

**Administrative Protective Order (APO)**

This notice also serves as the only reminder to parties subject to an 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 order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

**Notification to Interested Parties**

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

Dated: March 24, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix****List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. History of the Order
- IV. Scope of the Order
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of a Countervailable Subsidy
  2. Net Countervailable Subsidy Rates Likely to Prevail
  3. Nature of the Subsidies
- VII. Final Results of Sunset Review
- VIII. Recommendation

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**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-122-866]

**Sodium Sulfate Anhydrous From Canada: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that sodium sulfate anhydrous (sodium sulfate) from Canada is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2018 through December 31, 2018. The final estimated weighted-average dumping margins of sales at LTFV are shown in

the “Final Determination” section of this notice.

**DATES:** Applicable March 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** Davina Friedmann or Erin Kearney, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6312 or (202) 482-0167, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

This final determination is made in accordance with section 735 of the Tariff Act of 1930, as amended (the Act). On November 8, 2019, Commerce published the preliminary affirmative determination of sales at LTFV in the investigation of sodium sulfate from Canada, and also extended the final determination to March 23, 2020.<sup>1</sup> We invited interested parties to comment on the *Preliminary Determination*. On January 17, 2020, we received case briefs from the sole respondent, Saskatchewan Mining and Minerals Inc. (SMM),<sup>2</sup> and Cooper Natural Resources, Inc., Elementis Global LLC, and Searles Valley Minerals (collectively, the petitioners).<sup>3</sup> On January 22, 2020, we received rebuttal briefs from SMM,<sup>4</sup> the Government of Canada,<sup>5</sup> and the petitioners.<sup>6</sup> On February 28, we held a public hearing concerning the issues raised in case and rebuttal briefs.<sup>7</sup>

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues

and Decision Memorandum.<sup>8</sup> A list of the issues raised is attached to this notice as Appendix II. 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 it is available to all parties in the Central Records Unit, room B-8024 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/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

**Scope of the Investigation**

The product covered by this investigation is sodium sulfate from Canada. For a full description of the scope of this investigation, see the “Scope of the Investigation,” in Appendix I of this notice.

**Verification**

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), in October and December 2019, we verified the cost and sales information submitted by SMM for use in our final determination. We used standard verification procedures, including examination of relevant accounting and production records, and original source documents provided by SMM.<sup>9</sup>

**Analysis of Comments Received and Changes Since the Preliminary Determination**

As noted above, we received case and rebuttal briefs pertaining to the *Preliminary Determination*. For the purposes of the final determination, Commerce has made certain changes to the *Preliminary Determination*:

We incorporated into the final margin calculation the minor corrections presented by SMM at the outset of

<sup>1</sup> See *Sodium Sulfate Anhydrous from Canada: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Negative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures*, 84 FR 60375 (November 8, 2019) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See SMM’s Letter, “Antidumping Duty Investigation of Sodium Sulfate Anhydrous from Canada: Case Brief for SMMI,” dated January 17, 2020.

<sup>3</sup> See Petitioners’ Letter, “Sodium Sulfate Anhydrous from Canada: Petitioners’ Case Brief,” dated January 17, 2020.

<sup>4</sup> See SMM’s Letter, “Antidumping Duty Investigation of Sodium Sulfate Anhydrous from Canada: Rebuttal Brief for SMMI,” dated January 22, 2020.

<sup>5</sup> See Government of Canada’s Letter, “Rebuttal Brief of the Government of Canada,” dated January 22, 2020.

<sup>6</sup> See Petitioners’ Letter, “Sodium Sulfate Anhydrous from Canada: Petitioners’ Rebuttal Brief,” dated January 22, 2020.

<sup>7</sup> See Hearing Transcript from Neal R. Gross and Co., Inc., dated March 6, 2020.

<sup>8</sup> See Memorandum, “Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Sodium Sulfate Anhydrous from Canada and Final Negative Determination of Critical Circumstances,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>9</sup> See Memorandum, “Verification of the Cost Response of Saskatchewan Mining and Minerals Inc. in the Antidumping Duty Investigation of Sodium Sulfate Anhydrous from Canada,” dated December 10, 2019; see also Memorandum, “Verification of the Sales Response of Saskatchewan Mining and Minerals Inc. in the Antidumping Investigation of Sodium Sulfate from Canada,” dated January 9, 2020.

verification, including SMM's inland freight variances. We modified the build-up of home-market and U.S. movement expenses (USMOVE) includes all freight expenses. In doing so, we also ensured that SMM's freight revenue reported in both markets is capped appropriately by the expenses associated with that same type of activity. In the final margin calculation program, we accounted for all reported U.S. billing adjustments and included repacking expenses in the build-up of home-market packing expenses. Finally, we incorporated the revised cost figures into the program for the final determination.

**Final Negative Determination of Critical Circumstances**

In accordance with section 733(e) of the Act and 19 CFR 351.206, Commerce preliminarily finds that critical circumstances do not exist for SMM or for all other producers and exporters. For a full description of the methodology and results of Commerce's critical circumstances analysis, see the Issues and Decision Memorandum.

**All-Others Rate**

As discussed in the *Preliminary Determination*, Commerce calculated an individual estimated weighted-average dumping margin for SMM, the only individually examined exporter/producer in this investigation. Because the only individually calculated dumping margin is not zero, *de minimis*, or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for SMM is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

**Final Determination**

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

| Exporter/Manufacturer                      | Weighted-average dumping margins (percent) |
|--|--|
| Saskatchewan Mining and Minerals Inc ..... | 8.89                                       |
| All Others .....                           | 8.89                                       |

**Disclosure**

Commerce intends to disclose the calculations performed in connection with this final determination within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

**Continuation of Suspension of Liquidation**

In accordance with section 735(c)(1)(B) and (C) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue the suspension of liquidation of all appropriate entries of sodium sulfate from Canada, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after November 8, 2019, the date of publication of the *Preliminary Determination* of this investigation in the **Federal Register**. Because Commerce preliminarily did not determine the existence of critical circumstances, no retroactive liquidation by CBP prior to November 8, 2019, is necessary.

Pursuant to section 735(c)(1)(B)(ii) of the Act, we will instruct CBP to require a cash deposit for such entries of merchandise equal to the estimated weighted-average dumping margin in the table above as follows: (1) The cash deposit rate for the respondent listed above will be equal to the respondent-specific estimated weighted-average dumping margin determined in this final determination; (2) if the exporter is not a respondent identified above but the producer is, then the cash deposit rate will be equal to the respondent-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

**International Trade Commission Notification**

In accordance with section 735(d) of the Act, we will notify the International Trade Commission (ITC) of the final affirmative determination of sales at LTFV. 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 of sodium sulfate from Canada no later than 75 days after our final determination. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and cash deposits will be refunded. If the ITC determines that such injury exists, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, 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 in the "Suspension of Liquidation" section.

**Notification Regarding Administrative Protective Orders**

This notice serves as a reminder to parties subject to an 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 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 sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act and 19 CFR 351.210(c).

Dated: March 23, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix I—Scope of the Investigation**

The scope of this investigation covers sodium sulfate (Na2SO4) (Chemical Abstracts Service (CAS) Number 7757-82-6) that is anhydrous (*i.e.*, containing no water), regardless of purity, grade, color, production method, and form of packaging, in which the percentage of particles between 20 mesh and 100 mesh, based on U.S. mesh series screens, ranges from 10–95% and the percentage of particles finer than 100 mesh, based on U.S. mesh series screens, ranges from 5–90%.

Excluded from the scope of this investigation are specialty sodium sulfate anhydrous products, which are products whose particle distributions fall outside the described ranges. Glauber's salt (Na2SO4·10H2O), also known as sodium sulfate decahydrate, an intermediate product in the production of sodium sulfate anhydrous that has no known commercial uses, is not included within the scope of the investigation, although some end-users may mistakenly refer to sodium sulfate anhydrous as Glauber's salt. Other forms of sodium sulfate that are hydrous (*i.e.*, containing water) are also excluded from the scope of the investigation.

The merchandise subject to this investigation is classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2833.11.5010. Subject merchandise may also be classified under 2833.11.1000, 2833.11.5050, and 2833.19.0000. Although the HTSUS subheadings and CAS registry number are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

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

- I. Summary
- II. Background
- III. Changes from the Preliminary Determination
  - Comment 1: Impairment Losses
  - Comment 2: Packing Expenses
  - Comment 3: Freight Variance
  - Comment 4: Programming Errors
- IV. Discussion of the Issues
- V. Negative Determination of Critical Circumstances
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–533–892]

#### Forged Steel Fittings From India: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of forged steel fittings from India for the period of investigation January 1, 2018 through December 31, 2018. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable March 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** Lauren Caserta, 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) 482–4737.

#### SUPPLEMENTARY INFORMATION:

##### Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on November 21, 2020.<sup>1</sup> On January 10, 2020, Commerce postponed the preliminary determination of this investigation and the revised deadline is

<sup>1</sup> See *Forged Steel Fittings from India and the Republic of Korea: Initiation of Countervailing Duty Investigation*, 84 FR 64270 (November 21, 2019) (*Initiation Notice*).

now March 23, 2020.<sup>2</sup> For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>3</sup> A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary 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 is available to all parties in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

##### Scope of the Investigation

The products covered by this investigation are forged steel fittings from India. For a complete description of the scope of this investigation, see Appendix I.

##### Scope Comments

In accordance with the *Preamble* to Commerce's regulations,<sup>4</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>5</sup> Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. For a summary of the product coverage comments submitted to the record for this preliminary determination, and accompanying discussion and analysis of all comments timely received, see the Preliminary Decision Memorandum. Commerce is preliminarily modifying the scope language as it appeared in the *Initiation Notice*. See revised scope in Appendix I.

##### Methodology

Commerce is conducting this investigation in accordance with section

<sup>2</sup> See *Forged Steel Fittings from India: Postponement of Preliminary Determination in the Countervailing Duty Investigation*, 85 FR 1300 (January 10, 2020).

<sup>3</sup> See Memorandum, "Decision Memorandum for the Preliminary Determination in the Countervailing Duty Investigation of Forged Steel Fittings from India," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>4</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>5</sup> See *Initiation Notice*.

701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an "authority" that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup>

##### Alignment

As noted in the Preliminary Decision Memorandum, in accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final CVD determination in this investigation with the final determination in the companion AD investigation of forged steel fittings from India based on a request made by the petitioner.<sup>7</sup> Consequently, the final CVD determination will be issued on the same date as the final AD determination, which is currently scheduled no later than August 3, 2020, unless postponed.<sup>8</sup>

##### All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act.

In this investigation, Commerce preliminarily calculated a rate for Shakti, the only participating respondent. The only rate that is not zero, *de minimis* or based entirely on facts otherwise available is the rate calculated for Shakti. Consequently, the rate calculated for Shakti is also assigned as the rate for all other producers and exporters.

##### Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

<sup>6</sup> 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.

<sup>7</sup> See Petitioners' Letter, "Forged Steel Fittings from India: Request for Alignment," dated March 5, 2020.

<sup>8</sup> See *Forged Steel Fittings from India and the Republic of Korea: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations*, 85 FR 11965 (February 28, 2020).