

• Japan (A-588-874): Nippon Steel & Sumikin Bussan Corporation (Nippon), JFE Steel Corporation (JFE);

#### Conclusion

Based on the criteria and findings discussed above, we preliminarily determine that critical circumstances

exist with respect to imports of hot-rolled steel shipped by certain producers/exporters. Our findings are summarized as follows.

Country	Case No.	Affirmative preliminary critical circumstances determinations	Negative preliminary critical circumstances determinations
Australia .....	A-602-809 .....	None .....	BlueScope; all other producers/exporters.
Brazil .....	A-351-845 .....	CSN; Usiminas .....	All other producers/exporters.
Japan .....	C-351-846 .....		
	A-588-874 .....	Nippon; JFE .....	All other producers/exporters.
Netherlands .....	A-421-813 .....	None .....	Tata; all other producers/exporters.

#### Final Critical Circumstances Determinations

We will issue final determinations concerning critical circumstances when we issue our final countervailing duty and less than fair value determinations. All interested parties will have the opportunity to address these determinations in case briefs to be submitted after completion of the preliminary countervailing duty and less than fair value determinations.

#### ITC Notification

In accordance with sections 703(f) and 733(f) of the Act, we have notified the ITC of our determinations.

#### Suspension of Liquidation

In accordance with section 703(e)(2) of the Act, because we have preliminarily found that critical circumstances exist with regard to exports made by certain producers and/or exporters, if we make an affirmative preliminary determination that countervailable subsidies have been provided to these same producers/exporters at above *de minimis* rates,<sup>35</sup> we will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of subject merchandise from these producers/exporters that are entered, or withdrawn from warehouse, for consumption on or after the date that is 90 days prior to the effective date of “provisional measures” (e.g., the date of publication in the **Federal Register** of the notice of an affirmative preliminary determination that countervailable subsidies have been provided at above *de minimis* rates). At such time, we will also instruct CBP to require a cash deposit equal to the estimated preliminary subsidy rates reflected in the preliminary determination published in the **Federal**

**Register**. This suspension of liquidation will remain in effect until further notice.

In accordance with section 733(e)(2) of the Act, because we have preliminarily found that critical circumstances exist with regard to exports made by certain producers and/or exporters, if we make an affirmative preliminary determination that sales at less than fair value have been made by these same producers/exporters at above *de minimis* rates,<sup>36</sup> we will instruct CBP to suspend liquidation of all entries of subject merchandise from these producers/exporters that are entered, or withdrawn from warehouse, for consumption on or after the date that is 90 days prior to the effective date of “provisional measures” (e.g., the date of publication in the **Federal Register** of the notice of an affirmative preliminary determination of sales at less than fair value at above *de minimis* rates). At such time, we will also instruct CBP to require a cash deposit equal to the estimated preliminary dumping margins reflected in the preliminary determination published in the **Federal Register**. This suspension of liquidation will remain in effect until further notice.

This notice is issued and published pursuant to section 777(i) of the Act and 19 CFR 351.206(c)(2).

Dated: December 2, 2015.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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#### DEPARTMENT OF COMMERCE

#### International Trade Administration

[A-201-837; A-570-954]

#### Certain Magnesia Carbon Bricks From Mexico and the People's Republic of China: Final Results of Expedited Sunset Review of the Antidumping Duty Orders

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

**SUMMARY:** On August 3, 2015, the Department of Commerce (the “Department”) initiated the first five-year (“sunset”) review of the antidumping duty orders on certain magnesia carbon bricks (“MCBs”) from Mexico and the People's Republic of China (“PRC”) pursuant to section 751(c) of the Tariff Act of 1930, as amended (the “Act”).<sup>1</sup> On the basis of a notice of intent to participate and an adequate substantive response, filed on behalf of the domestic interested parties, as well as a lack of response from respondent interested parties, the Department conducted an expedited sunset review of the antidumping duty orders, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of this sunset review, the Department finds that revocation of the *Orders* would be likely to lead to continuation or recurrence of dumping at the levels indicated in the “Final Results of Review” section of this notice.

**DATES:** *Effective Date:* December 9, 2015.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Hawkins, Enforcement and Compliance, Office V, International Trade Administration, U.S. Department of Commerce, 14th Street and

<sup>35</sup> The preliminary determination in the countervailing duty investigation for Brazil is currently scheduled for January 8, 2016.

<sup>36</sup> The preliminary determinations concerning sales at less than fair value are due on March 8, 2016.

<sup>1</sup> See *Initiation of Five-Year (“Sunset”) Review*, 80 FR 45945 (August 3, 2015) (“*Initiation Notice*”); see also *Notice of Antidumping Duty Order: Certain Magnesia Carbon Bricks from Mexico and the People's Republic of China: Antidumping Orders*, 75 FR 57257 (September 20, 2010) (“*Orders*”).

Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6491.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 3, 2015, the Department initiated the first sunset review of the antidumping duty orders on MCBs from Mexico and the PRC, pursuant to section 751(c) of the Act and 19 CFR 351.218(c)(1).<sup>2</sup> The Department received a notice of intent to participate from the Magnesia Carbon Bricks Fair Trade Committee (Petitioners) within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> Petitioners claimed interested party status under section 771(9)(C) of the Act, as manufacturers of a domestic like product in the United States.

We received a complete substantive response from Petitioners within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> We received no responses from respondent interested parties. As a result, the Department conducted an expedited sunset review of the *Order*, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2).

##### Scope of the Orders

Imports covered by the *Orders* consist of certain chemically bonded (resin or pitch), MCBs with a magnesia component of at least 70 percent magnesia ("MgO") by weight, regardless of the source of raw materials for the MgO, with carbon levels ranging from trace amounts to 30 percent by weight, regardless of enhancements, (for example, MCBs can be enhanced with coating, grinding, tar impregnation or coking, high temperature heat treatments, anti-slip treatments or metal casing) and regardless of whether or not anti-oxidants are present (for example, antioxidants can be added to the mix from trace amounts to 15 percent by weight as various metals, metal alloys, and metal carbides). Certain MCBs that are the subject of this investigation are currently classifiable under subheadings 6902.10.1000, 6902.10.5000, 6815.91.0000, 6815.99.2000, and 6815.99.4000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). While HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive.

<sup>2</sup> See *Initiation Notice*.

<sup>3</sup> See Letter from the domestic interested parties, dated August 18, 2015.

<sup>4</sup> See Substantive Responses of the domestic interested parties, dated September 2, 2015.

##### Analysis of Comments Received

All issues raised in this review are addressed in the "Issues and Decision Memorandum for the Expedited Sunset Review of the Antidumping Duty Order on Certain Magnesia Carbon Bricks from Mexico and the People's Republic of China" ("Decision Memorandum") from Christian Marsh, Deputy Assistant Secretary, Office V, Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with and hereby adopted by this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the *Orders* were to be revoked. Parties may find a complete discussion of all issues raised in the review and the corresponding recommendations in this public memorandum which is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Services System ("ACCESS"). Access to ACCESS is available in the Central Records Unit Room B8024 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://trade.gov/enforcement>. The signed Decision Memorandum and the electronic version of the Decision Memorandum are identical in content.

##### Final Results of Review

Pursuant to sections 752(c)(1) and (3) of the Act, we determine that revocation of the antidumping duty order on MCBs from Mexico and the PRC would be likely to lead to continuation or recurrence of dumping at weighted-average margins up to 57.90 percent for Mexico and up to 236 percent for the PRC.

##### Notice Regarding Administrative Protective Order ("APO")

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

This sunset review and notice are in accordance with sections 751(c), 752(c),

and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: December 1, 2015.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

RIN 0648-XE282

##### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Rocky Intertidal Monitoring Surveys Along the Oregon and California Coasts

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; proposed incidental harassment authorization; request for comments.

**SUMMARY:** NMFS has received an application from the Partnership for Interdisciplinary Study of Coastal Oceans (PISCO) at the University of California (UC) Santa Cruz for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to rocky intertidal monitoring surveys. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to PISCO to incidentally take, by Level B harassment only, marine mammals during the specified activity.

**DATES:** Comments and information must be received no later than January 8, 2016.

**ADDRESSES:** Comments on the application should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. The mailbox address for providing email comments is [ITP.Pauline@noaa.gov](mailto:ITP.Pauline@noaa.gov). NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 25-megabyte file size.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental/research.htm> without change. All Personal Identifying Information (e.g.,