

## Final Determination of No Shipments

Prior to the issuance of the questionnaire, Conduit reported that it made no sales of subject merchandise during the POR.<sup>10</sup> On May 8, 2019, we placed the U.S. Customs and Border Protection (CBP) port inquiry instructions on the record that we sent to CBP regarding each company that submitted a statement of no shipments. We received no information from CBP contrary to the statements of no shipments from the companies contained in the attachments to the CBP Information Memorandum.<sup>11</sup>

On June 28, 2019, we received a certification of no shipments of subject merchandise from Mueller, which contained documentation in support of its contention that it had no prior knowledge of the entry of products it had sold into the United States.<sup>12</sup> Based on this evidence, we preliminarily determined that Mueller made no shipments of subject merchandise into the United States during the POR.<sup>13</sup>

On July 8, 2019, we received a certification of no shipments of subject merchandise from Conduit and RYMCO which contained documentation supporting their contentions that they had no prior knowledge of subject merchandise exported to the United States during the POR, and that the products listed in the CBP data were not subject merchandise.<sup>14</sup> Based on this evidence, we preliminarily determined that Conduit and RYMCO made no shipments of subject merchandise into the United States during the POR.<sup>15</sup>

For the reasons explained in the Issues and Decision Memorandum, we continue to determine for these final results that Conduit, Mueller, and RYMCO made no shipments of subject merchandise during the POR.

## Assessment

Commerce shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. Because Commerce

<sup>10</sup> See Conduit's Letter, "Circular Welded Non-Alloy Steel Pipe from Mexico: Response to Comments on Notice of No Sales and Confirmation of No Sales, dated April 19, 2019. This statement included RYMCO.

<sup>11</sup> The port inquiries were for: Conduit, ITISA, Lamina y Placa, Mach 1 Aero, Mach 1 Global, Regiopysta, Tubacero, and TUMEX.

<sup>12</sup> See Mueller's Letter, "Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Mueller Certification of No Shipments," dated June 28, 2019.

<sup>13</sup> See Preliminary Results.

<sup>14</sup> See Conduit/RYMCO's Letter, "Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Conduit/RYMCO Response to Department Questionnaire—Statement of No Sales of Subject Merchandise," dated July 8, 2019.

<sup>15</sup> See Preliminary Results, 84 FR at 48908.

determined that Conduit, Mueller, and RYMCO had no shipments of the subject merchandise, any suspended entries that entered under those companies' case numbers (*i.e.*, at those companies' rates) will be liquidated at the all-others rate effective during the POR, consistent with Commerce's practice.<sup>16</sup> We intend to issue assessment instructions directly to CBP 41 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 these final results of review for all shipments of 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 will continue to be the company-specific rate published for the most recent period; (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, then the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 32.62 percent, the all-others rate established in the LTFV investigation.<sup>17</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

## Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties and/or countervailing 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 and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

<sup>16</sup> For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>17</sup> See *Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe from Mexico*, 57 FR 42953 (September 17, 1992); see also the Order.

## Notification to Interested Parties 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), which continues to govern business proprietary information in this segment of the proceeding. 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

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

Dated: April 7, 2020

**Jeffrey I. Kessler,**

Assistant Secretary for Enforcement and Compliance.

## Appendix—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues
  - Comment 1: No-Shipment Statements in Lieu of Questionnaire Response
  - Comment 2: Adequacy of Support for Conduit's No Shipment Statement
  - Comment 3: Application of Adverse Facts Available to Conduit
  - Comment 4: Adequacy of Support for Mueller's No Shipment Statement
  - Comment 5: Application of Adverse Facts Available to Mueller
- V. Recommendation

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Economic Surveys of Specific U.S. Commercial Fisheries

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and/or

continuing information collections, as required by the Paperwork Reduction Act of 1995. The purpose of this notice is to allow for 60 days of public comment.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before June 12, 2020.

**ADDRESSES:** Direct all written comments to Adrienne Thomas, PRA Officer, NOAA, 151 Patton Avenue, Room 159, Asheville, NC 28801 (or via the internet at [PRAcomments@doc.gov](mailto:PRAcomments@doc.gov)). All comments received are part of the public record. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Dr. Joe Terry, Office of Science and Technology, 1315 East-West Hwy., Bldg. SSMC3, Silver Spring, MD 20910-3282, (858) 454-2547, [joe.terry@noaa.gov](mailto:joe.terry@noaa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

The Office of Science and Technology is sponsoring this collection, which consists of economic surveys that will be conducted in selected commercial fisheries for the West Coast, the Southeast, Hawaii, and the U.S. Pacific Islands territories.

The requested information will include different components of operating costs/expenditures, earnings, employment, ownership, vessel characteristics, effort/gear descriptors, employment, and demographic information for the various types of fishing vessels operating in the 15 U.S. commercial fisheries listed below.

1. West Coast Limited Entry Groundfish Fixed Gear Fishery
2. West Coast Open Access Groundfish, Non-tribal Salmon, Crab, and Shrimp Fisheries
3. American Samoa Longline Fishery
4. Hawaii Longline Fishery
5. Hawaii Small Boat Fishery
6. American Samoa Small Boat Fishery
7. American Samoa (ESAS), Guam, and The Commonwealth of The Northern Mariana Islands (CNMI) Small Boat-Based Fisheries
8. Mariana Archipelago Small Boat Fishery

9. USVI Small-Scale Fisheries
10. Puerto Rico Small-Scale Fisheries
11. Gulf of Mexico Inshore Shrimp Fishery
12. Golden Crab Fisheries in the U.S. South Atlantic Region
13. West Coast Coastal Pelagic Fishery
14. West Coast Swordfish Fishery
15. West Coast North Pacific Albacore Fishery

A variety of laws, Executive Orders (EOs), and NOAA Fisheries strategies and policies include requirements for economic data and the analyses they support. When met adequately, those requirements allow better-informed conservation and management decisions on the use of living marine resources and marine habitat in federally managed fisheries. Obtaining these data improves the ability of NOAA Fisheries and the Regional Fishery Management Councils (Councils) to monitor, explain and predict changes in the economic performance and impacts of federally managed commercial fisheries. Measures of economic performance include costs, earnings, and profitability (net revenue); productivity and economic efficiency; capacity; economic stability; the level and distribution of net economic benefits to society; and market power. The economic impacts include sector, community or region-specific, and national employment, sales, value-added, and income impacts. Economic data are required to support more than a cursory effort to comply with or support the following laws, EOs, and NOAA Fisheries strategies and policies:

1. The Magnuson-Stevens Fishery Conservation and Management Act (MSA)
2. The Marine Mammal Protection Act (MMPA)
3. The Endangered Species Act (ESA)
4. The National Environmental Policy Act (NEPA)
5. The Regulatory Flexibility Act (RFA)
6. E.O. 12866 (Regulatory Planning and Review)
7. E.O. 13771 (Reducing Regulation and Controlling Regulatory Costs)
8. E.O. 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations)
9. E.O. 13840 (Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States).
10. The NOAA Fisheries Guidelines for Economic Reviews of Regulatory Actions
11. The NOAA Fisheries Strategic Plan 2019–2022 (Strategic Plan)

12. The NOAA Fisheries Ecosystem-Based Fishery Management (EBFM) Road Map
13. The NOAA Fisheries National Bycatch Reduction Strategy
14. NOAA's Catch Share Policy.

Data collections will focus each year on a different set of the 15 commercial fisheries. This cycle of data collection will facilitate economic data being available and updated for all those commercial fisheries.

There will be an effort to coordinate the data collections in order to reduce the additional burden for those who participate in multiple fisheries. To further reduce the burden, the requested information for a specific fishery will be limited to that which is not available from other sources. Participation in these data collections will be voluntary.

The proposed revisions to the information collection will: (a) Change the title of the currently approved information collection from "West Coast Limited Entry Groundfish Fixed Gear Economic Data Collection" to "Economic Surveys of Specific U.S. Commercial Fisheries"; (b) expand it to include an additional 14 fisheries, for which information had been collected under other previously approved information collections; (c) extend it for three years; and (d) increase the burden hours to the sum of the burden hours for the 15 information collections.

#### **II. Method of Collection**

The information will be collected by mail, internet, phone, and in-person interviews. In general, respondents will receive a mailed copy of the survey instrument in advance of a phone or in-person interview. Where feasible, survey respondents will have the option to respond to an on-line survey. If phone and in-person interviews are not feasible or not desired by the potential respondents, the information will be collected by mail or internet.

#### **III. Data**

*OMB Control Number:* 0648-0773.  
*Form Number(s):* None.

*Type of Review:* Regular submission (revision of a currently approved collection).

*Affected Public:* Individuals or households and business or other for-profit organizations.

*Estimated Number of Respondents:* 2,424.

*Estimated Time per Response:* *West Coast Open Access Groundfish, Non-tribal Salmon, Crab, and Shrimp Economic Data Collection:* 3 hours.

*West Coast Limited Entry Groundfish Fixed Gear Economic Data Collection:* 3 hours.

*American Samoa Longline Survey:* 1 hour.

*Hawaii Longline Survey:* 1 hour.

*Hawaii Small Boat Economic Survey:* 45 minutes.

*American Samoa Small Boat Survey:* 45 minutes.

*Economic Surveys of American Samoa (ESAS), Guam, and The Commonwealth of The Northern Mariana Islands (CNMI) Small Boat-Based Fisheries (an add-on to a creel survey):* 10 minutes.

*Cost Earnings Survey of Mariana Archipelago Small Boat Fleet:* 45 minutes.

*Economic Expenditure Survey of Golden Crab Fishermen in the U.S. South Atlantic Region:* 1 hour.

*USVI Fisheries Economic Survey (Socio-Economic Profile of Small-Scale Commercial Fisheries (SSCF) in the U.S. Caribbean):* 30 minutes.

*Puerto Rico Fisheries Economic Survey (Socio-Economic Profile of Small-Scale Commercial Fisheries (SSCF) in the U.S. Caribbean):* 1 hour.

*Gulf of Mexico Inshore Shrimp Fishery Economic Survey:* 30 minutes.

*West Coast Swordfish Fishery Cost and Earnings Survey:* 1 hour.

*West Coast Coastal Pelagic Fishery Economic Survey:* 1 hour, 40 minutes.

*West Coast North Pacific Albacore Fishery Economic Survey:* 1 hour.

*Estimated Total Annual Burden Hours:* 2,188.

*Estimated Total Annual Cost to Public:* \$0.

#### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: April 7, 2020.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

###### Federal Consistency Appeal by WesternGeco of South Carolina Objection

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of stay—closure of administrative appeal decision record.

**SUMMARY:** This announcement provides notice that the Department of Commerce (Department) has stayed, for a period of 14 days, closure of the decision record in an administrative appeal filed by WesternGeco (Appellant) under the Coastal Zone Management Act requesting that the Secretary override an objection by the South Carolina Department of Health and Environmental Control to a consistency certification for a proposed project to conduct a marine Geological and Geophysical seismic survey in the Atlantic Ocean.

**DATES:** The decision record for WesternGeco's Federal Consistency Appeal of South Carolina's objection will now close on April 27, 2020.

**ADDRESSES:** NOAA has provided access to publicly available materials and related documents comprising the appeal record on the following website: [http://www.regulations.gov/#!docket Detail;D=NOAA-HQ-2019-0118](http://www.regulations.gov/#!docketDetail;D=NOAA-HQ-2019-0118).

**FOR FURTHER INFORMATION CONTACT:** For questions about this Notice, contact Jonelle Dilley, NOAA Office of General Counsel, Oceans and Coasts Section, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910, (301) 713-7383, [jonelle.dilley@noaa.gov](mailto:jonelle.dilley@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On September 20, 2019, the Secretary of Commerce (Secretary) received a "Notice of Appeal" filed by WesternGeco pursuant to the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. The "Notice of Appeal" is taken from an objection by the South Carolina Department of Health and Environmental Control to a consistency certification for a proposed

project to conduct a marine Geological and Geophysical seismic survey in the Atlantic Ocean. This matter constitutes an appeal of an "energy project" within the meaning of the CZMA regulations, see 15 CFR 930.123(c).

Under the CZMA, the Secretary may override South Carolina's objection on grounds that the project is consistent with the objectives or purposes of the CZMA, or is necessary in the interest of national security. To make the determination that the proposed activity is "consistent with the objectives or purposes of the CZMA," the Department must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the national interest furthered by the proposed activity outweighs the activity's adverse coastal effects, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the proposed activity to be conducted in a manner consistent with the enforceable policies of the applicable coastal management program. 15 CFR 930.121. To make the determination that the proposed activity is "necessary in the interest of national security," the Secretary must find that a national defense or other national security interest would be significantly impaired if the proposed activity is not permitted to go forward as proposed. 15 CFR 930.122.

The Secretary must close the decision record in a federal consistency appeal 160 days after the Notice of Appeal is published in the **Federal Register**. 15 CFR 930.130(a)(1). However, the CZMA authorizes the Secretary to stay closing the decision record for up to 60 days when the Secretary determines it necessary to receive, on an expedited basis, any supplemental information specifically requested by the Secretary to complete a consistency review or any clarifying information submitted by a party to the proceeding related to information in the consolidated record compiled by the lead Federal permitting agency. 15 CFR 930.130(a)(2), (3).

After reviewing the decision record developed to date, the Secretary has decided to solicit supplemental and clarifying information from the Bureau of Ocean Energy Management pertaining to the withholding of certain information as proprietary. In order to allow receipt of this information, the Secretary hereby stays closure of the decision record, currently scheduled to occur on April 13, 2020, until April 27, 2020.