

merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 7.33 percent, the all-others rate established in the LTFV investigation.⁵ 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 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 has occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a final 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(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 this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: August 3, 2023.

Abdelali Elouaradia,

Deputy 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. Changes Since the Preliminary Results
- V. Discussion of the Issues
 - Comment 1: Whether Commerce Must Conduct Verification in This Administrative Review
 - Comment 2: Constructed Value Profit and Constructed Value Selling Expenses

⁵ See *Forged Steel Fluid End Blocks from the Federal Republic of Germany and Italy: Amended Final Antidumping Duty Determination for the Federal Republic of Germany and Antidumping Duty Orders*, 86 FR 7528, 7530 (January 29, 2021).

Comment 3: Major Input Adjustment
Comment 4: Scrap Offset
VI. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-849, A-580-890, A-201-848, A-455-805]

Emulsion Styrene-Butadiene Rubber From Brazil, the Republic of Korea, Mexico, and Poland: Continuation of Antidumping Duty Orders

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

SUMMARY: As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders emulsion styrene-butadiene rubber (ESB rubber) from Brazil, the Republic of Korea (Korea), Mexico, and Poland would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of these AD orders.

DATES: Applicable August 2, 2023.

FOR FURTHER INFORMATION CONTACT: Thomas Martin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3936.

SUPPLEMENTARY INFORMATION:

Background

On September 12, 2017, Commerce published in the *Federal Register* the AD orders on ESB rubber from Brazil, Korea, Mexico, and Poland.¹ On August 1, 2022, the ITC instituted, and Commerce initiated, the first sunset review of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² As a result of its reviews, Commerce determined that revocation of the *Orders* would likely lead to the continuation or recurrence of dumping, and therefore, notified the ITC of the magnitude of the margins of

¹ See *Emulsion Styrene-Butadiene Rubber from Brazil, the Republic of Korea, Mexico, and Poland: Antidumping Duty Orders*, 82 FR 42790 (September 12, 2017) (*Orders*).

² See *Emulsion Styrene-Butadiene Rubber from Brazil, Mexico, Poland, and South Korea; Institution of Five-Year Reviews*, 87 FR 47001 (August 1, 2022); and *Initiation of Five-Year (Sunset) Reviews*, 87 FR 46943 (August 1, 2022).

dumping likely to prevail should the *Orders* be revoked.³

On August 2, 2023, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁴

Scope of the Orders

The products covered by the *Orders* are cold-polymerized ESB rubber. The scope of the *Orders* includes, but is not limited to, ESB rubber in primary forms, bales, granules, crumbs, pellets, powders, plates, sheets, strip, etc. ESB rubber consists of non-pigmented rubbers and oil-extended non-pigmented rubbers, both of which contain at least one percent of organic acids from the emulsion polymerization process.

ESB rubber is produced and sold in accordance with a generally accepted set of product specifications issued by the International Institute of Synthetic Rubber Producers (IISRP). The scope of the investigations covers grades of ESB rubber included in the IISRP 1500 and 1700 series of synthetic rubbers. The 1500 grades are light in color and are often described as "Clear" or "White Rubber." The 1700 grades are oil-extended and thus darker in color and are often called "Brown Rubber."

Specifically excluded from the scope of these *Orders* are products which are manufactured by blending ESB rubber with other polymers, high styrene resin master batch, carbon black master batch (*i.e.*, IISRP 1600 series and 1800 series) and latex (an intermediate product).

The products subject to these *Orders* are currently classifiable under subheadings 4002.19.0015 and 4002.19.0019 of the Harmonized Tariff Schedule of the United States (HTSUS). ESB rubber is described by Chemical Abstract Services (CAS) Registry No. 9003-55-8. This CAS number also refers to other types of styrene butadiene rubber. Although the HTSUS subheadings and CAS registry number are provided for convenience and customs purposes, the written description of the scope of these *Orders* is dispositive.

³ See *Emulsion Styrene-Butadiene Rubber from Brazil, the Republic of Korea, Mexico, and Poland: Final Results of the Expedited First Sunset Reviews of the Antidumping Duty Orders*, 87 FR 73286 (November 29, 2022), and accompanying Issues and Decision Memorandum.

⁴ See *Emulsion Styrene-Butadiene Rubber from Brazil, Mexico, Poland, and South Korea; Determinations*, 88 FR 50911 (August 2, 2023) (*ITC Final Determination*).

Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, Commerce hereby orders the continuation of the *Orders*. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Orders* will be August 2, 2023.⁵ Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year (sunset) reviews of the *Orders* not later than 30 days prior to the fifth anniversary of the date of the last determination by the Commission.

Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction or conversion to judicial protective order 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 terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: August 8, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-821-808]

Certain Cut-to-Length Carbon Steel Plate From the Russian Federation: Termination of the Suspension Agreement and Issuance of Antidumping Duty Order

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

SUMMARY: The U.S. Department of Commerce (Commerce) is terminating the Agreement Suspending the Antidumping Duty Investigation on Certain Cut-to-Length Carbon Steel Plate (CTL plate) from the Russian Federation (Russia) (2003 Agreement). Accordingly, Commerce is issuing an antidumping duty (AD) order on CTL plate from Russia. Commerce is directing the suspension of liquidation and collection of cash deposits to begin on the date of publication of this notice.

DATES: Applicable August 14, 2023.

FOR FURTHER INFORMATION CONTACT: Sally C. Gannon or David Cordell, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0162 or (202) 482-0408, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 1996, Commerce initiated an AD investigation under section 732 of the Tariff Act of 1930, as amended (the Act) on CTL plate from Russia.¹ Commerce suspended the AD investigation on October 24, 1997, on the basis of an agreement between Commerce and the Government of Russia (GOR) under section 734(l) of the Act to restrict the volume of direct and indirect exports to the United States of CTL plate from all Russian producers/exporters and to revise its prices to eliminate completely sales of this merchandise to the United States at less than fair value.² In the *Final Determination*, Commerce calculated weighted-average dumping margins of 53.81 percent for Joint Stock Company Severstal (Severstal) and 185.00 percent

¹ See *Initiation of Antidumping Duty Investigations: Certain Cut-To-Length Carbon Steel Plate from the People's Republic of China, Ukraine, the Russian Federation, and the Republic of South Africa*, 61 FR 64051 (December 3, 1996).

² See *Suspension of Antidumping Duty Investigation: Certain Cut-to-Length Carbon Steel Plate from the Russian Federation*, 62 FR 61780 (November 19, 1997) (1997 Suspension Agreement).

for the "Russia-wide" entity.³ In December 1997, the U.S. International Trade Commission (ITC) determined that an industry in the United States was threatened with material injury by reason of imports of CTL plate from China, Russia, South Africa, and Ukraine.⁴

On June 6, 2002, based on the evidence of Russian economic reforms to that date, Commerce revoked Russia's status as a non-market economy (NME) country under section 771(18)(B) of the Act, effective on April 1, 2002.⁵ On December 20, 2002, Commerce and three Russian CTL plate producers, Severstal, JSC Magnitogorsk Iron and Steel Works, and JSC NOSTA (OKIW) Integrated Iron-Steel Works, signed a revised suspension agreement pursuant to section 734(b) of the Act. The effective date of the 2003 Agreement was January 23, 2003.⁶

On November 9, 2022, Commerce revoked Russia's market-economy status in the AD investigation into *Emulsion Styrene-Butadiene Rubber from the Russian Federation*.⁷ On March 30, 2023, domestic producers Nucor Corporation, Cleveland-Cliffs Inc., and SSAB Enterprises LLC (collectively, domestic parties) filed a request to terminate the 2003 Agreement.⁸ They argue that the 2003 Agreement is no longer in the public interest primarily because in November 2022 Commerce reclassified Russia as an NME country.

We asked interested parties to comment on the request in a **Federal Register** notice published on April 24, 2023.⁹ We received comments from the domestic parties and the GOR. We received rebuttal comments from the domestic parties. These comments are summarized and addressed in the

³ See *Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from the Russian Federation*, 62 FR 61787, 61794 (November 19, 1997) (*Final Determination*).

⁴ See *Certain Carbon Steel Plate from China, Russia, South Africa, and Ukraine*, Inv. Nos. 731-TA-753-756 (Final), USITC Pub. 3076 (December 1997) (*ITC Determination*).

⁵ See Memorandum, "Inquiry into the Status of the Russian Federation as a Non-Market Economy Country Under the U.S. Antidumping Law," dated June 6, 2002.

⁶ See *Suspension of Antidumping Duty Investigation of Certain Cut-to-Length Carbon Steel Plate from the Russian Federation*, 68 FR 3859 (January 27, 2003).

⁷ See *Emulsion Styrene-Butadiene Rubber from the Russian Federation*, 87 FR 69002 (November 17, 2022) (final and classification of the Russian Federation as an NME).

⁸ See Domestic Parties' Letter, "Request to Terminate Suspension Agreement," dated March 30, 2023.

⁹ See *Invitation for Comment on the Agreement Suspending the Antidumping Duty Investigation of Certain Cut-to-Length Carbon Steel Plate from the Russian Federation*, 88 FR 24756 (April 24, 2023).

⁵ See *ITC Final Determination*.