DEPARTMENT OF COMMERCE
International Trade Administration
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Melamine From Trinidad and Tobago: Final Determination of Sales at Less Than Fair Value

AGENCY: Enforcement and Compliance, International Trade Administration, Commerce.

SUMMARY: The Department of Commerce ("Department") determines that melamine from the Republic of Trinidad and Tobago ("Trinidad and Tobago") is being, or is likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733 of the Tariff Act of 1930, as amended ("the Act"). The final weighted-average dumping margins for the investigation of melamine from Trinidad and Tobago are listed in the "Final Determination" section, infra.

DATES: Effective: November 6, 2015.


SUPPLEMENTARY INFORMATION:

Background

On June 17, 2015, the Department published its Preliminary Determination. We invited interested parties to comment on our Preliminary Determination of sales at LTFV. For a discussion of the events that occurred in this investigation subsequent to the Preliminary Determination, including parties’ case and rebuttal briefs, see the Issues and Decision Memorandum.

Period of Investigation

The period of investigation ("POI") is October 1, 2013, through September 30, 2014. This period corresponds to the four most recent fiscal quarters prior to the month of the filing of the petition, which was November 2014.

Scope of the Investigation

The merchandise subject to this investigation is melamine (Chemical Abstracts Service ("CAS") registry number 108–78–01, molecular formula C₃H₆N₆). The subject merchandise is provided for in subheading 2933.61.0000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive. For a complete description of the merchandise subject to this investigation, see Appendix I.

Verification

As provided in section 782(i) of the Act, from June 13, 2015, to July 15, 2015, we conducted verifications of the sales and cost information submitted by Southern Chemical Corporation, Methanol Holdings (Trinidad) Limited ("MHTL") and Helm Italia S.R.L. We used standard verification procedures, including an examination of relevant accounting and production records and original source documents provided by respondents.

Analysis of Comments Received

We addressed all issues raised by parties in case and rebuttal briefs in the Issues and Decision Memorandum, which is hereby adopted by this notice. Appendix II to this notice includes a list of the issues which the parties raised and to which the Department responded in the Issues and Decision Memorandum. 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. The Issues and Decision Memorandum is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum is available at http://enforcement.trade.gov/frn/index.html. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Amended Preliminary Determination

Based on the Department’s analysis of the comments received and our findings at verification, we made certain changes to MHTL’s margin calculations. For a discussion of these changes, see the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated excluding any zero or de minimis margins, and margins determined entirely under section 776 of the Act. In this investigation, we calculated a weighted-average dumping margins for MHTL, the sole mandatory respondent, that was above de minimis and not based on section 776 of the Act. Accordingly, we have assigned MHTL’s individually calculated margin as the all-others rate for this investigation.

Final Determination

The Department determines that the estimated final weighted-average dumping margins are as follows:

<table>
<thead>
<tr>
<th>Producer and/or exporter</th>
<th>Weighted-average dumping margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MHTL</td>
<td>172.53</td>
</tr>
<tr>
<td>All Others</td>
<td>172.53</td>
</tr>
</tbody>
</table>

Disclosure

We intend to disclose to parties the calculations performed in this proceeding within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection ("CBP") to continue to suspend liquidation of all appropriate entries of melamine from Trinidad and Tobago as described in the "Scope of the Investigation" section, which were entered, or withdrawn from warehouse, for consumption on or after June 17,
Return or Destruction of Proprietary Information

This notice also serves as a reminder to the parties subject to administrative protective order (“APO”) of their responsibility concerning the disposition of propriety information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of 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 sanctionable violation. This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: October 30, 2015.

Paul Piquazo,
Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise subject to this investigation is melamine (Chemical Abstracts Service (“CAS”) registry number 108–78–01, molecular formula C6H6N6). Melamine is a crystalline powder or granule typically (but not exclusively) used to manufacture melamine formaldehyde resins. All melamine is covered by the scope of this investigation irrespective of purity, particle size, or physical form. Melamine that has been blended with other products is included within this scope when such blends include constituent parts that have been intermingled, but that have not been chemically reacted with each other to produce a different product. For such blends, only the melamine component of the mixture is covered by the scope of this investigation. Melamine that is otherwise subject to this investigation is not excluded when commingled with melamine from sources not subject to this investigation. Only the subject component of such commingled products is covered by the scope of this investigation. The subject merchandise is provided for in subheading 2933.61.0000 of the Harmonized Tariff Schedule of the United States (“HTSUS”). Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

Appendix II—Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Investigation
IV. Changes Since the Preliminary Determination
V. Discussion of the Issues
Comment 1: Depreciation Expense of Urea Plant
Comment 2: Natural Gas Curtailments

Comment 3: G&A Expenses
Comment 4: CV Profit
Comment 5: Treatment of Certain Commission Expenses
Comment 6: Omission of Certain Expenses from ISE in the United States
Comment 7: Treatment of CV Selling Expenses

VI. Recommendation

[FR Doc. 2015–28350 Filed 11–5–15; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–021]

Melamine From the People’s Republic of China: Final Affirmative Countervailing Duty Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Commerce.

SUMMARY: The Department of Commerce (“Department”) determines that countervailable subsidies are being provided to producers and exporters of melamine from the People’s Republic of China (“PRC”). For information on the estimated subsidy rates, see the “Suspension of Liquidation” section of this notice.

DATES: Effective: November 6, 2015.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Background

The petitioner to this investigation is Cornerstone Chemical Company (“Petitioner”). The Department selected five mandatory respondents: Far-Reaching Chemical Co., Ltd. (“Far-Reaching Chemical”), Zhongyuan Dahua Group Co., Ltd. (“Zhongyuan Dahua”), Qingdao Unichem International Trade Co., Ltd. (“Qingdao Unichem”), M and A Chemicals Corp China ("M&A Chemicals"), and Shandong Liaherd Chemical Industry Co., Ltd. ("Shandong Liaherd"). All five mandatory respondents and the Government of the PRC refused to participate in this investigation.

Period of Investigation

The period of investigation for which we are measuring subsidies is January 1, 2013, through December 31, 2013.

*In this case, although the product under investigation is also subject to a countervailing duty investigation, the Department found no countervailing duty determined to constitute an export subsidy. Therefore, we did not offset the cash deposit rates shown above for purposes of this determination.

Melamine is also known as 2,4,6-triamino-s-triazine; 1,3,5-Triazine-2,4,6-triamine; Cyanuratriamide; Cyanuratriamine; Cyanuramide; and by various brand names.