Assessment Rates

Pursuant to section 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.212(b), the Department has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of this administrative review.

Where the respondent reported reliable entered values, we calculated importer- (or customer-) specific ad valorem rates by aggregating the dumping margins calculated for all U.S. sales to each importer (or customer) and dividing this amount by the total entered value of the sales to each importer (or customer). Where the Department calculated a weighted-average dumping margin by dividing the total amount of dumping for reviewed sales to that party by the total sales quantity associated with those transactions, the Department will direct CBP to assess importer-specific assessment rates based on the resulting per-unit rates. Where an importer- (or customer-) specific ad valorem or per-unit rate is greater than de minimis (i.e., 0.50 percent), the Department will instruct CBP to collect the appropriate duties at the time of liquidation. Where an importer- (or customer-) specific ad valorem or per-unit rate is zero or de minimis, the Department will instruct CBP to liquidate appropriate entries without regard to antidumping duties.

We intend to instruct CBP to liquidate entries containing subject merchandise exported by the PRC-wide entity at the PRC-wide rate. Pursuant to the Department’s assessment practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide entity rate. Additionally, if the Department determines that an exporter had no shipments of the subject merchandise, any suspended entries that entered under that exporter’s case number (i.e., at that exporter’s rate) will be liquidated at the PRC-wide entity rate.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be the rate established in the final results of review (except, if the rate is zero or de minimis, a zero cash deposit rate will be required for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-Wide rate of 118.04 percent; 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 exporters that supplied that non-PRC exporter. The deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

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

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this 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 doubled antidumping duties.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the 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 violation which is subject to sanction.

We are issuing and publishing these final results of administrative review in accordance with sections 751(a)(1) and 777(i) of the Act.

Ronald Lorentzen,
Acting Assistant Secretary for Enforcement and Compliance.

Appendix I—Issues and Decision Memorandum

I. Summary

II. Scope of the Order

IV. Discussion of the Issues

Comment 1: Differential Pricing Methodology

Comment 2: Calculation of Separate Rate Margin

Comment 3: Clarification of the Scope of the Order

Comment 4: Rescission for Certain Companies

Comment 5: Tianjin Lianda’s Separate Rate Status

Comment 6: Treatment of Stanley’s Scrap

Comment 7: Surrogate Financial Ratio Calculation

Comment 8: Surrogate Value for Stanley’s Paper Tape

Comment 9: Surrogate Value for Stanley’s Sealing Tape

Comment 10: Surrogate Value for Stanley’s Plastic Granules

Comment 11: Surrogate Value for Stanley’s Cardboard Corner Board

Comment 12: Surrogate Value for Stanley’s Insert Paper Board

Comment 13: Surrogate Value for Stanley’s Pallet Board

V. Conclusion

[FR Doc. 2017–05429 Filed 3–17–17; 8:45 a.m.]
BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE
International Trade Administration
[–570–048]

Certain Carbon and Alloy Steel Cut-to-Length Plate 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 a countervailing duty order on Certain Carbon and Alloy Steel Cut-to-Length...
Plate (CTL plate) from the People’s Republic of China (PRC).

**DATES:** Effective March 20, 2017.

**FOR FURTHER INFORMATION CONTACT:** Ryan Mullen, 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) 482–5260.

**SUPPLEMENTARY INFORMATION:**

**Background**

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on January 26, 2017, the Department published its affirmative final determination in the countervailable investigation of CTL plate from the PRC.\(^1\) On March 13, 2017, the ITC notified the Department of its final determination pursuant to section 705(b)(1)(A) of the Act, that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of CTL plate from the PRC.\(^2\)

**Scope of the Order**

The products covered by this order are certain carbon and alloy steel hot-rolled or forged flat plate products not in coils, whether or not painted, varnished, or coated with plastics or other non-metallic substances (cut-to-length plate). Subject merchandise includes plate that is produced by being cut-to-length from coils or from other discrete length plate and plate that is rolled or forged into a discrete length. The products covered include (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, which are not in coils and without patterns in relief), and (2) hot-rolled or forged flat steel products of a thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at its greatest width or thickness, etc. The measurement at its greatest width or thickness applies.

Steel products included in the scope of this order are products in which: (1) Iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less by weight.

Subject merchandise includes cut-to-length plate that has been further processed in the subject country or a third country, including but not limited to pickling, oiling, levelling, annealing, tempering, temper rolling, skin passing, painting, varnishing, trimming, cutting, punching, beveling, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the order if performed in the country of manufacture of the cut-to-length plate.

All products that meet the written physical description, are within the scope of this order unless specifically excluded or covered by the scope of an existing order. The following products are outside of, and/or specifically excluded from, the scope of this order:

- (1) Products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances;
- (2) military grade armor plate certified to one of the following specifications or to a specification that references and incorporates one of the following specifications:
  - MIL–A–12560,
  - MIL–DTL–12560H,
  - MIL–DTL–12560J,
  - MIL–DTL–12560K,
  - MIL–DTL–32332,
  - MIL–A–46100D,
  - MIL–DTL–46100–E,
  - MIL–46177C,
  - MIL–S–16216K Grade HY80,
  - MIL–S–16216K Grade HY100,
  - MIL–S–24645A HSLA–80,
  - MIL–S–24645A HSLA–100,
  - T9074–BD–GIB–010/0300 Grade HY80,
  - T9074–BD–GIB–010/0300 Grade HY100,
  - T9074–BD–GIB–010/0300 Grade HSLA80,
  - T9074–BD–GIB–010/0300 Grade HSLA100, and
  - T9074–BD–GIB–010/0300 Mod. Grade HSLA115,

except that any cut-to-length plate certified to one of the above specifications, or to a military grade armor specification that references and incorporates one of the above specifications, will not be excluded from the scope if it is also dual- or multiple-certified to any other non-armor specification that otherwise would fall within the scope of this order;

- (3) stainless steel plate, containing 10.5 percent or more of chromium by weight and not more than 1.2 percent of carbon by weight;
- (4) CTL plate meeting the requirements of ASTM A–829, Grade E4340 that are over 305 mm in actual thickness;
- (5) Alloy forged and rolled CTL plate greater than or equal to 152.4 mm in actual thickness meeting each of the following requirements:
  - (a) Electric furnace melted, ladle refined & vacuum degassed and having a chemical composition (expressed in weight percentages):
    - Carbon 0.23–0.28,
    - Silicon 0.05–0.20,
    - Manganese 1.20–1.60,
    - Nickel not greater than 1.0,
    - Sulfur not greater than 0.007,
    - Phosphorus not greater than 0.020,
    - Chromium 1.0–2.5,
    - Molybdenum 0.35–0.80,
    - Boron 0.002–0.004,
    - Oxygen not greater than 20 ppm,
    - Hydrogen not greater than 2 ppm, and
    - Nitrogen not greater than 60 ppm;
  - (b) With a Brinell hardness measured in all parts of the product including mid thickness falling within one of the following ranges:
    - (i) 270–300 HBW,
    - (ii) 290–320 HBW, or
    - (iii) 320–350 HBW;
  - (c) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.0, C not exceeding 0.5, D not exceeding 1.5, and
  - (d) Conforming to ASTM A578–S9 ultrasonic testing requirements with acceptance criteria 2 mm flat bottom hole;


(6) Alloy forged and rolled steel CTL plate over 407 mm in actual thickness and meeting the following requirements:
(a) Made from Electric Arc Furnace melted, Ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):
- Carbon 0.23–0.28,
- Silicon 0.05–0.15,
- Manganese 1.20–1.50,
- Nickel not greater than 0.4,
- Sulfur not greater than 0.010,
- Phosphorus not greater than 0.020,
- Chromium 1.0–1.5,
- Molybdenum 0.6–0.9,
- Vanadium 0.08 to 0.12
- Boron 0.002–0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm;
(b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.5, C not exceeding 1.0, D not exceeding 1.5;
(c) Having the following mechanical properties:
- With a Brinell hardness not less than 350 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 145ksi or more and UTS 160ksi or more;
- Elongation of 15% or more and Reduction of area 35% or more; having charpy V at – 40 degrees F in the transverse direction equal or greater than 20 ft. lbs (single value) and equal or greater than 25 ft. lbs (average of 3 specimens);
- Conforming to ASTM A578–S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and
- Conforming to magnetic particle inspection in accordance with AMS 2301.

The products subject to the order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000.

The products subject to the order may also enter under the following HTSUS item numbers: 7208.40.6060, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.19.1500, 7211.19.2000, 7211.19.4500, 7211.19.6000, 7211.19.7590, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7214.10.0000, 7214.30.0010, 7214.30.0080, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7225.11.0000, 7225.19.0000, 7225.40.5110, 7225.40.5130, 7225.40.5160, 7225.40.7000, 7225.40.9010, 7225.99.0090, 7226.11.1000, 7226.11.9060, 7226.19.1000, 7226.19.9000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.91.7000, 7226.91.8000, and 7226.99.0180.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the order is dispositive.

**Countervailing Duty Order**

In accordance with sections 705(b)(1)(A) and 705(d) of the Act, the ITC has notified the Department of its final determination in this investigation, in which it found that imports of CTL plate from the PRC are materially injuring or threatening material injury to a U.S. industry. Therefore, in accordance with section 705(c)(2) of the Act, we are publishing this countervailing duty order.

As a result of the ITC’s final determinations, 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 on unliquidated entries of CTL plate from the PRC entered, or withdrawn from warehouse, for consumption on or after September 13, 2016, the date on which the Department published its preliminary countervailing duty determinations in the Federal Register, and before January 11, 2017, the date on which the Department instructed CBP to discontinue the suspension of liquidation in accordance with section 705(d) of the Act. Section 706(a) of the Act states that the suspension of liquidation pursuant to a preliminary determination may not remain in effect for more than four months. Therefore, entries of CTL plate made on or after January 11, 2017, and prior to the date of publication of the ITC’s final determination in the Federal Register are not liable for the assessment of countervailing duties due to the Department’s discontinuation, effective January 11, 2017, of the suspension of liquidation.

**Suspension of Liquidation**

In accordance with section 706 of the Act, the Department will instruct CBP to reinstitute the suspension of liquidation of subject merchandise from the PRC, effective on the date of publication of the ITC’s notice of final determinations.

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3 Id.
in the Federal Register, and to assess, upon further instruction by the Department 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. On or after the date of publication of the ITC’s final injury determinations in the Federal Register, CBP must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the rates noted below. The all-others rate applies to all producers and exporters of subject merchandise not specifically listed below.

<table>
<thead>
<tr>
<th>Exporter/producer</th>
<th>Subsidy rate (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jiangyin Xingcheng Special Steel Works Co., Ltd.</td>
<td>251.00</td>
</tr>
<tr>
<td>Hunan Valin Xiangtan Iron &amp; Steel</td>
<td>251.00</td>
</tr>
<tr>
<td>Viewer Development Co., Ltd.</td>
<td>251.00</td>
</tr>
<tr>
<td>All Others</td>
<td>251.00</td>
</tr>
</tbody>
</table>

Notification to Interested Parties

This notice constitutes the countervailing duty order with respect to CTL plate from the PRC pursuant to section 706(a) of the Act. Interested parties may contact the Department’s Central Records Unit, Room B8024 of the main Commerce Building, for copies of an updated list of countervailing duty orders currently in effect.

This order is issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b). Dated: March 14, 2017.

Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance.


SUPPLEMENTARY INFORMATION:

Background

On November 4, 2016, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the countervailing duty order on lightweight thermal paper (LWTP) from the People’s Republic of China (PRC) for the period of review (POR) of January 1, 2015, through December 31, 2015. The Department received a timely-filed request from Appvion, Inc. (Appvion), in accordance with 19 CFR 351.213(b), for an administrative review of three producers/exporters of lightweight thermal paper from the PRC: Sailing International Limited, Shenzhen Former Printing Co., Ltd., and Suzhou Xian'ai Paper Production Co. On January 13, 2017, the Department published a notice of initiation. Subsequent to the Initiation Notice, the Department requested from U.S. Customs and Border Protection (CBP) data for U.S. imports of subject merchandise during the POR for the companies for which an administrative review was requested. The CBP data demonstrated that there were no entries of subject merchandise exported by these companies during the POR. The Department solicited interested party comments, and we received no comments.

Rescission of Review

It is the Department’s practice to rescind an administrative review of a countervailing duty order, pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended. Normally, upon completion of an administrative review, the suspended entries are liquidated at the countervailing duty assessment rate calculated for the review period. See 19 CFR 351.212(b)(l). Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that the Department can order CBP to liquidate at the newly calculated countervailing duty assessment rate. Accordingly, in the absence of suspended entries of subject merchandise during the period of this administrative review (January 1, 2015 through December 31, 2015), we are now rescinding this administrative review of the countervailing duty order on LWTP from the PRC, pursuant to 19 CFR 351.213(d)(3).

This notice is issued and published pursuant to section 751(a)(l) and 777(i)(l) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: March 14, 2017.

Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–05430 Filed 3–17–17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A–570–047

Certain Carbon and Alloy Steel Cut-to-Length Plate From the People’s Republic of China: Antidumping 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 an antidumping duty order on Certain Carbon and Alloy Steel Cut-to-Length Plate (CTL plate) from the People’s Republic of China (PRC).


FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW.

1 See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review, 81 FR 76920 (November 4, 2016).


5 Id.

6 Id.