

Dated: October 6, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

# **Appendix I: List of Topics Discussed in the Preliminary Decision Memorandum**

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## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

**[A-307-820]**

#### **Silicomanganese from Venezuela: Rescission of Antidumping Duty Administrative Review; 2014-2015**

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

**SUMMARY:** The Department of Commerce (the Department) is rescinding the administrative review of the antidumping duty order on silicomanganese from Venezuela for the period May 1, 2014, through April 30, 2015.

**DATES:** Effective Date: October 15, 2015.

#### **FOR FURTHER INFORMATION CONTACT:**

Scott Hoefke or Robert James, 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) 482-4947 and (202) 482-0649, respectively.

## **SUPPLEMENTARY INFORMATION:**

### *Background*

On July 1, 2015, based on a timely request for review by Eramet Marietta, Inc. (Eramet) and Felman Production, LLC (Felman) (collectively, Petitioners), the Department published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order on silicomanganese from Venezuela covering the period May 1, 2014, through April 30, 2015.<sup>1</sup> On August 25, 2015, Petitioners withdrew its request for an administrative review of all of the companies listed in its review request.<sup>2</sup>

### *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, Petitioners timely withdrew its review request by the 90-day deadline, and no other party requested an administrative review of the antidumping duty order. As a result, we are rescinding the administrative review of silicomanganese from Venezuela for the period May 1, 2014, through April 30, 2015.

### *Assessment*

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Because the Department is rescinding this administrative review in its entirety, the entries to which this administrative review pertained shall be assessed antidumping duties at rates equal to the cash deposit of estimated antidumping duties 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 publication of this notice.

### *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 antidumping duties prior to

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 80 FR 37588 (July 1, 2015).

<sup>2</sup> See letter from Petitioners to the Secretary of Commerce entitled, "Silicomanganese from Venezuela: Withdrawal of Request for Administrative Review of Antidumping Order," dated August 25, 2015.

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 the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

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, which continues to govern business proprietary information in this segment of the proceeding. 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 which 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: October 7, 2015.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duties.*

[FR Doc. 2015-26256 Filed 10-14-15; 8:45 am]

**BILLING CODE 3510-DS-P**

## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

**[A-523-810]**

#### **Certain Polyethylene Terephthalate Resin From the Sultanate of Oman: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination**

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

**DATES:** Effective Date: October 15, 2015.

**SUMMARY:** The Department of Commerce ("Department") preliminarily determines that certain polyethylene terephthalate resin ("PET resin") from the Sultanate of Oman ("Oman") is being, or is likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733(b) of the Tariff Act of 1930, as amended (the "Act"). The period of investigation is January 1, 2014, through December 31, 2014. The estimated weighted-average dumping margins are shown in the "Preliminary Determination" section of this notice. Interested parties are invited to comment on this preliminary determination.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3518.

**SUPPLEMENTARY INFORMATION:**

*Background*

The Department published the notice of initiation of this investigation on April 6, 2015.<sup>1</sup> Pursuant to section 733(c)(1)(A) of the Act, the Department postponed this preliminary LTFV determination by 50 days until October 6, 2015.<sup>2</sup>

*Scope of the Investigation*

The merchandise covered by this investigation is polyethylene terephthalate (“PET”) resin. The merchandise subject to this investigation is properly classified under subheading 3907.60.00.30 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

For a full description of the scope of this investigation, see the Preliminary Decision Memorandum, hereby adopted by this notice.<sup>3</sup> The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available to all parties in the Department’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 found at

<http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

*Scope Comments*

The *Initiation Notice* provided interested parties an opportunity to raise issues regarding product coverage (scope). However, no party to the proceeding provided scope comments.

*Methodology*

The Department is conducting this investigation in accordance with section 731 of the Act. Export prices (“EP”) and constructed export prices (“CEP”) have been calculated in accordance with section 772 of the Act. Normal value (“NV”) has been calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum, hereby adopted by this notice.

*All Others Rate*

Section 735(c)(5)(A) of the Act provides that the estimated “all others” rate shall be an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* dumping margins, and any dumping margins determined entirely under section 776 of the Act. We based our calculation of the “all others” rate on the dumping margin calculated for OCTAL SAOC—FZC (“OCTAL”), the only mandatory respondent in this investigation. This margin was not zero or *de minimis* and it was not determined entirely under section 776 of the Act.

*Preliminary Determination*

The Department preliminarily determines that the following weighted-average dumping margins exist during the period January 1, 2014, through December 31, 2014:

Producer or exporter	Weighted-average dumping margin (percent)
OCTAL SAOC—FZC .....	6.62
All Others .....	6.62

*Suspension of Liquidation*

In accordance with section 733(d)(2) of the Act, the Department will direct U.S. Customs and Border Protection (“CBP”) to suspend liquidation of all entries of PET resin from Oman, as described in the “Scope of the

Investigation” section, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), we will instruct CBP to require a cash deposit<sup>4</sup> equal to the weighted-average amount by which the NV exceeds EP, or CEP as indicated in the chart above. These suspension of liquidation instructions will remain in effect until further notice.

*Disclosure and Public Comment*

We intend to disclose the calculations performed to parties in this proceeding within five days after public announcement of the preliminary determination in accordance with 19 CFR 351.224(b). Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for submitting case briefs.<sup>5</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically using ACCESS. All documents must be filed electronically using ACCESS. An electronically filed hearing request must be received successfully in its entirety by ACCESS, by 5:00 p.m. Eastern Time, within 30 days after the date of publication of this notice.<sup>6</sup> Hearing requests should contain the party’s name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the

<sup>1</sup> See *Certain Polyethylene Terephthalate Resin From Canada, the People’s Republic of China, India, and the Sultanate of Oman: Initiation of Less-Than-Fair-Value Investigations*, 80 FR 18376 (April 6, 2015) (“*Initiation Notice*”).

<sup>2</sup> See *Certain Polyethylene Terephthalate Resin from Canada, the People’s Republic of China, India, and the Sultanate of Oman: Postponement of Preliminary Determinations of Antidumping Duty Investigations*, 80 FR 45640 (July 31, 2015).

<sup>3</sup> See Memorandum from Christian Marsh, Deputy Assistant Secretary, Antidumping and Countervailing Duty Operations to Paul Piquado, Assistant Secretary, Enforcement and Compliance “*Certain Polyethylene Terephthalate Resin From the Sultanate of Oman: Decision Memorandum for the Preliminary Determination in the Antidumping Duty Investigation*,” (“*Preliminary Decision Memorandum*”) dated concurrently with and hereby adopted by this notice. A list of the topics discussed in the Preliminary Decision Memorandum appears in Appendix I, below.

<sup>4</sup> See *Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations*, 76 FR 61042 (October 3, 2011).

<sup>5</sup> See 19 CFR 351.309(c); see also 19 CFR 351.303 (for general filing requirements).

<sup>6</sup> See 19 CFR 351.310(c).

date, time, and location of the hearing two days before the scheduled date.

#### Verification

As provided in section 782(i)(1) of the Act, the Department intends to verify the information submitted by OCTAL and its affiliates prior to making a final determination in this investigation.

#### Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. 19 CFR 351.210(e)(2) requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

OCTAL requested that, contingent upon an affirmative preliminary determination of sales at LTFV for OCTAL, the Department postpone its final determination pursuant to 19 CFR 351.210(e)(2).<sup>7</sup> In addition, OCTAL requested to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a period not to exceed six months.

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii) and (e)(2), because: (1) Our preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.<sup>8</sup>

<sup>7</sup> See Letter from OCTAL to the Secretary of Commerce "OCTAL's Request for Extension of Final Determination and Provisional Measures Certain Polyethylene Terephthalate (PET) Resin from the Sultanate of Oman," dated September 24, 2015.

<sup>8</sup> See 19 CFR 351.210(e).

#### U.S. International Trade Commission ("ITC") Notification

In accordance with section 733(f) of the Act, we will notify the ITC of our preliminary affirmative determination of sales at LTFV. Because the preliminary determination in this proceeding is affirmative, section 735(b)(2) of the Act requires that the ITC make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of PET resin from Oman before the later of 120 days after the date of this preliminary determination or 45 days after our final determination. Because we are postponing the deadline for our final determination to 135 days from the date of publication of this preliminary determination, as discussed above, the ITC will make its final determination no later than 45 days after our final determination.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: October 6, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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[FR Doc. 2015-26261 Filed 10-14-15; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-825]

#### Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Turkey: Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

**DATES:** *Effective Date:* October 15, 2015.

**FOR FURTHER INFORMATION CONTACT:** Reza Karamloo at (202) 482-4470 or Rebecca Trainor at (202) 482-4007, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 10, 2015, the Department of Commerce (the Department) initiated the countervailing duty (CVD) investigation of heavy walled rectangular welded carbon steel pipes and tubes from the Republic of Turkey.<sup>1</sup> Currently, the preliminary determination is due no later than October 14, 2015.

##### Postponement of the 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 CVD investigation within 65 days after the date on which the Department initiated the investigation. However, if the Department concludes that the parties concerned are cooperating, and that the case is extraordinarily complicated such that additional time is necessary to make the preliminary determination, section 703(c)(1)(B) of the Act allows the Department to postpone making the preliminary determination until no later than 130 days after the date on which the administering authority initiated the investigation. We have concluded that the parties concerned are cooperating and that the case is extraordinarily complicated, such that we need more time to make the preliminary determination. Specifically, the analysis will involve not only the usual consideration of financial contribution and specificity for numerous programs,

<sup>1</sup> See *Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Initiation of Countervailing Duty Investigation*, 80 FR 49207 (August 17, 2015).