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## DEPARTMENT OF COMMERCE

### International Trade Administration [C-489-830]

#### Steel Concrete Reinforcing Bar From the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination With Final Antidumping Duty Determination

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

**SUMMARY:** The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to producers and exporters of steel concrete reinforcing bar (rebar) from the Republic of Turkey (Turkey). The period of investigation is January 1, 2015, through December 31, 2015.

**DATES:** Effective March 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Kaitlin Wojnar, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3857.

#### SUPPLEMENTARY INFORMATION:

##### Background

This preliminary determination is issued in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). The Department published the notice of initiation of this investigation on October 18, 2016.<sup>1</sup> On December 1, 2016, the Department postponed the preliminary determination of this investigation until

February 21, 2017.<sup>2</sup> For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>3</sup> A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. 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 <https://access.trade.gov>, and is available to all parties in the 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 at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

#### Scope of the Investigation

The product covered by this investigation is rebar from Turkey. For a complete description of the scope of the investigation, see Appendix I to this notice.

#### Scope Comments

In accordance with the *Preamble* to the Department's regulations,<sup>4</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>5</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*.

#### Methodology

The Department is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, the Department preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an "authority" that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup>

<sup>2</sup> See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Postponement of Preliminary Determination in Countervailing Duty Investigation*, 81 FR 86701 (December 1, 2016).

<sup>3</sup> See Department Memorandum, "Decision Memorandum for the Preliminary Determination in the Countervailing Duty Investigation of Steel Concrete Reinforcing Bar from the Republic of Turkey," dated concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum).

<sup>4</sup> See *Antidumping Duties; Countervailing Duties: Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>5</sup> See *Initiation Notice*, 81 FR at 71706.

<sup>6</sup> See sections 771(5)(B) and (D) of the Act (regarding financial contribution); see also section 771(5)(E) of the Act (regarding benefit); section 771(5A) of the Act (regarding specificity).

#### Alignment

As noted in the Preliminary Decision Memorandum, in accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), the Department is aligning the final determination in this countervailing duty (CVD) investigation with the final determination in the companion antidumping duty (AD) investigation of rebar from Turkey based on a request made by the petitioner.<sup>7</sup> Consequently, the final CVD determination will be issued on the same date as the final AD determination, which is currently scheduled to be issued no later than May 15, 2017, unless postponed.

#### All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that, in the preliminary determination, the Department shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely on facts otherwise available under section 776 of the Act.

The Department calculated an individual estimated countervailable subsidy rate for Habaş Sinai ve Tibbi Gazlar İstihsal Endüstrisi A.Ş. (Habas), the only individually examined exporter/producer in this investigation. Because the only individually calculated rate is not zero, *de minimis*, or based entirely on facts otherwise available, the individual estimated rate calculated for Habas is the rate assigned to all other producers and exporters, pursuant to section 705(c)(5)(A)(i) of the Act.

#### Preliminary Determination

The Department preliminarily determines that the following estimated countervailable subsidy rates exist:

| Company  | Subsidy rate |
|--|--------------|
| Habaş Sinai ve Tibbi Gazlar İstihsal Endüstrisi A.Ş. <sup>8</sup> .... | 3.47 percent |
| All-Others .....   | 3.47 percent |

The scope of this countervailing duty investigation covers only rebar

<sup>7</sup> See Letter from the Rebar Trade Action Coalition and its individual members, "Steel Concrete Reinforcing Bar from Turkey: Request to Align Countervailing Duty Final Determination with Antidumping Duty Final Determination," February 1, 2017.

<sup>8</sup> As discussed in the Preliminary Decision Memorandum, the Department has found the

Continued

<sup>1</sup> See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Initiation of Countervailing Duty Investigation*, 81 FR 71705 (October 18, 2016) (*Initiation Notice*).

produced and/or exported by companies excluded from the existing 2014 Turkey CVD Order. Currently, only Habas is excluded from the existing order and, therefore, no companies will be subject to the all-others rate indicated above at this time, and cash deposits discussed below will apply solely to rebar produced and/or exported by Habas.

#### **Suspension of Liquidation**

In accordance with sections 703(d)(1)(B) and (d)(2) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, 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**. Furthermore, pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the rate indicated above for Habas.

#### **Disclosure**

The Department intends to disclose the calculations and analysis performed in this preliminary determination to interested parties within five days of its public announcement or, if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

#### **Verification**

As provided in section 782(i)(1) of the Act, the Department intends to verify the information relied upon in making its final determination.

#### **Public Comment**

For reasons discussed in the Preliminary Determination Memorandum, the Department invites interested parties to submit *monthly* natural gas price data to the Assistant Secretary for Enforcement and Compliance via ACCESS for purposes of valuing the provision of natural gas for less than adequate remuneration and/or comment on the natural gas price data that is currently on the record within 10 days of the publication of this notice.<sup>9</sup> Rebuttal comments may be submitted within five days after the deadline for new monthly price data and initial comments.

Case briefs or other written comments may also be submitted to the Assistant

Secretary for Enforcement and Compliance via ACCESS no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline for case briefs.<sup>10</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit the following with each argument: (1) A statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, 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, 1401 Constitution Avenue NW., Washington, DC 20230, at a date and time to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

#### **International Trade Commission Notification**

In accordance with section 703(f) of the Act, the Department will notify the International Trade Commission (ITC) of its determination. If the determination is affirmative, the ITC will make its final determination before the later of 120 days after the date of this preliminary determination or 45 days after the final determination.

#### **Notification to Interested Parties**

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act and 19 CFR 351.205(c).

Dated: February 21, 2017.

**Carole Showers,**

*Executive Director, Office of Policy, Policy & Negotiations.*

#### **Appendix I**

##### **Scope of the Investigation**

The merchandise subject to this investigation is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (e.g., mill mark, size, or grade) and which has been subjected to an elongation test.

The subject merchandise includes rebar that has been further processed in the subject country or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (i.e., nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (e.g., mill mark, size, or grade) and without being subject to an elongation test.

At the time of the filing of the petition, there was an existing countervailing duty order on steel reinforcing bar from the Republic of Turkey. *Steel Concrete Reinforcing Bar From the Republic of Turkey*, 79 FR 65,926 (Dep't Commerce Nov. 6, 2014) (2014 Turkey CVD Order). The scope of this countervailing duty investigation with regard to rebar from Turkey covers only rebar produced and/or exported by those companies that are excluded from the 2014 Turkey CVD Order. At the time of the issuance of the 2014 Turkey CVD Order, Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. was the only excluded Turkish rebar producer or exporter.

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.

HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

#### **Appendix II**

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

- I. Summary
- II. Background
- III. Scope Comments
- IV. Scope of the Investigation
- V. Alignment
- VI. Respondent Selection
- VII. Injury Test

following companies to be cross-owned by Habas: Habas Elektrik Üretim A.Ş., Habas Endüstri Tesisleri A.Ş., Habas Petrol A.Ş., and Mertaş Turizm Nakliyat ve Ticaret A.Ş.

<sup>9</sup> See Preliminary Determination Memorandum at 11–12.

<sup>10</sup> See 19 CFR 351.309; see also 19 CFR 351.303 for general filing requirements.

VIII. Subsidies Valuation  
IX. Analysis of Programs  
X. Conclusion

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-850]

#### **Certain Oil Country Tubular Goods From Taiwan: Rescission of Antidumping Duty Administrative Review; 2015-2016**

**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 certain oil country tubular goods from Taiwan for the period September 1, 2015, through August 31, 2016.

**DATES:** Effective March 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Michael A. Romani or Minoo Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0198 or (202) 482-1690, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On September 8, 2016, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on certain oil country tubular goods (OCTG) from Taiwan for the period of review (POR) September 1, 2015, through August 31, 2016.<sup>1</sup>

On September 27, 2016, Tension Steel Industries Co., Ltd. (Tension Steel), requested an administrative review of the order with respect to its entries of subject merchandise during the POR.<sup>2</sup> On November 9, 2016, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the order on OCTG from Taiwan with respect to

Tension Steel.<sup>3</sup> On January 9, 2017, Tension Steel timely withdrew its request for an administrative review.<sup>4</sup> No other party requested an administrative 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 a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review.” Tension Steel withdrew its request for review within the 90-day time limit. Because we received no other requests for an administrative review of Tension Steel and no other requests for administrative review of the order on OCTG from Taiwan with respect to other companies subject to the order, we are rescinding the administrative review of the order in full, in accordance with 19 CFR 351.213(d)(1).

#### **Assessment**

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of OCTG from Taiwan during the POR at rates equal to the cash deposit rate 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 publication of this notice in the **Federal Register**.

#### **Notification to Importers**

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

#### **Notification Regarding Administrative Protective Order**

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their

responsibility concerning the disposition 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 the terms of an APO is a sanctionable violation.

We intend to issue and publish this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: February 21, 2017.

**Gary Taverman,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-825]

#### **Stainless Steel Bar From Brazil: Preliminary Results of Antidumping Duty Administrative Review; 2015-2016**

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on stainless steel bar (SSB) from Brazil. The period of review (POR) is February 1, 2015, through January 31, 2016. The review covers one producer/exporter of the subject merchandise, Villares Metals S.A. (Villares). We preliminarily find that subject merchandise has not been sold at less than normal value. We invite interested parties to comment on these preliminary results.

**DATES:** Effective March 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla or Minoo Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3477, and (202) 482-1690, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Scope of the Order**

The merchandise subject to the order is SSB. The SSB subject to the order is currently classifiable under subheadings 7222.1000, 7222.1100, 7222.1900, 7222.2000, 7222.3000 of the

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 81 FR 62096 (September 8, 2016).

<sup>2</sup> See Letter from Tension Steel to the Secretary of Commerce entitled, “Oil Country Tubular Goods from Taiwan; Administrative Review Request,” dated September 27, 2016.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 78778 (November 9, 2016).

<sup>4</sup> See Letter from the petitioners to the Secretary entitled, “Oil Country Tubular Goods from Taiwan; Withdrawal of Administrative Review Request,” dated January 9, 2017.