

## International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce will notify the ITC of its determination. Pursuant to 705(b)(2) of the Act, if the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of the subject merchandise are materially injuring, or threaten material injury to, the U.S. industry.

## Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act and 19 CFR 351.205(c).

Dated: December 6, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix I

### Scope of the Investigation

The merchandise covered by this investigation consists of certain wind towers, whether or not tapered, and sections thereof. Certain wind towers support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (*i.e.*, where the top of the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (*e.g.*, flooring/decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with non-subject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof, unless those components are shipped with the tower sections.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS)

under subheading 7308.20.0020 or 8502.31.0000. Wind towers of iron or steel are classified under HTSUS 7308.20.0020 when imported separately as a tower or tower section(s). Wind towers may be classified under HTSUS 8502.31.0000 when imported as combination goods with a wind turbine (*i.e.*, accompanying nacelles and/or rotor blades). While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Injury Test
- V. Subsidies Valuation
- VI. Analysis of Programs
- VII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-837]

### Certain Quartz Surface Products From the Republic of Turkey: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Negative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that certain quartz surface products (quartz surface products) from the Republic of Turkey (Turkey) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is April 1, 2018 through March 31, 2019. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable December 13, 2019.

**FOR FURTHER INFORMATION CONTACT:** Laurel LaCivita or Kyle Clahane 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) 482-4243 or (202) 482-5449, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

This preliminary determination is made in accordance with section 733(b)

of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on June 3, 2019.<sup>1</sup> On October 1, 2019, Commerce postponed the preliminary determination of this investigation and the revised deadline is now December 4, 2019.<sup>2</sup> For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.<sup>3</sup> A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice.

The Preliminary 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>, and to all parties in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

### Scope of the Investigation

The products covered by this investigation are quartz surface products from Turkey. For a complete description of the scope of this investigation, *see* Appendix I.

### Scope Comments

In accordance with the preamble to Commerce's regulations,<sup>4</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>5</sup> Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. For a summary of the product coverage comments and rebuttal responses submitted to the record for this preliminary determination, and accompanying discussion and analysis of all comments

<sup>1</sup> *See Certain Quartz Surface Products from India and the Republic of Turkey: Initiation of Less-Than-Fair-Value Investigations*, 84 FR 25529 (June 3, 2019) (*Initiation Notice*).

<sup>2</sup> *See Certain Quartz Surface Products From India and the Republic of Turkey: Postponement of the Preliminary Determinations in the Less-Than-Fair-Value Investigations*, 84 FR 52062 (October 1, 2019).

<sup>3</sup> *See Memorandum*, "Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Certain Quartz Surface Products from the Republic of Turkey," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>4</sup> *See Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

<sup>5</sup> *See Initiation Notice*, 84 FR at 25530.

timely received, see the Preliminary Scope Decision Memorandum.<sup>6</sup> Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. See Appendix I to this notice.

**Methodology**

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying the preliminary determination, see the Preliminary Decision Memorandum.

**Preliminary Negative Determination of Critical Circumstances**

In accordance with section 733(e) of the Act and 19 CFR 351.206, Commerce preliminarily finds that critical circumstances do not exist for mandatory respondents Belenco dis Tikaret A.Ş. (Belenco), Ermaş Madencilik Turizm Sanayi Ve Ticaret Anonim Şirketi (Ermaş), or for imports subject to the all-others rate. For a full description of the methodology and results of Commerce’s critical circumstances analysis, see the Preliminary Decision Memorandum.

**All-Others Rate**

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination Commerce shall determine an estimated all-others

rate for all exporters and producers not individually examined or any margins determined entirely under section 776 of the Act. Belenco is the only respondent for which Commerce calculated an estimated weighted-average dumping margin that is not zero, *de minimis*, or based entirely on facts otherwise available. Therefore, for purposes of determining the all-others rate, and pursuant to section 735(c)(5)(A) of the Act, we are using the estimated weighted-average dumping margin calculated for Belenco, as referenced in the “Preliminary Determination” section below.<sup>7</sup>

**Preliminary Determination**

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Belenco dis Tikaret A.Ş.; and Peker Yüzey Tasarımları Sanayi ve Ticaret A.Ş .....	4.88	<sup>8</sup> 4.86
Ermaş Madencilik Turizm Sanayi Ve Ticaret Anonim Şirketi .....	<sup>9</sup> 0.00	Not Applicable
All Others .....	4.88	<sup>10</sup> 4.86

**Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce 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 the respondents listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination, except if that rate is zero or *de minimis*, no cash deposit will be required; (2) if the exporter is not a respondent 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.

Because the estimated weighted-average dumping margin for Ermaş is zero, entries of shipments of subject merchandise produced and exported by this company will not be subject to suspension of liquidation or cash deposit requirements. In such situations, Commerce applies the exclusion to the provisional measures to the producer/exporter combination that was examined in the investigation. Accordingly, Commerce is directing CBP not to suspend liquidation of entries of subject merchandise produced and exported by Ermaş. Entries of shipments of subject merchandise in any other producer/exporter combination, or by third parties that sourced subject merchandise from the excluded producer/exporter combination, are subject to the provisional measures at the all-others rate.

Should the final estimated weighted-average dumping margin be zero or *de minimis* for the producer/exporter combination identified above, entries of shipments of subject merchandise from this producer/exporter combination will be excluded from the potential antidumping duty order. Such exclusions are not applicable to merchandise exported to the United States in any other producer/exporter combination or by third parties that sourced subject merchandise from the excluded producer/exporter combination.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce preliminarily made an affirmative determination for countervailable export subsidies, Commerce has offset the estimated weighted-average dumping margin by the appropriate CVD rate. Any such adjusted cash deposit rate

<sup>6</sup> See Memorandum, “Certain Quartz Surface Products from India and the Republic of Turkey: Scope Decision Memorandum for the Preliminary Determination,” dated concurrently with this preliminary determination (Preliminary Scope Decision Memorandum).

<sup>7</sup> For a complete analysis of the data, see Memorandum, “Certain Quartz Surface Products

(QSP) from Turkey: Calculation of All-Others Rate in Preliminary Determination,” dated concurrently with this notice (All Others’ Rate Memorandum).

<sup>8</sup> See Memorandum, “Analysis for the Preliminary Determination in the Investigation of Certain Quartz Surface Products from the Republic of Turkey: Belenco dis Tikaret A.Ş.,” dated concurrently with this memorandum, at Exhibit 4.

<sup>9</sup> See Memorandum, “Analysis for the Preliminary Determination in the Investigation of Certain Quartz Surface Products from the Republic of Turkey: Ermaş Madencilik Turizm Sanayi Ve Ticaret Anonim Şirketi,” dated concurrently with this memorandum, at Exhibit 4.

<sup>10</sup> See All Others’ Rate Memorandum.

may be found in the Preliminary Determination section above.

Should provisional measures in the companion CVD investigation expire prior to the expiration of provisional measures in this LTFV investigation, Commerce will direct CBP to begin collecting estimated antidumping duty cash deposits unadjusted for countervailed export subsidies at the time that the provisional CVD measures expire. These suspension of liquidation instructions will remain in effect until further notice.

#### Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

#### Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

#### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.<sup>11</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation 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.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401

Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

#### Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On November 18 and 20, 2019, respectively, pursuant to 19 CFR 351.210(e), Belenco and Ermaş requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.<sup>12</sup> In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) The preliminary determination is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

#### International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this

preliminary determination or 45 days after the final determination whether subject imports are materially injuring, or threaten material injury to, the U.S. industry.

#### Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: December 4, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The merchandise covered by the investigation is certain quartz surface products. Quartz surface products consist of slabs and other surfaces created from a mixture of materials that includes predominately silica (e.g., quartz, quartz powder, cristobalite, glass powder) as well as a resin binder (e.g., an unsaturated polyester). The incorporation of other materials, including, but not limited to, pigments, cement, or other additives does not remove the merchandise from the scope of the investigation. However, the scope of the investigation only includes products where the silica content is greater than any other single material, by actual weight. Quartz surface products are typically sold as rectangular slabs with a total surface area of approximately 45 to 60 square feet and a nominal thickness of one, two, or three centimeters. However, the scope of the investigation includes surface products of all other sizes, thicknesses, and shapes. In addition to slabs, the scope of the investigation includes, but is not limited to, other surfaces such as countertops, backsplashes, vanity tops, bar tops, work tops, tabletops, flooring, wall facing, shower surrounds, fire place surrounds, mantels, and tiles. Certain quartz surface products are covered by the investigation whether polished or unpolished, cut or uncut, fabricated or not fabricated, cured or uncured, edged or not edged, finished or unfinished, thermoformed or not thermoformed, packaged or unpackaged, and regardless of the type of surface finish. In addition, quartz surface products are covered by the investigation whether or not they are imported attached to, or in conjunction with, non-subject merchandise such as sinks, sink bowls, vanities, cabinets, and furniture. If quartz surface products are imported attached to, or in conjunction with, such non-subject merchandise, only the quartz surface product is covered by the scope.

Subject merchandise includes material matching the above description that has been finished, packaged, or otherwise fabricated in a third country, including by cutting, polishing, curing, edging, thermoforming, attaching to, or packaging with another product, or any other finishing, packaging, or fabrication that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of

<sup>11</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).

<sup>12</sup> See Belenco's Letter, "Quartz Surface Products from Turkey: Extension Request for Final Determination," dated November 18, 2019; see also Ermaş' Letter, "Quartz Surface Products from Turkey: Extension Request of Ermaş Madencilik Turizm Sanayi Ve Ticaret Anonim Şirketi (Ermaş) for Final Determination," dated November 20, 2019.

manufacture of the quartz surface products. The scope of the investigation does not cover quarried stone surface products, such as granite, marble, soapstone, or quartzite. Specifically excluded from the scope of the investigation are crushed glass surface products. Crushed glass surface products must meet each of the following criteria to qualify for this exclusion: (1) The crushed glass content is greater than any other single material, by actual weight; (2) there are pieces of crushed glass visible across the surface of the product; (3) at least some of the individual pieces of crushed glass that are visible across the surface are larger than 1 centimeter wide as measured at their widest cross-section (Glass Pieces); and (4) the distance between any single Glass Piece and the closest separate Glass Piece does not exceed three inches.

The products subject to the scope are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under the following subheading: 6810.99.0010. Subject merchandise may also enter under subheadings 6810.11.0010, 6810.11.0070, 6810.19.1200, 6810.19.1400, 6810.19.5000, 6810.91.0000, 6810.99.0080, 6815.99.4070, 2506.10.0010, 2506.10.0050, 2506.20.0010, 2506.20.0080, and 7016.90.1050. The HTSUS subheadings set forth above are provided for convenience and U.S. Customs purposes only. The written description of the scope is dispositive.

**Appendix II**

**List of Topics Discussed in the Preliminary Decision Memorandum**

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope Comments
- V. Single Entity Analysis
- VI. Postponement of Final Determination and Extension of Provisional Measures

- VII. Discussion of the Methodology
- VIII. Date of Sale
- IX. Product Comparisons
- X. Export Price and Constructed Export Price
- XI. Normal Value
- XII. Negative Preliminary Determination of Critical Circumstances
- XIII. Adjustments to Cash Deposit Rates for Export Subsidies in Companion Countervailing Duty Investigation
- XIV. Currency Conversion
- XV. Recommendation

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-570-108]**

**Ceramic Tile From the People’s Republic of China: Notice of Correction to the Preliminary Affirmative Determination of Sales at Less Than Fair Value**

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

**SUMMARY:** The Department of Commerce (Commerce) is correcting the preliminary determination of sales at less than fair value (LTFV) for ceramic tile from the People’s Republic of China (China). The period of investigation is October 1, 2018, through March 31, 2019.

**DATES:** Applicable December 13, 2019.

**FOR FURTHER INFORMATION CONTACT:** Heather Lui or Paul Walker, 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) 482-0016 or (202) 482-0413, respectively.

**SUPPLEMENTARY INFORMATION:** On November 14, 2019, Commerce published the preliminary determination of sales at LTFV for ceramic tile from China.<sup>1</sup> In the *Preliminary Determination*, Commerce inadvertently omitted certain separate rate companies and their corresponding producers from the margin chart. Commerce also is correcting spelling errors for two additional separate rate companies.

Additionally, in the *Preliminary Determination*, Commerce inadvertently identified Beilitai (Tianjin) Tile Co., Ltd. and its producers as receiving the separate rate applicable to non-individually examined companies.<sup>2</sup> Because we found in the *Preliminary Determination* that Beilitai (Tianjin) Tile Co., Ltd. should be treated as a single entity with mandatory respondent Belite Ceramics (Anyang) Co., Ltd. and Tianjin Honghui Creative Technology Co., Ltd.,<sup>3</sup> Beilitai (Tianjin) Tile Co., Ltd. and its producers should be included in the margin applicable to Belite Ceramics (Anyang) Co., Ltd./Beilitai (Tianjin) Tile Co., Ltd./Tianjin Honghui Creative Technology Co., Ltd. We correct those omissions and errors in the chart below.

Exporter	Producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent)
Belite Ceramics (Anyang) Co., Ltd (Belite)/ Beilitai (Tianjin) Tile Co., Ltd./Tianjin Honghui Creative Technology Co., Ltd	Belite Ceramics (Anyang) Co., Ltd./Beilitai (Tianjin) Tile Co., Ltd./Tianjin Honghui Creative Technology Co., Ltd	244.26	233.72
Avangarde Ceramiche	Fujian Nan'an Xinglong Ceramics Co., Ltd	178.20	167.66
	Guangdong Jiajun Ceramics Co., Ltd	178.20	167.66
Beijing Shiji Mingtai Inc	Jinjiang Guoxing Ceramics Building Materials Co., Ltd	178.20	167.66
	Fujian Honghua Group Co., Ltd	178.20	167.66
	Fujian Zhangzhou Jianhua Ceramics Co., Ltd	178.20	167.66
	Foshan Dongpeng Ceramics Co., Ltd	178.20	167.66
	Fujian Huatai Group Co., Ltd	178.20	167.66
	Quanzhou Zhiran Ceramics Co., Ltd	178.20	167.66
	Quanzhou Yuanlong Building Materials Development Co., Ltd	178.20	167.66
	Fujian Xindezhou Ceramics Co., Ltd	178.20	167.66
	Jinjiang Juntao Ceramics Industry Co., Ltd	178.20	167.66
Bestview (Fuzhou) Import & Export Co. Ltd	Foshan Lanyu Building Material Co. Ltd	178.20	167.66
	Tianjin Belite Ceramics Co., Ltd Foshan Branch	178.20	167.66
	Jingdezhen Leixi Building Material Factory	178.20	167.66
	Foshan Nanhai District Energy Building Material Co., Ltd	178.20	167.66
Buddy Mosaic Limited	Foshan Tanhua Building Material Co., Ltd	178.20	167.66
Everstone Industry (Qingdao) Co., Ltd		178.20	167.66
Foshan Junjing Industrial Co., Ltd	Guangdong Jialian Enterprise Ceramics Co., Ltd	178.20	167.66
	Foshan Jinhong Ceramics Co., Ltd	178.20	167.66
	Foshan Jinyi Ceramics Co., Ltd	178.20	167.66

<sup>1</sup> See *Ceramic Tile from the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Negative*

*Critical Circumstances Determination, and Postponement of Final Determination*, 84 FR 61877 (November 14, 2019) (*Preliminary Determination*).

<sup>2</sup> See *Preliminary Determination*, 84 FR at 61878.

<sup>3</sup> *Id.*