

## Background

On May 2, 2022, Commerce published the notice of initiation of the first sunset reviews of the *Orders*,<sup>1</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> Commerce received a notice of intent to participate from domestic interested parties<sup>3</sup> within the deadline specified in 19 CFR 351.218(d)(1)(i), after the date of publication of the *Initiation Notice*.<sup>4</sup> Each claimed interested party status under section 771(9)(C) of the Act as domestic producers engaged in the production of flanges in the United States.

Commerce received a substantive response from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>5</sup> We did not receive a substantive response from any other interested party in these proceedings.

On June 21, 2022, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.<sup>6</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Orders*.

## Scope of the Orders

The products covered by the *Orders* are finished carbon steel flanges. For a complete description of the scope of

<sup>1</sup> See *Finished Carbon Steel Flanges from India and Italy: Antidumping Duty Orders*, 82 FR 40136 (August 24, 2017); and *Finished Carbon Steel Flanges from Spain: Antidumping Duty Order*, 82 FR 27229 (June 14, 2017) (collectively, *Orders*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Review*, 87 FR 25617 (May 2, 2021) (*Initiation Notice*).

<sup>3</sup> The domestic interested parties are Weldbend Corporation (Weldbend) and Boltex Manufacturing Company Inc. (Boltex) (collectively, domestic interested parties). In 2020, Boltex Manufacturing Co., L.P. reorganized to Boltex Manufacturing Company Inc.).

<sup>4</sup> See Domestic Interested Parties' Letters, "Finished Carbon Steel Flanges from India: Notice of Intent to Participate by Weldbend Corporation & Boltex Corporation," dated May 17, 2022; "Finished Carbon Steel Flanges from Italy: Notice of Intent to Participate by Weldbend Corporation & Boltex Manufacturing Co., L.P.," dated May 17, 2022; and "Finished Carbon Steel Flanges from Spain: Notice of Intent to Participate by Weldbend Corporation & Boltex Manufacturing Co., L.P.," dated May 17, 2022.

<sup>5</sup> See Domestic Interested Party's Letters, "Finished Carbon Steel Flanges from India: Substantive Response of Domestic Interested Parties," dated June 1, 2022; "Finished Carbon Steel Flanges from Italy: Substantive Response of Domestic Interested Parties," dated June 1, 2022; and "Finished Carbon Steel Flanges from Spain: Substantive Response of Domestic Interested Parties," dated June 1, 2022 (collectively, Substantive Response).

<sup>6</sup> See Commerce's Letter, "Sunset Reviews Initiated on May 2, 2022," dated May 2, 2022.

these *Orders*, see the Issues and Decision Memorandum.<sup>7</sup>

## Analysis of Comments Received

All issues raised in these sunset reviews are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of dumping and the magnitude of the margins of dumping likely to prevail if the *Orders* were revoked.<sup>8</sup> 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 Services System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

## Final Results of Sunset Reviews

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the *Orders* would be likely to lead to the continuation or recurrence of dumping, and that the magnitude of the margins of dumping likely to prevail would be weighted-average margins of up to the following percentages:

Country	Weighted-average dumping margin (percent)
India .....	12.58
Italy .....	204.53
Spain .....	24.43

## Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an 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. 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 this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.

<sup>7</sup> See Memorandum, "Issues and Decision Memorandum for the Expedited Sunset Review of the Antidumping Duty Orders on Finished Carbon Steel Flanges from India, Italy, and Spain," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>8</sup> *Id.*

Dated: August 23, 2022.

Lisa W. Wang,

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 *Orders*
- IV. History of the *Orders*
- 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 Review
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-822]

### Welded Line Pipe From the Republic of Turkey: Preliminary Determination of No Shipments and Partial Rescission of the Antidumping Duty Administrative Review; 2020-2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily finds that Cimtas Boru Imalatlari ve Ticaret, Ltd. Sti (Cimtas), the only company subject to review, had no shipments of subject merchandise during the period of review (POR), December 1, 2020, through November 30, 2021. In addition, we are rescinding this administrative review with respect to companies for which requests for review were timely withdrawn. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable August 30, 2022.

**FOR FURTHER INFORMATION CONTACT:** Christopher Hargett, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4161.

## SUPPLEMENTARY INFORMATION:

### Background

In December 2015, Commerce published in the **Federal Register** an antidumping duty order on welded line

pipe from the Republic of Turkey.<sup>1</sup> On December 1, 2021, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order* for the POR.<sup>2</sup> On December 30, 2021, Commerce received timely requests to conduct an administrative review of the *Order*, in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (the Act), from Maverick Tube Corporation, IPSCO Tubulars Inc., American Cast Iron Pipe Company, Dura-Bond Industries, and Stupp Corporation, a division of Stupp Bros., Inc. (collectively, the domestic interested parties).<sup>3</sup> Based on these requests, on February 4, 2022, Commerce initiated an administrative review of the *Order* with respect to 19 companies.<sup>4</sup> That same day, consistent with the *Initiation Notice*, Commerce released data from U.S. Customs and Border Protection (CBP) for purposes of respondent selection and provided interested parties an opportunity to comment on these data by February 11, 2022.<sup>5</sup> Commerce received no comments on the CBP Data. In January and February 2022, four companies submitted certifications of no shipments.<sup>6</sup>

On March 4, 2022, Cintas informed Commerce that it: (1) had not made any reviewable shipments or sales of the subject merchandise to the United States during POR; and (2) had no physical entries and/or no reviewable

entries of subject merchandise to the United States during this period.<sup>7</sup>

In April 2022, the domestic interested parties timely withdrew their requests for review with respect to 18 companies.<sup>8</sup> As a result, Cintas is the only company that remains subject to this review.

On May 16, 2022, domestic interested parties requested that Commerce conduct verification in this administrative review.<sup>9</sup>

### Scope of the Order

The products covered by the *Order* are circular welded carbon and alloy steel (other than stainless steel) pipe of a kind used for oil or gas pipelines (welded line pipe), not more than 24 inches in nominal outside diameter, regardless of wall thickness, length, surface finish, end finish, or stenciling. Welded line pipe is normally produced to the American Petroleum Institute (API) specification 5L, but can be produced to comparable foreign specifications, to proprietary grades, or can be non-graded material. All pipe meeting the physical description set forth above, including multiple-stenciled pipe with an API or comparable foreign specification line pipe stencil is covered by the scope of this *Order*.

The welded line pipe that is subject to the *Order* is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7305.11.1030, 7305.11.5000, 7305.12.1030, 7305.12.5000, 7305.19.1030, 7305.19.5000, 7306.19.1010, 7306.19.1050, 7306.19.5110, and 7306.19.5150. The subject merchandise may also enter in HTSUS 7305.11.1060 and 7305.12.1060. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Order* is dispositive.

<sup>7</sup> See Cintas's Letter, "Welded Line Pipe from Turkey: No (Reviewable) Shipment Letter," dated March 4, 2022 (Cintas No Shipment Letter).

<sup>8</sup> See Maverick Tube Corporation and IPSCO Tubulars Inc.'s Letter, "Welded Line Pipe from Turkey: Partial Withdrawal of Request for Administrative Review of Antidumping Duty Order," dated April 20, 2022; and American Cast Iron Pipe Company, Dura-Bond Industries, and Stupp Corporation, a division of Stupp Bros., Inc.'s Letter, "Welded Line Pipe from Turkey: Partial Withdrawal of Request for Administrative Review," dated April 21, 2022 (collectively, Withdrawal Request). For the list companies, for which the request for review was timely withdrawn, see the appendix to this notice.

<sup>9</sup> See ALPPA Welded Line Pipe Committee's Letter, "Welded Line Pipe from Turkey: Request for Verification," dated May 16, 2022 (Verification Request).

### Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), Commerce "will rescind an administrative review . . . in whole or in part, if a party that requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review." On April 20, 2022, the domestic interested parties timely withdrew their requests for an administrative review of the 18 companies listed in the appendix to this notice.<sup>10</sup> Because no other party requested a review of these companies, we are rescinding this review, in part, with respect to these companies, pursuant to 19 CFR 351.213(d)(1).

### Preliminary Determination of No Shipments

Based on CBP's response to Commerce's no-shipment inquiry<sup>11</sup> and the certifications provided by Cintas,<sup>12</sup> we preliminarily determine that the company had no shipments and, therefore, no reviewable entries, of subject merchandise during the POR. Consistent with Commerce's practice, we will not rescind the review with respect to Cintas, but rather, will complete the review and issue appropriate instructions to CBP based on the final results of the review.<sup>13</sup>

### Verification

Pursuant to 19 CFR 351.307(b)(1)(v), Commerce "will verify factual information" relied upon in the final results of an administrative review if: (A) "{a} domestic interested party, not later than 100 days after the date of publication of the notice of initiation of review, submits a written request for verification; and (B) {Commerce} conducted no verification . . . during either of the two immediately preceding administrative reviews."<sup>14</sup> 19 CFR 351.307(b)(1)(iv) also states that Commerce will verify if the Secretary decides that "good cause for verification exists." Here, Commerce received the domestic interested parties' verification

<sup>10</sup> See Withdrawal Request.

<sup>11</sup> See Memorandum, "Welded Line Pipe from the Republic of Turkey: No Shipment Inquiry for Cintas Boru Imalatları ve Ticaret, Ltd. Sti. during the period 12/01/2020 through 11/30/2021," dated July 22, 2022.

<sup>12</sup> See Cintas No Shipment Letter.

<sup>13</sup> See, e.g., *Polyethylene Terephthalate Film, Sheet, and Strip from Taiwan: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2018–2019*, 85 FR 74673 (November 23, 2020), unchanged in *Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from Taiwan: Final Results of Antidumping Duty Administrative Review; 2018–2019*, 86 FR 14311 (March 15, 2021).

<sup>14</sup> See 19 CFR 351.307(b)(1)(v).

<sup>1</sup> See *Welded Line Pipe from the Republic of Korea and the Republic of Turkey: Antidumping Duty Orders*, 80 FR 75056 (December 1, 2015) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 86 FR 68215 (December 1, 2021).

<sup>3</sup> See Maverick Tube Corporation and IPSCO Tubulars Inc.'s Letter, "Welded Line Pipe from the Turkey: Request for Administrative Review," dated December 30, 2021; and American Cast Iron Pipe Company, Dura-Bond Industries, and Stupp Corporation, a division of Stupp Bros., Inc.'s Letter, "Welded Line Pipe from Turkey: Request for Administrative Review," dated December 30, 2021.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 6487, 6491 (February 4, 2022) (*Initiation Notice*).

<sup>5</sup> *Id.*, 87 FR at 6487; see also Memorandum, "Release of U.S. Customs and Border Protection Entry Data," dated February 4, 2022 (CBP Data).

<sup>6</sup> See Çayirova Boru Sanayi ve Ticaret A.S. and Yucelboru İhracat İthalat ve Pazarlama A.S.'s Letter, "Line pipe from Turkey: Yuçel No Shipments Letter," dated January 4, 2022; Toscelik Profile and Sheet Industry, Co. and Tosyalı Dis Ticaret A.S.'s Letter, "Line pipe from Turkey: Toscelik No-Shipments letter," dated January 4, 2022; Noksel Çelik Boru Sanayi A.S.'s Letter, "Welded Line Pipe from Turkey (A-489-822): Anti-Dumping Duty Order Administrative Review (12/1/20—11/30/21)," dated February 11, 2022; and Borusan Mannesmann Boru Sanayi ve Ticaret A.S.'s Letter, "Welded Line Pipe from Turkey, Case No. A-489-822: Notification of No Shipments," dated February 16, 2022.

request in a timely manner. However, Commerce verified the information provided by Cimtas in the immediately preceding administrative review of this *Order*. Thus, pursuant 19 CFR 351.307(b)(1)(v)(B), Commerce will not verify the relevant factual information in the instant review.

### Public Comment

Interested parties are invited to comment on these preliminary results and may submit case briefs or other written comments to Commerce no later than 30 days after the date of publication of this notice.<sup>15</sup> Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline for case briefs.<sup>16</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case or rebuttal briefs in this proceeding 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.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) within 30 days after the date of publication of this notice.<sup>17</sup> Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.<sup>18</sup> Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS by 5 p.m. eastern time on the established deadline. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>19</sup>

Commerce intends to issue the final results of this administrative review,

including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice in the **Federal Register**, unless otherwise extended.<sup>20</sup>

### Assessment

Commerce will instruct CBP to liquidate any suspended entries for the 18 companies listed in the appendix to this notice at the rate in effect at the time of entry. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

For Cimtas, Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

If the final results of review continue to find that Cimtas had no shipments during the POR, there will be no change to the existing cash deposit requirements.

### 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 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 double antidumping duties.

### Notification to Interested Parties

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

Dated: August 23, 2022.

**Lisa W Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

1. Borusan Istikbal Ticaret
2. Borusan Mannesmann Boru Sanayi ve Ticaret A.S.<sup>21</sup>

<sup>20</sup> See section 751(a)(3)(A) of the Act.

<sup>21</sup> The *Initiation Notice* inadvertently misspelled Borusan Mannesmann Boru Sanayi ve Ticaret A.S.

3. Cayirova Boru Sanayii ve Ticaret A.S.
4. Emek Boru Makina Sanayi ve Ticaret A.S.
5. Erbosan Erciyas Tube Industry and Trade Co. Inc.
6. Erciyas Celik Boru Sanayii A.S.
7. Guven Celik Boru Sanayii ve Ticaret Ltd. Sti.
8. Has Altinyagmur celik Boru Sanayii ve Ticaret Ltd. Sti.
9. HDM Steel Pipe Industry & Trade Co. Ltd.
10. Metalteks Celik Urunleri Sanayii
11. MMZ Onur Boru Profil Uretim Sanayii ve Ticaret A.S.
12. Noksel Steel Pipe Co. Inc.
13. Ozbal Celik Boru
14. Toscelik Profile and Sheet Industry, Co.
15. Tosityali Dis Ticaret A.S.
16. Umrans Celik Boru Sanayii
17. YMS Pipe & Metal Sanayii A.S.
18. Yucelboru Ihracat Ithalat Pazarlam

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XC164]

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys Offshore From Massachusetts to New Jersey for Vineyard Northeast, LLC

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

**ACTION:** Notice; issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS is issuing an IHA to Vineyard Northeast, LLC (Vineyard Northeast) to incidentally harass, by Level B harassment, marine mammals incidental to marine site characterization surveys offshore from Massachusetts to New Jersey, including the area of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf Lease Areas OCS-A 0522 and OCS-A 0544 (Lease Areas) and along potential offshore export cable corridor (OECC) routes to landfall locations. **DATES:** This authorization is effective from July 27, 2022 through July 26, 2023.

#### FOR FURTHER INFORMATION CONTACT:

Carter Esch, Office of Protected Resources, NMFS, (301) 427-8401.

as "Borusan Mannesmann Boru Sanayi ve Ticaret A."

<sup>15</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>16</sup> See 19 CFR 351.309(d)(1) and (2); *see also* *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

<sup>17</sup> See 19 CFR 351.310(c).

<sup>18</sup> See 19 CFR 351.310(d).

<sup>19</sup> See *Temporary Rule*.