

States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of imports of titanium sponge from Japan and Kazakhstan, provided for in subheading 8108.20.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and to be subsidized by the government of Kazakhstan.

Background

On August 24, 2017, Titanium Metals Corporation, Exton, PA, filed a petition with the Commission and the U.S. Department of Commerce, alleging that an industry in the United States is materially injured and threatened with material injury by reason of LTFV imports of titanium sponge from Japan and Kazakhstan and subsidized imports of titanium sponge from Kazakhstan. Accordingly, effective August 24, 2017, the Commission, pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)), instituted countervailing duty investigation No. 701-TA-587 and antidumping duty investigation Nos. 731-TA-1385-1386 (Preliminary).

Notice of the institution of the Commission’s investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of September 1, 2017 (82 FR 41656). The conference was held in Washington, DC, on September 14, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on October 10, 2017. The views of the Commission are contained in USITC Publication 4736 (October 2017), entitled *Titanium Sponge from Japan and Kazakhstan: Investigation Nos. 701-TA-587 and 731-TA-1385-1386 (Preliminary)*.

By order of the Commission.

Issued: October 10, 2017.

Lisa R. Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-847 and 849 (Third Review)]

Carbon and Alloy Seamless Standard, Line, and Pressure Pipe From Japan and Romania

Determinations

On the basis of the record¹ developed in these subject five-year reviews, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the antidumping duty orders on carbon and alloy seamless standard, line, and pressure pipe from Japan and Romania would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²

Background

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on September 1, 2016 (81 FR 60383) and determined on December 5, 2016 that it would conduct full reviews (81 FR 91199, December 16, 2017). Notice of the scheduling of the Commission’s reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on April 5, 2017 (82 FR 16621). The hearing was held in Washington, DC, on August 8, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on October 10, 2017. The views of the Commission are contained in USITC Publication 4731 (October 2017), entitled *Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan and Romania*:

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

² Commissioner Broadbent dissenting with respect to the antidumping duty order on subject imports from Romania.

Investigation Nos. 731-TA-847 and 849 (Third Review).

By order of the Commission.

Issued: October 11, 2017.

Lisa R. Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1074]

Certain Industrial Automation Systems and Components Thereof Including Control Systems, Controllers, Visualization Hardware, Motion and Motor Control Systems, Networking Equipment, Safety Devices, and Power Supplies; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 6, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Rockwell Automation, Inc. of Milwaukee, Wisconsin. A supplement to the complaint was filed on September 29, 2017. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies, by reason of infringement of U.S. Trademark Reg. No. 1,172,995 (“the ‘995 trademark”); U.S. Trademark Reg. No. 696,401 (“the ‘401 trademark”); U.S. Trademark Reg. No. 693,780 (“the ‘780 trademark”); U.S. Trademark Reg. No. 1,172,994 (“the ‘994 trademark”); U.S. Trademark Reg. No. 712,800 (“the ‘800 trademark”); U.S. Trademark Reg. No. 712,836 (“the ‘836 trademark”); U.S. Trademark Reg. No. 2,510,226 (“the ‘226 trademark”); U.S. Trademark Reg. No. 2,671,196 (“the ‘196 trademark”); U.S. Trademark Reg. No. 2,701,786 (“the ‘786 trademark”); U.S. Trademark Reg. No. 2,412,742 (“the ‘742 trademark”); U.S. Copyright Reg. No. TX0008389890 (“the ‘890 copyright”); U.S. Copyright Reg. No. TX0008389887 (“the ‘887 copyright”); U.S. Copyright Reg. No. TX0008390098 (“the ‘098 copyright”); U.S. Copyright Reg. No. TX0008390094 (“the ‘094 copyright”); U.S. Copyright

Reg. No. TX0008390077 (“the ’077 copyright”); U.S. Copyright Reg. No. TX0008390088 (“the ’088 copyright”); U.S. Copyright Reg. No. TX0008390116 (“the ’116 copyright”); U.S. Copyright Reg. No. TX0008390084 (“the ’084 copyright”); U.S. Copyright Reg. No. TX0008390111 (“the ’111 copyright”); and U.S. Copyright Reg. No. TX0008390091 (“the ’091 copyright”). The complaint also alleges that an industry in the United States exists as required by the applicable Federal Statute. The Complaint further alleges a violation of Section 337 based on unfair methods of competition and unfair acts in the importation or sale of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies, the threat or effect of which is to destroy or substantially injure an industry in the United States.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a general exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2017).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on October 6, 2017, *ordered that—*

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) Whether there is a violation of subsection (a)(1)(C) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies, by reason of infringement of the ’995 trademark; the ’401 trademark; the ’780 trademark; the ’994 trademark; the ’800 trademark; the ’836 trademark; the ’226 trademark; the ’196 trademark; the ’786 trademark; and the ’742 trademark; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(b) whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies, by reason of infringement of the ’890 copyright; the ’887 copyright; the ’098 copyright; the ’094 copyright; the ’077 copyright; the ’088 copyright; the ’116 copyright; and the ’111 copyright; and

(c) whether there is a violation of subsection (a)(1)(A) in the importation or sale of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies, by reason of unfair methods of competitions and unfair acts, the threat or effect of which is to destroy or substantially injure an industry in the United States;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding Administrative Law Judge shall take evidence or other information and hear arguments from the parties or other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the

statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1);

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: Rockwell Automation, Inc., 1201 South 2nd Street, Milwaukee, WI 53204–2410.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Can Electric Limited, No. 2 Danan Rd, Yuexiu District, Guangzhou, Guangdong, 510115, China

Capnil (HK) Company Limited, Unit 603 6/F Koon Wah Mirrow, Factory 3 Ind Bldg 5–9 Ka Hing, Rd Kln Hk, Hong Kong

Fractioni (Hongkong) Ltd., #327 Siping Road, Shanghai 200092, China

Fujian Dahong Trade Co., Ltd, A15–2303 Taihongyu Pushang Road, Cangshan Fuzhou Fujian, Fujian 350008, China

GreySolution Limited d/b/a Fibica, Unit B601, 6/F Block A, Universal Ind. Ctr., 19–25 Shan Mei St Sha Tin, Fo Tan, Hong Kong

Huang Wei Feng d/b/a A–O–M Industry, Room 201 No. 55 2 Qu, Tangshuiwei, Minzhi, Longhua, Boa’An, Shenzhen 511700, China

KBS Electronics Suzhou Co, Ltd., Block 7&43, No. 328 Hengyong Road, Jiading district, Shanghai, China, 201806

PLC–VIP Shop d/b/a VIP Tech Limited, 95 Fuk Wing Street, Cheung Sha Wan, Kowloon, Hong Kong

Radwell International, Inc. d/b/a PLC Center, 1 Millennium Drive, Willingboro, NJ 08046

Shanghai EuoSource Electronic Co., Ltd, Block 43, No. 328, Hengyong Road, Jiading District, Shanghai, China 201806

ShenZhen T-Tide Trading co., Ltd., Room A–60S, Block.lexi., Minle Industrial Park, Mei Ban Road, Longhua District, Shenzhen 518031, China

SoBuy Commercial (HK) Co. Limited, Flat B G/F Yeung Yiu Chung (No. 6), Ind. Bldg. No. 19 Cheung Shun Street, Lai Chi Kok Kowloon, Hong Kong

Suzhou Yi Micro Optical Co., Ltd., d/b/a Suzhou Yiwei Guangxue Youxiangongsi, d/b/a Easy Micro-optics Co. LTD., Office Building 5F, 91 Weixin Rd, Suzhou, SIP, Jiangsu, China, 215021

Wenzhou Sparker Group Co. Ltd., d/b/a Sparker Instruments, Room 503, Oujiang Masion, Wenzhou Road, Wenzhou, 325000, China

Yaspro Electronics (Shanghai) Co., Ltd.,
Room 1808E, No. 488, Vaohua Road,
Pudong New District, Shanghai, China

(c) The Office of Unfair Import
Investigations, U.S. International Trade
Commission, 500 E Street SW., Suite
401, Washington, DC 20436; and

(4) For the investigation so instituted,
the Chief Administrative Law Judge,
U.S. International Trade Commission,
shall designate the presiding
Administrative Law Judge.

Responses to the complaint and the
notice of investigation must be
submitted by the named respondents in
accordance with section 210.13 of the
Commission's Rules of Practice and
Procedure, 19 CFR 210.13. Pursuant to
19 CFR 201.16(e) and 210.13(a), such
responses will be considered by the
Commission if received not later than 20
days after the date of service by the
Commission of the complaint and the
notice of investigation. Extensions of
time for submitting responses to the
complaint and the notice of
investigation will not be granted unless
good cause therefor is shown.

Failure of a respondent to file a timely
response to each allegation in the
complaint and in this notice may be
deemed to constitute a waiver of the
right to appear and contest the
allegations of the complaint and this
notice, and to authorize the
administrative law judge and the
Commission, without further notice to
the respondent, to find the facts to be as
alleged in the complaint and this notice
and to enter an initial determination
and a final determination containing
such findings, and may result in the
issuance of an exclusion order or a cease
and desist order or both directed against
the respondent.

By order of the Commission.

Issued: October 10, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017-22267 Filed 10-13-17; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health
Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of
petitions for modification submitted to
the Mine Safety and Health

Administration (MSHA) by the parties
listed below.

DATES: All comments on the petitions
must be received by MSHA's Office of
Standards, Regulations, and Variances
on or before November 15, 2017.

ADDRESSES: You may submit your
comments, identified by "docket
number" on the subject line, by any of
the following methods:

1. *Electronic Mail:* [zzMSHA-
comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket
number of the petition in the subject
line of the message.

2. *Facsimile:* 202-693-9441.

3. *Regular Mail or Hand Delivery:*
MSHA, Office of Standards,
Regulations, and Variances, 201 12th
Street South, Suite 4E401, Arlington,
Virginia 22202-5452, *Attention:* Sheila
McConnell, Director, Office of
Standards, Regulations, and Variances.
Persons delivering documents are
required to check in at the receptionist's
desk in Suite 4E401. Individuals may
inspect copies of the petition and
comments during normal business
hours at the address listed above.

MSHA will consider only comments
postmarked by the U.S. Postal Service or
proof of delivery from another delivery
service such as UPS or Federal Express
on or before the deadline for comments.

FOR FURTHER INFORMATION CONTACT:
Barbara Barron, Office of Standards,
Regulations, and Variances at 202-693-
9447 (Voice), barron.barbara@dol.gov
(Email), or 202-693-9441 (Facsimile).
[These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section
101(c) of the Federal Mine Safety and
Health Act of 1977 and Title 30 of the
Code of Federal Regulations Part 44
govern the application, processing, and
disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine
Safety and Health Act of 1977 (Mine
Act) allows the mine operator or
representative of miners to file a
petition to modify the application of any
mandatory safety standard to a coal or
other mine if the Secretary of Labor
(Secretary) determines that:

1. An alternative method of achieving
the result of such standard exists which
will at all times guarantee no less than
the same measure of protection afforded
the miners of such mine by such
standard; or

2. That the application of such
standard to such mine will result in a
diminution of safety to the miners in
such mine.

In addition, the regulations at 30 CFR
44.10 and 44.11 establish the
requirements and procedures for filing
petitions for modification.

II. Petitions for Modification

Docket Number: M-2017-017-C.

Petitioner: Paramount Contura, LLC,
Three Gateway Center, 401 Liberty
Avenue, Pittsburgh, Pennsylvania
15222-1000.

Mine: Deep Mine 44, MSHA I.D. No.
44-07308, located in Dickenson County,
Virginia.

Regulation Affected: 30 CFR 75.1700
(Oil and gas wells).

Modification Request: The petitioner
requests a modification of the existing
standard to permit an alternative
method of compliance with respect to
gas wells. The petitioner proposes to
plug and mine through vertically drilled
gas wells. The petitioner states that:

The following alternative methods
will be used when mining through
vertically drilled degasification
boreholes with horizontal laterals to
permit mining through the boreholes.

a. The petition will apply to all wells
being mined through located within the
mineable reserve at Paramount Coal
Company's Deep Mine 44.

b. District Manager approval is
required for the following proposed
alternative methods:

(1) A safety barrier of 300 feet in
diameter (150 between any mined area
and a well) will be maintained around
all wells (defined herein to include all
active, inactive, abandoned, shut-in, and
previously plugged oil and gas wells,
and including water injection wells)
until approval to proceed with mining
has been obtained from the District
Manager (DM). Wells that were drilled
into potential oil or gas producing
formations that did not produce
commercial quantities of either gas or
oil (wildcat wells or dry holes) are also
defined as oil or gas wells.

(2) Prior to mining within the safety
barrier around any well that is intended
to be mined through, the mine operator
will provide the DM a sworn affidavit or
declaration executed by a company
official stating that all mandatory
procedures for cleaning out, preparing,
and plugging each gas or oil well have
been completed as described by the
terms and conditions of this petition.
The affidavit or declaration must be
accompanied by all logs described
below and any other records described
in those subparagraphs which the DM
may request. The DM will review the
affidavit or declaration, the logs, and
other records that have been requested,
and may inspect the well. The DM will
determine if the operator has complied
with the procedures for cleaning,
preparing, and plugging each well as
described by the terms and conditions
of this petition. If the DM determines