

Dated: February 27, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

## Appendix I

### Scope of the Investigation

The merchandise covered by this investigation is master alloys<sup>11</sup> of copper containing between five percent and 17 percent phosphorus by nominal weight, regardless of form (including but not limited to shot, pellet, waffle, ingot, or nugget), and regardless of size or weight. Subject merchandise consists predominantly of copper (by weight), and may contain other elements, including but not limited to iron (Fe), lead (Pb), or tin (Sn), in small amounts (up to one percent by nominal weight). Phosphor copper is frequently produced to JIS H2501 and ASTM B-644, Alloy 3A standards or higher; however, merchandise covered by this investigation includes all phosphor copper, regardless of whether the merchandise meets, fails to meet, or exceeds these standards.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 7405.00.1000. This HTSUS subheading is provided for convenience and customs purposes; the written description of the scope of this investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Postponement of Final Determination
- V. Scope of the Investigation
- VI. Final Negative Determination of Critical Circumstances
- VII. List of Comments
- VIII. Discussion of Comments
  1. Whether the Department Should Adjust Bongsan's General and Administrative Expense Ratio to Exclude Items Related to Prior Periods
  2. Whether the Department Should Recalculate Bongsan's Financial Expense Ratio to Account for Gains and Losses on Certain Derivative Transactions
  3. Date of Sale for Certain U.S. Customer
  4. Duty Drawback
  5. Ministerial Error Regarding U.S. Billing Adjustments
  6. Revision to Indirect Selling Expense Ratios
- IX. Recommendation

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<sup>11</sup> A "master alloy" is a base metal, such as copper, to which a relatively high percentage of one or two other elements is added.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-905]

#### Certain Polyester Staple Fiber From the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2015-2016

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

**SUMMARY:** The Department of Commerce (the Department) preliminary determines that the sole remaining mandatory respondent under review does not qualify for a separate rate and is, therefore, considered a part of the People's Republic of China (PRC)-Wide Entity for its exports of subject merchandise exported to the United States during the period of review (POR), June 1, 2015, through May 31, 2016. If these preliminary results are adopted in the final results, the Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of subject merchandise during the POR. Interested parties are invited to comment on these preliminary results.

**DATES:** Effective March 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Courtney Canales, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1394 or (202) 482-4997, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 11, 2016, the Department published in the **Federal Register** the notice of initiation of an administrative review of the antidumping duty (AD) order on certain polyester staple fiber (PSF) from the PRC for the period of review June 1, 2015, through May 31, 2016.<sup>1</sup> On September 20, 2016, DAK Americas, LLC (Petitioner) withdrew its request for an administrative review of Cixi Sansheng.<sup>2</sup> The other mandatory respondent, Hangzhou Huachuang, did not respond to the Department's AD questionnaire.

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 53121 (August 11, 2016) (*Initiation Notice*).

<sup>2</sup> See Petitioner's September 20, 2016, submission.

### Scope of the Order

The product covered by the order is certain polyester staple fiber. The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) numbers 5503.20.0045 and 5503.20.0065. Although the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope of the order remains dispositive.<sup>3</sup>

### Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party or parties that requested a review withdraws the request within 90 days of the publication date of the notice of initiation of the requested review. As noted above, Petitioner withdrew its request for an administrative review of Cixi Sansheng within 90 days of the publication date of the notice of initiation. No other parties requested an administrative review of the order. Therefore, in accordance with 19 CFR 351.213(d)(1), the Department is rescinding this review of the AD order on PSF from the PRC with respect to Cixi Sansheng.

### Methodology

The Department is conducting this review in accordance with sections 751(a)(1)(B) and 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act). In making our findings, because Hangzhou Huachuang did not respond to our AD questionnaire and is not receiving a separate rate, we are preliminarily treating Hangzhou Huachuang as part of the PRC-wide entity. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as Appendix I to this notice.

The Preliminary Decision Memorandum is a public document and is on file electronically *via* Enforcement

<sup>3</sup> For a full description of the scope of the *Order*, see Memorandum from Gary Taverman, Associate Deputy Assistant Secretary, AD/CVD Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, entitled, "Certain Polyester Staple Fiber from the People's Republic of China: Decision Memorandum for the Preliminary Results of the 2015-2016 Antidumping Duty Administrative Review," (Preliminary Decision Memorandum) dated concurrently with, and hereby adopted by, this notice.

and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and to all parties 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 at <http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

#### Preliminary Results of Review

The Department preliminarily determines that the following weighted-average dumping margins exist for the period June 1, 2015, through May 31, 2016:

Exporter	Estimated weighted-average margin (percent)
PRC-Wide Entity .....	44.30

#### Disclosure <sup>4</sup>

Normally, the Department discloses to interested parties the calculations performed in connection with a preliminary determination within five days of its public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). However, because the Department preliminarily determined that the sole remaining respondent under review, Hangzhou Huachuang, is part of the PRC-wide entity, there are no calculations to disclose.

#### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 50 days after the date of publication of the preliminary determination, unless the Secretary alters the time limit. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.<sup>5</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief

summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, 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. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

The Department intends to issue the final results of this administrative review, which will include the results of our analysis of all issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.

#### Assessment Rates

Upon issuance of the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.<sup>6</sup> The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

For any individually examined respondent whose weighted average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results of this review, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of sales, in accordance with 19 CFR 351.212(b)(1). Where an importer- (or customer-) specific *ad valorem* rate is greater than *de minimis*, the Department will instruct CBP to collect the appropriate duties at the time of liquidation.<sup>7</sup> Where either a respondent's weighted average dumping margin is zero or *de minimis*, or an importer- (or customer-) specific *ad valorem* is zero or *de minimis*, the Department will instruct CBP to

liquidate appropriate entries without regard to antidumping duties.<sup>8</sup>

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This preliminary determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 27, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

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

1. Summary
2. Background
3. Scope of the Order

<sup>4</sup> The PRC-wide entity includes mandatory respondent, Hangzhou Huachuang Co., Ltd., (Hangzhou Huachuang).

<sup>5</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).

<sup>6</sup> See 19 CFR 351.212(b).

<sup>7</sup> See 19 CFR 351.212(b)(1).

<sup>8</sup> See 19 CFR 351.106(c)(2).

- 4. Discussion of the Methodology
  - a. Partial Rescission
  - b. NME Country Status
  - c. Separate Rates
- 5. Recommendation

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-037]

**Certain Biaxial Integral Geogrid Products From the People’s Republic of China: Countervailing Duty Order**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC), the Department is issuing the countervailing duty order on certain biaxial integral geogrid products (geogrids) from the People’s Republic of China (PRC).

**DATES:** Effective March 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** Ryan Mullen at (202) 482-5260, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the

Act), on January 11, 2017, the Department published its affirmative final determination that countervailable subsidies are being provided to producers and exporters of geogrids from the PRC.<sup>1</sup> On February 24, 2017, the ITC notified the Department of its affirmative determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(ii) of the Act, by reason of subsidized imports of subject merchandise from the PRC, and its determination that critical circumstances do not exist with respect to imports of subject merchandise from the PRC that are subject to the Department’s affirmative critical circumstances finding.<sup>2</sup>

**Scope of the Order**

The scope of this order covers geogrids from the PRC. For a complete description of the scope, see Appendix.

**Countervailing Duty Order**

On February 24, 2017, in accordance with sections 705(b)(1)(A)(i) and 705(d) of the Act, the ITC notified the Department of its final determination in this investigation, in which it found that an industry in the United States is materially injured by reason of imports of geogrids from the PRC, and that critical circumstances do not exist with respect to imports of subject merchandise that are subject to the Department’s affirmative critical circumstances finding.<sup>3</sup> Therefore, in accordance with section 705(c)(2) of the Act, the Department is issuing this countervailing duty order. Because the

ITC determined that imports of geogrids from the PRC are materially injuring a U.S. industry, unliquidated entries of such merchandise from the PRC, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, countervailing duties for all relevant entries of geogrids from the PRC. Countervailing duties will be assessed on unliquidated entries of geogrids from the PRC entered, or withdrawn from warehouse, for consumption on or after June 24, 2016, the date of publication of the *Preliminary Determination*,<sup>4</sup> but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC’s final injury determination as further described below.

**Suspension of Liquidation**

In accordance with section 706 of the Act, the Department will instruct CBP to reinstitute the suspension of liquidation of geogrids from the PRC. We will also instruct CBP to require, pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates for the subject merchandise. These instructions suspending liquidation will remain in effect until further notice. The all-others rate applies to all producers and exporters of subject merchandise.

Company	Subsidy rate
BOSTD Geosynthetics Qingdao Ltd. and Beijing Orient Science & Technology Development Co., Ltd .....	15.61
Taian Modern Plastic Co., Ltd .....	56.24
All Others .....	35.93
Chengdu Tian Road Engineering Materials Co., Ltd.* .....	152.50
Chongqing Jiudi Reinforced Soil Engineering Co., Ltd.* .....	152.50
CNBM International Corporation* .....	152.50
Dezhou Yaohua Geosynthetics Ltd.* .....	152.50
Dezhou Zhengyu Geosynthetics Ltd.* .....	152.50
Hongye Engineering Materials Co., Ltd.* .....	152.50
Hubei Nete Geosynthetics Ltd.* .....	152.50
Jiangsu Dingtai Engineering Material Co., Ltd.* .....	152.50
Jiangsu Jiuding New Material Ltd.* .....	152.50
Lewu New Material Ltd.* .....	152.50
Nanjing Jinlu Geosynthetics Ltd.* .....	152.50
Nanjing Kunchi Composite Material Ltd.* .....	152.50
Nanyang Jieda Geosynthetics Co., Ltd.* .....	152.50
Qingdao Hongda Plastics Corp.* .....	152.50
Shandong Dexuda Geosynthetics Ltd.* .....	152.50

<sup>1</sup> See *Countervailing Duty Investigation of Certain Biaxial Integral Geogrid Products from the People’s Republic of China: Final Affirmative Determination and Final Determination of Critical Circumstances, in Part*, 82 FR 3282 (January 11, 2017).

<sup>2</sup> See Letter to Ronald Lorentzen, Acting Assistant Secretary of Commerce for Enforcement and

Compliance, from Rhonda K. Schmidlein, Chairman of the U.S. International Trade Commission, regarding geogrids from the PRC, (February 24, 2017) (ITC Letter).

<sup>3</sup> See ITC Letter.

<sup>4</sup> See *Countervailing Duty Investigation of Certain Biaxial Integral Geogrid Products from the People’s Republic of China: Preliminary Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 81 FR 41292 (June 24, 2016).