

additional information regarding this determination, *see* the Preliminary Decision Memorandum.

### Public Comment

Interested parties are invited to comment on the preliminary results and may submit case briefs and/or written comments, filed electronically using ACCESS, within 30 days of the date of publication of this notice, pursuant to 19 CFR 351.309(c)(1)(ii). Rebuttal briefs, limited to issues raised in the case briefs, will be due five days after the due date for case briefs, pursuant to 19 CFR 351.309(d). Parties who submit case or rebuttal briefs in this review are requested to submit with each argument a statement of the issue, a summary of the argument not to exceed five pages, and a table of statutes, regulations, and cases cited, in accordance with 19 CFR 351.309(c)(2).

Any interested party may request a hearing within 30 days of publication of this notice.<sup>10</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 at the hearing will be limited to issues raised in the case briefs. If a request for a hearing is made, parties will be notified of the time and date of the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.<sup>11</sup>

Unless extended, Commerce intends to issue the final results of this AR, which will include the results of its analysis of issues raised in any briefs received, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

### Assessment Rates

Upon issuing the final results of this review, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.<sup>12</sup> Commerce intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. We intend to instruct CBP to liquidate entries of subject merchandise exported by the China-wide entity, including Decca and the other seven companies noted above which did not qualify for separate rate status, at the China-wide rate. Additionally, pursuant to Commerce's practice in NME cases, if we continue to determine that the five companies noted

above had no shipments of subject merchandise, any suspended entries of subject merchandise during the POR under their case numbers will be liquidated at the China-wide rate.<sup>13</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of subject merchandise from China 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 previously investigated or reviewed China and non-China exporters 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; (2) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity, which is 216.01 percent; and (3) for all non-China exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-China 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 this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Notification To Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.(b)(4).

Dated: December 3, 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

- (1) Summary
- (2) Background
- (3) Scope of the Order
- (4) Discussion of the Methodology
  - a. NME Country Status
  - b. Separate Rates
  - c. Preliminary Determination of No Shipments
- (5) Conclusion

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-828; A-823-805]

#### Silicomanganese From the People's Republic of China and Ukraine: Continuation of the Antidumping Duty Orders

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

**SUMMARY:** As a result of determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on silicomanganese from the People's Republic of China (China) and Ukraine would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD orders on silicomanganese from China and Ukraine.

**DATES:** Applicable December 12, 2018.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Cornfield, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3855.

#### SUPPLEMENTARY INFORMATION:

#### Background

On October 4, 2017, Commerce published the notice of initiation of the fourth sunset reviews of the *AD Orders*,<sup>1</sup>

<sup>10</sup> See 19 CFR 351.310(c).

<sup>11</sup> See 19 CFR 351.310(d).

<sup>12</sup> See 19 CFR 351.212(b).

<sup>13</sup> For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

<sup>1</sup> See *Notice of Antidumping Duty Order: Silicomanganese from the People's Republic of*

pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> As a result of its reviews, Commerce determined that revocation of the *AD Orders* would likely lead to a continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins of dumping likely to prevail should the orders be revoked.<sup>3</sup> On December 6, 2018, the ITC published its determination, pursuant to sections 751(c) and 752 of the Act, that revocation of the *AD Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>4</sup>

### Scope of the *AD Orders*

The merchandise covered by these orders is silicomanganese. Silicomanganese, which is sometimes called ferrosilicon manganese, is a ferroalloy composed principally of manganese, silicon, and iron, and normally contains much smaller proportions of minor elements, such as carbon, phosphorous and sulfur. Silicomanganese generally contains by weight not less than 4 percent iron, more than 30 percent manganese, more than 8 percent silicon and not more than 3 percent phosphorous. All compositions, forms and sizes of silicomanganese are included within the scope of these orders, including silicomanganese slag, fines and briquettes. Silicomanganese is used primarily in steel production as a source of both silicon and manganese.

Silicomanganese is currently classifiable under subheading 7202.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Some silicomanganese may also currently be classifiable under HTSUS subheading 7202.99.5040.<sup>5</sup> The *AD Orders* cover all silicomanganese,

*China*, 59 FR 66003 (December 22, 1994) and *Suspension Agreement on Silicomanganese from Ukraine; Termination of Suspension Agreement and Notice of Antidumping Duty Order*, 66 FR 43838 (August 21, 2001) (*AD Orders*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 82 FR 46221 (October 4, 2017).

<sup>3</sup> See *Silicomanganese from the People's Republic of China: Final Results of Expedited Fourth Sunset Reviews of the Antidumping Duty Orders*, 83 FR 5609 (February 8, 2018). See also *Silicomanganese from the People's Republic of China: Notice of Correction to the Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order*, 83 FR 17995 (April 25, 2018).

<sup>4</sup> See *Investigation No. 731-TA-672-673 (Fourth Review): Silicomanganese from China and Ukraine*: 83 FR 62900 (December 6, 2018), and USITC Publication 4845 (November 2018).

<sup>5</sup> 7202.99.5040 is the applicable HTSUS statistical reporting prior to July 2, 2003. Effective July 2, 2003, the subject merchandise that would originally have entered under 7202.99.5040 now enters under 7202.99.8040.

regardless of its tariff classification. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the *AD Orders* remains dispositive.

### Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *AD Orders* would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *AD Orders*. U.S. Customs and Border Protection will continue to collect cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *AD Orders* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year review of this order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

### Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: December 7, 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

RIN 0648-XG598

### Atlantic Highly Migratory Species (HMS); Atlantic HMS Tournament Registration and Reporting; Selection of All Atlantic HMS Tournaments for Reporting

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

**ACTION:** Notice.

**SUMMARY:** NMFS announces that all Atlantic HMS tournaments will be selected for reporting beginning on January 1, 2019. Previously, only a portion of Atlantic HMS tournaments were selected for reporting. An Atlantic HMS tournament is a tournament that awards points or prizes for catching Atlantic HMS (*i.e.*, swordfish, billfish, sharks and/or tunas). When selected for reporting, Atlantic HMS tournament operators are required to submit an HMS tournament catch summary report within seven days after tournament fishing has ended. NMFS uses the data to estimate the total annual catch of HMS and the impact of tournament operations in relation to other types of fishing activities.

**DATES:** Selection of all Atlantic HMS tournaments for reporting will begin January 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Nicolas Alvarado at 727-209-5955 or 727-824-5398 (fax), or email [Nicolas.Alvarado@noaa.gov](mailto:Nicolas.Alvarado@noaa.gov).

### SUPPLEMENTARY INFORMATION:

The U.S. Atlantic HMS fisheries are managed under the 2006 Consolidated HMS Fishery Management Plan and its amendments. Implementing regulations at 50 CFR part 635 are issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act (ATCA), 16 U.S.C. 971 *et seq.* ATCA authorizes the Secretary of Commerce to promulgate regulations, as may be necessary and appropriate, to implement recommendations of the International Commission for the Conservation of Atlantic Tunas.

An Atlantic HMS tournament is a tournament that awards points or prizes for catching Atlantic HMS (swordfish, billfish, sharks and/or tunas). Existing regulations at § 635.5(d) require Atlantic HMS tournament operators to register their tournaments with NMFS four weeks in advance of the tournament.