

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 <http://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>.

### Final Results of Expedited Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to the continuation or recurrence of dumping and that the magnitude of the margins likely to prevail if the *Order* was revoked is up to 101.10 percent.

### Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a). Timely notification of the return or 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

We are issuing, and publishing notice of, the results of this sunset review in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2) and 19 CFR 351.221(c)(5)(ii).

Dated: December 27, 2024.

### Abdelali Elouaradia,

Deputy 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. History of the *Order*
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- VI. Discussion of the Issues
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- VII. Final Results of Sunset Review
- VIII. Recommendation

[FR Doc. 2024-31592 Filed 1-2-25; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-428-848]

### Forged Steel Fluid End Blocks From Germany: Notice of Court Decision Not in Harmony With the Final Determination of Countervailing Duty Investigation; Notice of Amended Final Determination and Amended Countervailing Duty Order

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

**SUMMARY:** On December 26, 2024, the U.S. Court of International Trade (CIT) issued its final judgment in *BGH Edelstahl Siegen GmbH v. United States*, Court No. 21-00080, Slip Op. 24-148 (CIT December 26, 2024), sustaining the U.S. Department of Commerce's (Commerce) fourth remand redetermination pertaining to the countervailing duty (CVD) investigation of Forged Steel Fluid End Blocks (FEBs) from the Germany covering the period of investigation, January 1, 2018, through December 31, 2018. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final determination in that investigation, and that Commerce is amending the final determination and resulting CVD order with respect to the countervailable subsidy rates assigned to BGH Edelstahl Siegen GmbH (BGH Siegen), Schmiedewerke Grödtz GmbH (SWG), voestalpine Bohler Group (voestalpine Bohler), and all others.

**DATES:** Applicable January 3, 2025.

**FOR FURTHER INFORMATION CONTACT:** Robert Palmer or Shane Subler, 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) 482-9068 or (202) 482-6241, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 11, 2020, Commerce published its final determination in the CVD investigation of FEBs from Germany.<sup>1</sup> Commerce calculated countervailable subsidy rates of 5.86 percent for BGH Siegen, 6.71 percent for SWG, 14.81 percent for voestalpine Bohler, and 6.29 percent for all other

<sup>1</sup> See *Forged Steel Fluid End Blocks from the Federal Republic of Germany: Final Affirmative Countervailing Duty Determination*, 85 FR 80011 (December 11, 2020) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

producers/exporters of FEBs in Germany.<sup>2</sup> Commerce subsequently published the CVD order on FEBs from Germany.<sup>3</sup>

BGH Siegen appealed Commerce's *Final Determination*. On October 12, 2022, the CIT remanded the *Final Determination* to Commerce, directing Commerce to: (1) consider in the first instance whether to account for the compliance costs in its calculation of the CVD rates for subsidy programs under the Electricity Tax Act and Energy Tax Act; and (2) explain or reconsider its determination that the Konzessionsabgabenverordnung (KAV) Program is a specific subsidy.<sup>4</sup>

In the *First Remand Results*, issued in January 2023, Commerce explained its determination not to account for compliance costs in its calculation of the CVD rates for programs under the Electricity Tax Act and Energy Tax Act.<sup>5</sup> Commerce also further explained its determination that the KAV Program is specific.<sup>6</sup> However, Commerce made no changes to the final subsidy rates calculated during the investigation.<sup>7</sup>

In its *Second Remand Order*, the CIT sustained Commerce's *First Remand Results* with respect to the Electricity Tax Act and Energy Tax Act.<sup>8</sup> However, with respect to the KAV Program, the CIT held that Commerce's *First Remand Results* failed to explain: (1) how the amount of electricity consumed or the electricity prices paid by companies are not economic in nature; and (2) how criteria based solely on electricity consumption and pricing are not horizontal in application.<sup>9</sup> Regarding the latter, the CIT explained that for the KAV Program's criteria to be vertical in application, the criteria would need to expressly limit the program's application to specifically named enterprises or industries or a group of

<sup>2</sup> *Id.*, 85 FR at 80012.

<sup>3</sup> See *Forged Steel Fluid End Blocks from the People's Republic of China, the Federal Republic of Germany, India, and Italy: Countervailing Duty Orders, and Amended Final Affirmative Countervailing Duty Determination for the People's Republic of China*, 86 FR 7535 (January 29, 2021) (*Order*).

<sup>4</sup> See *BGH Edelstahl Siegen GmbH v. United States*, 600 F.Supp.3d 1241 (CIT 2022) (*First Remand Order*).

<sup>5</sup> See *Final Results of Redetermination Pursuant to the First Remand Order, BGH Edelstahl Siegen GmbH v. United States*, Consol. Court No. 21-00080; Slip. Op. 22-117 (CIT October 12, 2022), dated January 9, 2023 (*First Remand Results*) at 18, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>6</sup> *Id.*

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

<sup>8</sup> See *BGH Edelstahl Siegen GmbH v. United States*, 639 F.Supp.3d 1237, 1242 (CIT 2023) (*Second Remand Order*).

<sup>9</sup> *Id.*, 639 F.Supp.3d at 1243-44.

enterprises or industries.<sup>10</sup> The CIT elaborated that the Government of Germany's (GOG) eligibility criteria for the KAV Program did not expressly limit the program's application to specific enterprises or industries or groups of enterprises or industries.<sup>11</sup> Accordingly, the CIT, again, remanded for Commerce to further explain or reconsider its determination.<sup>12</sup>

In the *Second Remand Results*, Commerce found that the GOG's eligibility criteria for the KAV Program were not horizontal in application, and thus, not neutral, pursuant to section 771(5A)(D)(ii) of the Act.<sup>13</sup> Commerce explained that "where an authority, by law, limits eligibility to a group of enterprises or industries (e.g., those that operate specific types of 'stationary equipment'), it *cannot* {emphasis added} do so uniformly."<sup>14</sup> Further, Commerce explained that "by expressly limiting eligibility to certain groups that the authority, itself, defines, the authority has, in effect, established criteria that are vertical in nature."<sup>15</sup> On this basis, Commerce found the eligibility criteria for the KAV Program to be vertical in application.<sup>16</sup>

In its *Third Remand Order*, the CIT held that Commerce's position that a subsidy is *de jure* specific where "implementing legislation expressly limit[s] access to the 'group' that the legislation itself created" was contrary to law.<sup>17</sup> The CIT elaborated that "[t]he statute allows a subsidy to be limited to fewer than all enterprises or industries in an economy, so long as that criteria creating that legislation is objective."<sup>18</sup> On this basis, the CIT remanded for Commerce to further explain or reconsider its determination that the KAV Program is *de jure* specific.<sup>19</sup>

<sup>10</sup> *Id.*, 639 F.Supp.3d at 1244 (citing section 771(5A)(D)(i) the Tariff Act of 1930, as amended (the Act)).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> See *Final Results of Redetermination Pursuant to the Second Remand Order, BGH Edelstahl Siegen GmbH v. United States*, Consol. Court No. 21-00080; Slip. Op. 23-71 (CIT May 9, 2023), dated August 7, 2023 (*Second Remand Results*) at 11, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>14</sup> *Id.* (citing *Certain Softwood Lumber Products from Canada: Final Results and Final Rescission, in Part, of the Countervailing Duty Administrative Review, 2020*, 87 FR 48455 (August 9, 2022), and accompanying IDM at Comment 103).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> See *BGH Edelstahl Siegen GmbH v. United States*, 663 F.Supp.3d 1378, 1384 (CIT 2023) (*Third Remand Order*).

<sup>18</sup> *Id.* (citing Statement of Administrative Action Accompanying the Uruguay Round Agreements Act, H.R. Doc. 103-316, Vol. 1 (1994), at 4242).

<sup>19</sup> *Id.*

In the *Third Remand Results*, Commerce reconsidered its determination that the KAV Program is *de jure* specific.<sup>20</sup> Commerce found, under respectful protest, that the KAV Program is not *de jure* specific pursuant to section 771(5A)(D)(i) of the Act.<sup>21</sup> Consequently, Commerce determined that the KAV Program did not constitute a countervailable subsidy.<sup>22</sup> Commerce removed the KAV Program from the overall subsidy rates for BGH Siegen, SWG, and voestalpine Bohler, and recalculated the all-others rate.<sup>23</sup>

In the *Fourth Remand Order*, the CIT remanded for Commerce to further explain or reconsider its determination in the *Third Remand Results*.<sup>24</sup> Specifically, the CIT held that Commerce "failed to conduct a *de facto* specificity analysis despite there being reasons to believe the KAV Program is specific as a matter of fact."<sup>25</sup>

In the *Fourth Remand Results*, Commerce further explained its determination that the KAV Program does not constitute a countervailable subsidy because it is neither *de jure* nor *de facto* specific.<sup>26</sup> Commerce continued to find, based on facts otherwise available in accordance with 776(a)(1) of the Act, that the KAV Program does not constitute a countervailable subsidy.<sup>27</sup> Commerce made no changes to the final subsidy rates calculated in the *Third Remand Results*.<sup>28</sup>

On December 26, 2024, the CIT sustained Commerce's *Fourth Remand Results*.<sup>29</sup>

<sup>20</sup> See *Final Results of Redetermination Pursuant to the Third Remand Order, BGH Edelstahl Siegen GmbH v. United States*, 663 F. Supp. 3d 1378 (CIT 2023), dated February 12, 2024 (*Third Remand Results*) at 9, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>21</sup> *Id.*; see also *Viraj Grp., Ltd. v. United States*, 343 F.3d 1371, 1376 (Fed. Cir. 2003).

<sup>22</sup> See *Third Remand Results* at 9.

<sup>23</sup> *Id.* at 9-10; see also Memorandum, "Calculation of the Non-Selected Rate," dated January 16, 2024 (All-Others Rate Memorandum).

<sup>24</sup> See *BGH Edelstahl Siegen GmbH v. United States*, 704 F.Supp.3d 1372 (CIT 2024) (*Fourth Remand Order*).

<sup>25</sup> *Id.*, 704 F. Supp.3d at 1380.

<sup>26</sup> See *Final Results of Redetermination Pursuant to the Fourth Remand Order, BGH Edelstahl Siegen GmbH v. United States*, 704 F. Supp. 3d 1372 (CIT 2024), dated September 16, 2024 (*Fourth Remand Results*), available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>27</sup> *Id.* at 13.

<sup>28</sup> *Id.* at 19.

<sup>29</sup> See *BGH Edelstahl Siegen GmbH v. United States*, Consol. Court No. 21-00080, Slip Op. 24-148 (CIT December 26, 2024).

## Timken Notice

In its decision in *Timken*,<sup>30</sup> as clarified by *Diamond Sawblades*,<sup>31</sup> the U.S. Court of Appeals for the Federal Circuit held that, pursuant to sections 516A(c) and (e) of 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 26, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Determination*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

## Amended Final Determination

Because there is now a final court judgment, Commerce is amending its *Final Determination* with respect BGH Siegen, SWG, and voestalpine Bohler, and all others as follows:

Company	Subsidy rate (percent <i>ad valorem</i> )
BGH Edelstahl Siegen GmbH .....	5.81
Schmiedewerke Gröditz GmbH .....	6.64
voestalpine Bohler Group .....	14.74
All Others .....	6.18

## Amended CVD Order

Because there is now a final court decision, Commerce is amending its *Final Determination and Order*. As a result of this amended final determination, Commerce is hereby revising the subsidy rates for BGH Siegen, SWG, and voestalpine Bohler. Additionally, because the all-others rate was based on BGH Siegen's and SWG's rates, Commerce is also revising the all-others rate.<sup>32</sup>

## Cash Deposit Requirements

Because BGH Siegen has a superseding cash deposit rate, this notice will not affect the current cash deposit rate for BGH Siegen.<sup>33</sup> For all companies that do not have a superseding cash deposit rate, Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection.

<sup>30</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>31</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>32</sup> See All-Others Rate Memorandum.

<sup>33</sup> See *Forged Steel Fluid End Blocks from Germany: Final Results of the Countervailing Duty Administrative Review, 2022*, 89 FR 64875 (August 8, 2024).

**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 30, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[RTID 0648–XE570]

**North Pacific Albacore United States Stakeholder Meeting; Meeting Announcement**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** NMFS announces a U.S. stakeholder meeting to discuss North Pacific albacore (NPALB) management. This meeting is intended to prepare for potential discussions at the 2025 annual meetings of the Inter-American Tropical Tuna Commission (IATTC) and Western and Central Pacific Fisheries Commission Northern Committee (WCPFC NC) related to the results of the Management Strategy Evaluation (MSE) for NPALB fisheries. The meeting topics are described under the **SUPPLEMENTARY INFORMATION** section of this notice.

**DATES:** The virtual meeting will be held on February 20, 2025, from 1 p.m. to 4 p.m. PST (11 a.m.–2 p.m. HST). You must complete the registration process by February 13, 2025, if you plan to attend the meeting (see **ADDRESSES**).

**ADDRESSES:** If you plan to attend the meeting, which will be held by webinar, please register at <https://forms.gle/7hDuYGSctjbnHedS9>. Instructions for attending the meeting will be emailed to meeting participants before the meeting occurs.

**FOR FURTHER INFORMATION CONTACT:** Emily Reynolds, Pacific Islands Regional Office, tel. 808–725–5039 or [emily.reynolds@noaa.gov](mailto:emily.reynolds@noaa.gov) or Tyler Lawson, West Coast Region Office, tel. 503–230–5421 at [tyler.lawson@noaa.gov](mailto:tyler.lawson@noaa.gov).

**SUPPLEMENTARY INFORMATION:** In 2024, the WCPFC NC and IATTC requested the International Scientific Committee on Tuna and Tuna-like Species in the North Pacific Ocean (ISC) provide

recommendations to relate fishing intensity to catch and/or effort. Additionally, the ISC's Albacore Working Group developed criteria for identifying exceptional circumstances for the NPALB MSE. This stakeholder meeting is intended to discuss these items as well as to prepare for anticipated discussions at the IATTC and WCPFC NC in 2025. For more information on fishing intensity recommendations and identifying exceptional circumstances, please see the ISC24 Plenary Report: [https://isc.fra.go.jp/pdf/ISC24/ISC24\\_Plenary\\_Report\\_r1.pdf](https://isc.fra.go.jp/pdf/ISC24/ISC24_Plenary_Report_r1.pdf).

**NPALB U.S. Stakeholder Meeting Topics**

The meeting agenda will be distributed to participants in advance of the meeting. The meeting agenda will include a discussion on translating fishing intensity into catch and/or effort limits for NPALB, identifying exceptional circumstances for the NPALB MSE, and logbook updates.

**Special Accommodations**

Requests for sign language interpretation or other auxiliary aids should be indicated when registering for the meeting (see **ADDRESSES**) by February 13, 2025.

*Authority:* 16 U.S.C. 951 *et seq.*, 16 U.S.C. 1801 *et seq.*, and 16 U.S.C. 6901 *et seq.*

Dated: December 30, 2024.

**Kelly Denit,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2024–31557 Filed 1–2–25; 8:45 am]

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[RTID 0648–XE576]

**New England Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public webinar of its Joint Herring Committee and Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will

be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** This webinar will be held on Thursday, January 23, 2025, at 9:30 a.m.

**ADDRESSES:** Webinar registration URL information: [https://nefmc-org.zoom.us/meeting/register/tjwpduyopz4uGtSP\\_pFIKrgZkz5BehDTaWU-](https://nefmc-org.zoom.us/meeting/register/tjwpduyopz4uGtSP_pFIKrgZkz5BehDTaWU-)

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

**SUPPLEMENTARY INFORMATION:****Agenda**

The Atlantic Herring Committee and Advisory Panel will meet to discuss Amendment 10 and the timeline for the action and an update from the Plan Development Team (PDT) on draft analysis to date. They also plan to discuss Specifications for 2025—a summary of fishing year 2024 preliminary catch information and updated catch projections from the PDT, and recommendations for next steps, make recommendation to the Committee/Council as appropriate. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

**Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: December 30, 2024.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2024–31572 Filed 1–2–25; 8:45 am]

**BILLING CODE 3510–22–P**