

black inkjet ink bottles for retail sale (duty rate ranges from 1.8% to 5.3%).

The proposed foreign-status materials and components include plastic shrink film, plastic caps for bottles, plastic pouches, and silicone slit valves (duty rate ranges from 3% to 5.3%). The request indicates that certain materials/components are subject to duties under Section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: [ftz@trade.gov](mailto:ftz@trade.gov). The closing period for their receipt is October 11, 2022.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Diane Finver at [Diane.Finver@trade.gov](mailto:Diane.Finver@trade.gov).

Dated: August 25, 2022.

**Andrew McGilvray,**  
Executive Secretary.

[FR Doc. 2022-18780 Filed 8-30-22; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-809]

#### **Circular Welded Non-Alloy Steel Pipe From the Republic of Korea: Notice of Court Decision Not in Harmony With the Results of Antidumping Administrative Review; Notice of Amended Final Results**

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

**SUMMARY:** On August 24, 2022, the U.S. Court of International Trade (CIT) issued its final judgment in *Hyundai Steel Company v. United States*, Consol. Court No. 18-00154, sustaining the U.S. Department of Commerce (Commerce)'s fourth remand results pertaining to the administrative review of the antidumping duty (AD) order on circular welded non-alloy steel pipe from the Republic of Korea (Korea) covering the period November 1, 2015, through October 31, 2016. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margins

assigned to Hyundai Steel Company and SeAH Steel Corporation.

**DATES:** Applicable September 3, 2022.

**FOR FURTHER INFORMATION CONTACT:** Thomas Schauer, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0410.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 13, 2018, Commerce published its *Final Results* in the 2015-2016 AD administrative review of circular welded non-alloy steel pipe from Korea. Commerce found that a particular market situation (PMS) existed in Korea and calculated weighted-average dumping margins of 30.85 percent for Hyundai Steel Company and 19.28 percent for SeAH Steel Corporation.<sup>1</sup> Commerce also calculated a combined assessment rate for Hyundai's affiliated importers.

Hyundai Steel Company and SeAH Steel Corporation appealed Commerce's *Final Results*. On November 25, 2019, the CIT remanded the *Final Results* to Commerce, finding that: (1) Commerce's determination of the existence of a PMS in the *Final Results* is unsupported by substantial evidence and remanded the issue to Commerce for further proceedings; and (2) Commerce's departure from its normal practice of calculating importer-specific assessment rates with respect to Hyundai Steel Company was unsupported by substantial evidence and remanded the issue to Commerce for further proceedings.<sup>2</sup> In its first remand redetermination, issued on February 26, 2020, Commerce further considered its PMS determination and recalculated Hyundai Steel Company's assessment rates on an importer-specific basis.<sup>3</sup>

The CIT remanded for a second time, ordering Commerce to explain the statutory authority to conduct a cost-based PMS analysis when normal value is based on home market sales and to adjust the cost of production (COP) for purposes of the sales-below-cost test.<sup>4</sup> In

its second remand redetermination, issued on February 2, 2021, Commerce provided its interpretation of the statutory authority in accordance with the Court's order.<sup>5</sup>

The CIT remanded for a third time, ordering Commerce to reconsider its PMS determination and adjustment in light of its opinion that Commerce may not adjust the COP when using normal value based on home market sales, and that Commerce is not authorized to adjust the COP for purposes of the sales-below-cost test.<sup>6</sup> In its third remand redetermination, issued on September 8, 2021, Commerce recalculated the weighted-average dumping margin of Hyundai Steel Company with no adjustment to account for the PMS that Commerce had found to have existed during the period of review; Commerce also recalculated the rate for the second mandatory respondent, Husteel Co., Ltd., for the sole purpose of calculating the rate for SeAH Steel Corporation, the non-examined company which is a party to this litigation but, in recalculating Husteel Co., Ltd.'s rate, Commerce continued to apply a PMS adjustment for normal value in situations where normal value was determined based on constructed value.<sup>7</sup>

The CIT remanded for a fourth time, holding that Commerce calculated SeAH Steel Corporation's dumping margin improperly using an average of dumping rates based, in part, on a PMS determination that was unsupported by substantial evidence, and ordering Commerce to recalculate SeAH Steel Corporation's dumping margin in accordance with its opinion.<sup>8</sup> In its final remand redetermination, issued in August 2022, Commerce, under respectful protest, recalculated the weighted-average dumping margin for SeAH Steel Corporation without making a cost-based PMS adjustment.<sup>9</sup> The CIT

<sup>5</sup> See *Final Results of Redetermination Pursuant to Court Remand Circular Welded Non-Alloy Steel Pipe from the Republic of Korea*, Consolidated Court No. 18-00154, Slip Op. 20-168 (CIT November 23, 2020), dated February 2, 2021 (*Second Remand*), available at <https://access.trade.gov/Resources/remands/20-168.pdf>.

<sup>6</sup> See *Hyundai Steel Company v. United States*, 531 F. Supp. 3d 1344 (CIT 2021).

<sup>7</sup> See *Final Results of Redetermination Pursuant to Court Remand*, Consolidated Court No. 18-00154, Slip Op. 21-88 (CIT July 19, 2021), dated September 8, 2021 (*Third Remand*), available at <https://access.trade.gov/resources/remands/21-88.pdf>.

<sup>8</sup> See *Hyundai Steel Company v. United States*, Court No. 18-00154, Slip Op. 22-67 (CIT June 15, 2022).

<sup>9</sup> See *Final Results of Redetermination Pursuant to Court Remand Circular Welded Non-Alloy Steel Pipe from the Republic of Korea*, Consolidated Court No. 18-00154, Slip Op. 22-67 (CIT June 15,

<sup>1</sup> See *Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2015-2016*, 83 FR 27541 (June 13, 2018) (*Final Results*).

<sup>2</sup> See *Hyundai Steel Company v. United States*, 415 F. Supp. 3d 1293 (CIT 2019).

<sup>3</sup> See *Final Results of Redetermination Pursuant to Court Remand Circular Welded Non-Alloy Steel Pipe from the Republic of Korea*, Consolidated Court No. 18-00154, Slip Op. 19-148 (CIT November 25, 2019), dated February 26, 2020 (*First Remand*), available at <https://access.trade.gov/resources/remands/19-148.pdf>.

<sup>4</sup> See *Hyundai Steel Company v. United States*, 483 F. Supp. 3d 1273 (CIT 2020).

sustained Commerce's final redetermination.<sup>10</sup>

### Timken Notice

In its decision in *Timken*,<sup>11</sup> as clarified by *Diamond Sawblades*,<sup>12</sup> the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's August 24, 2022, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

### Amended Final Results of Review

Because there is now a final court judgment, Commerce is amending its *Final Results* with respect to Hyundai Steel Company and SeAH Steel Corporation as follows:

Company	Margin (percent)
Hyundai Steel Company .....	12.92
SeAH Steel Corporation .....	9.77

### Cash Deposit Requirements

Because Hyundai Steel Company and SeAH Steel Corporation have a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review, we will not issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP). This notice will not affect the current cash deposit rate.

### Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: (1) were produced by Hyundai Steel Company (also known as Hyundai Steel Corporation and Hyundai Steel and the successor-in-interest to Hyundai HYSCO) and exported by Hyundai Steel Company or Hyundai Corporation, and imported by Hyundai Steel USA, Inc. or Hyundai Corporation

2022), dated August 2, 2022, available at <https://access.trade.gov/Resources/remands/22-67.pdf>. In the *Third Redetermination*, Commerce recalculated the weighted-average dumping margin of Hyundai Steel with no adjustment to account for the PMS. See *Third Redetermination* at 10.

<sup>10</sup> See *Hyundai Steel Company v. United States*, Court No. 18–00154, Slip Op. 22–98 (CIT August 24, 2022).

<sup>11</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>12</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

USA; or (2) were produced and/or exported by SeAH Steel Corporation; and were entered, or withdrawn from warehouse, for consumption during the period November 1, 2015, through October 31, 2016. These entries will remain enjoined pursuant to the terms of the injunctions during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise that: (1) were produced by Hyundai Steel Company (also known as Hyundai Steel Corporation and Hyundai Steel and the successor-in-interest to Hyundai HYSCO) and exported by Hyundai Steel Company or Hyundai Corporation, and imported by Hyundai Steel USA, Inc. or Hyundai Corporation USA; or (2) were produced and/or exported by SeAH Steel Corporation in accordance with 19 CFR 351.212(b). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate is not zero or *de minimis*. Where an import-specific *ad valorem* assessment rate is zero or *de minimis*,<sup>13</sup> we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e), and 777(i)(1) of the Act.

Dated: August 25, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2022–18803 Filed 8–30–22; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; NIST Invention Disclosure and Inventor Information Collection

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice of information collection, request for comment.

<sup>13</sup> See 19 CFR 351.106(c)(2).

**SUMMARY:** The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before October 31, 2022.

**ADDRESSES:** Interested persons are invited to submit written comments by mail to Maureen O'Reilly, Management Analyst, NIST, by email to [PRAComments@doc.gov](mailto:PRAComments@doc.gov). Please reference OMB Control Number 0693–0085 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or specific questions related to collection activities should be directed to Jeffrey DiVietro, Deputy Director, Technology Partnerships Office, NIST, 100 Bureau Drive, MS 2200, Gaithersburg, MD 20899–2200 or [Jeffrey.DiVietro@nist.gov](mailto:Jeffrey.DiVietro@nist.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Abstract

The NIST DN–45 Invention Disclosure Form is used to collect information pertaining to inventions created by Federal employees or by non-Federally employed individuals who have created an invention using NIST laboratory facilities as NIST Associates. The collection of this information is required to protect the United States rights to inventions created using Federal resources. The information collected on the form allows the Government to determine: (1) if an invention has been created; (2) the status of any statutory bar that pertains to the potential invention or that may pertain to the invention in the future. The information collected may allow the Government to begin a patent application process.

The Inventor Information Sheet is used to collect from individuals who have been named as potential inventors on a NIST Invention Disclosure Form. The collection of this information is used for multiple purposes:

(1) Some of the information may be required to file a patent application, if NIST seeks to protect a federally owned invention, pursuant to 35 U.S.C. 207.