

any other activity subject to the Regulations.

FOURTH, for the applicable time periods, starting from the date of this Order, that are set forth in Paragraph Sixth below, no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of a Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by a Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from a Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by a Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by a Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

FIFTH, after notice and opportunity for comment as provided in section 766.23 of the Regulations, any person, firm, corporation, or business organization related to a Denied Person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order for the applicable time periods, starting from the date of this Order, that are set forth in Paragraph Sixth, below.

SIXTH, that the provisions of Paragraphs Third, Fourth, and Fifth, above, shall apply for the following periods of time:

A. As to Engineering Construction & Contracting Co., and when acting for or on its behalf, its successors, assigns, directors, officers, employees, representatives, or agents, for a period of

seven (7) years from the date of this Order;

B. As to Advanced Tech Solutions a/k/a Advanced Technology Solutions, and when acting for or on its behalf, its successors, assigns, directors, officers, employees, representatives, or agents, for a period of seven (7) years from the date of this Order;

C. As to Rashid Albuni, and when acting for or on his behalf, his successors, assigns, representatives, agents, or employees, for a period of six (6) years from the date of this Order;

D. As to Aiman Ammar a/k/a Ayman Ammar, and when acting for or on his behalf, his successors, assigns, representatives, agents, or employees, for a period of five (5) years from the date of this Order; and

E. As to iT Wave FZCO a/k/a iT-Wave a/k/a ITEX-Wave FZCO, and when acting for or on its behalf, its successors, assigns, directors, officers, employees, representatives, or agents, for a period of four (4) years from the date of this Order.

SEVENTH, Respondents shall not take any action or make or permit to be made any public statement, directly or indirectly, denying the allegations in the Charging Letter or this Order. The foregoing does not affect Respondents' testimonial obligations in any proceeding, nor does it affect its right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of Commerce is not a party.

EIGHTH, that the Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

NINTH, that this Order shall be served on Respondents, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.<sup>5</sup>

Issued this 18th day of September, 2015.

**Richard R. Majauskas,**

*Deputy Assistant Secretary of Commerce for Export Enforcement.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-970]

**Multilayered Wood Flooring From the People's Republic of China: Preliminary Results of the Changed Circumstances Review of Sino-Maple (JiangSu) Co., Ltd.**

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

**SUMMARY:** On March 13, 2015, the Department of Commerce (the "Department") initiated a changed circumstance review ("CCR") of the antidumping duty ("AD") order on multilayered wood flooring from the People's Republic of China ("PRC") in response to a request from Sino-Maple (JiangSu) Co., Ltd. ("Sino-Maple"), an exporter of subject merchandise to the United States.<sup>1</sup> Pursuant to section 751(b) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.216, the Department preliminarily determines that Sino-Maple is the successor-in-interest to Jiafeng Wood (Suzhou) Co., Ltd. ("Jiafeng") for purposes of the AD order on multilayered wood flooring from the PRC and, as such, is entitled to Jiafeng's cash deposit rate with respect to entries of subject merchandise. We invite interested parties to comment on these preliminary results.

**DATES:** *Effective:* September 24, 2015.

**FOR FURTHER INFORMATION CONTACT:** Krisha Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4037.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 23, 2014, Sino-Maple requested that the Department initiate an expedited CCR to confirm that Sino-Maple is the successor-in-interest to Jiafeng for purposes of determining AD liabilities.<sup>2</sup> For a complete description of events that followed the initiation of

<sup>1</sup> See *Initiation of Antidumping Duty Changed Circumstances Review: Multilayered Wood Flooring From the People's Republic of China*, 80 FR 13328 (March 13, 2015) (*Initiation Notice*).

<sup>2</sup> See Letter from Sino-Maple to the Department regarding, "Multilayered Wood Flooring from the PRC: Request of Sino-Maple (Jiangsu) Co., Ltd. and Jiafeng Wood (Suzhou) Co., Ltd. for Changed Circumstances Review" (December 23, 2014) ("CCR Request").

<sup>5</sup> Review and consideration of this matter have been delegated to the Deputy Assistant Secretary of Commerce for Export Enforcement.

this review, see the Preliminary Decision Memorandum.<sup>3</sup>

Based on this information, the Department initiated this CCR on March 13, 2015, explaining that, while there was sufficient evidence to initiate a CCR, the Department determined not to conduct its review on an expedited basis by publishing the preliminary results in conjunction with its notice of initiation. Specifically, we noted that the purported predecessor company, Jiafeng, was still in a 180-day liquidation period. We stated that we intended to issue additional questionnaires to Sino-Maple, as authorized by 19 CFR 351.221(b)(2), upon completion of the 180-day liquidation period, seeking evidence that Jiafeng has been terminated and that Jiafeng's liquidation was completed.<sup>4</sup> On June 22, 2015, Sino-Maple submitted this evidence.<sup>5</sup>

### Scope of the Investigation

The merchandise covered by the order includes multilayered wood flooring, subject to certain exceptions. Imports of the subject merchandise are provided for under the following subheadings of the Harmonized Tariff Schedule of the United States ("HTSUS"): 4412.31.0520; 4412.31.0540; 4412.31.0560; 4412.31.2510; 4412.31.2520; 4412.31.4040; 4412.31.4050; 4412.31.4060; 4412.31.4070; 4412.31.5125; 4412.31.5135; 4412.31.5155; 4412.31.5165; 4412.31.3175; 4412.31.6000; 4412.31.9100; 4412.32.0520; 4412.32.0540; 4412.32.0560; 4412.32.2510; 4412.32.2520; 4412.32.3125; 4412.32.3135; 4412.32.3155; 4412.32.3165; 4412.32.3175; 4412.32.3185; 4412.32.5600; 4412.39.1000; 4412.39.3000; 4412.39.4011; 4412.39.4012; 4412.39.4019; 4412.39.4031; 4412.39.4032; 4412.39.4039; 4412.39.4051; 4412.39.4052; 4412.39.4059; 4412.39.4061; 4412.39.4062; 4412.39.4069; 4412.39.5010;

<sup>3</sup> See Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Decision Memorandum for the Preliminary Results of the Antidumping Duty Changed Circumstances Review of Multilayered Wood Flooring from the People's Republic of China: Sino-Maple (Jiangsu) Co., Ltd." ("Preliminary Decision Memorandum"), dated concurrently with, and adopted by, this notice.

<sup>4</sup> See *Initiation Notice*, 80 FR 13329.

<sup>5</sup> See Letter from Sino-Maple to the Department, regarding "Multilayered Wood Flooring from the PRC: Voluntary (Third) Supplemental Changed Circumstances Review Response of Sino-Maple (Jiangsu) Co., Ltd. and Jiafeng Wood (Suzhou) Co., Ltd.," dated June 22, 2015.

4412.39.5030; 4412.39.5050; 4412.94.1030; 4412.94.1050; 4412.94.3105; 4412.94.3111; 4412.94.3121; 4412.94.3131; 4412.94.3141; 4412.94.3160; 4412.94.3171; 4412.94.4100; 4412.94.5100; 4412.94.6000; 4412.94.7000; 4412.94.8000; 4412.94.9000; 4412.94.9500; 4412.99.0600; 4412.99.1020; 4412.99.1030; 4412.99.1040; 4412.99.3110; 4412.99.3120; 4412.99.3130; 4412.99.3140; 4412.99.3150; 4412.99.3160; 4412.99.3170; 4412.99.4100; 4412.99.5100; 4412.99.5710; 4412.99.6000; 4412.99.7000; 4412.99.8000; 4412.99.9000; 4412.99.9500; 4418.71.2000; 4418.71.9000; 4418.72.2000; 4418.72.9500; and 9801.00.2500.

While HTSUS subheadings are provided for convenience and customs purposes, the written description of the subject merchandise is dispositive.

A complete description of the scope of the order is contained in the Preliminary Decision Memorandum. 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 <http://access.trade.gov>, and ACCESS is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

### Methodology

In accordance with section 751(b)(1) of the Act, we are conducting this CCR based upon the information contained in Sino-Maple's submissions. In making a successor-in-interest determination, the Department typically examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base.<sup>6</sup> While no single factor or combination of factors will necessarily be dispositive, the Department generally will consider the new company to be the successor to the predecessor if the resulting

<sup>6</sup> See, e.g., *Certain Activated Carbon From the People's Republic of China: Notice of Initiation of Changed Circumstances Review*, 74 FR 19934, 19935 (April 30, 2009).

operations of the successor are not materially dissimilar to that of its predecessor.<sup>7</sup> Thus, if the record demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, the Department may assign the new company the cash deposit rate of its predecessor.<sup>8</sup> For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

### Preliminary Determination of the Changed Circumstances Review

Based on the record evidence, we preliminarily determine that Sino-Maple is the successor-in-interest to Jiafeng because Sino-Maple operates materially the same as Jiafeng with respect to the subject merchandise, albeit in a new location. Specifically, we find that any changes that may have occurred after Jiafeng became Sino-Maple did not constitute material changes to management, supplier relationships, customer relationships, or ownership/legal structure with respect to the production and sale of the subject merchandise. A list of topics discussed in the Preliminary Decision Memorandum appears in the Appendix to this notice.

If the Department upholds these preliminary results in the final results, Sino-Maple will be assigned the cash deposit rate currently assigned to Jiafeng with respect to the subject merchandise (*i.e.*, 13.74 percent). We will also instruct U.S. Customs and Border Protection to suspend liquidation of entries of multilayered wood flooring exported by Sino-Maple, effective on the publication date of the final results, at the AD cash deposit rate assigned to Jiafeng.

### Public Comment

Interested parties may submit written comments by no later than 30 days after the date of publication of these preliminary results of review in the **Federal Register**.<sup>9</sup> Rebuttals, limited to issues raised in the written comments, may be filed by no later than five days after the written comments are due.<sup>10</sup> Parties that submit written comments

<sup>7</sup> See, e.g., *Notice of Initiation of Antidumping Duty Changed Circumstances Review: Certain Forged Stainless Steel Flanges from India*, 71 FR 327, 327 (January 4, 2006).

<sup>8</sup> See, e.g., *Fresh and Chilled Atlantic Salmon From Norway; Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979, 9980 (March 1, 1999).

<sup>9</sup> See 19 CFR 351.309(c)(1)(ii).

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

and rebuttals 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.<sup>11</sup> All briefs are to be filed electronically using ACCESS.<sup>12</sup> An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.<sup>13</sup>

Any interested party may request a hearing to the Assistant Secretary of Enforcement and Compliance using ACCESS within 30 days of publication of this notice in the **Federal Register**.<sup>14</sup> Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs.<sup>15</sup> If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.<sup>16</sup>

#### Final Results of the Review

In accordance with 19 CFR 351.216(e), the Department intends to issue the final results of this CCR not later than 270 days after the date on which this review was initiated.

#### Notification to Parties

The Department is issuing and publishing these preliminary results in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216 and 351.221.

Dated: September 17, 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. Preliminary Results of the Changed Circumstances Review
- V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-808]

#### Certain Cut-to-Length Carbon Steel Plate From the Russian Federation: Request for Comments

**AGENCY:** Enforcement & Compliance, International Trade Administration, Commerce.

**ACTION:** Invitation for Comment on Antidumping Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate from the Russian Federation.

**SUMMARY:** On May 5, 2015, ArcelorMittal USA, Inc., Nucor Corporation, and SSAB North America Division (collectively, "domestic interested parties"), filed with the U.S. Department of Commerce ("Department") a request to terminate the 2003 Agreement Suspending the Antidumping Investigation of Certain Cut-to-Length Carbon Steel Plate from the Russian Federation ("Agreement") ("request to terminate"). For the reasons stated in this notice, the Department is requesting comments on whether suspension of the investigation is no longer in the "public interest" under sections 734(d) and 734(i) of the Tariff Act of 1930, as amended ("Act").

**DATES:** *Effective:* September 24, 2015.

**FOR FURTHER INFORMATION CONTACT:** Sally C. Gannon or Julie H. Santoboni, Enforcement & Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-0162 or (202) 482-3063, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

In January 2003, the non-market economy suspension agreement signed in October 1997 on cut-to-length carbon steel plate ("CTL plate") from the Russian Federation was replaced with a market-economy agreement with Russian producers under section 734(b) of the Act. *See Suspension of Antidumping Duty Investigation of Certain Cut-to-Length Carbon Steel Plate from the Russian Federation*, 68 FR 3859 (Jan. 27, 2003).<sup>1</sup> In entering into

<sup>1</sup> The underlying antidumping duty investigation was continued in 1997, and the Department made an affirmative final determination of sales at less than fair value and the International Trade Commission made an affirmative injury determination. *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 (Nov. 19, 1997); *Certain Carbon Steel*

the Agreement, the Department determined, under section 734(b) of the Act, that the Agreement would eliminate completely sales at less than fair value of the imported subject merchandise and, under section 734(d) of the Act, that suspension of the investigation was in the "public interest" and could be monitored effectively. Since implementation of the Agreement in 2003, the Department has been calculating semi-annual "normal values" ("NVs"), or minimum selling prices, for Joint Stock Company Severstal ("Severstal"), the one Russian signatory producer that has requested NVs.

On May 5, 2015, the domestic interested parties filed a request that the Department terminate the Agreement because it is no longer in the public interest and because Severstal may have violated the Agreement. On May 14, 2015, the Ministry of Economic Development of the Russian Federation ("Economy Ministry") filed a letter in response to the domestic interested parties' request to terminate the Agreement. On May 18, 2015, Severstal filed a letter in response to the domestic interested parties' request to terminate the Agreement.

#### Scope of Review

The products covered by the Agreement are CTL plate from the Russian Federation. This merchandise is currently classified in the Harmonized Tariff Schedule of the United States (HTS) under item numbers 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of the Agreement is dispositive. For a full description of the scope of this Agreement, see Appendix B of the Agreement.

#### Invitation for Comment

As discussed above, the Department has received a request to terminate the Agreement from the domestic interested parties and is currently evaluating the request. The Agreement, at Section F, provides that "{i}f the Department determines that the Agreement is being or has been violated or no longer meets

*Plate from China, Russia, South Africa and Ukraine*, 62 FR 66128 (Dec. 17, 1997).

<sup>11</sup> See 19 CFR 351.309(c)(2) & (d)(2).

<sup>12</sup> See 19 CFR 351.303(b) & (f).

<sup>13</sup> See 19 CFR 351.303(b).

<sup>14</sup> See 19 CFR 351.310(c).

<sup>15</sup> *Id.*

<sup>16</sup> See 19 CFR 351.310(d).