

Inches	Maximum pounds
Greater than 34 and less than or equal to 36	150
Greater than 36 and less than or equal to 38	160
Greater than 38 and less than or equal to 40	170
Greater than 40 and less than or equal to 42	180
Greater than 42 and less than or equal to 44	190
Greater than 44 and less than or equal to 46	200
Greater than 46 and less than or equal to 48	210
Greater than 48 and less than or equal to 50	220
Greater than 50 and less than or equal to 52	230
Greater than 52 and less than or equal to 54	240
Greater than 54 and less than or equal to 56	250
Greater than 56 and less than or equal to 58	260
Greater than 58 and less than or equal to 60	270

**Weight to Width Ratio Tool Cabinets**

Greater than 21 and less than or equal to 25	155
Greater than 25 and less than or equal to 28	170
Greater than 28 and less than or equal to 30	185
Greater than 30 and less than or equal to 32	200
Greater than 32 and less than or equal to 34	215
Greater than 34 and less than or equal to 36	230
Greater than 36 and less than or equal to 38	245
Greater than 38 and less than or equal to 40	260
Greater than 40 and less than or equal to 42	280
Greater than 42 and less than or equal to 44	290
Greater than 44 and less than or equal to 46	300
Greater than 46 and less than or equal to 48	310
Greater than 48 and less than or equal to 50	320
Greater than 50 and less than or equal to 52	330
Greater than 52 and less than or equal to 54	340
Greater than 54 and less than or equal to 56	350
Greater than 56 and less than or equal to 58	360
Greater than 58 and less than or equal to 60	370

Also excluded from the scope of the *Order* are service carts. The excluded service carts have all of the following characteristics:

(1) casters, wheels, or other similar devices which allow the service cart to be rolled from place to place;

(2) an open top for storage, a flat top, or a flat lid on top of the unit that opens;

(3) a space or gap between the casters, wheels, or other similar devices, and the bottom of the enclosed storage space (e.g., drawers) of at least 10 inches; and

(4) a total unit height, including casters, of less than 48 inches.

Also excluded from the scope of the *Order* are non-mobile work benches. The excluded non-mobile work benches have all of the following characteristics:

(1) a solid top working surface;

(2) no drawers, one drawer, or two drawers in a side-by-side configuration; and

(3) the unit is supported by legs and has no solid front, side, or back panels enclosing the body of the unit.

Also excluded from the scope of the *Order* are metal filing cabinets that are configured to hold hanging file folders and are classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 9403.10.0020.

Merchandise subject to the *Order* is classified under HTSUS categories 9403.20.0021, 9403.20.0026, 9403.20.0030 and 7326.90.8688, but may also be classified under HTSUS category 7326.90.3500. While HTSUS subheadings are provided for

convenience and Customs purposes, the written description of the scope of the *Order* is dispositive.

[FR Doc. 2023-14756 Filed 7-11-23; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-104, C-570-105]

**Alloy and Certain Carbon Steel Threaded Rod From the People's Republic of China; Carbon and Alloy Steel Threaded Rod From the People's Republic of China: Initiation of Circumvention Inquiries on the Antidumping Duty Order and Countervailing Duty Order**

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

**SUMMARY:** In response to a request from Vulcan Threaded Products Inc. (Vulcan), the U.S. Department of Commerce (Commerce) is initiating country-wide circumvention inquiries to determine whether steel threaded rod, made from alloy steel, that is produced in the United States from unthreaded pins imported from the

People's Republic of China (China) is circumventing the antidumping duty (AD) order on alloy and certain carbon steel threaded rod from China and the countervailing duty (CVD) order on carbon and alloy steel threaded rod from China.

**DATES:** Applicable July 12, 2023.

**FOR FURTHER INFORMATION CONTACT:** Robert Galantucci; AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2923.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 22, 2023, pursuant to section 781(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.226(c), Vulcan filed a request for circumvention inquiries<sup>1</sup> alleging that steel threaded rod completed in the United States using unthreaded pins imported from China was circumventing the AD and CVD orders on steel

<sup>1</sup> See Vulcan's Letter, "Request for Circumvention Inquiry," dated May 22, 2023 (Circumvention Request).

threaded rod from China.<sup>2</sup> On June 14, 2023, we issued a supplemental questionnaire to Vulcan,<sup>3</sup> and we extended the time period for determining whether to initiate circumvention inquiries by 15 days, until July 6, 2023.<sup>4</sup>

On June 15, 2023, Commerce received a submission from Birmingham Fastener Inc. and Dan-Loc Group LLC, importers and U.S. producers of steel threaded rod, opposing initiation of circumvention inquiries.<sup>5</sup> On June 22, 2023, Vulcan responded to Commerce's questionnaire.<sup>6</sup>

### Scope of the Orders

The merchandise covered by these orders is alloy and carbon steel threaded rod from China. A full description of the scope of the orders is provided in the Initiation Checklists.<sup>7</sup>

### Merchandise Subject to the Circumvention Inquiries

These circumvention inquiries cover steel threaded rod, made from alloy steel, completed in the United States using unthreaded pins imported from China.

### Initiation of Circumvention Inquiries

Section 351.226(d) of Commerce's regulations states that, if Commerce determines that a request for a circumvention inquiry satisfies the requirements of 19 CFR 351.226(c), then Commerce "will accept the request and initiate a circumvention inquiry." Section 351.226(c)(1) of Commerce's regulations, in turn, requires that each request for a circumvention inquiry allege "that the elements necessary for

a circumvention determination under section 781 of the Act exist" and be "accompanied by information reasonably available to the interested party supporting these allegations." Vulcan alleges circumvention pursuant to section 781(a) of the Act (merchandise completed or assembled in the United States).

Section 781(a)(1) of the Act provides that Commerce may find circumvention of an order when merchandise of the same class or kind subject to the order is completed or assembled in the United States from parts or components produced in the country subject to the order. In conducting a circumvention inquiry under section 781(a)(1) of the Act, Commerce relies on the following criteria: (A) merchandise sold in the United States is of the same class or kind as any merchandise that is the subject of an AD or CVD order; (B) such merchandise sold in the United States is completed or assembled in the United States from parts or components produced in the foreign country with respect to which such order applies; (C) the process of assembly or completion in the United States is minor or insignificant; and (D) the value of the parts or components referred to in subparagraph (B) is a significant portion of the total value of the merchandise.

No single factor, by itself, controls Commerce's determination of whether the process of assembly or completion in the United States is minor or insignificant within the meaning of 781(a) of the Act.<sup>8</sup> Accordingly, it is Commerce's practice to evaluate each of the five criteria specified therein, and to reach an affirmative or negative circumvention determination based on the totality of the circumstances of the particular circumvention inquiry.<sup>9</sup>

Furthermore, section 781(a)(3) of the Act sets forth additional factors to consider in determining whether to include merchandise assembled or completed in the United States within the scope of an AD or CVD order. Specifically, Commerce shall take into account such factors as: (A) the pattern of trade, including sourcing patterns; (B) whether the manufacturer or exporter of the parts or components is affiliated

with the entity that assembles or completes the merchandise sold in the United States from the parts or components produced in the foreign country to which the order applies; and (C) whether imports into the United States of the parts or components produced in such foreign country have increased after the initiation of the investigation that resulted in the issuance of such order. As discussed below, Vulcan provided allegations and supporting evidence with respect to the above-referenced criteria as they relate to products within the *2020 AD Order* and the *2020 CVD Order*.

### Analysis

Based on our analysis<sup>10</sup> of Vulcan's request for circumvention inquiries, we determine that Vulcan satisfied the criteria set forth by 19 CFR 351.226(c) with respect to the certain products within the *2020 AD Order* (i.e., A-570-104, covering alloy and certain carbon steel threaded rod from China) and the *2020 CVD Order* (i.e., C-570-105, covering carbon and alloy steel threaded rod from China). Vulcan did not provide evidence in support of its allegation as it relates to carbon-quality steel products; therefore, Vulcan's request did not meet the requirements set forth by 19 CFR 351.226(c) with respect to the *2009 AD Order* (i.e., A-570-932, which covers carbon quality steel threaded rod from China),<sup>11</sup> or the carbon steel threaded rod contained in the *2020 AD Order* and the *2020 CVD Order*. Accordingly, pursuant to 19 CFR 351.226(d)(1)(ii), we have accepted Vulcan's request with respect to the alloy products covered by the *2020 AD Order* and the *2020 CVD Order* and are initiating circumvention inquiries for these orders with respect to alloy steel threaded rod. For a full discussion of the basis for our decision to initiate these circumvention inquiries, see Initiation Checklists.

Furthermore, pursuant to 19 CFR 351.226(c)(2)(iii) and (v), Vulcan asserted that the company-specific information underlying its allegation was likely representative of the broader universe of circumvention. Accordingly, Vulcan stated that it is appropriate to conduct these inquiries on a country-wide basis; the company identified prior instances where Commerce considered

<sup>2</sup> Vulcan's Circumvention Request related to three separate orders: (1) *Certain Steel Threaded Rod from the People's Republic of China: Notice of Antidumping Duty Order*, 74 FR 17154 (April 14, 2009) (*2009 AD Order*); (2) *Alloy and Certain Carbon Steel Threaded Rod From the People's Republic of China: Antidumping Duty Order*, 85 FR 19929 (April 9, 2020) (*2020 AD Order*); and (3) *Carbon and Alloy Steel Threaded Rod From India and the People's Republic of China: Countervailing Duty Orders*, 85 FR 19927 (April 9, 2020) (*2020 CVD Order*).

<sup>3</sup> See Commerce's Letter, "Request for Circumvention Inquiries—Supplemental Questionnaire," dated June 14, 2023.

<sup>4</sup> See Memorandum, "Extension of Time to Determine Whether to Initiate Circumvention Inquiries," dated June 14, 2023.

<sup>5</sup> See Birmingham/Dan-Loc's Letter, "Opposition to Request for Circumvention Inquiry," dated June 14, 2023.

<sup>6</sup> See Vulcan's Letter, "Response to Supplemental Questionnaire," dated June 22, 2023 (Vulcan June 22, 2023 SQR).

<sup>7</sup> See Initiation Checklists, "Circumvention Initiation Checklist," dated concurrently with, and hereby adopted by, this notice (AD Checklist—2020 Order), at Attachment I; and "Circumvention Initiation Checklist," dated concurrently with, and hereby adopted by, this notice (CVD Checklist—2020 Order), at Attachment I.

<sup>8</sup> See Statement of Administrative Action Accompanying the Uruguay Round Agreements Act, H.R. Doc. No. 103-316, Vol. 1 (1994), at 893.

<sup>9</sup> See, e.g., *Hydrofluorocarbon Blends from the People's Republic of China: Final Negative Scope Ruling on Gujarat Fluorochemicals Ltd.'s R-410A Blend; Affirmative Final Determination of Circumvention of the Antidumping Duty Order by Indian Blends Containing CCC Components*, 85 FR 61930 (October 1, 2020), and accompanying Issues and Decision Memorandum at 20 (specifying the applicable standard in the context of an inquiry under section 781(b) of the Act).

<sup>10</sup> See generally AD Checklist—2020 Order; and CVD Checklist—2020 Order; see also Commerce's Letter, "Rejection of Circumvention Request," dated July 6, 2023.

<sup>11</sup> See Vulcan June 22, 2023 SQR at 2 ("Vulcan is not aware of any publicly available information indicating that circumvention is currently occurring with respect to the antidumping duty order on carbon steel threaded rod from China (A-570-932).").

allegations to be generally applicable (rather than company-specific), and also alleged that there was the potential for unaddressed evasion absent country-wide inquiries.<sup>12</sup> Based on these considerations, Commerce is initiating these circumvention inquiries on a country-wide basis.

### Suspension of Liquidation

Pursuant to 19 CFR 351.226(l)(1), Commerce will notify U.S. Customs and Border Protection (CBP) of the initiation of circumvention inquiries and will direct CBP to continue the suspension of liquidation of entries of products subject to these circumvention inquiries that were already subject to the suspension of liquidation under the orders and to apply the cash deposit rate that would be applicable if the products were determined to be covered by the applicable scope. Should Commerce issue affirmative preliminary or final circumvention determinations, Commerce will follow the suspension of liquidation rules under 19 CFR 351.226(l)(2)–(4).

### Notification to Interested Parties

In accordance with 19 CFR 351.226(d) and section 781(a) of the Act, Commerce determines that Vulcan's request for circumvention inquiries relating to the *2020 AD Order* and the *2020 CVD Order* satisfies the requirements of 19 CFR 351.226(c). Accordingly, Commerce is notifying all interested parties of the initiation of these circumvention inquiries to determine whether alloy steel threaded rod produced in the United States from unthreaded pins imported from China is circumventing these orders.

Additionally, we are hereby providing interested parties with an opportunity to

comment on any additional entities—*i.e.*, importers, exporters, producers—that are involved in the supply, sale, or production related to alloy steel threaded rod completed in the United States using unthreaded pins imported from China. Comments on the identity of such entities are due within seven days of publication of this notice in the **Federal Register**.

We have included a description of the products that are subject to these inquiries and an explanation of Commerce's decision to initiate in the accompanying Initiation Checklists.<sup>13</sup> In accordance with 19 CFR 351.226(e)(1), Commerce intends to issue its preliminary circumvention determinations no later than 150 days from the date of publication of the notice of initiation of these circumvention inquiries in the **Federal Register**.

This notice is published in accordance with section 781(a) of the Act and 19 CFR 351.226(d)(1)(ii).

Dated: July 6, 2023,

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2023–14804 Filed 7–11–23; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XD145]

### Endangered and Threatened Species; Take of Abalone

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; Issuance of a scientific research and enhancement permit.

**SUMMARY:** Notice is hereby given that NMFS has renewed a scientific research and enhancement permit (Permit 14344–3R) issued to the University of California, Davis, under the Endangered Species Act (ESA). The research and enhancement activities are intended to support the recovery of white abalone listed under the Endangered Species Act (ESA) and inform management, conservation, and recovery efforts.

**ADDRESSES:** The permits and related documents are available for review upon written request via email to [nmfs.wcr-apps@noaa.gov](mailto:nmfs.wcr-apps@noaa.gov). Please include the permit number (14344–3R) in the subject line of the email.

**FOR FURTHER INFORMATION CONTACT:** Susan Wang, Long Beach, California, Phone: 562–980–4199, email: [Susan.Wang@noaa.gov](mailto:Susan.Wang@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Notice was published in the **Federal Register** on January 18, 2023, that a permit renewal request had been submitted by the University of California, Davis. To locate the **Federal Register** notice that announced our receipt of the application and a complete description of the research, go to [www.federalregister.gov](http://www.federalregister.gov) and search for the permit number and **Federal Register** notice information provided in the table below.

TABLE 1—ISSUED PERMITS

Permit No.	RTID	Applicant	Previous <b>Federal Register</b> notice	Issuance date
14344–3R .....	0648–XC679	University of California, Davis—1850 Research Park Drive, Suite 300, Davis, CA 95618 (Responsible Party: Alyssa Frederick).	88 FR 2889, January 18, 2023.	June 27, 2023.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), NMFS determined that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

### Authority

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) and regulations governing listed fish and wildlife permits (50 CFR 222–226). NMFS issues permits based on finding that such permits: (1) are applied for in good faith; (2) if granted and exercised,

would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

<sup>12</sup> See Circumvention Request at 27.

<sup>13</sup> See generally AD Checklist—2020 Order; and CVD Checklist—2020 Order.