

Risen is able to account for, or to remove at least the portion of the EBCP rate attributable to the customers demonstrating non-use from the calculation of Risen's overall subsidy rate.<sup>3</sup>

In its final Remand Redetermination,<sup>4</sup> issued in November 2024, Commerce found that pro-rating Risen's subsidy rate to account for the number of non-use certifications provided by its U.S. customers is inconsistent with Commerce's practice and the AFA hierarchy. Commerce removed the 5.46 percent EBCP AFA rate from Risen's total countervailable subsidy rate.<sup>5</sup> The CIT sustained Commerce's Remand Redetermination.<sup>6</sup>

#### Timken Notice

In its decision in *Timken*,<sup>7</sup> as clarified by *Diamond Sawblades*,<sup>8</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 December 18, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's Final Results/Amended Final Results. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

#### Amended Final Results

Because there is now a final court judgment, Commerce is amending its Final Results and Amended Final Results with respect to producer and/or exporter Risen's countervailable subsidy rate for the period of January 1, 2020, through December 31, 2020, as follows:

<sup>3</sup> See *Risen Energy Co., Ltd., v. United States*, 724 F.Supp.3d 1356 (CIT 2024).

<sup>4</sup> See *Final Results of Redetermination Pursuant to Court Remand, Risen Energy Co., Ltd., v. United States* Court No. 23-00153, Slip Op. 2-94 (CIT August 16, 2024), dated November 13, 2024 (Remand Redetermination), available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>5</sup> *Id.*

<sup>6</sup> See *Risen Energy Co., Ltd., v. United States*, Slip Op. 24-144 (CIT 2024).

<sup>7</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>8</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>9</sup> This rate applies Risen Energy Co., Ltd. and its cross-owned companies: Risen Energy (Luoyang) Co., Ltd.; Risen Energy (Wuhai) Co., Ltd.; Risen Energy (Changzhou) Co., Ltd.; Risen Energy (Ningbo) Co., Ltd.; Risen Energy (Yiwu) Co., Ltd.; Zhejiang Boxin Investment Co., Ltd.; Zhejiang Twinsel Electronic Technology Co., Ltd.; Jiangsu Sveck New Material Co., Ltd.; Changzhou Sveck

Producer/ exporter	Subsidy rate (percent ad valorem)
Risen Energy Co., Ltd. <sup>9</sup> .....	13.49

#### Cash Deposit Requirements

Because Risen does not have a superseding cash deposit rate, Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP).

#### Liquidation of Suspended Entries

At this time, Commerce remains enjoined by the CIT order from liquidating entries that: were produced and/or exported by Risen, and were entered, or withdrawn from warehouse, for consumption during the period January 1, 2020 through December 31, 2020. These entries will remain enjoined pursuant to the terms of the injunction 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 countervailing duties on unliquidated entries of subject merchandise produced and/or exported by Risen in accordance with 19 CFR 351.212(b). We will instruct CBP to assess countervailing duties on all appropriate entries covered by this review when the ad valorem rate is not zero or de minimis. Where an ad valorem subsidy rate is zero or de minimis,<sup>10</sup> we will instruct CBP to liquidate the appropriate entries without regard to countervailing 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: December 20, 2024.

#### Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2024-31190 Filed 12-27-24; 8:45 am]

**BILLING CODE 3510-DS-P**

Photovoltaic New Material Co., Ltd. (including Changzhou Sveck Photovoltaic New Material Co., Ltd. Jintan Danfeng Road Branch); Changzhou Sveck New Material Technology Co., Ltd.; Ninghai Risen Energy Power Development Co., Ltd.; Risen (Ningbo) Electric Power Development Co., Ltd.; Changzhou Jintan Ningsheng Electricity Power Co., Ltd.; and Risen (Changzhou) Import and Export Co., Ltd.

<sup>10</sup> See 19 CFR 351.106(c)(2).

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-823]

#### Silicomanganese From India: Final Results and Partial Rescission of Antidumping Duty Administrative Review; 2022-2023

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) finds that Maithan Alloys Limited (MAL) made sales of subject merchandise at less than normal value during the period of review (POR) May 1, 2022, through April 30, 2023. Additionally, we are rescinding the review with respect to Rajadhiraj Tirupani Vinayak Natraj Pvt. Ltd. (RTVN), because we find that it had no shipments of subject merchandise during the POR.

**DATES:** Applicable December 30, 2024.

**FOR FURTHER INFORMATION CONTACT:** Sarah Keith, 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) 482-0264.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 11, 2024, Commerce published the preliminary results of the 2022-2023 administrative review of the antidumping duty order on silicomanganese from India.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results*.<sup>2</sup> No interested parties submitted comments; thus, no decision memoranda accompany this notice. The *Preliminary Results* are hereby adopted as the final results of this review. Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). On October 16, 2024, in accordance with section 751(a)(3)(A) of the Act, Commerce extended the deadline for the final results of this review by 60 days, until December 16, 2024.<sup>3</sup> On December 9,

<sup>1</sup> See *Silicomanganese from India: Preliminary Results, Preliminary Results of Antidumping Duty Administrative Review and Intent to Rescind, in Part; 2022-2023*, 89 FR 49152 (June 11, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See *Preliminary Results*, 89 FR at 49153.

<sup>3</sup> See Memorandum, "Extension of Deadline for Final Results of Countervailing [sic] Duty Administrative Review," dated October 16, 2024. The memorandum title should read, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review."

2024, Commerce tolled the deadlines to issue the preliminary or final results in all ongoing administrative reviews by 90 days.<sup>4</sup> Accordingly, the deadline for Commerce to issue the final results in this administrative review is now March 17, 2025.

**Scope of the Order**<sup>5</sup>

The merchandise covered by the scope of the *Order* is silicomanganese from India. A full description of the scope of the *Order* is provided in the *Preliminary Results*.<sup>6</sup>

**Rescission of Administrative Review, in Part**

In the *Preliminary Results*, we stated that we intended to rescind this review with respect to RTVN, which we preliminarily found had no shipments of subject merchandise during the POR, pursuant to 19 CFR 351.213(d)(3).<sup>7</sup> No party filed comments with respect to our preliminary finding and intent to rescind the review. Therefore, we are rescinding the administrative review with respect to RTVN.

**Final Results of the Review**

We determine the following estimated weighted-average dumping margin for the period May 1, 2022, through April 30, 2023.

Exporter/producer	Weight-average dumping margin (percent)
Maithan Alloys Limited .....	1.71

**Disclosure**

Because Commerce received no comments on the *Preliminary Results*, we have not modified our analysis. Consequently, there are no calculations to disclose in accordance with 19 CFR 351.224(b) for these final results.

**Assessment Rates**

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce will 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. If the

weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.50 percent), upon completion of the final results, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer’s examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer’s examined sales to the total quantity of those sales.<sup>8</sup> To determine whether an importer-specific, per-unit assessment rate is *de minimis*, in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. Where the weighted-average dumping margin is zero or *de minimis*, or an importer-specific *ad valorem* assessment rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>9</sup>

For entries of subject merchandise during the POR produced by MAL for which it did not know that the merchandise it sold to the intermediary (e.g., reseller, trading company, or exporter) was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>10</sup>

For the company for which we are rescinding this review, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue these rescission instructions to CBP no earlier than 35 days after the publication of this notice in the **Federal Register**.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results 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 will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies under review will equal to the dumping margin established in the final results of this review for each respondent (except, if that rate is *de minimis*, then the cash deposit rate will be zero); (2) for producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review or a prior segment of the proceeding but the producer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 17.74 percent, the all-others rate established in the less-than-fair-value investigation.<sup>11</sup> 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)(2) 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, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

**Administrative Protective Order (APO)**

This notice also serves as a reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information

<sup>4</sup> See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated December 9, 2024.

<sup>5</sup> See *Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Orders: Silicomanganese from India, Kazakhstan, and Venezuela*, 67 FR 36149 (May 23, 2002) (*Order*).

<sup>6</sup> See *Preliminary Results PDM* at 2.

<sup>7</sup> *Id.* at 3.

<sup>8</sup> See 19 CFR 351.212(b)(1).

<sup>9</sup> See 19 CFR 352.106(c)(2); see also *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

<sup>10</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>11</sup> See *Order*.

disclosed under the 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 return/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

Commerce is issuing and publishing the final results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: December 18, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2024-30929 Filed 12-27-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-533-825]

#### Polyethylene Terephthalate Film, Sheet, and Strip From India: Final Results of Countervailing Duty Administrative Review; 2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that certain producers and exporters of polyethylene terephthalate film, sheet, and strip (PET film) from India received countervailable subsidies during the period of review (POR) January 1, 2022, through December 31, 2022.

**DATES:** Applicable December 30, 2024.

**FOR FURTHER INFORMATION CONTACT:** Stefan Smith, 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) 482-4342.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 12, 2024, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited comments from interested parties.<sup>1</sup> On December

2, 2024, we extended the deadline for the final results of this review to no later than January 15, 2025.<sup>2</sup> Additionally, on December 9, 2024, Commerce tolled the deadline to issue the final results in this administrative review by 90 days.<sup>3</sup> Accordingly, the deadline for the final results is now April 15, 2025.

For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>4</sup> Commerce conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act).

#### Scope of the Order<sup>5</sup>

The merchandise covered by the *Order* is PET film from India. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

#### Analysis of Comments Received

All issues raised in the case brief submitted by interested parties in this review are addressed in the Issues and Decision Memorandum. The topics discussed and the issues raised by parties to which we responded in the Issues and Decision Memorandum are listed in the appendix to this notice. 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>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Changes Since the Preliminary Results

Based on our analysis of comments received from interested parties, we made changes to the net countervailable subsidy rates for Jindal Poly Films Limited (Jindal). For a discussion of these changes, see the Issues and Decision Memorandum.

(August 12, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Extension of Deadline for Final Results of Countervailing Duty Administrative Review," dated December 2, 2024.

<sup>3</sup> See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated December 9, 2024.

<sup>4</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip from India; 2022," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>5</sup> See *Countervailing Duty Order; Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from India*, 67 FR 44179 (July 1, 2002) (*Order*).

#### Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Act. For each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup> In making this final determination, Commerce relied, in part, on facts otherwise available, including with an adverse inference, pursuant to sections 776(a) and (b) of the Act. For a complete description of the methodology underlying all of Commerce's conclusions, see the Issues and Decision Memorandum.

#### Final Results of the Administrative Review

Commerce determines that the following net countervailable subsidy rates exist for the period January 1, 2022, through December 31, 2022:

Producer/exporter	Subsidy rate (percent <i>ad valorem</i> )
Jindal Poly Films Limited .....	* 122.75
Garware Hi-Tech Films Limited .....	4.96

\* Rate is based on facts available with adverse inferences.

#### Disclosure

Commerce intends to disclose to interested parties the calculations performed in connection with these final results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, we did not make any changes from the preliminary subsidy rates calculated for Garware Hi-Tech Films Limited (Garware); therefore, we will not disclose any calculation documents for Garware for these final results of review.

#### Assessment

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after publication of the final results

<sup>1</sup> See *Polyethylene Terephthalate Film, Sheet, and Strip from India: Preliminary Results of Countervailing Duty Administrative Review and Rescission of Review, in Part; 2022*, 89 FR 65591

<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.