

Commerce initiated the third five-year (sunset) review of the AD order, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> As a result of its review, Commerce determined, pursuant to sections 751(c)(1) and 752(c) of the Act, that revocation of the AD order on silicon metal from Russia would likely lead to a continuation or recurrence of dumping. Commerce, therefore, notified the ITC of the magnitude of the margins likely to prevail should the AD order be revoked, in accordance with section 752(c)(3) of the Act.<sup>3</sup>

On June 3, 2020, the ITC determined that revocation of the AD order would lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time, pursuant to sections 751(c) and 752(a) of the Act.<sup>4</sup>

### Scope of the Order

The product covered by this order is silicon metal, which generally contains at least 96.00 percent but less than 99.99 percent silicon by weight. The merchandise covered by this order also includes silicon metal from Russia containing between 89.00 and 96.00 percent silicon by weight, but containing more aluminum than the silicon metal which contains at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal currently is classifiable under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule of the United States (HTSUS). This order covers all silicon metal meeting the above specification, regardless of tariff classification.

### Continuation of the AD Order

As a result of the determinations by Commerce and the ITC that revocation of the AD 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 AD order on silicon metal from Russia. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports

order), amended by *Silicon Metal from the Russian Federation; Notice of Amended Final Determination Pursuant to Court Decision*, 71 FR 8277 (February 16, 2006).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 25741 (June 4, 2019).

<sup>3</sup> See *Silicon Metal from the Russian Federation: Final Results of Expedited Third Sunset Review of the Antidumping Duty Order*, 84 FR 54594 (October 10, 2019).

<sup>4</sup> See *Silicon Metal from Russia*, 85 FR 34237 (June 3, 2020).

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 and 19 CFR 351.218(c)(2), 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.

### Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to APO of their responsibility concerning the return, destruction, or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

### Notification to Interested Parties

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: June 17, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–062]

#### Cast Iron Soil Pipe Fittings From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review 2018–2019

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that Wor-Biz Industrial Product Co., Ltd. (Anhui) (Wor-Biz), an exporter of cast iron soil pipe fittings (soil pipe fittings) from the People's Republic of China (China), sold subject merchandise in the United States at prices below normal value (NV) during the period of review (POR) February 20 2018 through July 31, 2019. We also preliminarily determine that Qinshui Shunshida Casting Co., Ltd. (Shunshida) is not eligible for a separate rate and is, therefore, part of the China-wide entity. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable June 24, 2020.

**FOR FURTHER INFORMATION CONTACT:** Michael Bowen or Samantha Kinney, 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) 482–0768 or (202) 482–2285, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On October 7, 2019, Commerce published a notice of initiation of an administrative review of the antidumping duty order on soil pipe fittings from China.<sup>1</sup> This administrative review covers 11 companies, including two mandatory respondents: Wor-Biz<sup>2</sup> and Shunshida. We preliminarily determine that sales of subject merchandise by Wor-Biz have been made at prices below NV. Shunshida did not respond to our questionnaire and has filed no submissions on the record of this administrative review. We therefore consider Shunshida to be part of the China-wide entity. In addition, we are preliminarily granting separate rates to five producers/exporters, including Wor-Biz.

On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days, thereby extending the deadline for these results until June 22, 2020.<sup>3</sup>

#### Scope of the Order<sup>4</sup>

The products covered by the *Order* are soil pipe fittings from China. For a complete description of the scope of this administrative review, see the Preliminary Decision Memorandum.<sup>5</sup>

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 53411 (October 7, 2019) (*Initiation Notice*).

<sup>2</sup> On January 8, 2020, Commerce determined that Wor-Biz Industrial Product Co., Ltd. (Anhui) is the successor-in-interest to Wor-Biz Trading Co., Ltd (Anhui) and is therefore entitled to that company's cash deposit rate with respect to entries of subject merchandise. See *Cast Iron Soil Pipe Fittings from the People's Republic of China: Final Results of Changed Circumstances Review*, 85 FR 881 (January 8, 2020).

<sup>3</sup> See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19," dated April, 24, 2020.

<sup>4</sup> See *Cast Iron Soil Pipe Fittings from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 83 FR 44570 (August 31, 2018) (the *Order*).

<sup>5</sup> See Memorandum, "Decision Memorandum for the Preliminary Results in the Antidumping Duty Administrative Review: Cast Iron Soil Pipe Fittings from the People's Republic of China; 2018–2019," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

**Separate Rates**

We preliminarily determine that, in addition to Wor-Biz, four companies not individually examined are eligible for separate rates in this administrative review: Dalian Lino F.T.Z. Co., Ltd., Dalian Metal I/E Co., Ltd., Dinggin Hardware (Dalian) Co., Ltd., and Shijiazhuang Asia Casting Co., Ltd.<sup>6</sup>

Under section 735(c)(5)(A) of the Tariff Act of 1930, as amended (the Act), which refers to the establishment of the all-others rate in market economy less-than-fair-value investigations, and to which we look for guidance in determining the rate for non-individually examined separate rate respondents in non-market-economy (NME) administrative reviews, the all-others rate is normally “an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available (FA)}.” For the preliminary results of this administrative review, Commerce has calculated an estimated dumping margin only for Wor-biz.<sup>7</sup> Because the estimated dumping margin for Wor-biz is the only available calculated margin for this POR, we are assigning this rate to all eligible non-selected respondents who qualify for a separate rate in this administrative review.

**The China-Wide Entity**

Commerce’s policy regarding conditional review of the China-wide entity applies to this administrative review.<sup>8</sup> Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity, the entity is not under review, and the entity’s rate is not subject to change.

Commerce considers all companies for which a review was requested and which did not demonstrate separate rate eligibility to be part of the China-wide entity.<sup>9</sup> For the preliminary results of

this review, we consider the following six companies including Shunshida to be part of the China-wide entity: Golden Orange International Ltd., Hebei Metals & Engineering Products Trading Co., Ltd., Qinshui Shunshida Casting Co., Ltd., Richang Qiaoshan Trade Co., Ltd., Shanxi Zhongrui Tianyue Trading Co., Ltd., and Yangcheng Country Huawang Universal. For additional information, see the Preliminary Decision Memorandum.

**Methodology**

We are conducting this review in accordance with section 751(a)(1)(B) of the Act and 19 CFR 351.213. We calculated export prices for Wor-Biz in accordance with section 772(a) of the Act. Because China is an NME within the meaning of section 771(18) of the Act, we calculated NV in accordance with section 773(c) of the Act. Additionally, as discussed above, we are considering Shunshida to be part of the China-wide entity.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. 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>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed at <http://enforcement.trade.gov/frn/index.html>. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content. A list of topics discussed in the Preliminary Decision Memorandum is included at the Appendix to this notice.

**Preliminary Results of the Administrative Review**

We preliminarily determine that the following weighted-average dumping margins exist for the administrative review covering the period February 20, 2018 through July 31, 2019:

Exporters	Weighted-average dumping margin (percent)
Wor-Biz Industrial Product Co., Ltd (Anhui) .....	18.16

**Disclosure and Public Comment**

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.<sup>10</sup> Rebuttals to case briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.<sup>11</sup> Note that Commerce has modified certain of its requirements for serving documents containing business proprietary information, until July 17, 2020, unless extended.<sup>12</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

All submissions to Commerce must be filed electronically using Enforcement and Compliance’s electronic records system, ACCESS.<sup>13</sup> An electronically filed document must be received successfully in its entirety by ACCESS, by 5:00 p.m. Eastern Time on the date that the document is due.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party’s name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed.

Exporters	Weighted-average dumping margin (percent)
Dalian Lino F.T.Z. Co., Ltd .....	18.16
Dalian Metal I/E Co., Ltd .....	18.16
Dinggin Hardware (Dalian) Co., Ltd .....	18.16
Shijiazhuang Asia Casting Co., Ltd .....	18.16

separate rate application or certification, as described below.”)

<sup>6</sup> See Preliminary Decision Memorandum at 5–7.

<sup>7</sup> See Memorandum, “Preliminary Margin Calculation for Wor-Biz Industrial Product Co., Ltd. (Anhui),” dated concurrently with this notice. See also Preliminary Decision Memorandum at 13–23.

<sup>8</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

<sup>9</sup> See *Initiation Notice*, 84 FR at 53412 (“All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a

<sup>10</sup> See 19 CFR 351.309(c).

<sup>11</sup> See 19 CFR 351.309(d); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020) (“To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications are in effect).”).

<sup>12</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 29615 (May 18, 2020).

<sup>13</sup> See 19 CFR 351.303.

Unless otherwise extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

#### Assessment Rates

Upon issuance of the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review, in accordance with 19 CFR 351.212(b). Commerce intends to issue assessment instructions to CBP 15 days after the publication of the final results of this review.

For any individually examined respondent whose (estimated) *ad valorem* weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.50 percent) in the final results of this review, Commerce will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total quantity of those sales, in accordance with 19 CFR 351.212(b)(1).<sup>14</sup> Commerce will also calculate (estimated) *ad valorem* importer-specific assessment rates with which to assess whether the per-unit importer-specific assessments rates are *de minimis*. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate calculated in the final results of this review is not zero or *de minimis*. Where either the respondent's *ad valorem* weighted-average dumping margin is zero or *de minimis*, or an importer-specific *ad valorem* assessment rate is zero or *de minimis*,<sup>15</sup> we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For the respondents that were not selected for individual examination in this administrative review that qualified for a separate rate, the assessment rate will be the separate rate established in the final results of this administrative review. If, in the final results, this rate is zero or *de minimis* (i.e., less than 0.5 percent), Commerce will instruct CBP to

<sup>14</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012), for the assessment rate calculation method adopted in these preliminary results.

<sup>15</sup> See 19 CFR 351.106(c)(2).

liquidate the appropriate entries without regard to antidumping duties. For entries that were not reported in the U.S. sales databases submitted by the individually examined respondent, and for the six companies that did not qualify for a separate rate in the administrative review, Commerce will instruct CBP to liquidate such entries at the China-wide rate (i.e., 360.30 percent).

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this 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 for by section 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that established in the final results; (2) for previously investigated or reviewed Chinese and non-Chinese exporters for which a review was not requested and that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese 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 (i.e., 360.30 percent); and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping and/or countervailing 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 and/or countervailing duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing the preliminary results of this review in accordance with sections 751(a)(1), 751(a)(3), and 777(i)(1) of the Act and 19 CFR 351.213 and 351.221(b)(4).

Dated: June 18, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
  - II. Background
  - III. Period of Review
  - IV. Scope of the Order
  - V. Selection of Respondents
  - VI. Discussion of the Methodology
  - VII. Recommendation
- [FR Doc. 2020-13639 Filed 6-23-20; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XA233]

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Alameda Marina Shoreline Improvement Project

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

**ACTION:** Notice; issuance of two incidental harassment authorizations.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued two incidental harassment authorizations (IHAs) to Pacific Shops, Inc. (Pacific Shops) to incidentally harass, by Level B harassment only, marine mammals during construction activities associated with the Alameda Marina Shoreline Improvement Project in Alameda, CA.

**DATES:** These authorizations are effective from August 1, 2020 to July 31, 2021 for Year 1 activities, and August 1, 2021 to July 31, 2022 for Year 2 activities.

#### FOR FURTHER INFORMATION CONTACT:

Leah Davis, 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/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

#### SUPPLEMENTARY INFORMATION: