

uncured, edged or not edged, finished or unfinished, thermoformed or not thermoformed, packaged or unpackaged, and regardless of the type of surface finish.

In addition, quartz surface products are covered by the investigation whether or not they are imported attached to, or in conjunction with, non-subject merchandise such as sinks, sink bowls, vanities, cabinets, and furniture. If quartz surface products are imported attached to, or in conjunction with, such non-subject merchandise, only the quartz surface product is covered by the scope.

Subject merchandise includes material matching the above description that has been finished, packaged, or otherwise fabricated in a third country, including by cutting, polishing, curing, edging, thermoforming, attaching to, or packaging with another product, or any other finishing, packaging, or fabrication that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the quartz surface products.

The scope of the investigation does not cover quarried stone surface products, such as granite, marble, soapstone, or quartzite. Specifically excluded from the scope of the investigation are crushed glass surface products. Crushed glass surface products must meet each of the following criteria to qualify for this exclusion: (1) The crushed glass content is greater than any other single material, by actual weight; (2) there are pieces of crushed glass visible across the surface of the product; (3) at least some of the individual pieces of crushed glass that are visible across the surface are larger than 1 centimeter wide as measured at their widest cross-section (“Glass Pieces”); and (4) the distance between any single Glass Piece and the closest separate Glass Piece does not exceed three inches.

The products subject to the scope are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under the following subheading: 6810.99.0010. Subject merchandise may also enter under subheadings 6810.11.0010, 6810.11.0070, 6810.19.1200, 6810.19.1400, 6810.19.5000, 6810.91.0000, 6810.99.0080, 6815.99.4070, 2506.10.0010, 2506.10.0050, 2506.20.0010, 2506.20.0080, and 7016.90.1050. The HTSUS subheadings set forth above are provided for convenience and U.S. Customs purposes only. The written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope Comments
- IV. Scope of the Investigation
- V. Preliminary Affirmative Determination of Critical Circumstances
- VI. Injury Test
- VII. Alignment
- VIII. Subsidies Valuation
- IX. Benchmarks and Interest Rates
- X. Analysis of Programs
- XI. Disclosure and Public Comment

XII. Conclusion

[FR Doc. 2019–22315 Filed 10–10–19; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–867]

Large Power Transformers From the Republic of Korea: Notice of Court Decision Not in Harmony With Final Results, Notice of Amended Final Results

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

SUMMARY: The Court of International Trade (CIT) granted a request from Hyosung Corporation and HICO America Sales and Technology (HICO America) (collectively, Hyosung) for partial final judgment regarding issues pertaining solely to Hyosung concerning the administrative review of the antidumping duty order on large power transformers (LPTs) from the Republic of Korea (Korea) covering the period August 1, 2013 through July 31, 2014 (Court Order, *ABB Inc. v. United States*, Ct. No. 16–54 (CIT August 29, 2019)). The Department of Commerce (Commerce) is notifying the public that the partial final judgment in this case is not in harmony with the final results and notice of amended final results of the administrative review and that Commerce is amending the amended final results with respect to the dumping margins assigned to Hyosung.

DATES: Applicable October 11, 2019.

FOR FURTHER INFORMATION CONTACT: John K. Drury, 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) 482–0195.

SUPPLEMENTARY INFORMATION:

Background

On March 16, 2016, Commerce issued the *Final Results*.¹ In the *Final Results*, Commerce assigned dumping margins of 9.40 percent and 4.07 percent to Hyosung and Hyundai Heavy Industries Co., Ltd. (HHI) and Hyundai Corporation, USA (Hyundai USA) (collectively, Hyundai), respectively. Upon consideration of various ministerial error allegations, Commerce

¹ See *Large Power Transformers from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2013–2014*, 81 FR 14087 (March 16, 2016) (*Final Results*) and accompanying Issues and Decision Memorandum.

issued the *Amended Final Results* on May 5, 2016, and calculated a weighted-average margin of 7.89 percent for Hyosung.² Hyosung and Hyundai are Korean producers/exporters of LPTs and were mandatory respondents in the underlying administrative review.³

On October 10, 2017, the CIT remanded certain aspects of the *Final Results* and *Amended Final Results* to Commerce.⁴ Specifically, the CIT instructed Commerce to clarify the treatment of the respondents’ U.S. commissions based on record evidence, as well as to re-examine whether to cap Hyundai’s service-related revenues based on associated expenses.

Pursuant to the *Remand Order*, Commerce issued its Final Redetermination, which addressed the Court’s holdings and revised the weighted-average dumping margins for Hyosung and Hyundai to 8.74 percent and 25.51 percent, respectively.⁵

On November 13, 2018, the CIT sustained Commerce’s Final Redetermination with respect to commissions, but remanded the issue of service-related revenues to Commerce a second time.⁶ Hyosung moved for partial final judgment on issues affecting its entries. On August 29, 2019, the CIT issued the partial final judgment with regard to issues which affected Hyosung (Court Order, *ABB Inc. v. United States*, Ct. No. 16–54 (CIT August 29, 2019)).

Timken Notice

In its decision in *Timken*,⁷ as clarified by *Diamond Sawblades*,⁸ the United States Court of Appeals for the Federal Circuit (CAFC) held that, pursuant to sections 516A(c) and (e) of the Act, Commerce must publish a notice of a court decision that is not “in harmony” with a Commerce determination and must suspend

² See *Large Power Transformers from the Republic of Korea: Amended Final Results of Antidumping Duty Administrative Review; 2013–2014*, 81 FR 27088 (May 5, 2016) (*Amended Final Results*).

³ Commerce also assessed margins of 6.74 percent for ILJIN Electric Co., Ltd. (ILJIN Electric), ILJIN, and LSIS Co., Ltd., based on the margins calculated for Hyosung and Hyundai. See *Final Results*.

⁴ See *ABB INC. v. United States*, Slip Op. 17–138 (CIT, October 10, 2017) (*Remand Order*).

⁵ See Memorandum, “Final Results of Redetermination Pursuant to Court Remand *ABB INC v. United States* Court No. 16–00054, Slip-Op. 17–138 (CIT October 10, 2017),” dated February 7, 2018 (Final Redetermination) (available at <http://enforcement.trade.gov/remands/17-138.pdf>).

⁶ See *ABB, INC. v. United States*, Court No. 16–00054, Slip Op. 18–156 (CIT 2018).

⁷ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), at 341.

⁸ See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 20 10) (*Diamond Sawblades*).

liquidation of entries pending a “conclusive” court decision. The CIT’s August 29, 2019 Order and judgment sustaining Commerce’s Final Redetermination with respect to recommissions, and Hyosung’s motion for partial final judgment, constitute a final decision of the CIT that is not in harmony with the *Amended Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, Commerce will continue the suspension of liquidation of the subject merchandise at issue pending expiration of the period to appeal or, if appealed, pending a final and conclusive court decision.

Amended Final Results

Because there is now a final court decision, Commerce is amending the *Amended Final Results* with respect to the dumping margins calculated for Hyosung. Based on the Final Redetermination, as affirmed by the CIT, the revised dumping margin for Hyosung from August 1, 2013 through July 31, 2014, is as follows:

Producer/exporter	Weighted-average margin (percent)
Hyosung Corporation	8.74

In the event that the CIT’s rulings are not appealed or, if appealed, are upheld by a final and conclusive court decision, Commerce will instruct Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise based on the revised dumping margins listed above.

Cash Deposit Requirements

Since the *Amended Final Results*, Commerce has established a new cash deposit rate for Hyosung.⁹ Therefore, this Final Redetermination, and as affirmed by the Court, does not change the later-established cash deposit rates for Hyosung.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

⁹ See, e.g., *Large Power Transformers from the Republic of Korea: Amended Final Results of Antidumping Duty Administrative Review, 2016–2017*, 84 FR 16461 (April 19, 2019).

Dated: October 4, 2019.
Jeffrey I. Kessler,
Assistant Secretary for Enforcement and Compliance.
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DEPARTMENT OF COMMERCE

International Trade Administration [C–570–052]

Certain Hardwood Plywood Products from the People’s Republic of China: Preliminary Results of Countervailing Duty Administrative Review and Rescission of Review, in Part; 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and/or exporters subject to this administrative review during the period of review (POR), April 25, 2017 through December 31, 2018. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable October 11, 2019.
FOR FURTHER INFORMATION CONTACT: Annathea Cook, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0250.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2019, Commerce published the notices of initiation of the administrative review of the countervailing duty (CVD) order¹ on certain hardwood plywood products (hardwood plywood) from the People’s Republic of China (China).² On May 2, 2019, Commerce published a correction of the original *Initiation Notice* to include additional companies for which a review had been requested.³ Pursuant to the *Initiation Notice* and *Corrected Initiation Notice*, we initiated a review on 59 companies.

On August 27, 2019, based on timely requests for withdrawal of

¹ See *Certain Hardwood Plywood Products from the People’s Republic of China: Countervailing Duty Order*, 83 FR 513 (January 4, 2018) (*Order*).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 12200 (April 1, 2019) (*Initiation Notice*).

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 18777 (May 2, 2019) (*Corrected Initiation Notice*).

administrative review, Commerce partially rescinded the administrative review for 47 entities.⁴ In addition to the companies for which we rescinded the review in the *Rescission Notice*, we are, concurrent with these preliminary results, also rescinding the review with respect to Linyi Celtic, whose requests for review were also timely withdrawn. In addition, as described further below, Commerce is preliminarily rescinding the review with respect to nine additional companies for which CBP data showed no reviewable entries, leaving 2 companies subject to the administrative review.⁵

From June 24, 2019 to August 15, 2019, Commerce selected Linyi Dahua Wood Co., Ltd. (Linyi Dahua); Zhejiang Dehua TB Import & Export Co., Ltd (Zhejiang Dehua) and Jiangsu High Hope Arser Co., Ltd. (High Hope), as mandatory respondents.⁶ For a complete description of the events that followed the initiation of this administrative review, see the Preliminary Decision Memorandum.⁷

The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s AD and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and to all parties in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete

⁴ See *Certain Hardwood Plywood Products from the People’s Republic of China: Partial Rescission of 2017–2018 Countervailing Duty Administrative Review*, 84 FR 44853 (August 27, 2019) (*Partial Rescission Notice*).

⁵ See DeKieffer & Horgan, PPLC’s Letter, “Hardwood Plywood Products from the People’s Republic of China: Withdrawal of Request for Administrative Review,” dated June 25, 2019; see also Richmond International Forest Products LLC’s Letter, “Administrative Review of the Countervailing Duty on Plywood Products from the People’s Republic of China: Withdrawal of Request for Review and Correction to June 21 Submission,” dated July 1, 2019.

⁶ See Memorandum, “Countervailing Duty Administrative Review of Certain Hardwood Plywood Products from the People’s Republic of China: Respondent Selection,” dated June 24, 2019; see also Memorandum, “Countervailing Duty Administrative Review of Certain Hardwood Plywood Products from the People’s Republic of China: Replacement Respondent Selection,” dated July 18, 2019; and Memorandum, “Countervailing Duty Administrative Review of Certain Hardwood Plywood Products from the People’s Republic of China: Second Replacement Respondent Selection,” dated August 15, 2019. The review request for Linyi Dahua was subsequently withdrawn and it was included in the *Partial Rescission Notice*.

⁷ See Memorandum, “Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review: Certain Hardwood Plywood Products from the People’s Republic of China: 2017–2018,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).