

*Order* on passenger tires.<sup>1</sup> On July 1, 2020, Commerce published the *Notice of Initiation* of the first sunset review of the *Order* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On July 16, 2020, Commerce received a notice of intent to participate from the petitioner<sup>3</sup> submitted within the 15-day deadline specified in 19 CFR 351.218(d)(1)(i). The petitioner claimed interested party status under section 771(9)(D) of the Act as a certified union or recognized union or group of workers which is representative of an industry engaged in the manufacture, production, or wholesale of a domestic like product.

On July 31, 2020, Commerce received an adequate substantive response to the *Notice of Initiation* from the petitioner within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> We received no substantive responses from respondent interested parties.

On August 20, 2020, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.<sup>5</sup> On September 9, 2020, we received comments on adequacy from the petitioner.<sup>6</sup> As a result, pursuant to 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce has conducted an expedited sunset review of the *Order*.

### Scope of the Order

The merchandise covered by the *Order* is passenger vehicle and light truck tires. Passenger vehicle and light truck tires are new pneumatic tires, of rubber, with a passenger vehicle or light truck size designation. Tires covered by this *Order* may be tube-type, tubeless, radial, or non-radial, and they may be

intended for sale to original equipment manufacturers or the replacement market.

The products covered by the *Order* are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60.

While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive. A full description of the scope of the *Order* is contained in the accompanying Issues and Decision Memorandum (Issues and Decision Memorandum).<sup>7</sup>

### Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice. The issues discussed in the Issues and Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the *Order* is revoked. The Issues 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>. A list of topics discussed in the Issues and Decision Memorandum is included as an Appendix to this notice. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

<sup>7</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Antidumping Duty Order on Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

### Final Results of Reviews

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the AD *Order* on passenger tires from China would be likely to lead to the continuation or recurrence of dumping at weighted-average dumping margins up to 87.99 percent.

### Administrative Protective Order

This notice also serves as the only reminder to parties subject to 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. Timely 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 violation which is subject to sanction.

### Notification to Interested Parties

We are issuing and publishing the final results and this notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218 and 351.221(c)(5)(ii).

Dated: October 29, 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. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
- VII. Final Results of Sunset Review
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-891]

### Hand Trucks and Certain Parts Thereof From the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order

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

**SUMMARY:** As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the

<sup>1</sup> See *Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Amended Final Affirmative Antidumping Duty Determination and Amended Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 80 FR 47902 (August 10, 2015) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 85 FR 67 (January 2, 2020) (*Notice of Initiation*).

<sup>3</sup> The petitioner is the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Workers Union, AFL-CIO, a certified union representative of an industry engaged in the manufacture, production or wholesale in the United States of PVL. See Petitioner's Letter, "Certain Passenger Vehicle and Light Truck from the People's Republic of China: Notice of Intent to Participate," dated July 16, 2020.

<sup>4</sup> See Petitioner's Letter, "Passenger Vehicle and Light Truck Tires from China, AD Order, First Sunset Review: Substantive Response of the USW," dated July 31, 2020 (Substantive Response).

<sup>5</sup> See Commerce's Letter, "Sunset Reviews Initiated on July 1, 2020," dated August 20, 2020.

<sup>6</sup> See Petitioner's Letter, "Passenger Vehicle and Light Truck Tires from China; AD/CVD orders, First Sunset Review: Adequacy Comments of the USW," dated September 9, 2020.

antidumping duty (AD) order on hand trucks and certain parts thereof (hand trucks) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping. The magnitude of the dumping margins likely to prevail is indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** Applicable November 4, 2020.

**FOR FURTHER INFORMATION CONTACT:** Margaret Collins, AD/CVD Operations, Office VI, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482-6250.

**SUPPLEMENTARY INFORMATION:**

**Background**

The antidumping duty order on hand trucks from China was published on December 2, 2004.<sup>1</sup> On July 1, 2020, Commerce published the notice of initiation of the third sunset review of the antidumping duty order on hand trucks from China pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup>

In accordance with 19 CFR 351.218(d)(1)(i) and (ii), Commerce received a notice of intent to participate in this sunset review from Gleason Industrial Products, Inc. and Precision Products, Inc. (collectively, the petitioners), within 15 days after the date of publication of the *Sunset Initiation*. The petitioners claimed interested party status under section 771(9)(C) of the Act, as domestic producers of the domestic like product.

On July 23, 2020, Commerce received a complete substantive response to the notice of initiation from the petitioners within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). Commerce received no substantive response from any respondent interested parties. As a result, Commerce conducted an expedited, *i.e.*, 120-day, sunset review of this order pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2).

**Scope of the Order**

The merchandise subject to the order consists of hand trucks manufactured from any material, whether assembled or unassembled, complete or incomplete, suitable for any use, and certain parts thereof, namely the vertical frame, the handling area and the projecting edges or toe plate, and any combination thereof. They are typically

imported under heading 8716.80.50.10 of the Harmonized Tariff Schedule of the United States (HTSUS), although they may also be imported under heading 8716.80.50.90 and 8716.90.50.60. Although the HTSUS subheadings are provided for convenience and customs purposes, the written product description is dispositive. A full description of the scope of the order is contained in the accompanying Issues and Decision Memorandum.<sup>3</sup>

**Analysis of Comments Received**

All issues raised in this review are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of dumping in the event of revocation, and the magnitude of dumping margins likely to prevail if the order were revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in the Issues and Decision Memorandum, which 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://trade.gov/enforcement/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

**Final Results of Sunset Review**

Pursuant to sections 752(c)(1) and (3) of the Act, we determine that revocation of the antidumping duty order on hand trucks from the China would be likely to lead to continuation or recurrence of dumping at weighted-average margins up to 383.60 percent.

**Notification to Interested Parties**

This notice 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). Timely written notification of the destruction of APO materials or conversion to judicial protective order is hereby requested.

<sup>3</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order on Hand Trucks and Certain Parts Thereof from the People's Republic of China," dated concurrently with and hereby adopted by this notice (Issues and Decision Memorandum).

Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Commerce is issuing and publishing these final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: October 29, 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. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of Dumping
  2. Magnitude of the Margin of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XA614]

**Marine Mammals; File No. 24356**

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Plimsoll Productions, Whiteladies House, 51-55 Whiteladies Road, Bristol BS8 2LY, United Kingdom (Responsible Party: James Manisty), has applied in due form for a permit to conduct commercial or educational photography on northern elephant seals (*Mirounga angustirostris*).

**DATES:** Written, telefaxed, or email comments must be received on or before December 4, 2020.

**ADDRESSES:** These documents are available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 24356 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to

<sup>1</sup> See *Notice of Antidumping Duty Order: Hand Trucks and Certain Parts Thereof from the People's Republic of China*, 69 FR 70122 (December 2, 2004).

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 85 FR 39526 (July 1, 2020) (*Sunset Initiation*).