

cash deposit rate will remain unchanged from the rate assigned to TMI/TMM in the most recently completed review of the company; (2) for previously investigated or reviewed PRC and non-PRC exporters who are not under review in this segment of the proceeding but who have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 141.49 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter(s) that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also 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 period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213.

Dated: February 14, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-944]

#### Certain Oil Country Tubular Goods From the People's Republic of China: Partial Rescission and Preliminary Results of Countervailing Duty Administrative Review; 2012

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty order on certain oil

country tubular goods (OCTG) from the People's Republic of China (PRC). The period of review (POR) is January 1, 2012, through December 31, 2012. We preliminarily determine that Wuxi Seamless Oil Pipe Co., Ltd. (Wuxi) and Jiangsu Chengde Steel Tube Share Co., Ltd. (Jiangsu Chengde) received countervailable subsidies during the POR. We invite interested parties to comment on these preliminary results.

**DATES:** *Effective Date:* February 25, 2014.

**FOR FURTHER INFORMATION CONTACT:** Christopher Siepmann, Joseph Shuler, or Sergio Balbontin, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-7958, (202) 482-1293, (202) 482-6478, respectively.

#### Scope of the Order

The scope of the order consists of OCTG.<sup>1</sup> The merchandise subject to the order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.29.10.10, 7304.29.10.20, 7304.29.10.30, 7304.29.10.40, 7304.29.10.50, 7304.29.10.60, 7304.29.10.80, 7304.29.20.10, 7304.29.20.20, 7304.29.20.30, 7304.29.20.40, 7304.29.20.50, 7304.29.20.60, 7304.29.20.80, 7304.29.31.10, 7304.29.31.20, 7304.29.31.30, 7304.29.31.40, 7304.29.31.50, 7304.29.31.60, 7304.29.31.80, 7304.29.41.10, 7304.29.41.20, 7304.29.41.30, 7304.29.41.40, 7304.29.41.50, 7304.29.41.60, 7304.29.41.80, 7304.29.50.15, 7304.29.50.30, 7304.29.50.45, 7304.29.50.60, 7304.29.50.75, 7304.29.61.15,

7304.29.61.30, 7304.29.61.45, 7304.29.61.60, 7304.29.61.75, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00, 7305.20.80.00, 7306.29.10.30, 7306.29.10.90, 7306.29.20.00, 7306.29.31.00, 7306.29.41.00, 7306.29.60.10, 7306.29.60.50, 7306.29.81.10, and 7306.29.81.50.

The OCTG coupling stock covered by the order may also enter under the following HTSUS item numbers:

7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.39.00.36, 7304.39.00.40, 7304.39.00.44, 7304.39.00.48, 7304.39.00.52, 7304.39.00.56, 7304.39.00.62, 7304.39.00.68, 7304.39.00.72, 7304.39.00.76, 7304.39.00.80, 7304.59.60.00, 7304.59.80.15, 7304.59.80.20, 7304.59.80.25, 7304.59.80.30, 7304.59.80.35, 7304.59.80.40, 7304.59.80.45, 7304.59.80.50, 7304.59.80.55, 7304.59.80.60, 7304.59.80.65, 7304.59.80.70, and 7304.59.80.80.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description, available in *Certain Oil Country Tubular Goods From the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 75 FR 3203 (January 20, 2010), remains dispositive.

A full description of the scope of the order is contained in the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Decision Memorandum for Preliminary Results of Countervailing Duty Administrative Review: Certain Oil Country Tubular Goods from the People's Republic of China," dated concurrently with this notice (Preliminary Decision Memorandum), which is hereby adopted by 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 (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/enforcement/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

<sup>1</sup> On 02/07/2014, the Department issued a final scope determination that seamless unfinished OCTG that are produced in the PRC and further processed into certain grades of finished OCTG by particular finishing processes (indicated below) are within the scopes of the antidumping and countervailing duty orders on OCTG from the PRC, regardless of the country in which the further processing occurs. Because the imported finished products do not undergo any significant physical and chemical changes from, and are of the same class or kind of merchandise as seamless unfinished OCTG produced in the PRC, the Department found these products to be within the scope of the order. Specifically, the Department found seamless unfinished OCTG manufactured in the PRC and finished in countries other than the United States and the PRC (*i.e.*, third countries) are within the scope of the order where (a) the finishing consists of heat treatment by quenching and tempering, upsetting and threading (with integral joint), or threading and coupling; and (b) the products are made to the following specifications and grades: API specification 5CT, grades P-110, T-95 and Q-125.

**Partial Rescission of the 2012 Administrative Review**

On May 29, 2013, United States Steel Corporation timely withdrew its request for the 2012 administrative review with respect to all companies except Wuxi and Jiangsu Chengde.<sup>2</sup> This withdrawal affects over 525 PRC producers/exporters of the subject merchandise covered in the *Initiation Notice*.<sup>3</sup> In accordance with 19 CFR 351.213(d)(1),<sup>4</sup> and consistent with our practice,<sup>5</sup> we are rescinding this review in its entirety with the exception of Wuxi and Jiangsu Chengde.

**Methodology**

The Department has conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a government-provided financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup>

In making these findings, we relied, in part, on facts available and, because one or more respondents did not act to the best of their ability to respond to the Department’s requests for information, we have drawn an adverse inference in selecting from among the facts otherwise available.<sup>7</sup> For further information, *see* “Use of Facts Otherwise Available and Adverse Inferences” in the Preliminary Decision Memorandum.

Finally, the Department was not able to make a preliminary determination of

<sup>2</sup> See letter from Petitioner, “Certain Oil Country Tubular Goods from the People’s Republic of China: Partial Withdrawal of Request for Administrative Review” dated May 29, 2013.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 78 FR 13631 (February 28, 2013) (*Initiation Notice*).

<sup>4</sup> In accordance with 19 CFR 351.213(d)(1), the Department will rescind an administrative review “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.” The instant review was initiated on February 28, 2013. Therefore, the deadline to withdraw review requests was May 29, 2013. Thus, Petitioners’ withdrawal request is timely.

<sup>5</sup> See, e.g., *Brass Sheet and Strip from Germany: Notice of Rescission of Antidumping Duty Administrative Review*, 73 FR 49170 (August 20, 2008); *see also Certain Lined Paper Products from India: Notice of Partial Rescission of Antidumping Duty Administrative Review and Extension of Time Limit for the Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 21781 (May 11, 2009).

<sup>6</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and, section 771(5A) of the Act regarding specificity.

<sup>7</sup> See sections 776(a) and (b) of the Act.

countervailability for certain programs because it requires additional information.<sup>8</sup> We intend to seek that information prior to our final results, and issue a post-preliminary determination with the Department’s findings with regard to those programs.

For a full description of the methodology underlying our conclusions, *see* Preliminary Decision Memorandum.

**Preliminary Results of the Review**

In accordance with 19 CFR 351.221(b)(4)(i), we calculated individual subsidy rates for Wuxi and Jiangsu Chengde for the period January 1, 2012, through December 31, 2012.

We preliminarily find the net subsidy rates for the producers/exporters under review to be as follows:

Producer/exporter	Net subsidy rate (percent)
Wuxi Seamless Oil Pipe Co., Ltd.; Bazhou Seamless Oil Pipes Co. Ltd.; Liaoyang Seamless Oil Pipes Co. Ltd.; Mengfeng Special Steel Co. Ltd.; Songyuan Seamless Oil Pipes Co. Ltd	31.78
Jiangsu Chengde Steel Tube Share Co., Ltd	1.49

**Disclosure and Public Comment**

The Department will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.<sup>9</sup> Due to the anticipated timing of the release of post-preliminary analysis memoranda, interested parties may submit written comments (case briefs) for this administrative review no later than one week after the issuance of the last post-preliminary analysis memorandum, and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs.<sup>10</sup> Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit with the 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, or to participate if one is requested, must submit a written request to the Assistant Secretary for

<sup>8</sup> See Preliminary Decision Memorandum at “Analysis of Programs—II. Programs For Which More Information is Required.”

<sup>9</sup> See 19 CFR 351.224(b).

<sup>10</sup> See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

Enforcement and Compliance, U.S. Department of Commerce within 30 days after the date of publication of this notice.<sup>11</sup> Requests should contain the party’s name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230, at a time and location to be determined.<sup>12</sup> Parties should confirm by telephone the date, time, and location of the hearing.

Parties are reminded that briefs and hearing requests are to be filed electronically using IA ACCESS and that electronically filed documents must be received successfully in their entirety by 5 p.m. Eastern Time on the due date.

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act, the Department will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, within 120 days after issuance of these preliminary results.

**Assessment Rates**

For the rescinded companies, countervailing duties shall be assessed at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2012, through December 31, 2012, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) 15 days after publication of this notice.

For Wuxi and Jiangsu Chengde, consistent with section 751(a)(1) of the Act, upon issuance of the final results, the Department shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review. We intend to issue instructions to CBP 15 days after publication of the final results of this review.

**Cash Deposit Requirements**

If the final results of this review are the same as these preliminary results, the Department also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown above for Wuxi and Jiangsu Chengde. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated

<sup>11</sup> See 19 CFR 351.310(c).

<sup>12</sup> See 19 CFR 351.310.

countervailing duties at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213.

Dated: February 18, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix**

List of Topics Discussed in the Preliminary Decision Memorandum:

1. Scope of the Order
2. Use of Facts Otherwise Available and Adverse Inferences
3. Subsidies Valuation Information
4. Analysis of Programs

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-921]

**Lightweight Thermal Paper From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order**

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

**DATES:** *Effective Date:* February 25, 2014.

**SUMMARY:** The Department of Commerce (Department) finds that revocation of the countervailing duty (CVD) order on lightweight thermal paper (thermal paper) from the People's Republic of China (the PRC) would be likely to lead to continuation or recurrence of countervailable subsidies.

**FOR FURTHER INFORMATION CONTACT:** Joshua Morris or Nancy Decker, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-1779 or (202) 482-0196, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 1, 2013, the Department initiated the first sunset review of the

*CVD Order*<sup>1</sup> on thermal paper from the PRC pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup>

On October 28, 2013, the Department received a notice of intent to participate from the petitioner in the investigation, Appvion, Inc.<sup>3</sup> (hereinafter, Petitioner), within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>4</sup> On November 18, 2013, the Department received an adequate substantive response from Petitioner within the 30-day deadline specified in 19 CFR 351.218(d)(3).<sup>5</sup>

The Department did not receive any submissions from other interested parties. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(B)–(C), the Department is conducting an expedited (120-day) sunset review of the *CVD Order*.

**Scope of the Order**

This order covers certain lightweight thermal paper. A full description of the scope of the order is contained in the Issues and Decision Memorandum,<sup>6</sup> which is hereby adopted by this notice.

The Issues and Decision Memorandum is a public document and is on file electronically *via* Enforcement

<sup>1</sup> See *Lightweight Thermal Paper from the People's Republic of China: Notice of Amended Final Affirmative Countervailing Duty Determination and Notice of Countervailing Duty Order*, 73 FR 70958 (November 24, 2008) (*CVD Order*).

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Review*, 78 FR 60253 (October 1, 2013).

<sup>3</sup> Appvion, Inc. was formerly known as Appleton Papers Inc.

<sup>4</sup> The deadline for domestic interested party notification of intent to participate would have been October 16, 2013 (15 days after the date of publication of the initiation notice). However, as explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013) (*Tolling Memorandum*). Therefore, the revised deadline for notification of intent to participate was November 1, 2013.

<sup>5</sup> The deadline substantive responses would have been October 31, 2013. However, due to the tolling of deadlines resulting from the closure of the Federal Government, the revised deadline for substantive responses was November 16, 2013. See *Tolling Memorandum*. Because that day fell on a Saturday, the new deadline was November 18, 2013. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

<sup>6</sup> See "Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Countervailing Duty Order on Lightweight Thermal Paper from the People's Republic of China" from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with this notice (Issues and Decision Memorandum).

and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://www.trade.gov/enforcement/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

**Analysis of Comments Received**

All issues raised in this review are addressed in the Issues and Decision Memorandum. The issues include the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the order were revoked.

**Final Results of Review**

Pursuant to sections 752(b)(1) and (3) of the Act, we determine that revocation of the *CVD Order* would be likely to lead to continuation or recurrence of countervailable subsidies at the following net countervailable subsidy rates:

Manufacturers/Producers/Exporters	Net subsidy rate (percent)
Guangdong Guanbao High-Tech Co., Ltd .....	13.63
Shenzhen Yuanming Industrial Development Co., Ltd .....	138.53
MDCN Technology Co., Ltd .....	124.93
Xiamen Anne Paper Co., Ltd .....	124.93
All Others .....	13.63

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

We are issuing and publishing the final results and notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.