

of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. 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 Commerce's 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 versions of the Preliminary Decision Memorandum are identical in content.

#### Preliminary Rescission of Doo Won NSR

For the reasons detailed in the Preliminary Decision Memorandum, we preliminarily find that Doo Won's sale under review is *bona fide*. However, we also preliminarily find that Doo Won is not the producer of the garlic subject to this review and, therefore, does not provide a reasonable or reliable basis for calculating a dumping margin. As a result, we are preliminarily rescinding the new shipper review of Doo Won.

#### Disclosure and Public Comment

Commerce intends to disclose the analysis performed for these preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit written comments by no later than 30 days after the date of publication of these preliminary results of review.<sup>5</sup> Rebuttals, limited to issues raised in the written comments, may be filed by no later than five days after the written comments are filed.<sup>6</sup>

Any interested party may request a hearing within 30 days of publication of this notice.<sup>7</sup> Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S.

Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.<sup>8</sup>

Commerce intends to issue the final results of this new shipper review, which will include the results of its analysis of issues raised in any such comments, within 90 days of publication of these preliminary results, pursuant to section 751(a)(2)(B)(iv) of the Act.

#### Assessment Rates

Upon completion of the final results, pursuant to 19 CFR 351.212(b), Commerce will determine, and the U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If we proceed to a final rescission of the new shipper review, Doo Won's entries will be assessed at the rate entered.<sup>9</sup> If we do not proceed to a final rescission of the new shipper review, pursuant to 19 CFR 351.212(b)(1), we will calculate importer-specific assessment rates. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final results of this review is above *de minimis*.<sup>10</sup>

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results or final rescission of this NSR for entries of subject merchandise by Doo Won. If Commerce proceeds to a final rescission of the new shipper review, the cash deposit rate will continue to be the China-wide rate. If we issue final results of the new shipper review for Doo Won, we will instruct CBP to collect cash deposits, effective upon the publication of the final results, at the rates established therein.

#### Verification

Consistent with 19 CFR 351.307(b)(1)(iv), we intend to verify the information relied upon in making its decision.

#### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 771(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: May 2, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. *Bona Fides* Analysis
- V. Preliminary Finding That Doo Won Is Not the Producer
- VI. Verification
- VII. Recommendation

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#### DEPARTMENT OF COMMERCE

#### International Trade Administration

[C-570-982]

#### Utility Scale Wind Towers From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

**SUMMARY:** The Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on utility scale wind towers (wind towers) from the People's Republic of China (China) would likely lead to the continuation or recurrence of a countervailable subsidy at the levels indicated in the Final Results of Review section of this notice.

**DATES:** Applicable May 17, 2018.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4793.

#### SUPPLEMENTARY INFORMATION:

##### Background

The *Order* on wind towers from China was published in the **Federal Register** on February 15, 2013.<sup>1</sup> On January 2, 2018, Commerce initiated this sunset review of the *Order* on wind towers from China pursuant to section 751(c) of the Tariff Act of 1930, as amended (the

<sup>5</sup> See 19 CFR 351.309(c).

<sup>6</sup> See 19 CFR 351.309(d).

<sup>7</sup> See 19 CFR 351.310(c).

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

<sup>9</sup> See 19 CFR 351.212(c).

<sup>10</sup> See 19 CFR 351.106(c)(2).

<sup>1</sup> See *Utility Scale Wind Towers from the People's Republic of China: Countervailing Duty Order*, 78 FR 11152 (February 15, 2013) (*Order*).

Act).<sup>2</sup> On January 17, 2018, Commerce received a notice of intent to participate from the Wind Tower Trade Coalition (the petitioner) within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> The petitioner claimed interested party status under section 771(9)(C) and (F) of the Act, as manufacturers, producers, or wholesalers in the United States of the domestic like product and as an association composed of domestic manufacturers, producers, or wholesalers. On February 5, 2018, Commerce received an adequate substantive response from the petitioner within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce did not receive a substantive response from the Government of China or a respondent interested party to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)(2) and (C)(2), Commerce conducted an expedited review of the *Order*.

Commerce has exercised its discretion to toll all deadlines affected by the duration of the closure of the Federal Government from January 20 through 22, 2018. The revised deadline for the final results of this expedited sunset review is May 7, 2018.<sup>5</sup>

**Scope of the Order**

The merchandise covered by this *Order* are certain wind towers, whether or not tapered, and sections thereof. Certain wind towers are designed to support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (*i.e.*, where the top of the

tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (*e.g.*, flooring/decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with nonsubject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof.

Merchandise covered by the *Order* is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 7308.20.0020<sup>6</sup> or 8502.31.0000.<sup>7</sup> Prior to 2011, merchandise covered by the *Order* was classified in the HTSUS under subheading 7308.20.0000 and may continue to be to some degree. While the HTSUS subheadings are provided for convenience and customs

purposes, the written description of the scope of the *Order* is dispositive.

**Analysis of Comments Received**

All issues raised in this review are addressed in the Issues and Decision Memorandum, which is dated concurrently with and adopted by this notice.<sup>8</sup> The issues discussed in the Issues and Decision Memorandum include the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the *Order* were revoked. Parties can find a complete discussion of all issues raised in this expedited sunset review and the corresponding recommendations in this public memorandum, which 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 <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 Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

**Final Results of Review**

Pursuant to sections 752(b)(1) and (3) of the Act, we determine that revocation of the *Order* on wind towers from China would be likely to lead to continuation or recurrence of a net countervailable subsidy at the rates listed below:

Manufacturer/producer/exporter	Net countervailable subsidy ad valorem rate (percent)
CS Wind China Co., Ltd., CS Wind Tech (Shanghai) Co., Ltd., and CS Wind Corporation (collectively, CS Wind) .....	21.86
Titan Wind Energy (Suzhou) Co. Ltd. (Titan Wind), Titan Lianyungang Metal Product Co. Ltd. (Titan Lianyungang), Baotou Titan Wind Power Equipment Co., Ltd. (Titan Baotou), and Shenyang Titan Metal Co., Ltd. (Titan Shenyang) (collectively, Titan Companies) .....	34.81
All Others .....	28.34

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 83 FR 100 (January 2, 2018).

<sup>3</sup> See Letter from the petitioner regarding "Notice of Intent to Participate in Sunset Review," dated January 17, 2018.

<sup>4</sup> See Letter from the petitioner regarding "Substantive Response to Notice of Initiation of Sunset Review," dated February 5, 2018.

<sup>5</sup> See Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the

Federal Government," dated January 23, 2018. All deadlines in this segment of the proceeding affected by the closure of the Federal Government have been extended by three days.

<sup>6</sup> Wind towers are classified under HTSUS 7308.20.0020 when imported as a tower or tower section(s) alone.

<sup>7</sup> Wind towers may also be classified under HTSUS 8502.31.0000 when imported as part of a wind turbine (*i.e.*, accompanying nacelles and/or rotor blades).

<sup>8</sup> See Memorandum from James Maeder, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations,

performing the duties of the Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, regarding "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Countervailing Duty Order on Utility Scale Wind Towers from the People's Republic of China," dated concurrently with and adopted by this notice (Issues and Decision Memorandum).

### Notification Regarding Administrative Protective Order

This notice serves as the only 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. Timely 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 the terms of an APO is a sanctionable violation.

Commerce is issuing and publishing these final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.

Dated: May 4, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; NOAA Restoration Center Performance Progress Report

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The Project Performance Report and Administration Report Forms and Example Report Form Instructions can be reviewed under the Progress Reporting heading at <https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#progress-reporting>.

**DATES:** Written comments must be submitted on or before July 16, 2018.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW,

Washington, DC 20230 (or via the internet at [pracomments@doc.gov](mailto:pracomments@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Janine Harris, Office of Habitat Conservation, Restoration Center, 1315 East-West Highway, Silver Spring, MD 20910, (301) 427-8635, or [janine.harris@noaa.gov](mailto:janine.harris@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This request is for extension of a currently approved information collection.

The NOAA Restoration Center (NOAA RC) provides technical and financial assistance to identify, develop, implement, and evaluate community-driven habitat restoration projects. Awards are made as grants or cooperative agreements under the authority of the Magnuson-Stevens Fishery Conservation and Management Act of 2006, 16 U.S.C. 1891a and the Fish and Wildlife Coordination Act, 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970.

The NOAA RC requires specific information on habitat restoration projects that we fund, as part of routine progress reporting. Recipients of NOAA RC funds submit information such as project location, restoration techniques used, species benefited, acres restored, stream miles opened to access for diadromous fish, volunteer participation, and other parameters.

The required information enables NOAA to track, evaluate and report on coastal and marine habitat restoration and demonstrate accountability for federal funds. This information is used to populate a database of NOAA RC-funded habitat restoration. The database, with its robust querying capabilities, is instrumental to provide accurate and timely responses to NOAA, Department of Commerce, Congressional and constituent inquiries. It also facilitates reporting by NOAA on the Government Performance and Results Act "acres restored" performance measure. Grant recipients are required by the NOAA Grants Management Division to submit periodic performance reports and a final report for each award; this collection stipulates the information to be provided in these reports.

There are two progress report forms for simplicity. The Performance Report Form focuses on tracking project implementation, milestones, performance measures, monitoring, and expenditures. The Administrative Form

only applies to recipients with an award that will implement multiple projects. It collects information on the administration of the award, the number of projects supported by the award, and award expenditures.

##### II. Method of Collection

NOAA's preferred method of collection is submission of electronic fillable forms attached to an award file in Grants Online, NOAA's award management system. If the recipient does not have electronic access to submit the form, mailed paper forms will be accepted.

##### III. Data

*OMB Control Number:* 0648-0472.

*Form Number(s):* None.

*Type of Review:* Regular (extension of currently approved information collection).

*Affected Public:* Not-for-profit institutions; state, local, or tribal government; business or other for-profit organizations.

*Estimated Number of Respondents:* 130.

*Estimated Time per Response:* Performance Interim reports, 4 hours, 30 minutes; final reports, 7 hours, 45 minutes and Administrative Interim reports, 4 hours; final reports, 7 hours.

*Estimated Total Annual Burden Hours:* 3,475.

*Estimated Total Annual Cost to Public:* \$0 in recordkeeping/reporting costs.

##### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.