

final determination in the less-than-fair value investigation of foundry coke from China.¹ On September 17, 2001, Commerce published the *Order* on foundry coke from China.² On May 1, 2017, the Department published the notice of initiation of the third sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).³ Commerce conducted the sunset review on an expedited basis, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), because it received a complete and adequate response from domestic interested parties, but no substantive responses from respondent interested parties.⁴ As a result of its expedited sunset review, Commerce determined that revocation of the *Order* would likely lead to a continuation or recurrence of dumping.⁵ The Department, therefore, notified the ITC of the magnitude of the margins likely to prevail should the *Order* be revoked. On April 24, 2018, the ITC published notice of its determination, pursuant to section 751(c) of the Act, that revocation of the AD order on foundry coke from China would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁶

Scope of the Order

The product covered under the order is coke larger than 100 mm (4 inches) in maximum diameter and at least 50 percent of which is retained on a 100 mm (4 inch) sieve, of a kind used in foundries. The foundry coke products subject to the order are currently classifiable under subheading 2704.00.0011 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Customs

purposes, our written description of the scope of the order is dispositive.⁷

Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Order* on foundry coke from China. U.S. Customs and Border Protection will continue to collect cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Order* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This five-year sunset review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: May 7, 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.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-838]

Clad Steel Plate From Japan: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order

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

SUMMARY: As a result of this expedited sunset review, Commerce finds that revocation of the antidumping duty order would be likely to lead to the continuation or recurrence of dumping at the levels indicated in the “Final Results of Review” section of this notice.

DATES: Applicable May 11, 2018.

⁷ See *Foundry Coke Products from the People’s Republic of China*, 77 FR 34012 (June 8, 2012).

FOR FURTHER INFORMATION CONTACT: David Crespo, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3693.

SUPPLEMENTARY INFORMATION:

Background

On January 2, 2018, Commerce published the notice of initiation of the fourth sunset review of the antidumping duty order on clad steel plate from Japan¹ pursuant to section 751(c) of the Act.² On January 16, 2018, Commerce received a notice of intent to participate from DMC Global Inc., dba NobelClad (DMC), a domestic interested party, within the deadline specified in 19 CFR 351.218(d)(1)(i).³ DMC claimed interested party status under section 771(9)(C) of the Act as a producer of clad steel plate in the United States.

Commerce exercised its discretion to toll all deadlines affected by the closure of the Federal Government from January 20 through January 22, 2018. As a result, the revised deadline for the final results of this review is now May 7, 2018.⁴

On January 31, 2018, Commerce received an adequate substantive response to the notice of initiation from DMC within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁵ We received no substantive responses from respondent interested parties with respect to the order covered by this sunset review.

On February 23, 2018, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.⁶ As a result, pursuant to 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the

¹ See *Notice of Antidumping Order: Clad Steel Plate from Japan*, 61 FR 34421 (July 2, 1996).

² See *Initiation of Five-Year (Sunset) Reviews*, 83 FR 100 (January 2, 2018).

³ See Letter “Clad Steel Plate from Japan—Five-Year (‘Sunset’) Review of Antidumping Duty Order—Notice of Intent to Participate,” dated January 16, 2018.

⁴ See Memorandum, “Deadlines Affected by the Shutdown of the Federal Government,” dated January 23, 2018. All deadlines in this segment of the proceeding affected by the closure of the Federal Government have been extended by three days.

⁵ See Letter “Clad Steel Plate from Japan: Five-Year (‘4th Sunset’) Review of Antidumping Duty Order—DMC Global Inc. dba NobelClad’s Substantive Response to Notice of Initiation,” dated January 31, 2018.

⁶ See Letter re: “Sunset Reviews Initiated on January 2, 2018,” dated February 23, 2018.

¹ See *Final Determination or Sales at Less Than Fair Value: Foundry Coke Products from the People’s Republic of China*, 66 FR 39487 (July 31, 2001).

² See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Foundry Coke Products from The People’s Republic of China*, 66 FR 48025 (September 17, 2001) (*Order*).

³ See *Initiation of Five-Year (Sunset) Review*, 82 FR 20314 (May 1, 2017).

⁴ See Domestic Producers’ submission, “Foundry Coke from China, Third Sunset Review: Substantive Response to Notice of Initiation of Sunset Review,” dated May 31, 2017.

⁵ See *Foundry Coke Products from the People’s Republic of China Final Results of the Expedited Sunset Reviews of the Antidumping Duty Order*, 82 FR 41598 (September 1, 2017).

⁶ See *Foundry Coke from China (No. 731-TA-891 (Third Review))*, 83 FR 17849 (April 24, 2018).

antidumping duty order on clad steel plate from Japan.

Scope of the Order

The scope of the order is all clad⁷ steel plate of a width of 600 millimeters (mm) or more and a composite thickness of 4.5 mm or more. Clad steel plate is a rectangular finished steel mill product consisting of a layer of cladding material (usually stainless steel or nickel) which is metallurgically bonded to a base or backing of ferrous metal (usually carbon or low alloy steel) where the latter predominates by weight.

Stainless clad steel plate is manufactured to American Society for Testing and Materials (ASTM) specifications A263 (400 series stainless types) and A264 (300 series stainless types). Nickel and nickel-base alloy clad steel plate is manufactured to ASTM specification A265. These specifications are illustrative but not necessarily all-inclusive.

Clad steel plate within the scope of the order is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) 7210.90.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum,⁸ which is hereby adopted by this notice. The issues discussed in the Issues and Decision Memorandum are the likelihood of continuation or recurrence of dumping and the magnitude of the dumping margin likely to prevail if the order were revoked. The Issues and Decision Memorandum is a public document and

⁷ Cladding is the association of layers of metals of different colors or natures by molecular interpenetration of the surfaces in contact. This limited diffusion is characteristic of clad products and differentiates them from products metalized in other manners (e.g., by normal electroplating). The various cladding processes include pouring molten cladding metal onto the basic metal followed by rolling; simple hot-rolling of the cladding metal to ensure efficient welding to the basic metal; any other method of deposition of superimposing of the cladding metal followed by any mechanical or thermal process to ensure welding (e.g., electrocladding), in which the cladding metal (nickel, chromium, etc.) is applied to the basic metal by electroplating, molecular interpenetration of the surfaces in contact then being obtained by heat treatment at the appropriate temperature with subsequent cold rolling. See Harmonized Commodity Description and Coding System Explanatory Notes, Chapter 72, General Note (IV)(C)(2)(e).

⁸ See Memorandum "Issues and Decision Memorandum for the Expedited Fourth Sunset Review of the Antidumping Duty Order on Clad Steel Plate from Japan," dated concurrently with this notice (Issues and Decision Memorandum).

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 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 on the internet at <http://enforcement.trade.gov/frn>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Final Results of Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the antidumping duty order on clad steel plate from Japan would be likely to lead to the continuation or recurrence of dumping at weighted-average dumping margins up to 118.53 percent.⁹

Notification to Interested Parties

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

We are issuing and publishing the final results and this notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: May 4, 2018.

Gary Taveran,

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

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⁹ Commerce assigned this margin of 118.53 percent to The Japan Steel Company and "All Others" in the less than fair value investigation on the basis of adverse facts available using the rate contained in the petition. See *Notice of Final Determination of Sales at Less Than Fair Value: Clad Steel Plate from Japan*, 61 FR 21158, 21159 (May 9, 1996).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG106

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Ketchikan Berth IV Expansion Project

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 a request from the Ketchikan Dock Company (KDC) for authorization to take marine mammals incidental to the Ketchikan Berth IV expansion project in Ketchikan, Alaska. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorizations and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than June 11, 2018.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to ITP.molineaux@noaa.gov.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be