

Rescission of the Administrative Review

Because Commerce has finalized a new amendment revising the terms and conditions of the Agreement, the administrative review of the pre-existing Agreement for the October 1, 2017 through September 30, 2018 POR is now moot. The review pertains to a version of the Agreement that no longer exists. Accordingly, we are hereby rescinding this review.

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: October 5, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-943]

Oil Country Tubular Goods From the People's Republic of China: Rescission of Antidumping Duty Administrative Review; 2019-2020

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 oil country tubular goods from the People's Republic of China (China) for the period May 1, 2019, through April 30, 2020, based on the timely withdrawal of the request for review.

DATES: Applicable October 9, 2020.

FOR FURTHER INFORMATION CONTACT: Glenn T. Bass Jr., 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) 482-8338.

Background

On May 1, 2020, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order on oil country tubular goods from China for the period May 1, 2019, through April 30, 2020.¹ On May 29, 2020,

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity*

United States Steel Corporation, Maverick Tube Corporation, Tenaris Bay City, Inc., IPSCO Tubulars Inc., Vallourec Star, L.P., and Welded Tube USA, Inc (the petitioners), filed a timely request for review, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b).² Pursuant to this request and in accordance with section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), we initiated an administrative review of 159 companies named by the petitioners in their request for review.³ On August 11, 2020, the petitioners timely withdrew their request for an administrative review with respect to all companies.⁴

Rescission of Review

Pursuant to 19 CFR 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 petitioners, the only party to file a request for review, withdrew this request by the 90-day deadline. Accordingly, we are rescinding, in its entirety, the administrative review of the antidumping duty order on oil country tubular goods from China covering the period May 1, 2019, through April 30, 2020.

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of oil country tubular goods from China. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping 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 the date of publication of this notice in the **Federal Register**.

Notification to Importers

This notice serves as a reminder to importers of their responsibility under

to Request Administrative Review, 85 FR 25394 (May 1, 2020).

² See Letter from the petitioners, "Oil Country Tubular Goods from the People's Republic of China: Request for Administrative Review of Antidumping Duty Order," dated May 29, 2020.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 41540 (July 10, 2020).

⁴ See Letter from the petitioners, "Oil Country Tubular Goods from the People's Republic of China: Withdrawal of Request for Administrative Review," dated August 11, 2020.

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 review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to all 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. Timely written notification of the return/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 violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: October 5, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2020-22434 Filed 10-8-20; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-580-884]

Certain Hot-Rolled Steel Flat Products From the Republic of Korea: Final Results of Countervailing Duty Administrative Review, 2017

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

SUMMARY: The Department of Commerce (Commerce) determines that Hyundai Steel Co., Ltd. (Hyundai Steel), a producer/exporter of certain hot-rolled steel flat products (hot-rolled steel) from the Republic of Korea (Korea), received countervailable subsidies that are above *de minimis*. The period of review (POR) is January 1, 2017 through December 31, 2017.

DATES: Applicable October 9, 2020.

FOR FURTHER INFORMATION CONTACT: Emily Halle, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401

Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0176.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* of this review on December 12, 2019.¹ In addition, Commerce issued a post-preliminary determination related to an upstream subsidy allegation on electricity on March 11, 2020.²

On March 19, 2020, we postponed the final results of this review until June 9, 2020.³ On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days.⁴ On July 21, 2020, Commerce tolled all deadlines in administrative reviews by an additional 60 days, thereby extending the deadline for these final results until September 28, 2020.⁵ For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.⁶

Scope of the Order

The products covered by this order are hot-rolled steel flat products. For a complete description of the scope of the order, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in interested parties' briefs are addressed in the Issues and Decision Memorandum. A list of the issues raised by interested parties and to which we responded in the Issues and Decision Memorandum is provided in the Appendix to this notice. The Issues

¹ See *Certain Hot-Rolled Steel Flat Products from the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review, 2017*, 84 FR 67927 (December 12, 2019) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² See Memorandum, "Post-Preliminary Analysis Memorandum—Upstream Subsidy on Electricity," dated March 11, 2020.

³ See Memorandum, "Certain Hot-Rolled Steel Flat Products from the Republic of Korea: Extension of Deadline for Final Results of Countervailing Duty Administrative Review, 2017," dated March 19, 2020.

⁴ See Memorandum to the Record from Jeffrey I. Kessler, Assistant Secretary for Enforcement and Compliance, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19," dated April 24, 2020.

⁵ See Memorandum to the Record from Jeffrey I. Kessler, Assistant Secretary for Enforcement and Compliance, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews" dated July 21, 2020. All deadlines in this segment of the proceeding have been extended by an additional 60 days.

⁶ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Countervailing Duty Order on Certain Hot-Rolled Steel Flat Products from the Republic of Korea; 2017," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and the electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on the comments received from interested parties and record information, we have made changes to the subsidy calculations for Hyundai Steel. For a discussion of these issues, see the Issues and Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we find that there is a subsidy, *i.e.*, a financial contribution from a government or public entity that gives rise to a benefit to the recipient, and that the subsidy is specific.⁷ For a full description of the methodology underlying our conclusions, see the Issues and Decision Memorandum.

In making these findings, Commerce relied, in part, on facts available, pursuant to sections 776(a) and (b) of the Act. For further information, see "Use of Facts Otherwise Available" in the Issues and Decision Memorandum.

Final Results of Administrative Review

In accordance with section 751(a)(1)(A) of the Act and 19 CFR 351.221(b)(5), we determine the total estimated net countervailable subsidy rates for the period January 1, 2017 through December 31, 2017 to be as follows:

Company	Subsidy rate (percent <i>ad valorem</i>)
Hyundai Steel Co., Ltd	0.51

Disclosure

Commerce will disclose the calculations performed for these final results within five days of the date of

⁷ See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

publication of this notice to parties in this proceeding, in accordance with 19 CFR 351.224(b).

Assessment Rate

In accordance with 19 CFR 351.212(b)(2), Commerce intends to issue appropriate assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after publication of these final results. We will instruct CBP to liquidate shipments of subject merchandise produced and/or exported by Hyundai Steel, entered or withdrawn from warehouse for consumption from January 1, 2017 through December 31, 2017, at the *ad valorem* rate listed above.

Cash Deposit Requirements

In accordance with section 751(a)(2)(C) of the Act, we intend to instruct CBP to collect cash deposits of estimated countervailing duties, in the amount shown above, on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, CBP will continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all others rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction 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 proceeding. Timely written notification of the return/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 violation which is subject to sanction.

Notification to Interested Parties

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: September 28, 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. Changes Since the *Preliminary Results*
- IV. Scope of the Order
- V. Period of Review
- VI. Subsidies Valuation Information
- VII. Use of Facts Otherwise Available
- VIII. Analysis of Programs
- IX. Discussion of Comments
 - Comment 1: Whether the Electricity for Less Than Adequate Remuneration Upstream Subsidy Allegation Confers a Benefit
 - Comment 2: Whether the Subsidy Rate for Industrial Technology Innovation Promotion Act Grants Was Improperly Calculated
 - Comment 3: Whether the Tax Programs Under the Restriction of Special Location Taxation Act and Restriction of Special Taxation Act Meet the Specificity Requirement
 - Comment 4: Whether the Trading of Demand Response Resources Program is Countervailable
 - Comment 5: Whether the Modal Shift Program Confers a Countervailable Benefit
 - Comment 6: Whether Commerce Correctly Measured the Benefit for Port Usage Rights at Incheon Harbor
 - Comment 7: Whether the Suncheon Harbor Usage Fee Exemptions Under the Harbor Act Are Countervailable
 - Comment 8: Whether Hyundai Green Power is Hyundai Steel's Cross-Owned Input Supplier and Received Countervailable Benefits
- X. Recommendation

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XA472]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Gastineau Channel Historical Society Sentinel Island Moorage Float Project, Juneau, Alaska

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: NMFS has received a request from the Gastineau Channel Historical

Society (GCHS) for the re-issuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of seven species of marine mammals, by Level A and Level B harassment, incidental to construction associated with the Sentinel Island moorage float near Juneau, Alaska. The project has been delayed and none of the work covered in the initial IHA has been conducted. GCHS has requested re-issuance with new effective dates over the same period in 2021 (*i.e.*, July 15, 2021 through September 20, 2021). The scope of the activities and anticipated effects remain the same, authorized take numbers are not changed, and the required mitigation, monitoring, and reporting remains the same as included in the initial IHA. NMFS is, therefore, issuing a second identical IHA to cover the incidental take analyzed and authorized in the initial IHA.

DATES: This authorization is effective from July 15, 2021 through September 20, 2021.

ADDRESSES: An electronic copy of the final 2020 IHA previously issued to GCHS, the re-issued IHA, the original application, and the **Federal Register** notices proposing and issuing the initial IHA may be obtained by visiting <https://www.fisheries.noaa.gov/action/incidental-take-authorization-sentinel-island-moorage-float-project-juneau-alaska>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Dwayne Meadows, Ph.D., Office of Protected Resources, NMFS, (301) 7-8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or

stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term “take” means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Summary of Request

On July 15, 2020, NMFS published final notice of our issuance of an IHA authorizing take of marine mammals incidental to the Sentinel Island moorage float project (85 FR 42837). The effective dates of that IHA were July 15, 2020, through September 20, 2020. On September 14, 2020, GCHS informed NMFS that the project was delayed. None of the work identified in the initial IHA (*e.g.*, pile driving) has occurred. GCHS submitted a request for a new identical IHA that would be effective from July 15, 2021 through September 20, 2021, in order to conduct the construction work that was analyzed and authorized through the previously issued IHA. Therefore, re-issuance of the IHA is appropriate.

Summary of Specified Activity and Anticipated Impacts

The planned activities (including mitigation, monitoring, and reporting), authorized incidental take, and anticipated impacts on the affected stocks are the same as those analyzed and authorized through the previously issued IHA.

The purpose of GCHS' construction project is to construct an access float to more easily access Sentinel Island. The location, timing, and nature of the activities, including the types of equipment planned for use, are identical those described in the initial IHA. The