

the requirements of section 734(b) or (d) of the Act, the Department shall take action it determines appropriate under section 734(i) of the Act and the regulations.”

Section 734(i) of the Act provides that where, as here, the investigation was completed, the Department shall publish a determination suspending liquidation and issue an antidumping order under section 736(a) of the Act if the Department determines that there has been a violation of the Agreement, or the Agreement no longer meets certain statutory requirements, including the “public interest” requirement under section 734(d)(1) of the Act. The Department’s regulations at 19 CFR 351.209(c)(1) state that if the Department has reason to believe that a suspension agreement no longer meets the requirements of section 734(d) of the Act, including if suspension of the investigation is no longer in the “public interest,” it will publish a notice inviting comment on the suspension agreement. Based on the request to terminate, we find that the requirements of 19 CFR 351.209(c)(1) have been met, and as such, are issuing this notice to seek comments to determine if suspension of the investigation is no longer in the “public interest.” Although the domestic interested parties alleged that Severstal may have violated the terms of the Agreement, we are not soliciting comments on the alleged violation.

The Department will make its determination and if appropriate, take necessary action, in accordance with section 734(i) of the Act and 19 CFR 351.209(c). Further, in making our determination, the Department will consider imports into the United States from all sources of the merchandise, as described in Section A of the Agreement. We also will consider factors including, but not limited to, the following: volume of trade, pattern of trade, whether or not the reseller is an original equipment manufacturer, and the reseller’s export price. See Agreement, Section B.

Public Comment

Interested parties may submit comments on whether the Agreement is in the public interest via Enforcement & Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (“ACCESS”) no later than 30 days after the date of publication of this notice by 5 p.m. Eastern Daylight Time.² Rebuttal

² ACCESS is available to registered users at <http://access.trade.gov>, and is available to all

comments, limited to issues raised in the affirmative comments, may be submitted via ACCESS no later than 45 days after the date of publication of this notice by 5 p.m. Eastern Daylight Time.

When submitting comments via ACCESS, interested parties must upload their submissions to the segment in ACCESS entitled “Suspension Agreement.” The Department intends to address any comments in its determination.

Dated: September 18, 2015.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement & Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic From the People’s Republic of China: Final Results of the Changed Circumstances Review

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

SUMMARY: On June 30, 2015, the Department of Commerce (Department) published a notice of preliminary results of a changed circumstance review (CCR) of the antidumping duty (AD) order on fresh garlic from the People’s Republic of China (PRC)¹ in response to a request from Jining Yongjia Trade Co., Ltd. (Yongjia), an exporter of fresh and peeled garlic from the PRC.² Yongjia requested that the Department determine that Jinxiang County Shanfu Frozen Co., Ltd. (Shanfu II), Yongjia’s supplier of garlic, is the successor-in-interest to Yongjia’s garlic supplier (Shanfu I) during its new shipper review (NSR). In the *Preliminary Results*, the Department found that Shanfu II is not the successor-in-interest to Shanfu I, and, as such, is subject to the PRC-wide entity cash deposit rate with respect to entries of subject merchandise. Based on our analysis of the comments from the parties, we continue to find that Shanfu

parties in the Central Records Unit, room 7046 of the main Department of Commerce building.

¹ See *Antidumping Duty Order: Fresh Garlic from the People’s Republic of China*, 59 FR 59209 (November 16, 1994) (*Order*).

² See *Fresh Garlic from the People’s Republic of China: Preliminary Results of the Changed Circumstances Review of Jining Yongjia Trade Co., Ltd. and Jinxiang County Shanfu Frozen Co., Ltd.*, 80 FR 37222 (June 30, 2015) (*Preliminary Results*).

II is not the successor-in-interest to Shanfu I for these final results.

DATES: Effective September 24, 2015.

FOR FURTHER INFORMATION CONTACT: Hilary E. Sadler, Esq., 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) 482–4340.

SUPPLEMENTARY INFORMATION:

Background

For a complete description of the events following the publication of the *Preliminary Results*, see the Issues and Decision Memorandum.³ The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s AD and Countervailing Duty (CVD) Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Scope of the Order

The products covered by the order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The subject garlic is currently classifiable under subheadings: 0703.20.0000, 0703.20.0010, 0703.20.0015, 0703.20.0020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6000, 0711.90.6500, 2005.90.9500, 2005.90.9700, 2005.99.9700, and of the Harmonized Tariff Schedule of the United States (HTSUS). While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the

³ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, regarding “Decision Memorandum for the Final Results of the Antidumping Duty Changed Circumstances Review of Fresh Garlic from the People’s Republic of China: Jining Yongjia Trade Co., Ltd. and Jinxiang County Shanfu Frozen Co., Ltd.,” dated concurrently with and adopted by this notice (Issues and Decision Memorandum).

order is dispositive. A full description of the scope of the order is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised by the parties in the case briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is appended to this notice.

Final Results of Changed Circumstances Review

Upon review of the comments received, the Department has determined that Shanfu II operates in most material respects as a different business entity than Shanfu I, as discussed in the *Preliminary Results* and the Issues and Decision Memorandum. Furthermore, Shanfu I officially and effectively ceased to operate for two years, having dissolved and de-registered in 2012. Therefore, the Department adopts the *Preliminary Results* and finds that Shanfu II is not the successor-in-interest to Shanfu I.

Instructions to U.S. Customs and Border Protection

As a result of this determination, the Department finds that Yongjia and Shanfu II are subject to the cash deposit rate currently assigned to the PRC-wide entity with respect to the subject merchandise, *i.e.*, \$4.71 per kilogram.⁴ Consequently, the Department will instruct U.S. Customs and Border Protection to continue suspension of liquidation and to collect estimated antidumping duties for all shipments of subject merchandise produced by Shanfu II and exported by Yongjia at the current cash deposit rate assigned to the PRC-wide entity of \$4.71 per kilogram.⁵ This cash deposit requirement shall remain in effect until further notice.

Notification to Parties

This notice is the only 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 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.

⁴ See *Fresh Garlic from the People's Republic of China: Final Results and Partial Rescission of the 19th Antidumping Administrative Review*, 80 FR 34141 (June 15, 2015).

⁵ *Id.*

We are issuing and publishing these final results in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Act, and 19 CFR 351.216.

Dated: September 14, 2015.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues in Successor-in-Interest
 1. Changes in Ownership and Management
 2. Production Facilities and Equipment
 3. Supplier Relationships
 4. Customer Base
 5. Dissolution
 6. Change in Corporate Form
 7. Expansion of Business Scope
- V. Summary of Findings
- VI. Recommendation

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket Number: 150904821–5821–01]

Alternative Personnel Management System at the National Institute of Standards and Technology

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice.

SUMMARY: This notice announces a modification to existing provisions of the National Institute of Standards and Technology's (NIST) Alternative Personnel Management System (APMS), changing the classification structure for the Administrative (ZA) career path, Pay Bands I through IV, based upon a classification review of the level of difficulty and responsibility associated with each Pay Band.

DATES: This notice is effective on September 24, 2015.

FOR FURTHER INFORMATION CONTACT: For further information, please contact Janet Hoffman, by telephone at (301) 975–3185 or by email at janet.hoffman@nist.gov.

SUPPLEMENTARY INFORMATION:

Background

In accordance with Public Law 99–574, the National Bureau of Standards Authorization Act for Fiscal Year 1987, the Office of Personnel Management (OPM) approved a demonstration

project plan, “Alternative Personnel Management System (APMS) at the National Institute of Standards and Technology (NIST),” and published the plan in the **Federal Register** on October 2, 1987 (52 FR 37082). The published demonstration project plan was modified twice, once to clarify certain NIST authorities (54 FR 21331, May 17, 1989) and once to revise the performance appraisal system and the pay administration system in order to better link pay with performance (55 FR 39220, September 25, 1990). The APMS was made permanent in Section 10 of the National Technology Transfer and Advancement Act of 1995, Public Law 104–113, 110 Stat. 775 (Mar. 7, 1996) (codified at 15 U.S.C. 275 note), and the project plan and subsequent amendments were consolidated in the final APMS plan, which was published in the **Federal Register** on October 21, 1997 (62 FR 54604). NIST published seven subsequent amendments to the final APMS plan: One on May 6, 2005 (70 FR 23996), which became effective upon publication in the **Federal Register**; one on July 15, 2008 (73 FR 40500), which became effective on October 1, 2008; one on July 21, 2009 (74 FR 35841), which became effective upon publication in the **Federal Register**; one on January 5, 2011 (76 FR 539), which became effective upon publication in the **Federal Register**; one on June 19, 2012 (77 FR 36485), which became effective upon publication in the **Federal Register**; one on August 13, 2012 (77 FR 48128), which became effective upon publication in the **Federal Register**; and one on August 24, 2012 (77 FR 51518), which became effective upon publication in the **Federal Register**. NIST published a correction to the final APMS plan on July 21, 2009 (74 FR 35843), which became effective upon publication in the **Federal Register**.

The plan provides for modifications to be made as experience is gained, results are analyzed, and conclusions are reached on how the system is working. This notice modifies the classification structure for the Administrative (ZA) career path, Pay Bands I through IV, based upon a classification review of the level of difficulty and responsibility associated with each Pay Band.

Richard Cavanagh,

Acting Associate Director for Laboratory Programs.

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- III. Changes to the APMS Plan