

the hearing two days before the scheduled date.

### *International Trade Commission Notification*

In accordance with section 703(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination.

### *Notification to Interested Parties*

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act and 19 CFR 351.205(c).

Dated: January 8, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive function and duties of the Assistant Secretary for Enforcement and Compliance.*

### **Appendix I—Scope of the Investigation**

The merchandise covered by this investigation includes certain paper that has not been coated on either side and with 50 percent or more of the cellulose fiber content consisting of groundwood pulp, including groundwood pulp made from recycled paper, weighing not more than 90 grams per square meter. Groundwood pulp includes all forms of pulp produced from a mechanical pulping process, such as thermo-mechanical process (TMP), chemi-thermo mechanical process (CTMP), bleached chemi-thermo mechanical process (BCTMP) or any other mechanical pulping process. The scope includes paper shipped in any form, including but not limited to both rolls and sheets.

Certain uncoated groundwood paper includes but is not limited to standard newsprint, high bright newsprint, book publishing, directory, and printing and writing papers. The scope includes paper that is white, off-white, cream, or colored.

Specifically excluded from the scope are imports of certain uncoated groundwood paper printed with final content of printed text or graphic. Also excluded are papers that otherwise meet this definition, but which have undergone a supercalendering process.<sup>16</sup>

Certain uncoated groundwood paper is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) in several subheadings, including 4801.00.0120, 4801.00.0140, 4802.61.1000, 4802.61.2000, 4802.61.3110, 4802.61.3191, 4802.61.6040, 4802.62.1000, 4802.62.2000, 4802.62.3000,

<sup>16</sup> Supercalendering imparts a glossy finish produced by the movement of the paper web through a supercalender which is a stack of alternating rollers of metal and cotton (or other softer material). The supercalender runs at high speed and applies pressure, heat, and friction which glazes the surface of the paper, imparting gloss to the surface and increasing the paper's smoothness and density.

4802.62.6140, 4802.69.1000, 4802.69.2000, and 4802.69.3000. Subject merchandise may also be imported under several additional subheadings including 4805.91.5000, 4805.91.7000, and 4805.91.9000.<sup>17</sup> Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

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

- I. Summary
- II. Background
- III. Scope Comments
- IV. Injury Test
- V. Subsidies Valuation
- VI. Application of Facts Otherwise Available and Facts Otherwise Available With an Adverse Inference
- VII. Analysis of Programs
- VIII. Conclusion
- Appendix I: Not-Used and Not-Measurable Programs, by Company

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**BILLING CODE 3510–DS–P**

## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

[A–823–816]

#### **Carbon and Alloy Steel Wire Rod From Ukraine: Affirmative Final Determination of Sales at Less Than Fair Value**

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

**SUMMARY:** The Department of Commerce (Department) determines that imports of carbon and alloy steel wire rod (wire rod) from Ukraine are being, or are likely to be, sold in the United States at less than fair value (LTFV). The final estimated weighted-average dumping margins of sales at LTFV are listed below in the section entitled “Final Determination.” The period of investigation is January 1, 2016, through December 31, 2016.

**DATES:** Applicable January 16, 2018.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Courtney Canales, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1394, or (202) 482–4997, respectively.

#### **SUPPLEMENTARY INFORMATION:**

<sup>17</sup> The following HTSUS numbers are no longer active as of January 1, 2017: 4801.00.0020, 4801.00.0040, 4802.61.3010, 4802.61.3091, and 4802.62.6040.

## **Background**

On October 31, 2017, the Department published the *Preliminary Determination* in the **Federal Register**.<sup>1</sup> The petitioners in this investigation are Gerdau Ameristeel US Inc., Nucor Corporation, Keystone Consolidated Industries, Inc., and Charter Steel (collectively, the petitioners). The mandatory respondents in this investigation are ArcelorMittal Steel Kryvyi Rih OJSC (AMKR) and Public Joint Stock Company (PJSC) Yenakiiieve Steel (Yenakiiieve).<sup>2</sup> In the *Preliminary Determination*, the Department determined that the application of facts available with an adverse inference (AFA) was warranted as a result of AMKR's and Yenakiiieve's failure to cooperate and provide complete, useable data in this investigation.

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 accompanying Issues and Decision Memorandum.<sup>3</sup> The Issues and 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 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>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

### **Scope of the Investigation**

The products covered by this investigation are generally described as

<sup>1</sup> See *Carbon and Alloy Steel Wire Rod from Ukraine: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 50375 (October 31, 2017) (Preliminary Determination) and accompanying Preliminary Decision Memorandum.

<sup>2</sup> The Department preliminarily determined not to further examine Duferco S.A. (Duferco) as part of this investigation because the evidence does not show that Duferco made any sales of subject merchandise in the United States during the POI. For the final determination, we continue to find that Duferco had no sales of subject merchandise during the POI. As such, any entries of subject merchandise exported by Duferco will be subject to the All-Others Rate.

<sup>3</sup> See Memorandum, “Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Carbon and Alloy Steel Wire Rod from Ukraine,” dated concurrently with this determination and hereby adopted by this notice (Issues and Decision Memorandum).

wire rod from Ukraine. For a complete description of the scope of the investigation, see Appendix I of this notice.

**Scope Comments**

During the course of this investigation, the Department received numerous scope comments from interested parties. Prior to the *Preliminary Determination*, the Department issued a Preliminary Scope Decision Memorandum to address these comments. As a result of these comments, the Department made no changes to the scope of this investigation as it appeared in the *Initiation Notice*.<sup>4</sup>

In November 2017, we received scope case and rebuttal briefs. On November 20, 2017, we issued the Final Scope Decision Memorandum in response to the comments received.<sup>5</sup> We did not change the scope of this investigation.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs that were submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of these issues is attached to this notice at Appendix II.

**Verification**

Because the mandatory respondents in this investigation did not provide the information requested, the Department did not conduct verification.

**Changes Since the Preliminary Determination and Use of Adverse Facts Available**

The Department has made no changes to the *Preliminary Determination*. As explained in the *Preliminary Determination*, we found that the application of facts available with an adverse inference with respect to both mandatory respondents in this

<sup>4</sup> For discussion of these comments, see Memorandum, “Carbon and Alloy Steel Wire Rod from Belarus, Italy, the Republic of Korea, the Russian Federation, South Africa, Spain, the Republic of Turkey, Ukraine, the United Arab Emirates, and the United Kingdom: Scope Comments Decision Memorandum for the Preliminary Determinations” (Preliminary Scope Decision Memorandum), dated August 7, 2017; see also *Carbon and Alloy Steel Wire Rod from Belarus, Italy, the Republic of Korea, the Russian Federation, South Africa, Spain, the Republic of Turkey, Ukraine, United Arab Emirates, and United Kingdom: Initiation of Less-Than-Fair-Value Investigations*, 82 FR 19207 (April 26, 2017) (*Initiation Notice*).

<sup>5</sup> For discussion of these comments, see Memorandum, “Carbon and Alloy Steel Wire Rod from Belarus, Italy, the Republic of Korea, the Russian Federation, South Africa, Spain, the Republic of Turkey, Ukraine, the United Arab Emirates, and the United Kingdom: Final Scope Memorandum” (Final Scope Decision Memorandum), dated November 20, 2017.

investigation, AMKR and Yenakiieve, was warranted, in accordance with sections 776(a)(1), 776(a)(2), and 776(b) of the Act.<sup>6</sup>

**All-Others Rate**

As discussed in the *Preliminary Determination*, the Department based the selection of the all-others rate on the simple average of the six dumping margins calculated for subject merchandise from Ukraine alleged in the petition,<sup>7</sup> in accordance with section 735(c)(5)(B) of the Act, and determined a rate of 34.98 percent. We made no changes to the all-others rate for this final determination.<sup>8</sup>

**Final Determination**

The final estimated weighted-average dumping margins are as follows:

Producer or exporter	Weighted-average dumping margins (percent)
ArcelorMittal Steel Kryvyi Rih ..... Public Joint Stock Company Yenakiieve Iron and Steel Works .....	44.03 44.03
All-Others .....	34.98

**Disclosure**

The estimated weighted-average dumping margin assigned to AMKR and Yenakiieve in this investigation in the *Preliminary Determination* were based on adverse facts available and the Department described the method it used to determine the AFA rate in the *Preliminary Determination*. As we made

<sup>6</sup> See *Preliminary Determination*, 82 FR at 50375; see also PDM at 7–24.

<sup>7</sup> See Letter to the Secretary of Commerce and the Secretary of the U.S. International Trade Commission, “Carbon and Alloy Steel Wire Rod from Belarus, Italy, the Republic of Korea, the Russian Federation, the Republic of South Africa, Spain, Turkey, Ukraine, United Arab Emirates, and the United Kingdom—Petitions for the Imposition of Antidumping and Countervailing Duties,” dated March 28, 2017; see also *Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany*, 73 FR 21909, 21912 (April 23, 2008), unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany*, 73 FR 38986, 38987 (July 8, 2008), and accompanying Issues and Decision Memorandum at Comment 2; *Notice of Final Determination of Sales at Less Than Fair Value: Raw Flexible Magnets from Taiwan*, 73 FR 39673, 39674 (July 10, 2008); *Steel Threaded Rod from Thailand: Preliminary Determination of Sales at Less Than Fair Value and Affirmative Preliminary Determination of Critical Circumstances*, 78 FR 79670, 79671 (December 31, 2013), unchanged in *Steel Threaded Rod from Thailand: Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances*, 79 FR 14476, 14477 (March 14, 2014).

<sup>8</sup> See *Preliminary Determination*, 82 FR at 50375.

no changes to this margin since the *Preliminary Determination*, no disclosure of calculations is necessary for this final determination.

**Continuation of Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of all appropriate entries of wire rod from Ukraine, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after October 31, 2017, the date of publication of the *Preliminary Determination*.

Furthermore, the Department will instruct CBP to require a cash deposit for such entries of merchandise. Pursuant to section 735(c)(1)(B)(ii) of the Act, CBP shall require a cash deposit equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) For AMKR and Yenakiieve, the cash deposit rates will be equal to the estimated weighted-average dumping margin which the Department determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, then the cash deposit rate will be equal to the estimated weighted-average dumping margin established for the producer of the subject merchandise; (3) the cash deposit rate for all other producers and exporters will be 34.98 percent, as discussed in the “All-Others Rate” section and as listed in the chart, above.

The instructions suspending liquidation will remain in effect until further notice.

**U.S. International Trade Commission Notification**

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of our final determination. Because the final determination in this proceeding is affirmative, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports, or sales (or the likelihood of sales) for importation of wire rod from Ukraine no later than 45 days after this final determination, in accordance with section 735(b)(2) of the Act. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP

to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the "Continuation of Suspension of Liquidation" section.

#### Notification Regarding Administrative Protective Orders

This notice will serve as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

This determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: January 8, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix I—Scope of the Investigation

The products covered by this investigation are certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high-nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also known as free machining steel) products (*i.e.*, products that contain by weight one or more of the following elements: 0.1 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorous, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3093, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and

7227.90.6090 of the HTSUS may also be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these proceedings is dispositive.

#### Appendix II—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope of the Investigation
- V. Determination of No Sales
- VI. Discussion of the Issues:
  - Comment 1: Application of Total AFA to AMKR
  - Comment 2: Application of Total AFA to Yenakiiève
- VII. Recommendation

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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 Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Rescission of Review, in Part; 2015–2016

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

**SUMMARY:** The Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty order on multilayered wood flooring (MLWF) from the People's Republic of China (China). The period of review (POR) is December 1, 2015, through November 30, 2016. The review covers two mandatory respondents, Jiangsu Senmao Bamboo and Wood Industry Co., Ltd. (Jiangsu Senmao) and Jilin Forest Industry Jinqiao Flooring Group Co., Ltd. (Jinqiao Flooring).

We preliminarily determine that sales of subject merchandise by Jiangsu Senmao have not been made at prices below normal value (NV) and that Jinqiao Flooring is not eligible for a separate rate and, therefore, remains part of the China-wide entity. In addition, we are preliminarily granting separate rates to 70 producers/exporters, including Jiangsu Senmao, and determine that 16 producer/exporters made no shipments of subject merchandise during the POR. Finally, we are rescinding the review with

respect to Dalian Penghong Floor Products Co., Ltd. (Dalian Penghong). We invite interested parties to comment on these preliminary results.

**DATES:** Applicable January 16, 2018.

**FOR FURTHER INFORMATION CONTACT:** Sergio Balbontin or Michael Bowen, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6478 and (202) 482–0768, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of the Order

The product covered by the Order is wood flooring from China. For a complete description of the scope of this administrative review, *see* the Preliminary Decision Memorandum.<sup>1</sup>

##### Partial Rescission of Review

Commerce initiated a review of 116 companies in this administrative review.<sup>2</sup> The requests for review of Dalian Penghong were timely withdrawn.<sup>3</sup> Accordingly, we are rescinding the administrative review with respect to this company.<sup>4</sup>

##### Preliminary Determination of No Shipments

Sixteen companies submitted timely-filed certifications that they had no exports, sales, or entries of subject merchandise during the POR. Accordingly, Commerce, consistent with its practice, requested that U.S. Customs and Border Protection (CBP)

<sup>1</sup> See Memorandum to Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, from James P. Maeder Senior Director performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Decision Memorandum for the Preliminary Results in the Antidumping Duty Administrative Review; Multilayered Wood Flooring from the People's Republic of China; 2015–2016," (Preliminary Decision Memorandum), dated concurrently with, and hereby adopted by, this notice.

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 10457 (February 13, 2017) (*Initiation Notice*); *see also Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 57705 (December 7, 2017) (*Second Initiation Notice*). Commerce notes that the *Second Initiation Notice* contained a typographical error in the spelling of "Dun Hua Sen Tai Wood Co., Ltd." This determination corrects the second notice of initiation and reflects the accurate spelling.

<sup>3</sup> See Letters from the Coalition for American Hardwood Parity, "Partial Withdrawal of Request for Administrative Review: Multilayered Wood Flooring from the People's Republic of China," and Dalian Penghong, "Multilayered Wood Flooring from the People's Republic of China; Withdrawal of Request for Review," both dated March 27, 2017.

<sup>4</sup> See 19 CFR 351.213(d)(1).