

**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-122-858]

**Certain Softwood Lumber From Canada: Preliminary Results of Changed Circumstances Review**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminary determines that a producer/exporter subject to the countervailing duty (CVD) order on certain softwood lumber from Canada, Interfor Sales & Marketing Ltd. (ISM), is cross-owned with Interfor Corporation, EACOM Timber Corporation (EACOM), Chaleur Forest Products Inc., and Chaleur Forest Products LP, four producers/exporters also subject to the countervailing duty (CVD) order on certain softwood lumber from Canada. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable January 8, 2025.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Talbot Russ, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5516.

**SUPPLEMENTARY INFORMATION:****Background**

On January 3, 2018, Commerce published the CVD order on certain softwood lumber from Canada.<sup>1</sup> On May 10, 2024, the petitioner<sup>2</sup> requested that Commerce initiate a changed circumstances review (CCR) of the Order, pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), 19 CFR 351.216, and 19 CFR 251.221(c)(3).<sup>3</sup> Specifically, the petitioner requested that Commerce determine that ISM is cross-owned with EACOM, Chaleur Forest Products Inc.,

and Chaleur Forest Products LP.<sup>4</sup> On June 28, 2024, Commerce initiated the requested CCR.<sup>5</sup>

**Scope of the Order**

The merchandise covered by this Order is softwood lumber, siding, flooring, and certain other coniferous wood (softwood lumber products). For a complete description of the scope, see the Preliminary Decision Memorandum.<sup>6</sup>

**Preliminary Results of Changed Circumstances Review**

Pursuant to section 751(b) of the Act, Commerce is conducting a CCR based on a request from an interested party<sup>7</sup> that shows changed circumstances sufficient to warrant a review of an order. In accordance with 19 CFR 351.221(b)(4) and (c)(3)(i), we preliminary find that the record contains information indicating that Interfor Corporation, ISM, EACOM, Chaleur Forest Products Inc., and Chaleur Forest Products LP meet the definition of cross-ownership under 19 CFR 351.525(b)(6).

For a complete discussion of the information that ISM and the petitioner provided and the complete cross-ownership analysis, see the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is included as the 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 Service System (ACCESS). ACCESS is available to registered users at <https://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>.

**Public Comment**

Interested parties are invited to comment on the preliminary results of this CCR in accordance with 19 CFR 351.309(c)(1)(ii). Comments may be

submitted to Commerce no later than 10 days after the date of publication of this notice.<sup>8</sup> Rebuttal comments may be filed with Commerce no later than five days after the comments are filed. Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>9</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this CCR, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>10</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this CCR. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>11</sup> All submissions must be filed electronically using the Enforcement and Compliance's ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the due date set forth in this notice.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS, within ten days of publication of this notice in the **Federal Register**. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing

<sup>1</sup> See *Certain Softwood Lumber Products from Canada: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 83 FR 347 (January 3, 2018) (*Order*).

<sup>2</sup> The petitioner is the Committee Overseeing Action for Lumber International Trade Investigations or Negotiations, an *ad hoc* association whose members are: U.S. Lumber Coalition, Inc.; Collum's Lumber Products, L.L.C.; Fox Lumber Sales, Inc.; Hankins, Inc.; Pleasant River Lumber Company; PotlatchDeltic; S.I. Storey Lumber Co., Inc.; Stimson Lumber Company; Swanson Group; Weyerhaeuser Company; Giustina Land and Timber Company; and Sullivan Forestry Consultants, Inc.

<sup>3</sup> See Petitioner's Letter, "Request for Changed Circumstances Review," dated May 10, 2024.

<sup>4</sup> *Id.*

<sup>5</sup> See *Certain Softwood Lumber from Canada: Notice of Initiation of Changed Circumstances Review*, 89 FR 53955 (June 28, 2024) (*Initiation Notice*).

<sup>6</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Changed Circumstances Review of the Countervailing Duty Order on Softwood Lumber Products from Canada," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>7</sup> The petitioner is an *ad hoc* association and the majority the members of the association are composed of interested parties as described in section 771(9)(C), (D), and (E) of the Act, with respect to a domestic like product.

<sup>8</sup> Commerce is exercising its discretion under 19 CFR 351.309(c)(1)(ii) to alter the time limit for the filing of case briefs. See 19 CFR 351.309(d)(1).

<sup>9</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>10</sup> We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>11</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule*, 88 FR 67069 (September 29, 2023).

at a time and date to be determined. Parties should confirm the date and the time of the hearing two days before the scheduled date.

### Final Results of the Changed Circumstances Review

Commerce will issue the final results of this CCR, which will include its analysis of any written comments, no later than 270 days after the date on which this review was initiated.<sup>12</sup> The current requirement for cash deposits of estimated countervailing duties on all entries of subject merchandise will not change as the result of this preliminary CCR determination. As noted in the *Initiation Notice* and Preliminary Decision Memorandum, the purpose of this CCR does not include identifying the applicable cash deposit rates, but rather making determinations of cross-ownership. Furthermore, we note that Interfor Corporation, ISM, EACOM, Chaleur Forest Products Inc., and Chaleur Forest Products LP are all already receiving the same cash deposit rate assigned to non-selected companies.<sup>13</sup>

### Notification to Interested Parties

These preliminary results of a CCR and this notice are published in accordance with sections 751(b) and 777(i) of the Act and 19 CFR 351.216, and 19 CFR 351.221(c)(3).

Dated: December 31, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Determination of Cross-Ownership
- V. Recommendation

[FR Doc. 2025-00189 Filed 1-7-25; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-189, C-557-833]

### Float Glass Products From the People's Republic of China and Malaysia: Initiation of Countervailing Duty Investigations

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

**DATES:** Applicable December 31, 2024.

#### FOR FURTHER INFORMATION CONTACT:

Nathan James (the People's Republic of China (China)), Mira Warrior, or Benjamin Nathan (Malaysia), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5305, (202) 482-8031, and (202) 482-3834, respectively.

#### SUPPLEMENTARY INFORMATION:

#### The Petitions

On November 21, 2024, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of float glass products from China and Malaysia filed in proper form on behalf of Vitro Flat Glass, LLC and Vitro Meadville Flat Glass, LLC (the petitioner), a U.S. producer of float glass products.<sup>1</sup> The CVD Petitions were accompanied by antidumping duty (AD) petitions concerning imports of float glass products from China and Malaysia.<sup>2</sup>

Between November 25 and December 23, 2024, Commerce requested supplemental information pertaining to certain aspects of the Petitions.<sup>3</sup> Between December 2 and 26, 2024, the petitioner filed timely responses to these requests for additional information.<sup>4</sup>

<sup>1</sup> See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated November 21, 2024 (Petitions).

<sup>2</sup> *Id.*

<sup>3</sup> See Commerce's Letters, "Supplemental Questions," dated November 26, 2024 (First General Issues Questionnaire); *see also* Country-Specific CVD Supplemental Questionnaires: China Supplemental and Malaysia Supplemental, dated November 26, 2024; Memorandum, "Phone Call with Counsel to the Petitioner," dated December 4, 2024 (December 4, 2024, Memorandum); Memorandum, "Phone Call with Counsel to the Petitioner," dated December 9, 2024 (December 9, 2024, Memorandum); and Memorandum, "Phone Call with Counsel to the Petitioner," dated December 23, 2024 (December 23, 2024, Memorandum).

<sup>4</sup> See Petitioner's Letters, "Amendments to Antidumping and Countervailing Duty Petitions; Volume SI—General Issues and Injury," dated December 2, 2024 (First General Issues

On December 11, 2024, Commerce extended the initiation deadline by 20 days to poll the domestic industry in accordance with section 702(c)(4)(D) of the Tariff Act of 1930, as amended (the Act), because it was "not clear from the Petitions whether the industry support criteria have been met. . . ."<sup>5</sup>

In accordance with section 702(b)(1) of the Act, the petitioner alleges that the Government of China (GOC) and the Government of Malaysia (GOM) (collectively, Governments) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of float glass products from China and Malaysia and that such imports are materially injuring, or threatening material injury to, the domestic industry producing float glass products in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating CVD investigations, the Petitions were accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petitions on behalf of the domestic industry because the petitioner is an interested party, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the requested CVD investigations.<sup>6</sup>

#### Periods of Investigation

Because the Petitions were filed on November 21, 2024, the periods of investigation for the China and Malaysia CVD investigations are January 1, 2023, through December 31, 2023.<sup>7</sup>

#### Scope of the Investigations

The products covered by these investigations are float glass products from China and Malaysia. For a full

Supplement), "Amendments to Antidumping and Countervailing Duty Petitions; Volume SS—Second Supplemental Responses," dated December 6, 2024 (Second General Issues Supplement), and "Amendments to Antidumping and Countervailing Duty Petitions; Volume SSS—Third Supplemental Responses," dated December 10, 2024 (Third General Issues Supplement); *see also* Country-Specific CVD Supplemental Responses: China CVD Supplement and India CVD Supplement, dated December 2, 2024 and December 3, 2024; and Petitioner's Letter, "Amendments to Antidumping and Countervailing Duty Petitions—Exhibit SSSS-1," dated December 26, 2024 (Revised Scope).

<sup>5</sup> See *Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping and Countervailing Duty Petitions: Float Glass Products from the People's Republic of China and Malaysia*, 89 FR 102113, 102114 (December 17, 2024) (*Initiation Extension Notice*).

<sup>6</sup> See section on "Determination of Industry Support for the Petitions," *infra*.

<sup>7</sup> See 19 CFR 351.204(b)(2).

<sup>12</sup> See 19 CFR 351.216(e).

<sup>13</sup> See *Certain Softwood Lumber Products from Canada: Final Results and Final Rescission, in Part, of the Countervailing Duty Administrative Review*, 2021, 88 FR 50103 (August 1, 2023).