

dispositive indication of a successor-in-interest relationship, the Department will generally consider the new company to be the successor to the previous company if the new company's operations are not materially dissimilar to those of its predecessor.<sup>7</sup> Thus, if the evidence demonstrates that, with respect to the production and sales of the subject merchandise, the new company operates as the same business entity as the former company, the Department will accord the new company the same antidumping treatment as its predecessor.<sup>8</sup>

In its review request,<sup>9</sup> and its response to our supplemental questionnaire,<sup>10</sup> Sidenor has provided evidence for us to determine preliminarily that it is the successor-in-interest to Gerdau. Sidenor states that its management, production facilities, and customer/supplier relationships have not changed as a result of the changes in ownership or name of the company.<sup>11</sup> Sidenor provided corporate structure documentation showing changes to the ownership and name of the company.<sup>12</sup> Furthermore, Sidenor provided internal documents evidencing that its domestic and overseas customers and suppliers remained the same after the changes, as they were prior to them.<sup>13</sup> Sidenor provided internal documentation evidencing that its production facilities are the same before and after the changes in ownership and the name change.<sup>14</sup> Sidenor also provided a list of members of the management team and supporting documentation indicating that Gerdau's managers hold the same positions in Sidenor that they did in Gerdau, with the exception of the

replacement of the Human Resources Director.<sup>15</sup>

Based on record evidence, we preliminarily determine that Sidenor is the successor-in-interest to Gerdau for purposes of antidumping duty liability because the ownership and name changes of the company resulted in no significant changes to management, production facilities, supplier relationships, and customers. As a result, we preliminarily determine that Sidenor operates as the same business entity as Gerdau. Thus, we preliminarily determine that Sidenor should receive the same antidumping duty cash deposit rate with respect to the subject merchandise as Gerdau, its predecessor company.

Because cash deposits are only estimates of the amount of antidumping duties that will be due, changes in cash deposit rates are not made retroactive and, therefore, no change will be made to Sidenor's cash deposit rate as a result of these preliminary results. If Sidenor believes that the deposits paid exceed the actual amount of dumping, it is entitled to request an administrative review during the anniversary month of the publication of the order of those entries, *i.e.*, March, to determine the proper assessment rate and receive a refund of any excess deposits.<sup>16</sup> As a result, if these preliminary results are adopted in our final results of this changed circumstances review, we will instruct CBP to suspend shipments of subject merchandise made by Sidenor, at Gerdau's cash deposit rate, effective on the publication date of our final results.

#### Public Comment

Interested parties may submit case briefs no later than 14 days after the publication of this notice.<sup>17</sup> Rebuttal briefs, which must be limited to issues raised in case briefs, may be filed not later than five days after the deadline for filing case briefs.<sup>18</sup> Parties who submit case briefs or rebuttal briefs in this changed circumstance review are requested to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Interested

parties who wish to comment on the preliminary results must file briefs electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) and is available to registered users at <http://access.trade.gov>. An electronically-filed document must be received successfully in its entirety by the ACCESS no later than 5:00 p.m. Eastern Time on the date the document is due. Interested parties that wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS, within 14 days of publication of this notice.<sup>19</sup> Parties will be notified of the time and date of any hearing, if requested.<sup>20</sup>

#### Notifications to Interested Parties

Consistent with 19 CFR 351.216(e), we intend to issue the final results of this changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days after the publication of the preliminary results if all parties in this review agree to our preliminary results. The final results will include the Department's analysis of issues raised in any written comments.

This notice of initiation and preliminary results is in accordance with section 751(b)(1) of the Act, 19 CFR 351.216(b) and (d), and 19 CFR 351.221(b)(1).

Dated: October 18, 2016.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XE987**

#### Mid-Atlantic Fishery Management Council (MAFMC); Meeting

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

**ACTION:** Notice of public hearing meetings.

**SUMMARY:** The Mid-Atlantic Fishery Management Council will hold three public hearings in November 2016 to

<sup>19</sup> See 19 CFR 351.310(c). See also 19 CFR 351.303 for general filing requirements.

<sup>20</sup> See 19 CFR 351.310.

<sup>7</sup> See, e.g., *Brake Rotors*.

<sup>8</sup> *Id.* See also e.g., *Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp From India*, 77 FR 64953 (October 24, 2012), unchanged in *Final Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp From India*, 77 FR 73619 (December 11, 2012).

<sup>9</sup> See Sidenor Request.

<sup>10</sup> See Sidenor's Letter to the Secretary of Commerce, entitled, "Stainless Steel Bar from Spain, CCR (Sidenor): Sidenor response to supplemental questions," dated October 7, 2016 (SQR).

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

<sup>12</sup> See Sidenor Request at Exhibit 1 (the two structures are identical except for the parent), Exhibit 2 (public deed registered in the Central Mercantile Registry reflecting name change), Exhibit 3 (registration of the name change), Exhibits 4-5 (taxpayer identification certificates before and after), and Exhibit 6 (SEC form 6-K filing at note 3 and 4).

<sup>13</sup> See SQR at 3-5, and Exhibit 2 (customers), and at 2-3, and Exhibit 1 (supplier).

<sup>14</sup> See Sidenor Request at 4, and Exhibit 9 (list of production assets).

<sup>15</sup> *Id.*, at 4 and Exhibit 7 (organization charts before, unchanged with one exception after). The administration of the company changed from a Board of Directors to a Sole Administrator. See Sidenor Request at Exhibit 2.

<sup>16</sup> See *Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews*, 64 FR 66880 (November 30, 1999).

<sup>17</sup> See 19 CFR 351.309(c)(ii).

<sup>18</sup> See 19 CFR 351.309(d).

solicit public input on a request by the State of New Jersey to designate 13 of its artificial reef sites located in federal waters as Special Management Zones (SMZ). The Council is also soliciting written comments on the NJ SMZ request through 11:59 p.m. on Friday November 25, 2016.

**DATES:** The public hearings will begin at 7 p.m. on November 15, 2016 and end at 10 p.m. on November 17, 2016, to view the agenda see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The Council will hold three public hearings, the dates, times, and locations of which are listed below.

1. Tuesday November 15, 2016, from 7 p.m. to 9:30 p.m., Kingsborough Community College, 2001 Oriental Blvd., Brooklyn, NY 11235, Room M239 of the Marina and Academic Center (The Lighthouse).

2. Wednesday November 16, 2016, from 7 p.m. to 10 p.m., Clarion Hotel & Conference Center, 815 Route 37 West, Toms River, NJ 08755.

3. Thursday November 17, 2016, 7 p.m. to 10 p.m., Congress Hall, 200 Congress Place, Cape May, NJ 08204.

*Addresses for written comments:*

Written comments may be sent through mail, email, or fax through 11:59 p.m. on Friday November 25, 2016.

Comments may be mailed to: Dr. Chris Moore, Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901. Comments may be faxed to: Dr. Chris Moore, Executive Director, Mid-Atlantic Fishery Management Council at fax number 302-674-5399. Comments may be emailed to Richard Seagraves, Senior Scientist, at [rseagraves@mafmc.org](mailto:rseagraves@mafmc.org). If sending comments through the mail, please write "NJ SMZ Request" on the outside of the envelope. If sending comments through email or fax, please write "NJ SMZ Request comments" in the subject line.

*Council address:* Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: 302-674-2331 or on their Web site, at [www.mafmc.org](http://www.mafmc.org).

**FOR FURTHER INFORMATION CONTACT:** Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: 302-526-5255.

**SUPPLEMENTARY INFORMATION:**

**Agenda**

In the November 2015, the New Jersey Department of Environmental Protection (DEP) petitioned the Mid-Atlantic Council to designate 13 artificial reef sites as SMZ's in the EEZ under provisions of Amendment 9 to the

*Summer Flounder, Scup and Black Sea Bass Fishery Management Plan.* The justification for this request was based on the need to ameliorate gear conflicts between hook and line fishermen and fixed pot/trap gear at those sites. The Council received a report from the SMZ Monitoring Team (MT) at its October 2016 meeting which evaluated the NJDEP request relative to the following factors: (1) Fairness and equity; (2) promotion of conservation; (3) avoidance of excessive shares; (4) consistency with the objectives of Amendment 9, the Magnuson-Stevens Act, and other applicable law; (5) the natural bottom in and surrounding potential SMZs; and (6) impacts on historical uses. The MT's analysis concluded that the designation of the NJDEP 13 reef sites appears to be compatible with the Magnuson-Stevens Act and other applicable federal law. Based on evaluation of all relevant factors and issues as outlined in Amendment 9, the SMZ Monitoring Team recommended that the Council designate all 13 New Jersey's artificial reefs located in the EEZ as SMZs. The SMZ designation could stipulate that no fishing vessel or person on a fishing vessel may fish in the 13 New Jersey Special Management Zones with any gear except hook and line and spear fishing (including the taking of fish by hand). The MT analysis indicated that commercial fishing vessels deploying pot/trap gear off the coast of New Jersey would likely face minimal to no losses in ex-vessel revenue if the artificial reefs are designated as SMZs. The Council discussed the MT's recommendations and decided to hold public hearings in November 2016 in NJ and NY to solicit public comments on the NJ SMZ request. The Council is seeking public comment on NJ's SMZ request and is scheduled to make a decision relative to NJ's request at its December 2016 meeting in Annapolis, MD.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, 302-526-5251, at least 5 business days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: October 21, 2016.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XE991**

**Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) Devil's Hole Research Planning Group will meet to coordinate research in the proposed Devil's Hole Spawning Special Management Zone.

**DATES:** The meeting will be held on Wednesday, November 2, 2016, from 8:30 a.m. until 12 p.m.

**ADDRESSES:** The meeting will be held at the Crowne Plaza Hotel, 4831 Tanger Outlet Blvd., North Charleston, SC 29418.

*Council address:* South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

**FOR FURTHER INFORMATION CONTACT:** Kim Iverson, Public Information Officer, South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405; phone 843/571-4366 or toll free (866) SAFMC-10; fax: (843) 769-4520; email: [kim.iverson@safmc.net](mailto:kim.iverson@safmc.net).

**SUPPLEMENTARY INFORMATION:** The Council selected preferred locations for designation as Spawning Special Management Zones (SMZs) in Amendment 36 to the Snapper Grouper Fishery Management Plan in 2016. Amendment 36, which is under Secretarial review, includes an action to prohibit harvest or possession of species managed under the Council's snapper grouper fishery management unit in the designated Spawning SMZs because of the area's potential to be spawning areas for multiple species. The Council is holding a meeting to coordinate research for the proposed Devil's Hole Spawning SMZ, one of the proposed Spawning SMZs off the coast of South Carolina. The Devil's Hole Research Planning Group is meeting to discuss past research in the proposed Spawning SMZ and discuss and coordinate future sampling events in the area. The group is comprised of research scientists, state and federal agency representatives, commercial fishermen, recreational