

- V. Changes Since the Preliminary Determination
- VI. Use of Adverse Facts Available
- VII. Discussion of Interested Party Comments
- Comment 1: Whether Critical Circumstances Exist
- Comment 2: Whether Ester Should Be a Mandatory Respondent in This Investigation
- Comment 3: Whether the Department Should Recalculate Imputed Credit
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- Comment 5: Whether the Department Should Make a Duty Drawback Adjustment
- Comment 6: Whether to Adjust Ester's G&A Ratio
- Comment 7: Whether to Adjust Ester's Financial Expense Ratio
- Comment 8: Whether to Include Import Taxes in the Total Cost of Manufacture
- Comment 9: Whether to Rely on Ester's Revised Packing Costs
- Comment 10: Whether to Revise Reliance's COP Using Reliance's Verified Actual Chain Costs
- Comment 11: Whether the Department Should Use its Differential Pricing Analysis in the Final Determination
- Comment 12: Whether to Use Invoice Date as the Date of Sale in Both Markets
- Comment 13: Whether to Resort to Adverse Facts Available for Reliance
- A. Whether Reliance Failed to Submit All Home Market Sales Subject to the Investigation
- B. Whether Reliance Provided a Complete Home Market Sales Listing for Contract Customers
- C. Whether Reliance Reported the Wrong Date as the Sale Date for U.S. Sales
- D. Whether Reliance Wrongly Submitted a Claim for a Duty Drawback Adjustment
- E. Whether Reliance Wrongly Submitted a Claim for an Adjustment for the Focus Product Scheme
- F. Whether the Department Failed to Verify Export Warranty Expenses
- G. Whether Reliance Incorrectly Included Third-Country Sales in its Home Market Sales Listing
- H. Whether Reliance Incorrectly Included Free Samples in its Home Market Sales Listing
- I. Whether Reliance Knowingly Withheld its U.S. and Home Market Short-Term Interest Rates
- J. Whether Reliance Failed to Accurately Provide Its U.S. and Home Market Selling Functions
- K. Whether Reliance Incorrectly Offset General and Administrative Expenses
- L. Use of Total Adverse Facts Available
- Comment 14: Proper AFA Rate
- VIII. Recommendation

[FR Doc. 2016-05710 Filed 3-11-16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-580-837]

#### **Certain Cut-to-Length Carbon-Quality Steel Plate From the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review and New Shipper Review; Calendar Year 2014**

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review and new shipper review (NSR) of the countervailing duty (CVD) order on certain cut-to-length carbon-quality steel plate from the Republic of Korea (Korea). The period of review (POR) for the CVD review and the NSR is January 1, 2014, through December 31, 2014. The Department preliminary determines that Dongkuk Steel Mill Co., Ltd. (DSM), the firm examined in the administrative review, and Hyundai Steel Company (Hyundai Steel), the firm examined in the NSR, each received a *de minimis* net subsidy rate during the POR. Interested parties are invited to comment on these preliminary results.

**DATES:** Effective March 14, 2016.

**FOR FURTHER INFORMATION CONTACT:** John Conniff (for Hyundai Steel) or Jolanta Lawska (for DSM), AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-1009 and (202) 482-8362, respectively.

#### **Scope of the Order**

The merchandise covered by the *Order*<sup>1</sup> is certain hot-rolled carbon-quality steel: (1) Universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a nominal or actual thickness of not less than 4 mm, which are cut-to-length (not in coils) and without patterns in relief), of iron or non-alloy-quality steel; and (2) flat-

<sup>1</sup> See *Certain Cut-To-Length Carbon-Quality Steel Plate from India, Indonesia, and the Republic of Korea: Continuation of Antidumping and Countervailing Duty Orders*, 77 FR 264 (January 4, 2012) (the *Order*); see also *Notice of Amended Final Determination: Certain Cut-to-Length Carbon-Quality Steel Plate From India and the Republic of Korea*; and *Notice of Countervailing Duty Orders: Certain Cut-to-Length Carbon-Quality Steel Plate From France, India, Indonesia, Italy, and the Republic of Korea*, 65 FR 6587 (February 10, 2000).

rolled products, hot-rolled, of a nominal or actual thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are cut-to-length (not in coils).<sup>2</sup>

The merchandise subject to the *Order* is currently classifiable in the HTSUS under subheadings: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.40.3050, 7225.40.7000, 7225.50.6000, 7225.99.0090, 7226.91.5000, 7226.91.7000, 7226.91.8000, 7226.99.0000. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this *Order* is dispositive.<sup>3</sup>

#### **Methodology**

The Department conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act).<sup>4</sup> For a full description of the methodology underlying our conclusions, see the accompanying Preliminary Decision Memorandum, dated concurrently with these results and hereby adopted by 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 <http://access.trade.gov> and in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary

<sup>2</sup> See "Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review and New Shipper Review, and the Preliminary Intent to Rescind in Part: Certain Cut-to-Length Carbon-Quality Steel Plate from the Republic of Korea," from Chris Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with this notice (Preliminary Decision Memorandum) for a complete description of the scope of the *Order*.

<sup>3</sup> See *Order*.

<sup>4</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.

Decision Memorandum are identical in content.

### Preliminary Results of the Review <sup>5</sup>

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for DSM, the firm subject to the administrative review. For the period January 1, 2014, through December 31, 2014, we preliminarily determine the total net countervailable subsidy rate for DSM is 0.01 percent which is *de minimis*. We preliminarily determine that the net countervailable subsidy rate for Hyundai Steel, the firm subject to the NSR, is 0.23 percent *ad valorem*, which is *de minimis*.

### Disclosure and Public Comment

The Department intends to disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.<sup>6</sup> Interested parties may submit written arguments (case briefs) within 30 days of publication of the preliminary results and rebuttal comments (rebuttal briefs) within five days after the time limit for filing the case briefs.<sup>7</sup> Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit with the argument: (1) Statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice.<sup>8</sup> Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing, which will be held at the

<sup>5</sup> As explained in the memorandum from the Acting Assistant Secretary for Enforcement and Compliance, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government. See Memorandum to the Record from Ron Lorentzen, Acting A/S for Enforcement & Compliance, regarding "Tolling of Administrative Deadlines As a Result of the Government Closure During Snowstorm Jonas," dated January 27, 2016. All deadlines in this segment of the proceeding have been extended by four business days. The revised deadline for the preliminary determination of this administrative review and NSR is now March 4, 2016.

<sup>6</sup> See 19 CFR 351.224(b).

<sup>7</sup> See 19 CFR 351.309(c)(1)(ii); 351.309(d)(1); and 19 CFR 351.303 (for general filing requirements).

<sup>8</sup> See 19 CFR 351.310(c).

U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined.<sup>9</sup> Parties should confirm by telephone the date, time, and location of the hearing.

Parties are reminded that briefs and hearing requests are to be filed electronically using ACCESS and that electronically filed documents must be received successfully in their entirety by 5:00 p.m Eastern Time on the due date.

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act, the Department will issue the final results of this administrative review, including the results of our analysis of the issues raised by parties in their comments, within 120 days after issuance of these preliminary results.

### Assessment Rates

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of the final results of this review. If the final results remain the same as these preliminary results, the Department will instruct CBP to liquidate without regard to CVDs all shipments of subject merchandise produced by DSM and Hyundai Steel entered or withdrawn from warehouse, for consumption from January 1, 2014, through December 31, 2014.

### Cash Deposit Instructions

The Department also intends to instruct CBP to collect cash deposits of zero percent on shipments of the subject merchandise produced and/or exported by DSM and Hyundai Steel entered or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: March 4, 2016.

**Paul Piquado,**  
Assistant Secretary for Enforcement and Compliance.

### Appendix

List of Topics Discussed in the Preliminary Decision Memorandum:

1. Summary
2. Background

<sup>9</sup> See 19 CFR 351.310.

3. Scope of the Order
4. Attribution of Subsidies
5. Analysis of Programs
  - A. Programs Preliminarily Determined to be Countervailable
  - B. Programs Preliminarily Determined Not To Confer a Benefit
  - C. Additional Programs Preliminarily Determined That Were not Used During the POR

### 6. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-024]

#### Certain Polyethylene Terephthalate Resin From the People's Republic of China: Final Determination of Sales at Less Than Fair Value

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

**SUMMARY:** The Department of Commerce (the Department) determines that imports of certain polyethylene terephthalate resin (PET resin) from the People's Republic of China (PRC) are being sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The final weighted-average dumping margins of sales at LTFV are listed in the "Final Determination Margins" section, *infra*.

**DATES:** *Effective Date:* March 14, 2016.

**FOR FURTHER INFORMATION CONTACT:** Steve Bezirgianian or Tyler Weinhold, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1131 or (202) 482-1121, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On October 15, 2015, the Department of Commerce (Department) published in the **Federal Register** the preliminary determination in the LTFV investigation of PET resin from the PRC.<sup>1</sup> For a

<sup>1</sup> See *Certain Polyethylene Terephthalate Resin From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 62024 (October 15, 2015) (*Preliminary Determination*). We later published a correction to that notice, which corrected errors in the weighted-average margin chart appearing in the *Preliminary Determination* (see *Certain Polyethylene Terephthalate Resin From the People's Republic of China: Notice of Correction to Preliminary Affirmative Less Than Fair Value Determination*, 80 FR 69643 (November 10, 2015)).