, S.A. de C.V.
32. Tuberias Procarsa, S.A. de C.V.
33. Tubesa, S.A. de C.V.
34. Tubos Omega

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-053, A-570-073, C-570-054, C-570-074]

Certain Aluminum Foil and Common Alloy Aluminum Sheet From the People's Republic of China: Notice of Initiation and Preliminary Determination of Antidumping Duty and Countervailing Duty Changed Circumstances Reviews

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

SUMMARY: The Department of Commerce (Commerce) is initiating changed circumstances reviews (CCRs) and preliminarily determines that Shanghai Huaфон Aluminium Corporation (Shanghai Huaфон) is the successor-in-interest to Huaфон Nikkei Aluminium Corporation (Huaфон Nikkei) and, accordingly, that Shanghai Huaфон should be assigned the cash deposit rates established for Huaфон Nikkei for purposes of the antidumping duty (AD) and countervailing duty (CVD) orders on certain aluminum foil (aluminum foil) and common alloy aluminum sheet

(aluminum sheet) from the People's Republic of China (China).

DATES: Applicable September 17, 2019.

FOR FURTHER INFORMATION CONTACT: Joshua A. DeMoss, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3362.

SUPPLEMENTARY INFORMATION:

Background

On April 19, 2018, Commerce published in the **Federal Register** the AD and CVD orders on aluminum foil from China, which included Huaфон Nikkei.¹ Pursuant to the *Aluminum Foil Orders*, Commerce assigned Huaфон Nikkei an AD cash deposit rate, adjusted for subsidy offset, of 73.66 percent, based on the non-selected respondent rate,² and the all-others subsidy rate of 18.62 percent.³

Commerce published in the **Federal Register** the AD and CVD orders on aluminum sheet from China on February 8, 2019 and February 6, 2019, respectively.⁴ Pursuant to the *Aluminum Sheet Orders*, Commerce assigned Huaфон Nikkei an AD cash deposit rate, adjusted for a subsidy offset, of 49.85 percent, based on the non-selected respondent rate,⁵ and the all-others subsidy rate of 50.75 percent.⁶

On June 12, 2019, Shanghai Huaфон informed Commerce that, as of September 25, 2018, Huaфон Nikkei changed its name to "Shanghai Huaфон Aluminium Corporation."⁷ Shanghai Huaфон stated the change was in name only; all other former business operations remain unchanged.⁸

¹ See *Certain Aluminum Foil from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 83 FR 17362 (April 19, 2018) (*Aluminum Foil AD Order*); see also *Certain Aluminum Foil from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 83 FR 17360 (April 19, 2018) (*Aluminum Foil CVD Order*) (collectively, *Aluminum Foil Orders*).

² See *Aluminum Foil AD Order*, 83 FR at 17363.

³ See *Aluminum Foil CVD Order*, 83 FR at 17361.

⁴ See *Common Alloy Aluminum Sheet from the People's Republic of China: Antidumping Duty Order*, 84 FR 2813 (February 8, 2019) (*Aluminum Sheet AD Order*); see also *Common Alloy Aluminum Sheet from the People's Republic of China: Countervailing Duty Order*, 84 FR 2157 (February 6, 2019) (*Aluminum Sheet CVD Order*) (collectively, *Aluminum Sheet Orders*).

⁵ See *Aluminum Sheet AD Order*, 84 FR at 2814.

⁶ See *Aluminum Sheet CVD Order*, 84 FR at 2158.

⁷ See Shanghai Huaфон's Letter, "Aluminum Foil from the People's Republic of China: Request for Changed Circumstances Review," dated June 12, 2019; see also Shanghai Huaфон's Letter, "Common Alloy Aluminum Sheet from the People's Republic of China: Request for Changed Circumstances Review," dated June 12, 2019.

⁸ See CCRs Requests at 2-3.

Shanghai Huaфон requested that Commerce conduct CCRs and find that Shanghai Huaфон is the successor-in-interest to Huaфон Nikkei, and that it be subject to Huaфон Nikkei's AD margins and CVD subsidy rates for aluminum foil and aluminum sheet, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b).⁹ After finding Shanghai Huaфон did not address the good cause requirement in its initial request pursuant to 19 CFR 351.216(c), Commerce issued a letter to Shanghai Huaфон requesting it demonstrate good cause.¹⁰ On July 8, 2019, Shanghai Huaфон filed its response demonstrating good cause.¹¹ On July 17, 2019, Commerce extended the time period for determining whether to initiate and/or issue simultaneous preliminary determinations by 45 days, until September 10, 2019.¹² We did not receive comments from other interested parties concerning these requests.

Scope of the Orders

Aluminum Foil Orders

The merchandise covered by these orders is aluminum foil having a thickness of 0.2 mm or less, in reels exceeding 25 pounds, regardless of width. For a complete description of the scope, see the Preliminary Decision Memorandum.¹³

Aluminum Sheet Orders

The merchandise covered by these orders is aluminum common alloy sheet (common alloy sheet), which is a flat-rolled aluminum product having a thickness of 6.3 mm or less, but greater than 0.2 mm, in coils or cut-to-length, regardless of width. or a complete description of the scope, see the Preliminary Decision Memorandum.

⁹ *Id.*

¹⁰ See Commerce's Letter, "Antidumping/Countervailing Duty Investigations of Aluminum Foil and Sheet from China: Request for Changed Circumstances Review," dated July 1, 2019.

¹¹ See Shanghai Huaфон's Letter, "Aluminum Foil from the People's Republic of China and Common Alloy Aluminum Sheet from the People's Republic of China: Response to Request for Additional Information—Good Cause," dated July 8, 2019.

¹² See Commerce's Letter, "Changed Circumstances Reviews: Extension of Initiation Deadline," dated July 17, 2019.

¹³ See Memorandum, "Initiation and Preliminary Determination of the Changed Circumstances Reviews Regarding Successor-In-Interest Analysis: Aluminum Foil/Common Alloy Aluminum Sheet from the People's Republic of China" dated concurrently with this notice (Preliminary Decision Memorandum).

Initiation and Preliminary Determination of Changed Circumstances Reviews

Pursuant to section 751(b)(1)(A) of the Act and 19 CFR 351.216(d), Commerce will conduct a CCR upon receipt of a request from an interested party for a review of an AD or CVD order which shows changed circumstances sufficient to warrant a review of the order. In the past, Commerce has used CCRs to address the applicability of cash deposit rates after there have been changes in the name or structure of a respondent, such as a merger or spinoff (successor-in-interest or successorship determinations).¹⁴ The information submitted by Shanghai Huaфон supporting its claim that it is the successor-in-interest to Huaфон Nikkei demonstrates changed circumstances sufficient to warrant such a review.¹⁵ Therefore, in accordance with 751(b)(1)(A) of the Act and 19 CFR 351.216(d) and (e), we are initiating CCRs based on the information contained in Shanghai Huaфон's submission.

Section 351.221(c)(3)(ii) of Commerce's regulations permits Commerce to combine the notice of initiation of a CCR and the notice of preliminary determination if Commerce concludes that expedited action is warranted.¹⁶ In the instant case, because the record contains information necessary to make a preliminary finding, we find that expedited action is warranted and have combined the notice of initiation and notice of preliminary determination. For a full description of the methodology underlying our analysis, see the Preliminary Decision Memorandum.

In accordance with 19 CFR 351.216, we preliminarily determine that Shanghai Huaфон is the successor-in-interest to Huaфон Nikkei. Record evidence, as submitted by Shanghai Huaфон, indicates that, based on the totality of the circumstances under Commerce's successor-in-interest criteria, Shanghai Huaфон's management

¹⁴ See, e.g., *Diamond Sawblades and Parts Thereof from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review*, 82 FR 51605, 51606 (November 7, 2017), unchanged in *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review*, 82 FR 60177 (December 19, 2017).

¹⁵ See 19 CFR 351.216(d).

¹⁶ See 19 CFR 351.221(c)(3)(ii); see also *Certain Pasta from Italy: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review*, 80 FR 33480-41 (June 12, 2015), unchanged in *Certain Pasta from Italy: Final Results of Changed Circumstances Review*, 80 FR 48807 (August 14, 2015).

and business relations are virtually identical to those of Huaфон Nikkei before the name change with respect to the merchandise under review. Moreover, we preliminarily find that Shanghai Huaфон's production facilities, supplier relationships, and customer base, with regard to the merchandise under review, are substantially the same as Huaфон Nikkei before the name change. For the complete successor-in-interest analysis, see the Preliminary Decision Memorandum.

Therefore, based on record evidence, we preliminarily determine that Shanghai Huaфон is the successor-in-interest to Huaфон Nikkei and the AD margins and CVD subsidy rates assigned to Huaфон Nikkei should be the rates for Shanghai Huaфон as a result of our successor-in-interest finding.

Public Comment

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice in the **Federal Register**. In accordance with 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the case briefs, in accordance with 19 CFR 351.309(d). Parties who submit case or rebuttal briefs 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. All comments are to be filed electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) and must also be served on interested parties. 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 Commerce building. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.¹⁷

Consistent with 19 CFR 351.216(e), we intend to issue the final determination of this changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary finding.

Notification to Interested Parties

This notice is published in accordance with sections 751(b)(1) and

777(i)(1) of the Act and 19 CFR 351.216(b), 351.221(b) and 351.221(c)(3).

Dated: September 10, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Orders
- IV. Good Cause
- V. Successor-In-Interest Determination
- VI. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-560-831]

Biodiesel From the Republic of Indonesia: Rescission of Countervailing Duty Administrative Review; 2017-2018

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.
SUMMARY: The Department of Commerce (Commerce) is rescinding the administrative review of the countervailing duty (CVD) order on biodiesel from the Republic of Indonesia (Indonesia) for the period of review (POR) August 28, 2017, through December 31, 2018.

DATES: Applicable September 17, 2019.

FOR FURTHER INFORMATION CONTACT: Gene H. Calvert, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC; telephone (202) 482-3586.

SUPPLEMENTARY INFORMATION:

Background

On February 8, 2019, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the CVD order on biodiesel from Indonesia for the POR.¹ On February 28, 2019, the National Biodiesel Board Fair Trade Coalition (the National Biodiesel Coalition), a domestic interested party,²

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 84 FR 2816 (February 8, 2019).

² Members of the National Biodiesel Coalition include the National Biodiesel Board; American

filed a timely request for review with respect to PT. Cermerlang Energi Perkasa (CEP); PT. Ciliandra Perkasa; PT. Musim Mas, Medan; PT. Pelita Agung Agrindustri; and Wilmar International Ltd. (collectively, the Companies Subject to Review), in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b).³ Pursuant to this request, and in accordance with section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), on April 1, 2019, Commerce initiated an administrative review of the Companies Subject to Review.⁴ On June 27, 2019, the National Biodiesel Coalition filed a timely withdrawal of its request for the administrative review of the Companies Subject to Review.⁵

Rescission of Review

Pursuant to section 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, the National Biodiesel Coalition, the only party to file a request for review, withdrew its request for all parties for which a review was requested by the 90-day deadline. Accordingly, we are rescinding the administrative review of the CVD order on biodiesel from Indonesia for the period August 28, 2017, through December 31, 2018, in its entirety.

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess CVD duties on all appropriate entries of biodiesel from Indonesia. CVD duties shall be assessed at rates equal to the cash deposit of estimated CVD duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19

GreenFuels, LLC; Archer Daniels Midland Company; Ag Processing Inc.; Crimson Renewable Energy LP; High Plains Bioenergy; Integrity Biofuels, LLC; Iowa Renewable Energy, LLC; Lake Erie Biofuels (dba HERO BX); Minnesota Soybean Processors; New Leaf Biofuel, LLC; Newport Biodiesel, LLC; Renewable Biofuels, LLC; Renewable Energy Group, Inc.; Western Dubuque Biodiesel, LLC; Western Iowa Energy, LLC; and World Management Group, LLC (dba World Energy).

³ See Letter from the National Biodiesel Coalition, "Biodiesel from Indonesia: Request for Administrative Review of Countervailing Duty Order," dated February 28, 2019.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 12200 (April 1, 2019).

⁵ See Letter from the National Biodiesel Coalition, "Biodiesel from Indonesia: Withdrawal of Request for Administrative Review of the Countervailing Duty Order," dated June 27, 2019.

¹⁷ See 19 CFR 351.303(b).