

warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

### 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publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of review, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed PRC and non-PRC exporters which are not under review in this segment of the proceeding but which have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (2) for all PRC exporters of subject merchandise that have not been granted a separate rate, including Hunan Valin, the cash deposit rate will be the PRC-wide rate of 128.59 percent; and (3) 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 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 double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: August 5, 2016.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix

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[FR Doc. 2016-19250 Filed 8-11-16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-801]

#### **Solid Urea From the Russian Federation: Preliminary Results of Antidumping Duty Administrative and New Shipper Reviews and Rescission of Administrative Review, in Part; 2014-2015**

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review and new shipper review of the antidumping duty order on solid urea from the Russian Federation (Russia). The period of review (POR) is July 1, 2014, through June 30, 2015. The Department preliminarily finds that MCC EuroChem and Joint Stock Company PhosAgro-Cherepovets (PhosAgro) have not made sales of subject merchandise in the United States at prices below normal value. Interested parties are invited to comment on these preliminary results.

**DATES:** Effective August 12, 2016.

**FOR FURTHER INFORMATION CONTACT:**

Michael Romani or Andre Gziryan, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0198 or (202) 482-2201, respectively.

**SUPPLEMENTARY INFORMATION:**

#### **Scope of the Order**

The merchandise subject to the order is solid urea, a high-nitrogen content fertilizer which is produced by reacting ammonia with carbon dioxide. The product is currently classified under the Harmonized Tariff Schedules of the United States (HTSUS) item number 3102.10.0010. Previously such merchandise was classified under item number 480.3000 and 3102.10.0000 of the HTSUS. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

### **Rescission of Administrative Review in Part**

We are rescinding the administrative review in part with respect to PhosAgro.<sup>1</sup>

#### **Methodology**

The Department conducted these reviews in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export and constructed export price are calculated in accordance with section 772(a) and 772(b) of the Act respectively. Normal value is calculated in accordance with section 773(c) of the Act.

For a full description of the methodology underlying our conclusions, see Preliminary Decision Memorandum.<sup>2</sup> The Preliminary Decision Memorandum is a public document and is made available to the public *via* Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and to all parties in the Central Records Unit, located at room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at <http://enforcement.trade.gov/frn/index.html>. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an Appendix to this notice.

#### **Preliminary Results of the Administrative Review**

As a result of this administrative review, we preliminarily determine that a weighted-average dumping margin of 0.00 percent exists for MCC EuroChem<sup>3</sup> for the period July 1, 2014, through June 30, 2015.

<sup>1</sup> See Preliminary Decision Memorandum at 3 for more details on this rescission in part. As noted in the Preliminary Decision Memorandum, we will not issue assessment instructions as a result of the rescission of the administrative review with respect to Phos Agro, given the ongoing new shipper review. *Id.* n.13.

<sup>2</sup> See memorandum from Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative and New Shipper Review: Solid Urea from the Russian Federation," dated concurrently with this notice (Preliminary Decision Memorandum), which is hereby adopted by this notice.

<sup>3</sup> OJSC Nevinnomysskiy Azot, and OJSC NAK Azot (*a.k.a.*, Novomoskovskiy Azot, OJSC) are producing subsidiaries of MCC EuroChem.

### Preliminary Results of the New Shipper Review

As a result of this new shipper review, we preliminarily determine that a weighted-average dumping margin of 0.00 percent exists for merchandise produced and exported by Joint Stock Company PhosAgro-Cherepovets for the period July 1, 2014, through June 30, 2015.

### Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results to the parties within five days after the date of publication of this notice.<sup>4</sup> Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than five days after the time limit for filing the case briefs.<sup>5</sup> Parties who submit case briefs or rebuttal briefs in this proceeding 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>6</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>7</sup> Requests should contain (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs.

Unless the deadline is extended pursuant to section 751(a)(2)(B)(iv) of the Act, the Department will issue the final results of these reviews, including the results of its analysis of issues raised by parties in their comments, within 120 days after the publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

### Assessment Rates

If a respondent's weighted-average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results of these reviews, the Department will calculate an importer-specific

assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and, where possible, the total entered value of sales, in accordance with 19 CFR 351.212(b)(1).<sup>8</sup> If the respondent's weighted-average dumping margin continues to be zero or *de minimis* in the final results of review, we will instruct U.S. Customs and Border Protection (CBP) not to assess duties on any of its entries in accordance with the *Final Modification for Reviews*.<sup>9</sup>

For entries of subject merchandise during the POR produced by MCC EuroChem or PhosAgro for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate of 64.93 percent<sup>10</sup> 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 these reviews.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of these reviews for all shipments of solid urea from Russia 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 with respect to the administrative review respondent, MCC EuroChem, will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in these reviews but covered in a prior segment of the proceeding, 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 these reviews, 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

<sup>8</sup> In these preliminary results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

<sup>9</sup> See *Final Modification for Reviews*, 77 FR at 8102.

<sup>10</sup> The all-others rate established in *Urea From the Union of Soviet Socialist Republics; Final Determination of Sales at Less Than Fair Value*, 52 FR 19557 (May 26, 1987).

all other manufacturers or exporters will continue to be 64.93 percent.<sup>11</sup>

With respect to PhosAgro, the new shipper respondent, the Department established a combination cash deposit rate for this company consistent with its practice as follows: (1) For subject merchandise produced and exported by PhosAgro, the cash deposit rate will be the rate established for PhosAgro in the final results of the new shipper review; (2) for subject merchandise exported by PhosAgro, but not produced by PhosAgro, the cash deposit rate will be the rate for the all-others established in the less-than-fair-value investigation; and (3) for subject merchandise produced by PhosAgro but not exported by PhosAgro, the cash deposit rate will be the rate applicable to the exporter.

These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice 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 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.

We are issuing and publishing the preliminary results of these reviews in accordance with sections 751(a)(1), 751(a)(2)(B) and 777(i) of the Act and 19 CFR 351.213, 351.214 and 351.221(b)(4).

Dated: August 5, 2016.

**Ronald K. Lorentzen,**  
Acting Assistant Secretary for Enforcement and Compliance.

### Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

- Summary
- Background
- Rescission of Administrative Review in Part *Bona Fides* Analysis
- Comparisons to Normal Value
  - A. Determination of Comparison Method
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- Date of Sale
- Product Comparisons
- Export Price and Constructed Export Price Normal Value
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  - B. Affiliated Party Transactions and Arm's-Length Test
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  - D. Cost of Production Analysis
  - E. Calculation of Normal Value Based on Comparison Market Prices

<sup>11</sup> *Id.*

<sup>4</sup> See 19 CFR 351.224(b).

<sup>5</sup> See 19 CFR 351.309(d).

<sup>6</sup> See 19 CFR 351.310(c).

<sup>7</sup> See 19 CFR 351.310(c).

Currency Conversion  
Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-351-846]

#### Countervailing Duty Investigation of Certain Hot-Rolled Steel Flat Products From Brazil: Final Affirmative Determination, and Final Determination of Critical Circumstances, in Part

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

**SUMMARY:** The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of certain hot-rolled steel flat products (hot-rolled steel, or HRS) from Brazil. For information on the estimated subsidy rates, see the “Final Determination” section of this notice. The period of investigation is January 1, 2014, through December 31, 2014.

**DATES:** Effective August 12, 2016.

**FOR FURTHER INFORMATION CONTACT:** Sergio Balbontin, Nicholas Czajkowski, or Lana Nigro, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6478, (202) 482-1395, and (202) 482-1779, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department published the *Preliminary Determination* on January 15, 2016.<sup>1</sup> A summary of the events that occurred since the Department published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.<sup>2</sup> The Issues and Decision

<sup>1</sup> See *Countervailing Duty Investigation of Certain Hot-Rolled Steel Flat Products From Brazil: Preliminary Affirmative Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 81 FR 2168 (January 15, 2016) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> 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, “Issues and Decision Memorandum for the Final Determination in the Countervailing Duty Investigation of Certain Hot-

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 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 Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version are identical in content.

##### Scope Comments

In accordance with the Preliminary Scope Determination,<sup>3</sup> the Department set aside a period of time for parties to address scope issues in case briefs or other written comments on scope issues.

In the *Preliminary Determination*, we did not modify the scope language as it appeared in the *Initiation Notice*.<sup>4</sup> No interested party submitted scope comments in case or rebuttal briefs; therefore, the scope of this investigation remains unchanged for this final determination.

##### Scope of the Investigation

The products covered by this investigation are certain hot-rolled steel flat products from Brazil. For a complete description of the scope of this investigation, see the “Scope of the Investigation,” attached to this notice at Appendix I.

##### Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum. A list of the issues that parties raised, and to which we have responded in the Issues and Decision Memorandum, is attached to this notice at Appendix II.

##### Use of Adverse Facts Available

In making this final determination, the Department relied, in part, on facts

“Rolled Steel Flat Products from Brazil,” dated concurrently with this determination (Issues and Decision Memorandum) and hereby adopted by this notice.

<sup>3</sup> See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, “Certain Hot-Rolled Steel Products from Australia, Brazil, Japan, the Netherlands, the Republic of Korea, Turkey and the United Kingdom: Scope Comments Decision Memorandum for the Preliminary Determinations,” dated March 14, 2016.

<sup>4</sup> See *Preliminary Determination* PDM at “Scope Comments.”

available and, because the Government of Brazil and the respondent companies did not act to the best of their abilities in responding to the Department’s requests for information, we drew an adverse inference where appropriate in selecting from among the facts otherwise available.<sup>5</sup> Specifically, we applied facts available, with adverse inferences, for the Reduction of Tax on Industrialized Products for Machines and Equipment, the BNDES FINAME Loan program, and the Ex-Tarifário program, in accordance with section 776(a) and (b) of the Act. For further information, see the section “Use of Adverse Facts Available” in the accompanying Issues and Decision Memorandum.

##### Changes Since the Preliminary Determination

Based on our analysis of the comments received from parties, and the minor corrections presented and additional items discovered at verification, we made certain changes to the respondents’ subsidy rate calculations. For a discussion of these changes, see the Issues and Decision Memorandum.

##### Final Affirmative Determination of Critical Circumstances, in Part

On October 23, 2015, the petitioner filed a timely critical circumstances allegation pursuant to section 703(e)(1) of the Act and 19 CFR 351.206(c)(1), alleging that critical circumstances exist with respect to imports of hot-rolled steel from Brazil.<sup>6</sup> We preliminarily determined that critical circumstances existed with respect to CSN and Usiminas, but not for all others companies.<sup>7</sup> Based on additional import data that became available since the *Preliminary Determination of Critical Circumstances*, we are departing from our preliminary finding. For this final determination, in accordance with section 705(a) of the Act, we find that critical circumstances exist with respect to CSN but that critical circumstances do not exist with respect to Usiminas and all other producers and exporters of

<sup>5</sup> See sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act).

<sup>6</sup> See letter from the Petitioner, “Certain Hot-Rolled Steel Flat Products From Australia, Brazil, Japan and the Netherlands—Critical Circumstances Allegations,” dated October 23, 2015.

<sup>7</sup> See *Antidumping Duty Investigations of Certain Hot-Rolled Steel Flat Products From Australia, Brazil, Japan, and the Netherlands and Countervailing Duty Investigation of Certain Hot-Rolled Steel Flat Products From Brazil: Preliminary Determinations of Critical Circumstances*, 80 FR 76444 (December 9, 2015) (*Preliminary Determination of Critical Circumstances*).