

DEPARTMENT OF COMMERCE

International Trade Administration

A-570-909

Certain Steel Nails from the People's Republic of China: Initiation of Antidumping Duty New Shipper Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: March 20, 2009.

SUMMARY: The Department of Commerce ("Department") has determined that a request for a new shipper review ("NSR") of the antidumping duty order on certain steel nails ("steel nails") from the People's Republic of China ("PRC"), received on February 25, 2009, meets the statutory and regulatory requirements for initiation. The period of review ("POR") for this NSR is January 23, 2008, through January 31, 2009.¹

FOR FURTHER INFORMATION CONTACT: Tim Lord, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-7425.

SUPPLEMENTARY INFORMATION:**Background**

The notice announcing the antidumping duty order on certain steel nails from the PRC was published in the **Federal Register** on August 1, 2008. *See Notice of Antidumping Duty Order: Certain Steel Nails From the People's Republic of China*, 73 FR 44961 (August 1, 2008) ("Antidumping Duty Order"). On February 25, 2009, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.214(c), the Department received a NSR request from Qingdao Denarius. Qingdao Denarius' request was properly made during February 2009, which is the semi-annual anniversary of the *Antidumping Duty Order*. Qingdao Denarius certified that it is a producer and exporter of the subject merchandise upon which the request was based. Qingdao Denarius also submitted a public version, which adequately summarized proprietary information and provided explanations as to why certain proprietary

information is not capable of summarization.

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Qingdao Denarius certified that it did not export steel nails to the United States during the period of investigation ("POI"). In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Qingdao Denarius certified that, since the initiation of the investigation, it has never been affiliated with any Chinese exporter or producer who exported steel nails to the United States during the POI, including those not individually examined during the investigation. As required by 19 CFR 351.214(b)(2)(iii)(B), Qingdao Denarius also certified that its export activities were not controlled by the central government of the PRC.

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Qingdao Denarius submitted documentation establishing the following: (1) the date on which Qingdao Denarius first shipped steel nails for export to the United States and the date on which the steel nails were first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.

The Department conducted U.S. Customs and Border Protection ("CBP") database queries in an attempt to confirm that Qingdao Denarius's shipments of subject merchandise had entered the United States for consumption and that liquidation of such entries had been properly suspended for antidumping duties. The Department also examined whether the CBP data confirmed that such entries were made during the NSR POR. The information we examined was consistent with that provided by Qingdao Denarius.

Initiation of New Shipper Reviews

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214, the Department finds that Qingdao Denarius meets the threshold requirements for initiation of a NSR for the shipments of steel nails from the PRC that it produced and exported. *See* "Memorandum to the File from Tim Lord, Case Analyst, Initiation of AD New Shipper Review: Certain Steel Nails from the People's Republic of China (A-570-909)" (March 16, 2009).

The Department intends to issue the preliminary results of this NSR no later than 180 days from the date of initiation, and the final results no later than 270 days from the date of

initiation. *See* section 751(a)(2)(B)(iv) of the Act.

On August 17, 2006, the Pension Protection Act of 2006 ("H.R. 4") was signed into law. Section 1632 of H.R. 4 temporarily suspends the authority of the Department to instruct CBP to collect a bond or other security in lieu of a cash deposit in new shipper reviews during the period of April 1, 2006, through June 30, 2009. Therefore, the posting of a bond or other security under section 751(a)(B)(iii) of the Act in lieu of a cash deposit is not available in this case. Importers of steel nails from the PRC manufactured and/or exported by Qingdao Denarius must continue to post cash deposits of estimated antidumping duties on each entry of subject merchandise at the current PRC-wide entity rate of 118.04 percent. *See Antidumping Duty Order*.

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306. This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: March 16, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E9-6155 Filed 3-19-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews: Notice of Completion of Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of Completion of Panel Review of the International Trade Administration's Final Results of Countervailing Duty Administrative Review and Rescission of Certain Company-Specific Reviews in Certain Softwood Lumber Products from Canada (Secretariat File Number: USA-CDA-2005-1904-01).

SUMMARY: Pursuant to the Order of the Binational Panel dated February 10, 2009, the determination described above was completed on February 10, 2009.

¹ The POR of February 1, 2008, through January 31, 2009, listed in the NSR request submitted by Qingdao Denarius Manufacture Co., Ltd ("Qingdao Denarius") on February 25, 2009, was incorrect. The correct POR is January 23, 2008, through January 31, 2009, because the suspension of liquidation began on January 23, 2008. *See* 19 CFR 351.214(g)(ii)(B).

FOR FURTHER INFORMATION CONTACT: Marsha Iyomasa, Deputy United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: On February 10, 2009, the Binational Panel issued a memorandum opinion and order, which granted the International Trade Administration's Motion to Dismiss the Complaints, concerning Certain Softwood Lumber Products from Canada. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if no request for an Extraordinary Challenge was filed. No such request was filed. Therefore, on the basis of the Panel Order and Rule 80 of the Article 1904 Panel Rules, the Panel Review was completed and the panelists were discharged from their duties effective February 10, 2009.

Dated: March 13, 2009.

Marsha Iyomasa,

Deputy United States Secretary, NAFTA Secretariat.

[FR Doc. E9-6034 Filed 3-19-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-357-819, C-580-862]

Ni-Resist Piston Inserts From Argentina and the Republic of Korea: Notice of Postponement of Preliminary Determination in the Countervailing Duty Investigations

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

DATES: *Effective Date:* March 20, 2009.

FOR FURTHER INFORMATION CONTACT: John Conniff (Republic of Korea) or Kristen Johnson (Argentina), AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone 202-482-1009 and (202) 482-4793, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 23, 2009, the Department of Commerce (the Department) initiated the countervailing duty investigations of ni-resist piston inserts from Argentina and the Republic of Korea. *See Ni-Resist Piston Inserts from Argentina and the Republic of Korea: Initiation of*

Countervailing Duty Investigations, 74 FR 8054, and (February 23, 2009).

Postponement of Due Date for Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a countervailing duty investigation within 65 days after the date on which the Department initiated the investigation. However, the Department may postpone making the preliminary determination until no later than 130 days after the date on which the administering authority initiated the investigation if, pursuant to section 703(c)(1)(B)(i) of the Act, the Department concludes that the parties concerned in the investigation are cooperating and determines that the investigation is extraordinarily complicated or, pursuant to 703(c)(1)(B)(ii) of the Act, the Department finds that "additional time is necessary to the make the preliminary determination."

In the Korean investigation, the Department is currently investigating a number of complex alleged subsidy programs including loans from state-owned banks and lending programs where state-owned banks are using commercial banks as a means of financing Korean manufacturers and exporters. In the Argentine investigation, on March 5, 2009, petitioner submitted to the Department timely new subsidy allegations.¹ In that submission, currently under review by the Department, petitioner alleges that Clorindo Appo SRL (Clorindo), the mandatory respondent, received various energy rate subsidies, technical business assistance from an enterprise development center, government financing subsidies in the form of pre-export and post-export loans, import financing, investment financing for small and medium-sized enterprises, and working capital credit from government banks.

Due to the number and complexity of the alleged subsidy programs at issue in the Korean investigation and in light of the new subsidy allegations at issue in the Argentine investigation, we find that we require additional time to complete the preliminary determinations in the respective investigations. Therefore, in accordance with section 703(c)(1)(B)(ii) of the Act, we are fully extending the due date for the preliminary determinations to no later than 130 days after the day on which the investigations were initiated. The

¹ Petitioner is Korff Holdings, LLC d/b/a Quaker City Castings.

deadline for completion of the preliminary determinations is now June 29, 2009.

This notice is issued and published pursuant to section 703(c)(2) of the Act.

Dated: March 16, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E9-6150 Filed 3-19-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A-823-808

Certain Cut-to-Length Carbon Steel Plate from Ukraine; Final Results of Full Sunset Review of the Suspension Agreement

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Final Results of the Full Sunset Review of the Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate from Ukraine

SUMMARY:

On November 25, 2008, the Department of Commerce ("the Department") published a notice of preliminary results of the full sunset review of the suspended antidumping duty investigation on certain cut-to-length carbon steel plate ("CTL plate") from Ukraine pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). *See Certain Cut-to-Length Carbon Steel Plate from Ukraine; Preliminary Results of Full Sunset Review of the Suspension Agreement*, 73 FR 71603 (November 25, 2008) ("*Preliminary Results*"). We provided interested parties an opportunity to comment on our *Preliminary Results*. The Department did not receive comments from either domestic or respondent interested parties. As a result of this review, the Department continues to find that termination of the suspended antidumping duty investigation on CTL plate from Ukraine would likely lead to a continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

EFFECTIVE DATE: March 20, 2009.

FOR FURTHER INFORMATION CONTACT: Judith Wey Rudman or Jay Carreiro, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W.,