

### Changes Since the Preliminary Results

As no parties submitted comments on the *Preliminary Results*, Commerce has not modified its analysis from that presented in the *Preliminary Results*, and no decision memorandum accompanies this **Federal Register** notice. Further, Commerce has made no changes and continues to find that Baosteel Group Corporation, Shanghai Baosteel International Economic & Trading Co., Ltd., Baoshan Iron and Steel Co., Ltd. (collectively, Baosteel),<sup>2</sup> Shanghai Meishan Iron & Steel, and Union Steel China (collectively, companies under review) have not demonstrated that they are separate from the China-wide entity. Because no review was requested of the China-wide entity, the pre-existing China-wide rate of 90.83 percent will apply to entries of their subject merchandise into the United States during the POR.

### Assessment Rates

We have not calculated any assessment (or cash deposit) rates in this administrative review, because none of the companies under review qualified for a separate rate. Commerce intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this administrative review.

### 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of the final results of this administrative review for all shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For Baosteel, Shanghai Meishan Iron & Steel, and Union Steel China, which did not qualify for separate rate, the cash deposit rate will be China-wide rate of 90.83 percent; (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all Chinese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will

be the China-wide rate of 90.83 percent; and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to Chinese exporter(s) that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

### Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with the final results within five days of its public announcement, or if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). However, because the companies under review are part of the China-wide entity, there are no calculations to disclose.

### Notification to Importers

This notice also serves as a final 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 Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the 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 violation subject to sanction.

### Notification to Interested Parties

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(h) and 351.221(b)(5).

Dated: September 10, 2018.

**James Maeder,**

*Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free Trade Agreement (NAFTA), Article 1904; Binational Panel Review: Notice of Request for Panel Review

**AGENCY:** United States Section, NAFTA Secretariat, International Trade Administration, Department of Commerce.

**ACTION:** Notice of NAFTA Request for Panel Review in the matter of Certain Uncoated Groundwood Paper From Canada: Final Determination of Sales at Less Than Fair Value (Secretariat File Number: USA–CDA–2018–1904–05).

**SUMMARY:** A Request for Panel Review was filed on behalf of Kruger Trois-Rivieres L.P. (“KTR”), Corner Brook Pulp and Paper Limited (“CBPP”), Kruger Publication Papers Inc. (“KPPI”), and Kruger Brompton L.P. (collectively “Kruger”) with the United States Section of the NAFTA Secretariat on September 7, 2018, pursuant to NAFTA Article 1904. Panel Review was requested in regards to the Department of Commerce's final antidumping duty determination of Certain Uncoated Groundwood Paper from Canada. The final determination was published in the **Federal Register** on August 9, 2018 (83 FR 39412). The NAFTA Secretariat has assigned case number USA–CDA–2018–1904–05 to this request.

**FOR FURTHER INFORMATION CONTACT:** Paul E. Morris, United States Secretary, NAFTA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, (202) 482–5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of Article 1904 of NAFTA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to review the trade remedy determination being challenged and issue a binding Panel Decision. There are established NAFTA Rules of Procedure for Article 1904 Binational Panel Reviews, which were adopted by

<sup>2</sup> Because no party is challenging the prior collapsing determination, we continue to collapse Baosteel Group Corporation, Shanghai Baosteel International Economic & Trading Co., Ltd., and Baoshan Iron and Steel Co., Ltd. (collectively, Baosteel). See *Certain Hot-Rolled Carbon Steel Flat Products from the People's Republic of China: Final No Shipments Determination of Antidumping Duty Administrative Review; 2012–2013*; 79 FR 67415 (November 13, 2014).

the three governments for panels requested pursuant to Article 1904(2) of NAFTA which requires Requests for Panel Review to be published in accordance with Rule 35. For the complete Rules, please see <https://www.nafta-sec-alena.org/Home/Texts-of-the-Agreement/Rules-of-Procedure/Article-1904>.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 9, 2018);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is October 22, 2018); and

(c) The panel review shall be limited to the allegations of error of fact or law, including challenges to the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and to the procedural and substantive defenses raised in the panel review.

Dated: September 12, 2018.

**Paul E. Morris,**

*U.S. Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-909]

#### **Certain Steel Nails From the People's Republic of China: Initiation and Expedited Preliminary Results of Antidumping Duty Changed Circumstances Review**

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

**SUMMARY:** Based on a request from Mid Continent Nail Corporation (the petitioner), the Department of Commerce (Commerce) is initiating, and issuing expedited preliminary results of, a changed circumstances review (CCR) of the antidumping duty (AD) order on certain steel nails (nails) from the People's Republic of China (China).

**DATES:** Applicable September 17, 2018.

#### **FOR FURTHER INFORMATION CONTACT:**

Susan S. Pulongbarit, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone 202-482-4031.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On August 1, 2008, Commerce published the antidumping duty order on nails from the China.<sup>1</sup> On April 21, 2011, in response to a request submitted by the petitioner, Commerce published an initiation and preliminary results of a CCR, in which Commerce preliminarily revoked the *Order* with respect to four types of steel nails based on petitioner's expressed lack of interest in antidumping duty relief with respect to such imports.<sup>2</sup> In addition, Commerce preliminarily adopted petitioner's proposed exclusion language concerning the four types of steel nails, in part, declining to adopt language which would have required the labels "roof" or "roofing" on the packaging of three of the four types of excluded steel nails.<sup>3</sup> On May 24, 2011, Commerce published its final results for the CCR revoking the *Order* with respect to the aforementioned four types of steel nails, unchanged from the preliminary results.<sup>4</sup> Commerce made no changes to the preliminary scope exclusion language, and, thus, aside from the labeling language, Commerce otherwise adopted the new exclusion language proffered by the petitioner.<sup>5</sup>

On March 22, 2017, the petitioner requested that Commerce initiate another CCR to include the labels "roof" or "roofing" on the packaging and packaging marking of three of the four types of steels nails that were excluded from the scope of the *Order* in the 2011 *CCR Final Results*.<sup>6</sup> On April 12, 2017, Commerce received comments from PrimeSource Building Products, Inc. (PrimeSource) requesting that Commerce reject the petitioner's request

<sup>1</sup> See *Notice of Antidumping Duty Order: Certain Steel Nails from the People's Republic of China*, 73 FR 44961 (August 1, 2008) (*Order*).

<sup>2</sup> See *Certain Steel Nails from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review*, 76 FR 22369 (April 21, 2011) (*2011 CCR Initiation and Preliminary Results*).

<sup>3</sup> *Id.*

<sup>4</sup> See *Certain Steel Nails from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review*, 76 FR 30101 (May 24, 2011) (*2011 CCR Final Results*).

<sup>5</sup> *Id.*

<sup>6</sup> See the Petitioner's March 22, 2017 Request for Changed Circumstances Review (2017 CCR Request).

for a CCR.<sup>7</sup> On April 18, 2017, Commerce received comments from the petitioner regarding PrimeSource's comments.<sup>8</sup> On May 11, 2017, Commerce issued a supplemental questionnaire to the petitioner requiring further information regarding its CCR request.<sup>9</sup> On May 17, 2017, the petitioner submitted its response to the CCR Supplemental.<sup>10</sup> On May 24, 2017, Building Materials Distributors, Inc. (BMD) submitted a letter opposing the petitioner's request for the initiation of a CCR,<sup>11</sup> to which the petitioner responded on May 31, 2017.<sup>12</sup> On May 31, 2017, PrimeSource submitted a response to the petitioner's CCR Supplemental Response.<sup>13</sup>

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

The merchandise covered by the *Order* includes certain steel nails having a shaft length up to 12 inches. Certain steel nails subject to the *Order* are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7317.00.55, 7317.00.65, 7317.00.75, and 7907.00.6000.<sup>14</sup> While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Order* is dispositive.<sup>15</sup>

##### **Initiation and Expedited Preliminary Results of Changed Circumstances Review**

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.216(d), Commerce will conduct a CCR of an antidumping or countervailing duty order when it receives information which shows changed circumstances sufficient to warrant such a review. In this case, for the reasons discussed in the Preliminary

<sup>7</sup> See PrimeSource's April 12, 2017 CCR Letter (PrimeSource Comments).

<sup>8</sup> See the Petitioner's April 18, 2017 Response to Prime Source (Petitioner's PrimeSource Comments).

<sup>9</sup> See Department Letter re: Changed Circumstances Review Request: Supplemental Questions, dated May 10, 2017 (CCR Supplemental).

<sup>10</sup> See the Petitioner's May 17, 2017 CCR Supplemental Response (CCR Supplemental Response).

<sup>11</sup> See BMD's May 24, 2017 CCR Letter (BMD Comments).

<sup>12</sup> See the Petitioner's May 31, 2017 Response to BMD (Petitioner's BMD Comments).

<sup>13</sup> See BMD's May 31, 2017 Response to the Petitioner's CCR Supplemental Response (BMD's May 31, 2017 Comments).

<sup>14</sup> Commerce added the Harmonized Tariff Schedule category 7907.00.6000, "Other articles of zinc: Other," to the language of the *Order*. See Memorandum "Certain Steel Nails from the People's Republic of China: Cobra Anchors Co. Ltd. Final Scope Ruling," dated September 19, 2013.

<sup>15</sup> For a full description of the scope of the *Order*, see Attachment I.