

Dated: August 24, 2016.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[B-26-2016]

#### Foreign-Trade Zone (FTZ) 76— Bridgeport, Connecticut; Authorization of Production Activity; ASML US, Inc. (Optical, Metrology, and Lithography System Modules); Newtown and Wilton, Connecticut

On April 26, 2016, ASML US, Inc. submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board for its facilities within Subzone 76A, in Newtown and Wilton, Connecticut.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (81 FR 27085-27086, May 5, 2016). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: August 24, 2016.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[B-28-2016]

#### Foreign-Trade Zone (FTZ) 26—Atlanta, Georgia; Authorization of Production Activity; Eastman Kodak Company; Subzone 26N (Aluminum Printing Plates); Columbus, Georgia

On April 26, 2016, Georgia Foreign Trade Zone, Inc., grantee of FTZ 26, submitted a notification of proposed production activity to the FTZ Board on behalf of Eastman Kodak Company, within Subzone 26N in Columbus, Georgia.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (81 FR 28051, May 9, 2016). The FTZ Board has determined

that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: August 24, 2016.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-870]

#### Certain Oil Country Tubular Goods From the Republic of Korea: Notice of Court Decision Not in Harmony With Final Determination

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

**SUMMARY:** On August 2, 2016, the United States Court of International Trade (the CIT) sustained the Department of Commerce (the Department)'s final results of redetermination concerning the less-than-fair-value (LTFV) investigation of certain oil country tubular goods (OCTG) from the Republic of Korea. The Department is notifying the public that the CIT's final judgment in this case is not in harmony with the Department's final determination in the LTFV investigation, and that the Department is amending the weighted-average dumping margins from the final determination.

**DATES:** *Effective:* August 12, 2016.

**FOR FURTHER INFORMATION CONTACT:** Deborah Scott or Victoria Cho, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2657 or (202) 482-5075, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 18, 2014, the Department published the *Final Determination* in the LTFV investigation of OCTG from the Republic of Korea.<sup>1</sup> Subsequently, various interested parties timely filed complaints with the CIT to challenge

certain aspects of the Department's *Final Determination*. On September 2, 2015, the CIT issued its *Remand Order*, directing the Department to reconsider certain aspects of the constructed value (CV) profit rate calculation used in the dumping margin analysis. Specifically, the Court instructed the Department to: (1) Either remove the financial statements of Tenaris, S.A. (Tenaris) from the record and not use them in the CV profit calculation, or, alternatively, rectify the alleged prejudice from acceptance of such statements; (2) either exclude from consideration or, alternatively, explain the relevance of market conditions and testing and certification requirements to the determination of which products are in the same general category of merchandise as OCTG; and, (3) either calculate and apply a profit cap or, alternatively, explain why the data on the record cannot be used to calculate a "facts available" profit cap under 19 U.S.C. 1677b(e)(2)(B)(iii). In addition, the CIT found that the Department did not provide sufficient reasoning for declining to select ILJIN Steel Corporation (ILJIN) as a mandatory respondent, and thus ordered the Department to reconsider the issue of whether the two selected respondents (Hyundai Steel Company (HYSCO) and NEXTEEL Co. Ltd. (NEXTEEL)), which produce only welded OCTG, were representative of the Korean industry. As part of this remand, the Court directed the Department to consider information on the record that is probative of the difference between welded and seamless OCTG, including costs and pricing.<sup>2</sup>

After the CIT issued its *Remand Order*, the Department re-opened the record to allow all interested parties to submit new factual information and comment on the issue of CV profit (including the application of the profit cap) in the event the Department relied upon the alternative CV profit methodology provided for under 19 U.S.C. 1677b(e)(2)(B)(iii). On February 22, 2016, the Department issued its *Final Redetermination*, in which it provided further explanation of which products are in the same general category of merchandise as OCTG and why the revised calculated CV profit rate in the *Final Redetermination* is also appropriately applied as the profit cap based upon the available facts. The Department also revised the CV profit rate calculation, basing it on the average of the profit rates in the 2012 financial

<sup>1</sup> See *Certain Oil Country Tubular Goods from the Republic of Korea: Final Determination of Sales at Less Than Fair Value and Negative Final Determination of Critical Circumstances*, 79 FR 41983 (July 18, 2014) (*Final Determination*).

<sup>2</sup> See *Husteel Co., Ltd., et al., v. United States*, Consol. Court No. 14-00215, Slip. Op. 15-100 (Ct. Int'l Trade Sept. 2, 2015) (*Remand Order*).