

Producer/Exporter	Weighted-average margin (percentage)
Akzo Nobel Functional Chemicals B.V. ....	0.00

### Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries in this review, in accordance with 19 CFR 351.212(b). The Department intends to issue assessment instructions directly to CBP 15 days after publication of these final results of review. Because we have calculated a zero margin for Akzo Nobel in the final results of this review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department clarified its “automatic assessment” regulation on May 6, 2003.<sup>3</sup> This clarification applies to entries of subject merchandise during the POR produced and exported by Akzo Nobel for which it did not know that the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate effective during the POR if there is no rate for the intermediate company(ies) involved in the transaction.<sup>4</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Akzo Nobel will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not covered in this review, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this or any previous review or in the less-than-fair-value (LTFV) investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the

<sup>3</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

<sup>4</sup> See *Assessment Policy Notice* for a full discussion of this clarification.

investigation, the cash-deposit rate will continue to be the all-others rate of 14.57 percent, which is the all-others rate established by the Department in the LTFV investigation.<sup>5</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Reimbursement of Duties

This notice also 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 review 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.

### Administrative Protective Order

This notice also serves as a 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/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.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 18, 2014.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2014–30547 Filed 12–29–14; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–520–804]

#### Certain Steel Nails from the United Arab Emirates: Final Results of Antidumping Duty Administrative Review; 2011–2013

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

<sup>5</sup> See *Notice of Antidumping Duty Orders: Purified Carboxymethylcellulose from Finland, Mexico, the Netherlands and Sweden*, 70 FR 39734, 39735 (July 11, 2005).

**SUMMARY:** On June 24, 2014, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain steel nails from the United Arab Emirates (UAE). The period of review (POR) is November 3, 2011, through April 30, 2013. The review covers two producers/exporters of the subject merchandise, Dubai Wire FZE (Dubai Wire) and Precision Fasteners, L.L.C. (Precision). For these final results, we continue to find subject merchandise has been sold in the United States at less than normal value.

**DATES:** *Effective Date:* December 30, 2014.

### FOR FURTHER INFORMATION CONTACT:

Bryan Hansen or Michael Romani, 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) 482–3683 or (202) 482–0198, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On June 24, 2014, the Department published the preliminary results of the administrative review of the antidumping duty order on certain steel nails from the United Arab Emirates.<sup>1</sup> On September 30, 2014, we extended the due date for the final results to December 22, 2014.<sup>2</sup> On October 16, 2014, we issued a post-preliminary analysis finding that: (i) Dubai Wire’s affiliated<sup>3</sup> importer, Itochu Building Products Inc., and affiliated<sup>4</sup> distributor, PrimeSource Building Products Inc., (collectively, IBP) employed an acceptable constructed export price (CEP) sales reporting methodology; (ii) certain submissions by Dubai Wire accompanied by certifications signed by a representative of IBP meet the requirements of 19 CFR 351.303(g); (iii) it was appropriate to rely on facts available without an

<sup>1</sup> See *Certain Steel Nails From the United Arab Emirates: Preliminary Results of Antidumping Duty Administrative Review; 2011–2013*, 79 FR 35721 (June 24, 2014) (*Preliminary Results*).

<sup>2</sup> See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations “Certain Steel Nails from the United Arab Emirates: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review; 2011–2013” dated September 30, 2014.

<sup>3</sup> For details on our affiliation determination, see Memorandum to Thomas Gilgann, Office Director, AD/CVD Operations, Office I, “Certain Steel Nails from the United Arab Emirates—Affiliation Memorandum for Dubai Wire FZE” dated May 28, 2014.

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

adverse inference with respect to certain reported CEP sales data; and (iv) using the revised export price (EP) and CEP databases, we recalculated Dubai Wire's margin.<sup>5</sup>

We invited interested parties to comment on the *Preliminary Results* and *Post-Preliminary Results*. We received case briefs from Mid Continent Steel & Wire, Inc. (the petitioner), and IBP on October 31, 2014, concerning Dubai Wire. These parties submitted rebuttal comments on November 5, 2014. We received no case or rebuttal briefs concerning Precision. A hearing was requested by IBP, but that request was later withdrawn.

The Department conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

### Scope of the Order

The merchandise subject to the *Order*<sup>6</sup> is certain steel nails from the UAE. The products are currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7317.00.55, 7317.00.65, and 7317.00.75. The HTSUS numbers are provided for convenience and customs purposes. The written description of the scope of the order is dispositive.<sup>7</sup>

### Analysis of the Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the *Issues and Decision Memorandum*. A list of the issues which parties have raised and to which we have responded is in the *Issues and Decision Memorandum* and attached to this notice as an Appendix. 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://>

<sup>5</sup> See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance "Administrative Review of the Antidumping Duty Order on Certain Steel Nails from the United Arab Emirates—Post-Preliminary Results Analysis Memorandum; 2011–2013" dated October 16, 2014 (Post-Preliminary Results).

<sup>6</sup> See *Certain Steel Nails from the United Arab Emirates: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 77 FR 27421 (May 10, 2012) (*Order*).

<sup>7</sup> For a full description of the scope of the order, see the memorandum from Deputy Assistant Secretary Christian Marsh to Assistant Secretary Paul Piquado entitled "Certain Steel Nails from the United Arab Emirates: *Issues and Decision Memorandum for Final Results of Antidumping Duty Administrative Review; 2011–2013*" dated concurrently with and hereby adopted by this notice (*Issues and Decision Memorandum*).

[access.trade.gov](http://access.trade.gov) and it is available to all parties in the Central Records Unit (CRU), 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://enforcement.trade.gov/frn/index.html>.

### Changes Since the Preliminary Results

Based on our analysis of the comments received, we made certain revisions to the weighted-average dumping margin calculation for Dubai Wire, which we included in the *Post-Preliminary Results*, where applicable. A detailed discussion of each change made is in the company-specific analysis memorandum dated concurrently with this notice, which is on file electronically *via* ACCESS and in the CRU of the main Commerce building.<sup>8</sup> No changes have been made with respect to our determination for Precision.

### Final Results of the Review

We determine that the following weighted-average dumping margins exist for the period November 3, 2011, through April 30, 2013:

Company	Weighted-average dumping margin (percent)
Dubai Wire FZE .....	18.13
Precision Fasteners, L.L.C. ....	184.41

### Assessment Rates

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. In accordance with 19 CFR 351.212(b)(1), for Dubai Wire, we calculated an importer- (or customer-) specific assessment rate on the basis of the ratio of the total amount of antidumping duties calculated for an importer's examined sales and the total entered value of such sales. We have continued to rely on adverse facts available to establish Precision's weighted-average dumping margin in these final results, and therefore, we will instruct CBP to apply an *ad valorem* assessment rate of 184.41 percent to all entries of subject merchandise during the POR which were produced and/or exported by Precision. We will instruct CBP to take into account the "provisional measures

<sup>8</sup> See the company-specific final analysis memorandum for Dubai Wire dated concurrently with this notice.

cap" in accordance with 19 CFR 351.212(d).

The Department clarified its "automatic assessment" regulation on May 6, 2003.<sup>9</sup> This clarification will apply to entries of subject merchandise during the POR produced by Dubai Wire for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of certain steel nails from the UAE entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Dubai Wire and Precision will be the rates established in the final results of this administrative review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the manufacturer of the merchandise for the most recently completed segment of this proceeding; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 4.30 percent.<sup>10</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notifications

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 review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

<sup>9</sup> For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

<sup>10</sup> The all-others rate established in the *Order*.

This notice also serves as a reminder to parties subject to 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 the return or the 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.

The final results of this administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 22, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Facts Available
- V. Discussion of the Issues
- Comment 1: Dubai Wire Affiliation
- Comment 2: Non-Dubai Wire Company Certifications
- Comment 3: Dubai Wire Third-Country Market Viability
- Comment 4: IBP's Data Reporting Methodology
- Comment 5: Commissions in the United States
- Comment 6: Freight Revenue Cap
- Comment 7: Quantity Adjustments
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-017]

#### Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Amended Affirmative Preliminary Determination

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

**SUMMARY:** The Department of Commerce (the Department) is amending the *Preliminary Determination* of the countervailing duty (CVD) investigation of passenger vehicle and light truck tires (passenger tires) from the People's Republic of China (PRC) to correct significant ministerial errors with respect to our *Preliminary*

*Determination*.<sup>1</sup> We are also amending the scope of the investigation in response to comments submitted following the publication of the *Preliminary Determination*. The period of investigation is January 1, 2013, through December 31, 2013.

**DATES:** *Effective Date:* December 30, 2014.

**FOR FURTHER INFORMATION CONTACT:** Emily Halle or Jason Rhoads, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone 202.482.0176, 202.482.0123, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department announced its *Preliminary Determination* on November 24, 2014, and disclosed to interested parties the calculations for the *Preliminary Determination* on November 25, 2014. The *Preliminary Determination* was published on December 1, 2014. GITI Tire (Fujian) Co., Ltd. (GITI Fujian) submitted ministerial error allegations on December 1, 2014, alleging that the Department made certain significant errors in the *Preliminary Determination*. On December 2, 2014, CTP Transportation Products, LLC and Carlisle (Meizhou) Rubber Products Co. Ltd. (CTP) submitted comments regarding the preliminary scope.<sup>2</sup> Petitioner<sup>3</sup> submitted rebuttal comments to CTP's submission regarding the preliminary scope on December 5, 2014.<sup>4</sup> Parties submitted additional comments on the preliminary scope through December 15, 2014.<sup>5</sup>

<sup>1</sup> See *Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Preliminary Affirmative Determination, Preliminary Affirmative Critical Circumstances Determination, in Part, and Alignment of Final Determination With Final Antidumping Duty Determination*, 79 FR 71093 (December 1, 2014) (*Preliminary Determination*).

<sup>2</sup> See Letter from CTP, "Certain Passenger Vehicle and Light Truck Tires from China: Request for Meeting," December 2, 2014 (CTP Scope Comments).

<sup>3</sup> Collectively, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, and AFL-CIO, CLC.

<sup>4</sup> See Letter from Petitioner, "Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China—Scope of the Investigations, Petitioner's Opposition to CTP's Exclusion Request," December 5, 2014 (Petitioner Rebuttal to CTP Comments).

<sup>5</sup> See Letter from CTP, "Certain Passenger Vehicle and Light Truck Tires from China: Unconstitutional Burdens on Speech Created by Implementation of the Department's Preliminary Affirmative

After reviewing the allegations, we determine that the *Preliminary Determination* included significant ministerial errors with respect to the calculation of certain sales denominators, and the benefit calculation for one company under the "Government Policy Lending" program. We are also modifying the scope of the investigation by temporarily suspending certain marking requirements for exclusion of specialty tires in response to comments raised by interested parties.

#### Analysis of Significant Ministerial Error Allegations

A ministerial error is defined in 19 CFR 351.224(f) as "an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial." With respect to preliminary determinations in investigations, 19 CFR 351.224(e) provides that the Department "will analyze any comments received and, if appropriate, correct any significant ministerial error by amending the preliminary determination. . . ." A significant ministerial error is defined as an error, the correction of which, singly or in combination with other errors, would result in: (1) A change of at least five absolute percentage points in, but not less than 25 percent of, the countervailable subsidy rate calculated in the original (erroneous) preliminary determination; or (2) a difference between countervailable subsidy rate of zero (or *de minimis*) and a countervailable subsidy rate of greater than *de minimis*, or vice versa.<sup>6</sup>

As explained further in the Ministerial Error Memorandum issued concurrently with this Notice,<sup>7</sup> we

Countervailing Duty Determination," December 9, 2014; Letter from CTP, "Certain Passenger Vehicle and Light Truck Tires from China: Response to Petitioner's Opposition to CTP's Exclusion Request," December 9, 2014; Letter from Petitioner, "Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China—Scope of the Investigations, Petitioner's Reply to CTP's Response on Scope and Comments on Unconstitutional Burden," December 11, 2014; Letter from CTP, "Certain Passenger Vehicle and Light Truck Tires from China: Unconstitutional Burdens on Speech Created by Implementation of the Department's Preliminary Affirmative Countervailing Duty Determination," December 11, 2014; Letter from Petitioner, "Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China—Scope of the Investigations, Petitioner's Second Reply to CTP's Comments on Unconstitutional Burden," December 15, 2014.

<sup>6</sup> See 19 CFR 351.224(g).

<sup>7</sup> See Memorandum to Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, "Allegation of Significant Ministerial