

telephone: (202) 482-6478 or (202) 482-1779, respectively.

### Background

On July 31, 2014, the Department initiated an administrative review of the CVD order on HPSC from the PRC with respect to Beijing Tianhai Industry Co., Ltd. (BTIC) covering the period January 1, 2013, through December 31, 2013, based on requests by Norris Cylinder Company (hereinafter, Petitioner) and BTIC.<sup>1</sup> On September 9, 2014, both Petitioner and BTIC timely withdrew their respective requests for an administrative review of BTIC.<sup>2</sup> No other party requested a review.

### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. In this case, both Petitioner and BTIC withdrew their respective requests within the 90-day deadline, and no other party requested an administrative review of the CVD order. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding the administrative review of HPSC from the PRC covering the period January 1, 2013, through December 31, 2013, in its entirety.

### Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess CVDs on all entries of HPSC from the PRC made during the period of review at rates equal to the cash deposit of estimated CVDs required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice in the **Federal Register**, if appropriate.

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 79 FR 44390, 44392 (July 31, 2014); see also Letter from Petitioner, "High Pressure Steel Cylinders from the People's Republic of China Revised Request for Administrative Review and Entry of Appearance" (June 30, 2014); Letter from BTIC, "Request for the Second Administrative Review of the Countervailing Duty Order on High Pressure Steel Cylinders from the People's Republic of China, C-570-978 (POR: 01/01/13-12/31/13)" (June 30, 2014).

<sup>2</sup> See Letter from Petitioner, "Withdrawal of Request for an Administrative Review of the Countervailing Duty Order on High Pressure Steel Cylinders from the People's Republic of China" (September 9, 2014); Letter from BTIC, "Withdrawal of Review Request in the Administrative Review of Countervailing Duty Order on High Pressure Steel Cylinders from the People's Republic of China" (September 9, 2014).

### Notifications

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

This notice also serves as a final 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). 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 that is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: September 24, 2014.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2014-23403 Filed 9-30-14; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-995]

#### Grain-Oriented Electrical Steel from the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of grain-oriented electrical steel (GOES) from the People's Republic of China (the PRC). For information on the estimated subsidy rates, see the "Suspension of Liquidation" section of this notice.

**DATES:** *Effective Date:* October 1, 2014.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Nair, David Cordell or Brian Davis, 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 202.482.3813, 202.482.0408 or 202.482.7924, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

Petitioners to this investigation are the AK Steel Corporation, Allegheny Ludlum, LLC, as well as the United Steelworkers, which represents employees of Allegheny Ludlum (collectively, Petitioners). This investigation covers 19 government programs. The mandatory respondent to this investigation is Baoshan Iron & Steel Co., Ltd.

#### Period of Investigation

The period of investigation for which we are measuring subsidies is January 1, 2012, through December 31, 2012.

#### Case History

The events that have occurred since the Department published the *Preliminary Determination* on March 11, 2014,<sup>1</sup> are discussed in the Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Issues and Decision Memorandum for the Final Determination of Grain-Oriented Electrical Steel from the People's Republic of China" (Decision Memorandum), which is hereby adopted by this notice.<sup>2</sup>

#### Scope of the Investigation

The scope of the investigation covers GOES, which is a flat-rolled alloy steel product containing by weight specific levels of silicon, carbon, and aluminum. For a complete description of the scope of the investigation, see Appendix I to this notice.

#### Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs submitted by parties in this investigation are addressed in the Decision Memorandum, dated concurrently with

<sup>1</sup> See *Countervailing Duty Investigation of Grain-Oriented Electrical Steel From the People's Republic of China: Preliminary Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 79 FR 13617 (March 11, 2014).

<sup>2</sup> Public versions of all business proprietary documents and all public documents are on file electronically via the Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, Room 7046 of the main Department of Commerce building.

this notice. A list of the issues that parties raised and to which we responded in the Decision Memorandum is attached to this notice as Appendix II.

The Decision Memorandum is a public document and is on file electronically via IA ACCESS. In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/index.html>. The signed and the electronic versions of this memorandum are identical in content.

**Use of Facts Otherwise Available, Including Adverse Inferences**

For purposes of this final determination, we relied on facts available and applied an adverse inference, in accordance with sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), with regard to (1) the existence of a financial contribution, benefit, and specificity for the alleged

subsidy programs and (2) Baoshan Iron & Steel Co., Ltd.’s (Baoshan) net subsidy rate. A full discussion of our decision to rely on adverse facts available is presented in the Decision Memorandum under the section “Use of Facts Otherwise Available and Adverse Inferences.”

**Suspension of Liquidation**

In accordance with section 705(c)(1)(B)(i) of the Act, we have calculated an individual rate for Baoshan. Section 705(c)(5)(A)(i) of the Act states that for companies not individually investigated, we will determine an “all-others” rate equal to the weighted average countervailable subsidy rates established for exporters and producers individually investigated, excluding any zero and *de minimis* countervailable rates, and any rates determined entirely under section 776 of the Act. Section 705(c)(5)(A)(ii) of the Act states that if the countervailable subsidy rates for all

exporters and producers individually investigated are zero or *de minimis* rates, or are determined entirely under section 776 of the Act, the Department may use any reasonable method to establish an all-others rate for exporters and producers not individually investigated, including averaging the weighted average countervailable subsidy rates determined for the exporters and producers individually investigated. As described above, Baoshan’s subsidy rate was calculated entirely under section 776 of the Act. Therefore, we have resorted to “any reasonable method” to derive the “all-others” rate, as described under section 705(c)(5)(A)(ii) of the Act. We are basing the “all-others” rate on the rate determined for Baoshan, consistent with section 705(c)(5)(A)(ii) of the Act.<sup>3</sup> This issue is discussed in more detail in Comment 1 of the Decision Memorandum.

We determine the total estimated net countervailable subsidy rates to be:

Producer/exporter	Net subsidy <i>Ad Valorem</i> rate (percent)
Baoshan Iron & Steel Co., Ltd. ....	127.69
All-Others .....	127.69

As a result of our *Preliminary Determination*, and pursuant to section 703(d) of the Act, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of GOES from the PRC that were entered or withdrawn from warehouse, for consumption on or after March 11, 2014, the date of publication of the *Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, we issued instructions to CBP to discontinue the suspension of liquidation for countervailing duty (CVD) purposes for subject merchandise entered, or withdrawn from warehouse, on or after July 9, 2104, but to continue the suspension of liquidation of all entries from March 11, 2014, through July 8, 2014.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a CVD order and reinstate the suspension of liquidation under section 706(a) of the Act and will require a cash deposit of estimated CVDs for such entries of merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding

will be terminated and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

**ITC Notification**

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

**Return or Destruction of Proprietary Information**

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely

written notification of the return/ 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 that is subject to sanction.

This determination is published pursuant to sections 705(d) and 777(i) of the Act.

Dated: September 24, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix I—Scope of the Investigation**

The scope of this investigation covers grain-oriented silicon electrical steel (GOES). GOES is a flat-rolled alloy steel product containing by weight at least 0.6 percent but not more than 6 percent of silicon, not more than 0.08 percent of carbon, not more than 1.0 percent of aluminum, and no other element in an amount that would give the steel the characteristics of another alloy steel, in coils or in straight lengths. The GOES that is subject to this investigation is currently classifiable under subheadings 7225.11.0000, 7226.11.1000, 7226.11.9030, and 7226.11.9060 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs

<sup>3</sup> See, e.g., *Certain Potassium Phosphate Salts From the People’s Republic of China: Final*

*Affirmative Countervailing Duty Determination and*

*Termination of Critical Circumstances Inquiry*, 75 FR 30375, 30376 (June 1, 2010).

purposes, the written description of the scope of this investigation is dispositive. Excluded are flat-rolled products not in coils that, prior to importation into the United States, have been cut to a shape and undergone all punching, coating, or other operations necessary for classification in Chapter 85 of the HTSUS as a transformer part (*i.e.*, laminations).

## Appendix II—Issues and Decision Memorandum

- I. Summary
- II. Background
  - A. Case History
  - B. Period of Investigation
- III. Scope Comments
- IV. Scope of the Investigation
- V. Application of the Countervailing Duty Law to Imports From the PRC
- VI. Use of Facts Otherwise Available and Adverse Inferences
  - A. Selection of the Adverse Facts Available Rate
  - B. Subsidy Rate Chart
- VII. Analysis of Comments
 

Comment 1: Countervailable Subsidy Rate for Baoshan and All-Others Rate
- VIII. Conclusion

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–821–821]

#### Grain-Oriented Electrical Steel From the Russian Federation: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances

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

**SUMMARY:** The Department of Commerce (the Department) determines that grain-oriented electrical steel (GOES) from the Russian Federation (Russia) is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). In addition, we determine that critical circumstances exist with respect to imports of the subject merchandise from Russia. The period of investigation (POI) is July 1, 2012, through June 30, 2013. The final weighted-average dumping margins of sales at LTFV are listed below in the “Final Determination” section of this notice.

**DATES:** *Effective Date:* October 1, 2014.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Eastwood at (202) 482–3874; AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of

Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 12, 2014, the Department published the preliminary determination of sales at LTFV of GOES from Russia.<sup>1 2</sup> We invited interested party comments on the preliminary determination in this investigation. On June 11, 2014, we received case briefs from OJSC Novolipetsk Steel/VIZ-Steel LLC (NLMK) and the Ministry of Economic Development of the Russian Federation. On June 16, 2014, we received a rebuttal brief from the domestic industry.<sup>3</sup> On July 28, 2014, we held a public hearing at the request of NLMK.

##### Scope of the Investigation

The scope of the investigation covers GOES, which is a flat-rolled alloy steel product containing by weight specific levels of silicon, carbon, and aluminum. For a complete description of the scope of the investigation, see Appendix I to this notice.

##### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached to this notice as Appendix II. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and it is available to all parties in the Central Records Unit, room 7046 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/>

<sup>1</sup> See *Grain-Oriented Electrical Steel from Germany, Japan, Poland, and the Russian Federation: Preliminary Determinations of Sales at Less Than Fair Value, Certain Affirmative Preliminary Determinations of Critical Circumstances, and Postponement of Russian Final Determination*, 79 FR 26941 (May 12, 2014) (*Preliminary Determination*).

<sup>2</sup> As part of the preliminary determination, we postponed the deadline for the final determination in this investigation to no later than 135 days after the date of publication of the preliminary determination. *Id.*

<sup>3</sup> The domestic industry includes AK Steel Corporation, Allegheny Ludlum, LLC, and the United Steelworkers (*i.e.*, the parties filing the petition), as well as one additional domestic interested party, the International Union, United Automobile, Aerospace, and Agricultural Implemental Workers of America (UAW).

[frn/index.html](#). The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

##### Changes Since the Preliminary Determination

Based on our analysis of the comments received, we made no changes to our preliminary determination.

##### Verification

The Department did not verify NLMK in this investigation because we determined that it failed to cooperate to the best of its ability in the preliminary determination.

##### Final Determination

We continue to determine that the following dumping margins exist for the POI:

Manufacturer/exporter	Dumping margin (percent)
OJSC Novolipetsk Steel/VIZ-Steel LLC .....	119.88
All Others .....	68.98

##### Final Affirmative Determination of Critical Circumstances

We made no changes to our critical circumstances analysis announced in the *Preliminary Determination* and described in “Decision Memorandum for the Preliminary Determination of the Antidumping Duty Investigation of Grain-Oriented Electrical Steel from Russia.”<sup>4</sup> Thus, pursuant to 735(a)(3) of the Act, we continue to find that critical circumstances exist with respect to imports of GOES from Russia from NLMK and the companies covered by the “all others” rate. For further discussion, see the Issues and Decision Memorandum at Comment 4.

##### Continuation of Suspension of Liquidation

In accordance with section 735(c)(4)(A) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of GOES from Russia, as described in Appendix I of this notice, for NLMK and the companies covered by the “all others” rate which were entered, or withdrawn from warehouse, for consumption on or after February 11, 2014, which is 90 days prior to the publication of the preliminary

<sup>4</sup> See *Preliminary Determination*, 79 FR 26941, and accompanying Preliminary Issues and Decision Memorandum.