

after the date of publication of these final results of review.

For TTI, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). Where an importer- (or customer-) specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.¹⁵

Pursuant to Commerce's assessment practice, for entries that were not reported in the U.S. sales data submitted by TTI, we will instruct CBP to liquidate such entries at the China-wide rate.¹⁶ Similarly, because Commerce determined that Daikin and Zhejiang Yonghe had no shipments of the subject merchandise, any suspended entries of subject merchandise from Daikin and Zhejiang Yonghe will also be liquidated at the China-wide rate.¹⁷

For the respondents which were not selected for individual examination in this administrative review and which qualified for a separate rate, the assessment rate will be equal to the weighted-average dumping margin determined for TTI in the final results of this administrative review.

For the companies found to be part of the China-wide entity, because Commerce determined that these companies did not qualify for a separate rate, we will instruct CBP to assess dumping duties on the companies' entries of subject merchandise at the rate of 216.37 percent.

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publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review; (2) for previously investigated or reviewed China and non-China exporters not listed above that currently have a separate rate, the cash deposit rate will continue to be the exporter-specific rate published for the most recently

completed segment of this proceeding where the exporter received that separate rate; (3) for all China exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity, 216.37 percent; and (4) for all non-China exporters of subject merchandise which have not received their own separate rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-China exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

We intend to disclose the calculations performed to parties in this proceeding within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b).

Notifications to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notifications to Interested Parties

This notice serves as the only reminder to parties subject to administrative protective order (APO) 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.

We are issuing and publishing these results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 19, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

Summary
Background
Scope of the Order
Changes Since the *Preliminary Results*

Discussion of the Issues

Comment 1: Ministerial Error
Comment 2: The Margin Assigned to TTI
Comment 3: Selection of Separate Rate for Non-Selected Respondents
Comment 4: Adjusting Global Trade Atlas Import Data for Movement Expenses
Comment 5: Surrogate Values (SVs) for R-32 and R-143a
Comment 6: SV for Anhydrous Hydrogen Fluoride
Comment 7: Surrogate Financial Statements

Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-017]

Countervailing Duty Order on Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2016

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

SUMMARY: The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers/exporters of passenger vehicle and light truck tires from the People's Republic of China (China) during the period of review (POR) January 1, 2016, through December 31, 2016.

DATES: Applicable April 25, 2019.

FOR FURTHER INFORMATION CONTACT: Andrew Huston, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482-4261.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** on September 10, 2018.¹ We invited interested parties to comment on the *Preliminary Results*. On October 31, 2018, we received case briefs from the following interested parties: Cooper (Kunshan) Tire Co., Ltd. (Cooper); Qingdao Sentury Tire Co. Ltd. (Sentury); and the Government of China (GOC). No party submitted rebuttal

¹ See *Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review and Rescission, in Part; 2016*, 83 FR 45611 (September 10, 2018) (*Preliminary Results*).

¹⁵ See 19 CFR 351.106(c)(2).

¹⁶ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

¹⁷ *Id.*

briefs. On December 17, 2018, Commerce extended the period for issuing the final results of this review until February 7, 2019. Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.² This extended the deadline for the final results to March 19, 2019. On March 13, 2019, Commerce extended the period for issuing the final results an additional 30 days. The revised deadline for the final results is now April 18, 2019.

Scope of the Order

The products covered by the order are certain passenger vehicle and light truck tires from the China. A full description of the scope of the order is contained in the Issues and Decision Memorandum.³

Analysis of Comments Received

All issues raised in interested parties' briefs are addressed in the Issues and Decision Memorandum accompanying this notice. A list of the issues raised by interested parties and to which we responded in the Issues and Decision Memorandum is provided in Appendix I to this notice. 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 <https://access.trade.gov> and 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 access directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on case briefs, and all supporting documentation, we made certain changes from the *Preliminary Results*. Commerce has adjusted the synthetic rubber and butadiene

² See Memorandum to the Record from 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, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

³ See "Decision Memorandum for the Final Results of the Administrative Review of the Countervailing Duty Order on Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China; 2016," dated concurrently with this notice (Issues and Decision Memorandum) and hereby adopted by this notice.

benchmarks for Cooper, adjusted the ocean freight rates used to construct the benchmark for carbon black and nylon cord for Cooper, and corrected various ministerial errors for both respondents. These changes are explained in the Issues and Decision Memorandum.

Methodology

Commerce conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.*, a financial contribution from a government or public entity that gives rise to a benefit to the recipient, and that the subsidy is specific.⁴ For a full description of the methodology underlying all of Commerce's conclusions, including any determination that relied upon the use of adverse facts available pursuant to sections 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

Final Results of Administrative Review

In accordance with 19 CFR 351.221(b)(5), we calculated a countervailable subsidy rate for the mandatory respondents, Cooper and Sentury. For the non-selected companies subject to this review,⁵ we followed Commerce's practice, which is to base the subsidy rates on an average of the subsidy rates calculated for those companies selected for individual review, excluding *de minimis* rates or rates based entirely on adverse facts available.⁶ In this case, for the non-selected companies, we have calculated a rate by weight-averaging the calculated subsidy rates of Cooper and Sentury using their publicly-ranged sales data for exports of subject merchandise to the United States during the POR. We find the countervailable subsidy rates for the producers/exporters under review to be as follows:

Company	Subsidy rate (%)
Cooper (Kunshan) Tire Co., Ltd. (Cooper)	16.37
Qingdao Sentury Tire Co. Ltd. (Sentury)	15.75

⁴ See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

⁵ See Appendix II.

⁶ See, e.g., *Certain Pasta from Italy: Preliminary Results of the 13th (2008) Countervailing Duty Administrative Review*, 75 FR 18806, 18811 (April 13, 2010), unchanged in *Certain Pasta from Italy: Final Results of the 13th (2008) Countervailing Duty Administrative Review*, 75 FR 37386 (June 29, 2010).

Company	Subsidy rate (%)
Non-Selected Companies Under Review	16.17

Disclosure

We will disclose to the parties in this proceeding the calculations performed for these final results within five days of the date of publication of this notice in the **Federal Register**.⁷

Assessment Rates

Consistent with 19 CFR 351.212(b)(2), we intend to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results of review, to liquidate shipments of subject merchandise entered, or withdrawn from warehouse, for consumption, on or after January 1, 2016, through December 31, 2016, at the *ad valorem* rates listed above.

Cash Deposit Instructions

In accordance with section 751(a)(1) of the Act, we intend to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for each of the respective companies listed above. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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 terms of an APO is a sanctionable violation.

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.

Dated: April 18, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background

⁷ See 19 CFR 351.224(b).

- III. List of Comments from Interested Parties
- IV. Scope of the Order
- V. Changes Since the Preliminary Results
- VI. Non-Selected Companies Under Review
- VII. Subsidies Valuation Information
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- VIII. Use of Facts Otherwise Available and Adverse Inferences
- IX. Programs Determined to be Countervailable
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- XI. Analysis of Comments
 - Comment 1: Sentury's Loan Calculation
 - Comment 2: Sentury's Export Credit Seller's Program
 - Comment 3: Sentury's VAT and Import Duty Exemption
 - Comment 4: Alleged Errors in Sentury's Electricity Calculation
 - Comment 5: Loan Calculation Handling Fees
 - Comment 6: 2015 and 2016 U.S. Dollar Benchmark
 - Comment 7: AFA Rate Assigned to Cooper for Export Buyer's Credit Program
 - Comment 8: Ocean Freight Benchmark Applied to Cooper
 - Comment 9: Cooper's Benefit for Electricity at LTAR
 - Comment 10: Benefit to Cooper Under the Special Fund for Energy Saving Technology Reform Program
 - Comment 11: Alleged Errors in Grant Calculations
 - Comment 12: Grade Specific Benchmarks for Cooper's Purchases of Synthetic Rubber and Butadiene
 - Comment 13: Alleged Errors in Cooper's Government Policy Lending Calculation
 - Comment 14: Ocean Freight and Import Duties Added to Tier 1 or Tier 2 Benchmarks
 - Comment 15: Export Buyer's Credit
 - Comment 16: Whether the Export Buyer's Credit Program Should be Considered an Export Subsidy
 - Comment 17: Other Subsidies
 - Comment 18: Appendix II
- XII. Recommendation
- Appendix—Non-Selected Companies Under Review

Appendix II

Non-Selected Companies Under Review

1. Best Industries Ltd.
2. BC Tyre Group Limited
3. Crown International Corporation
4. Dongying Zhongyi Rubber Co., Ltd.
5. Hankook Tire China Co., Ltd.
6. Hong Kong Tiancheng Investment & Trading Co., Limited
7. Hongtyre Group Co.
8. Jiangsu Hankook Tire Co., Ltd.
9. Jiangsu Sanhe Aluminum
10. Kenda Rubber (China) Co., Ltd.
11. Koryo International Industrial Limited
12. Mayrun Tyre (Hong Kong) Limited
13. Qingdao Jinhaoyang International Co., Ltd.
14. Qingdao Nama Industrial Co., Ltd.
15. Qingdao Odyking Tyre Co., Ltd.

16. Roadclaw Tyre (Hong Kong) Limited
17. Shandong Anchi Tyres Co., Ltd.
18. Shandong Haohua Tire Co., Ltd.
19. Shandong Haolong Rubber Co., Ltd.
20. Shandong Hengyu Science & Technology Co., Ltd.
21. Shandong Linglong Tyre Co., Ltd.
22. Shandong Longyue Rubber Co., Ltd.
23. Shandong New Continent Tire Co., Ltd.
24. Shandong Province Sanli Tire
25. Shandong Province Sanli Tire Manufactured Co., Ltd.
26. Shandong Shuangwang Rubber Co., Ltd.
27. Shandong Wanda Boto Tyre Co., Ltd.
28. Shandong Yongsheng Rubber Group Co., Ltd.
29. Shouguang Firemax Tyre Co., Ltd.
30. The Yokohama Rubber Company, Ltd.
31. Tyrechamp Group Co., Limited
32. Winrun Tyre Co., Ltd.
33. Zhaoqing Junhong Co., Ltd.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG612

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys off the Coast of North Carolina

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

ACTION: Notice; proposed incidental harassment authorization; request for comments on proposed authorization and possible renewal.

SUMMARY: NMFS has received a request from Avangrid Renewables, LLC for authorization to take marine mammals incidental to high-resolution geophysical (HRG) survey investigations associated with marine site characterization activities off the coast of North Carolina in the area of the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0508) (the Lease Area) and the coastal waters off North Carolina and Virginia where one or more cable route corridors will be established. 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 is also requesting comments on a possible one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in

Request for Public Comments at the end of this notice. 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 May 28, 2019.

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.pauline@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/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. All personal identifying information (*e.g.*, name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Rob Pauline, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable>. In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings