

withdrawn from warehouse, for consumption on or after the date of publication of the notice of the final results of this review in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) for the exporters listed in the table above, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review for the exporter (except, if the dumping margin is *de minimis* (i.e., less than 0.5 percent), then the cash deposit rate will be zero for that exporter); (2) for previously investigated or reviewed Chinese and non-Chinese exporters that are not listed in the table above but that have separate rates, the cash deposit rate will continue to be the exporter-specific rate established in the most recently completed segment of this proceeding; (3) for all Chinese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity (i.e., 238.95 percent<sup>27</sup>) and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### 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 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 has occurred, and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

#### Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213 and 351.221(b)(4).

Dated: December 30, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### List of Sections in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Partial Rescission of Administrative Review
- V. Preliminary Determination of No Shipments
- VI. Selection of Respondents
- VII. Single Entity Treatment
- VIII. Discussion of the Methodology
- IX. Recommendation

#### Appendix II

##### Companies Preliminarily Determined To Be Part of the China-Wide Entity

1. De-Tech Trading Limited HK
2. Fuzhou Sunmodo New Energy Equipment
3. Hengdian Group DMEGC Magnetics Co. Ltd.
4. Jiawei Solarchina (Shenzhen) Co., Ltd.
5. Jiawei Solarchina Co., Ltd.
6. Jinko Solar International Limited
7. Lightway Green New Energy Co., Ltd.
8. Longi (HK) Trading Ltd.
9. Ningbo ETDZ Holdings, Ltd.
10. Ningbo Qixin Solar Electrical Appliance Co., Ltd.
11. Renesola Jiangsu Ltd.
12. ReneSola Zhejiang Ltd.
13. Shenzhen Sungold Solar Co., Ltd.
14. Sumec Hardware & Tools Co., Ltd.
15. Suntech Power Co., Ltd.
16. Taizhou BD Trade Co., Ltd.
17. tenKsolar (Shanghai) Co., Ltd.
18. Wuxi Suntech Power Co., Ltd.; Luoyang Suntech Power Co., Ltd.
19. Yingli Green Energy International Trading Company Limited

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration [A-533-908]

##### Barium Chloride From India: Final Negative Determination of Sales at Less Than Fair Value

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that barium chloride from India is not being, or is not likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2021, through December 31, 2021.

**DATES:** Applicable January 6, 2023.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker, 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) 482-2924.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 17, 2022, Commerce published the preliminary determination in the LTFV investigation of barium chloride from India, in which it also postponed the final determination until December 30, 2022.<sup>1</sup> Commerce invited interested parties to comment on the *Preliminary Determination*. For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.<sup>2</sup>

##### Scope Comments

On July 6, 2022, we issued the Preliminary Scope Decision Memorandum.<sup>3</sup> The scope case briefs were due on July 20, 2022.<sup>4</sup> No parties filed scope case briefs addressing the Preliminary Scope Decision Memorandum. Therefore, Commerce has not made any changes to the scope of this investigation since the *Preliminary Determination*.

##### Scope of the Investigation

The product covered by this investigation is barium chloride from India. For a complete description of the scope of this investigation, see Appendix I.

##### Verification

Commerce was unable to conduct on-site verification of the information relied on in making its final determination in this investigation. However, in September and October 2022, we took additional steps in lieu of on-site verifications to verify the information relied on in making this final determination, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, Commerce conducted virtual

<sup>1</sup> See *Barium Chloride from India: Preliminary Negative Determination of Sales at Less Than Fair Value, Postponement of Final Determination*, 87 FR 50602 (August 17, 2022) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Decision Memorandum for the Final Negative Determination in the Less-Than-Fair-Value Investigation of Barium Chloride from India," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> See Memorandum, "Antidumping and Countervailing Duty Investigations of Barium Chloride from India: Preliminary Scope Decision Memorandum," dated July 6, 2022 (Preliminary Scope Decision Memorandum).

<sup>4</sup> *Id.* at 1.

<sup>27</sup> See *AR1 Final*, 80 FR at 41002.

verifications of the home market sales, U.S. sales, and cost of production responses submitted by Chaitanya/CBI.<sup>5</sup>

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum. A list of the issues raised in the Issues and Decision Memorandum is attached to this notice at Appendix II. The Issues and Decision Memorandum is a public

document and is available electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service 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>.

### Changes Since the Preliminary Determination

Based on our analysis of the comments received from interested parties, we made certain changes to the margin calculations for Chaitanya/CBI. For a discussion of these changes, see the Issues and Decision Memorandum.

### Final Determination

Commerce determines that the final estimated weighted-average dumping margin exists for the POI:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Chaitanya Chemicals/Chaitanya Barium India Pvt Ltd .....	0.00

Commerce has not calculated an estimated weighted-average dumping margin for all other producers and exporters pursuant to sections 735(c)(1)(B) and (c)(5) of the Act, because it has not made a final affirmative determination of sales at LTFV.

### Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b).

### Suspension of Liquidation

In the *Preliminary Determination*, the estimated weighted-average dumping margin for Chaitanya/CBI was zero percent and, therefore, we did not suspend liquidation of entries of barium chloride from India.<sup>6</sup> Because Commerce has made a final negative determination of sales at LTFV with regard to the subject merchandise, Commerce will not direct U.S. Customs and Border Protection to suspend liquidation or to require a cash deposit of estimated antidumping duties for entries of barium chloride from India.

### U.S. International Trade Commission Notification

In accordance with section 735(d) of the Act, Commerce will notify the U.S. International Trade Commission of its final negative determination of sales at LTFV. As our final determination is negative, this proceeding is terminated in accordance with section 735(c)(2) of the Act.

### Administrative Protective Order

This notice will serve as a reminder to the parties subject to an 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). Timely written notification of 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 sanctionable violation.

### Notification to Interested Parties

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: December 30, 2022.

**Lisa W. Wang,**  
Assistant Secretary for Enforcement and Compliance.

### Appendix I

#### Scope of the Investigation

The merchandise covered by this investigation is barium chloride, a chemical compound having the formulas BaCl<sub>2</sub> or BaCl<sub>2</sub>·2H<sub>2</sub>O, currently classifiable under subheading 2827.39.4500 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

### Appendix II

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

- I. Summary
- II. Background
- III. Period of Investigation

(collectively, Chaitanya/CBI), in accordance with section 771(33)(A) and (F) of the Act and 19 CFR

#### IV. Scope of the Investigation

#### V. Changes Since the Preliminary Determination

#### VI. Affiliations

#### VII. Discussion of the Issues

Comment 1: Whether a Particular Market Situation (PMS) Concerning Barytes Existed in India During the POI

Comment 2: Application of Total Adverse Facts Available (AFA) Because of Chaitanya's Failure to Retain Production Records

Comment 3: Whether Chaitanya/CBI's Exclusion of Sales to a Particular Home Market Customer from Its Home Market Sales Listing Is Appropriate

Comment 4: Whether the Application of Total AFA Because of Incorrect Reporting of Control Number (CONNUM) for a Home Market Sale is Warranted

Comment 5: Incorrect Reporting of Packing Costs

Comment 6: Incorrect Reporting of Interest Rate for U.S. Imputed Credit Expenses and Inventory Carrying Costs

Comment 7: Whether Commerce Should Disallow Chaitanya's By-Product Offset

Comment 8: Inclusion of Goods and Services Tax (GST) in the Home Market Gross Unit Price

Comment 9: Whether the Average-to-Average Margin Calculation Methodology is Appropriate

Comment 10: Whether Commerce Should Revise Chaitanya's General and Administrative (G&A) Expense Rate to Include Certain Expenses Improperly Excluded

Comment 11: Whether Commerce Should Make Various Adjustments to Chaitanya's Reported Cost Data as Noted in the Cost Verification Report

Comment 12: Whether Commerce Should Revise Chaitanya's Financial Expense Ratio to Disallow an Interest Income Offset

Comment 13: Comments on the Verification Report

351.401(f). See Issues and Decision Memorandum at 4.

<sup>6</sup> See *Preliminary Determination*, 87 FR at 50603.

<sup>5</sup> Commerce has determined that Chaitanya Chemicals (Chaitanya) and Chaitanya Barium India Pvt Ltd. (CBI) should be treated as a single entity

## VIII. Recommendation

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## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-533-906]

**Sodium Nitrite From India: Final Affirmative Determination of Sales at Less Than Fair Value**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that sodium nitrite from India is being, or is likely to be, sold in the United States at less than fair value (LTFV).

**DATES:** Applicable January 6, 2023.

**FOR FURTHER INFORMATION CONTACT:** Patrick Barton, or Joy Zhang, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0012 or (202) 482-1168, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On August 17, 2022, Commerce published in the **Federal Register** the preliminary determination.<sup>1</sup> We invited interested parties to comment on the *Preliminary Determination*. We received comments on the *Preliminary Determination* from Deepak Nitrite Limited (Deepak) and Chemtrade Chemical US LLC (the petitioner) on November 14 and 15, respectively.<sup>2</sup> On November 21, 2022, the petitioner submitted a rebuttal brief.<sup>3</sup>

**Period of Investigation**

The period of investigation (POI) is January 1, 2021, through December 31, 2021.

**Scope of the Investigation**

The product covered by this investigation is sodium nitrite from India. For a complete description of the scope of this investigation, see Appendix I.

**Analysis of Comments Received**

The issues raised in comments that were submitted by parties in this investigation are addressed in the Issues and Decision Memorandum.<sup>4</sup> A list of the issues addressed in the Issues and Decision Memorandum is attached to

this notice at Appendix II. 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 <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>.

**Changes Since the Preliminary Determination**

Based on the analysis of comments received, we made some changes for the final determination.<sup>5</sup>

**All-Others Rate**

As discussed in the *Preliminary Determination*, Commerce based the all-others rate on the weighted average dumping margin calculated for Deepak, the only individually examined exporter/producer in this investigation, pursuant to section 735(c)(5)(A) of the Tariff Act of 1930, as amended (the Act).

**Final Determination**

The final estimated weighted-average dumping margins are as follows:

Exporter/producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent) <sup>6</sup>
Deepak Nitrite Limited .....	44.82	42.76
All Others .....	44.82	42.76

**Disclosure**

We intend to disclose to interested parties the calculations and analysis performed in this final determination within five days of public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Continuation of Suspension of Liquidation**

In accordance with section 735(c)(1)(B) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of subject

merchandise, as described in Appendix I of this notice, entered, or withdrawn from warehouse, for consumption on or after August 17, 2022, the date of publication of the affirmative *Preliminary Determination* in the **Federal Register**. These suspension of liquidation instructions will remain in effect until further notice.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.205(d), upon publication of this notice, we will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for Deepak is the company-specific estimated weighted-average

dumping margins determined in this final determination; (2) if the exporter is not a company identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

**U.S. International Trade Commission Notification**

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of

<sup>1</sup> See *Sodium Nitrite from India: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 87 FR 50604 (August 17, 2022) (*Preliminary Determination*).

<sup>2</sup> See Deepak's Letter, "Case Brief," dated November 14, 2022; see also Petitioner's Letter,

"Case Brief of Chemtrade Chemical US LLC," dated November 15, 2022.

<sup>3</sup> See Petitioner's Letter, "Rebuttal Brief of Chemtrade Chemical US LLC," dated November 21, 2022.

<sup>4</sup> See Memorandum, "Decision Memorandum for the Final Affirmative Determination in the Less-

Than-Fair-Value Investigation of Sodium Nitrite from India," dated concurrently with this notice.

<sup>5</sup> *Id.* at 2-3.

<sup>6</sup> See Memorandum, "Final Determination Analysis Memorandum for Deepak Nitrite Limited," dated concurrently with this notice.