

## Assessment Rates

Commerce shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. For ULMA, we calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1). Where an importer-specific assessment rate is *de minimis* (*i.e.*, less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties. For entries of subject merchandise during the POR produced by ULMA for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>7</sup> For the companies identified above that were not selected for individual examination, we will instruct CBP to liquidate entries at the rates established in these final results of review.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

## Cash Deposit Requirements

The following cash deposit requirements for estimated antidumping duties will be effective upon publication of this notice for all shipments of flanges from Spain entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for the companies subject to this review will be equal to the company-specific weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in

the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer has been covered in a prior completed segment of this proceeding, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 18.81 percent, the all-others rate established in the less-than-fair-value investigation of this proceeding.<sup>8</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

## Notification to Importers

This notice 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 POR. 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.

## Notification to Interested Parties Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction or return of proprietary information disclosed under 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 destruction or return 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.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: December 30, 2021.

## Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background

### III. Scope of the Order

### IV. Discussion of the Issues

Comment 1: Currency of Imputed Credit Expenses

Comment 2: Scrap Offset

Comment 3: Differential Pricing Methodology

Comment 4: Marine Insurance Currency

Comment 5: Rounding of General and Administrative Expenses Ratio

### V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

### Advisory Committee on Supply Chain Competitiveness: Notice of Public Meeting

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice sets forth the schedule and proposed topics of discussion for the upcoming public meeting of the Advisory Committee on Supply Chain Competitiveness (Committee).

**DATES:** The meeting will be held on January 20, 2022, from 12:00 p.m. to 1:30 p.m., Eastern Standard Time (EST).

**ADDRESSES:** The meeting will be held via Webex.

**FOR FURTHER INFORMATION CONTACT:** Richard Boll, Office of Supply Chain, Professional & Business Services, International Trade Administration at Email: [richard.boll@trade.gov](mailto:richard.boll@trade.gov).

### SUPPLEMENTARY INFORMATION:

*Background:* The Committee was established under the discretionary authority of the Secretary of Commerce and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.). It provides advice to the Secretary of Commerce on the necessary elements of a comprehensive policy approach to supply chain competitiveness and on regulatory policies and programs and investment priorities that affect the competitiveness of U.S. supply chains. For more information about the Committee visit: <https://www.trade.gov/acsc>.

*Matters To Be Considered:* Committee members are expected to continue discussing the major competitiveness-related topics raised at the previous Committee meetings, including supply chain resilience and congestion; trade and competitiveness; freight movement and policy; trade innovation; regulatory issues; finance and infrastructure; workforce development; and the work of

<sup>7</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>8</sup> See *Order*, 82 FR at 27229.

the Committee's subcommittees. The agenda may change to accommodate other Committee business.

The meeting is open to the public and press on a first-come, first-served basis. Space is limited. Members of the public and the press wishing to participate should contact Richard Boll, at [richard.boll@trade.gov](mailto:richard.boll@trade.gov), for participation information no later than 24 hours before the meeting.

Interested parties may submit written comments to the Committee at any time before and after the meeting by emailing them to [richard.boll@trade.gov](mailto:richard.boll@trade.gov).

Comments may be considered at the meeting. The transcript of the meeting will be posted on the Committee website within 60 days of the meeting.

Dated: December 30, 2021.

**Heather Sykes,**

*Director, Office of Supply Chain, Professional, and Business Services.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-980]

#### **Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review and Intent To Rescind, in Part; 2019**

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies were provided to producers and exporters of crystalline silicon photovoltaic cells, whether or not assembled into modules, (solar cells) from the People's Republic of China (China) during the period of review (POR), January 1, 2019, through December 31, 2019. In addition, we intend to rescind this review with respect to 48 companies. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable January 6, 2022.

**FOR FURTHER INFORMATION CONTACT:** Robert Copyak, Chien-Min Yang, or Lingjun Wang, 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) 482-3642, (202) 482-5484, or (202) 482-2316.

## SUPPLEMENTARY INFORMATION:

### Background

On February 4, 2021, Commerce initiated this administrative review of the countervailing duty (CVD) order on solar cells from China on 83 companies.<sup>1</sup> On July 23, 2021, we partially rescinded this review with respect to eleven companies for which the requests for review were withdrawn by the requesting parties within 90 days of the date of publication of the notice of initiation in accordance with 19 CFR 351.213(d)(1).<sup>2</sup> Therefore, this review now covers 72 companies, of which JA Solar Technology Yangzhou Co., Ltd. (JA Solar) and Risen Energy Co., Ltd. (Risen) are the mandatory respondents. On July 30, September 2, and December 6, 2021, Commerce extended the time limit for completion of these preliminary results until no later than December 30, 2021.<sup>3</sup>

For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.<sup>4</sup> A list of topics discussed in the Preliminary Decision Memorandum is provided in an appendix 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 System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope of the Order

The products covered by this order are crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 8166 (February 4, 2021).

<sup>2</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules from the People's Republic of China: Partial Rescission of Countervailing Duty Administrative Review*; 2019, 86 FR 38978 (July 23, 2021).

<sup>3</sup> See Memorandum, "Extension of Deadline for the Preliminary Results of Countervailing Duty Administrative Review," dated July 30, 2021; see also Memorandum, "Extension of the Deadline for Preliminary Results," dated September 2, 2021; and Memorandum, "Extension of Time Limit for the Preliminary Results," dated December 6, 2021.

<sup>4</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China; 2019," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels, and building integrated materials. For a complete description of the scope of this order, see the Preliminary Decision Memorandum.

### Intent To Rescind Review, in Part

In accordance with 19 CFR 351.213(d)(3), we intend to rescind this review with respect to 48 other companies for which we find no reviewable suspended entries of subject merchandise, based on U.S. Customs and Border Protection (CBP) data. See Appendix III for a complete list of those companies.

Trina Solar Energy Co., Ltd. (formerly, Changzhou Trina Solar Energy Co., Ltd.) and its cross-owned companies (collectively, Trina) certified that they had no sales of subject merchandise during the POR and requested rescission of the review.<sup>5</sup> However, the CBP entry data on the record show shipments made by these companies during the POR. Thus, we have requested entry information from CBP regarding these shipments. Upon receipt from CBP, we will place the information on the record, provide an opportunity for interested parties to comment, and then determine whether to rescind the review for these companies.

### Methodology

Commerce is conducting this administrative 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 preliminarily found to be countervailable, Commerce preliminarily finds that there is a subsidy, *i.e.*, a financial contribution from an authority that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup> For a full description of the methodology underlying our preliminary conclusions, including our reliance, in part, on facts available with adverse inferences pursuant to sections 776(a) and (b) of

<sup>5</sup> See Trina's Letter, "Notice of No Sales," dated March 5, 2021. The Trina companies for which rescission of review was requested are: Changzhou Trina Solar Energy Co., Ltd., Changzhou Trina Solar Yabang Energy Co. Ltd., Hubei Trina Solar Energy Co. Ltd., Trina Solar Co., Ltd., Trina Solar (Changzhou) Science and Technology Co., Ltd., Turpan Trina Solar Energy Co., Ltd., and Yancheng Trina Solar Energy Technology Co., Ltd.

<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.