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This notice is published in accordance with section 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: September 5, 2017.

**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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[FR Doc. 2017-19290 Filed 9-11-17; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-351-849, A-580-890, A-201-848, A-455-805]

**Emulsion Styrene-Butadiene Rubber From Brazil, the Republic of Korea, Mexico, and Poland: Antidumping Duty Orders**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (the ITC), the Department is issuing antidumping duty orders on emulsion styrene-butadiene rubber (ESB rubber) from Brazil, the Republic of Korea (Korea), Mexico, and Poland.

**DATES:** Applicable September 12, 2017.

**FOR FURTHER INFORMATION CONTACT:** Drew Jackson at (202) 482-4406, (Brazil); Carrie Bethea at (202) 482-1491, (Korea); Julia Hancock, (202) 482-

1394 (Mexico); Stephen Bailey at (202) 482-0193, (Poland), AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(c), on July 19, 2017, the Department published affirmative final determinations in the less-than-fair-value (LTFV) investigations of ESB rubber from Brazil, Korea, Mexico, and Poland.<sup>1</sup> On September 1, 2017, the ITC notified the Department of its affirmative determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of the LTFV imports of ESB rubber from Brazil, Korea, Mexico, and Poland, and its determination that critical circumstances do not exist with respect to imports of subject merchandise from Korea subject to the Department's affirmative critical circumstances determination.<sup>2</sup>

For Mexico, on July 17, 2017, we received comments from Industrias Negromex S.A. de C.V. (Negromex), the sole mandatory respondent in the Mexico investigation, that we made ministerial errors in our final determination.<sup>3</sup> The allegations raised by Negromex in its comments do not result in a change to Negromex's margin from the final determination. As such, we are not amending Negromex's margin from the final determination.<sup>4</sup>

<sup>1</sup> See *Emulsion Styrene-Butadiene Rubber from Brazil: Final Affirmative Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances*, 82 FR 33048 (July 19, 2017) (*Brazil Final*); *Emulsion Styrene-Butadiene Rubber from the Republic of Korea: Final Affirmative Determination of Sales at Less Than Fair Value, and Final Affirmative Determination of Critical Circumstances, in Part*, 82 FR 33045 (July 19, 2017) (*Korea Final*); *Emulsion Styrene-Butadiene Rubber from Mexico: Final Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 33062 (July 19, 2017) (*Mexico Final*); and *Emulsion Styrene-Butadiene Rubber from Poland: Final Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 33061 (July 19, 2017) (*Poland Final*).

<sup>2</sup> See Letter to Gary Taverman, Acting Assistant Secretary of Commerce for Enforcement and Compliance, from Rhonda K. Schmidlein, Chairman of the U.S. International Trade Commission, regarding emulsion styrene-butadiene rubber from Brazil, Korea, Mexico, and Poland (September 1, 2017) (ITC Letter).

<sup>3</sup> See *Mexico Final*.

<sup>4</sup> See Memorandum, "Antidumping Duty Investigation of Emulsion Styrene-Butadiene Rubber from Mexico: Ministerial Error Allegations Memorandum," dated August 22, 2017.

**Scope of the Orders**

The products covered by these orders are cold-polymerized emulsion styrene-butadiene rubber. For a complete description of the scope of these orders, see the Appendix to this notice.

**Antidumping Duty Orders**

In accordance with sections 735(b)(1)(A)(i) and 735(d) of the Act, the ITC notified the Department of its final determinations in these investigations, in which it found that an industry in the United States is materially injured by reason of imports of ESB rubber from Brazil, Korea, Mexico, and Poland. The ITC also notified the Department of its determination that critical circumstances do not exist with respect to imports of ESB rubber from Korea subject to the Department's critical circumstances finding.<sup>5</sup> Therefore, in accordance with section 735(c)(2) of the Act, the Department is issuing these antidumping duty orders. Because the ITC determined that imports of ESB rubber from Brazil, Korea, Mexico, and Poland are materially injuring a U.S. industry, unliquidated entries of such merchandise from Brazil, Korea, Mexico, and Poland, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

As a result of the ITC's final determination, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of ESB rubber from Brazil, Korea, Mexico, and Poland. Antidumping duties will be assessed on unliquidated entries of ESB rubber from Brazil, Korea, Mexico, and Poland entered, or withdrawn from warehouse, for consumption on or after February 24, 2017, the date of publication of the preliminary determinations,<sup>6</sup> but will

<sup>5</sup> See ITC Letter.

<sup>6</sup> See *Emulsion Styrene-Butadiene Rubber from Brazil: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Negative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures*, 82 FR 11538 (February 24, 2017) (*Brazil Preliminary Determination*); *Emulsion Styrene-Butadiene Rubber from the Republic of Korea: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Affirmative Determination of Critical Circumstances, in Part, Postponement of Final Determination, and Extension of Provisional Measures*, 82 FR 11536 (February 24, 2017) (*Korea Preliminary Determination*); *Emulsion Styrene-*

not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination as further described below.

**Suspension of Liquidation**

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct CBP to continue to suspend liquidation on all relevant entries of ESB rubber from Brazil, Korea, Mexico, and Poland. These instructions suspending liquidation will remain in effect until further notice.

The Department will also instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective on the date of publication of the ITC's final affirmative injury determinations, CBP will require, at the same time as importers would normally deposit estimated duties on this subject merchandise, a cash deposit equal to the cash deposit rates listed below.<sup>7</sup> The relevant all-others rates apply to all producers or exporters not specifically listed, as appropriate.

**Provisional Measures**

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of exporters that account for a significant proportion of ESB rubber from Brazil, Korea, Mexico, and Poland, the Department extended the four-month period to six months in each case.<sup>8</sup> In the underlying investigations, the Department published the preliminary determinations on February 24, 2017. Therefore, the extended period, beginning on the date of publication of the preliminary determination, ended on August 24, 2017. Furthermore, section 737(b) of the Act states that the collection of final, estimated cash

*Butadiene Rubber from Mexico: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 82 FR 11534 (February 24, 2017) (*Mexico Preliminary Determination*); and *Emulsion Styrene-Butadiene Rubber from Poland: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 82 FR 11531 (February 24, 2017) (*Poland Preliminary Determination*).

<sup>7</sup> See section 736(a)(3) of the Act.

<sup>8</sup> See *Brazil Preliminary Determination*; *Korea Preliminary Determination*; *Mexico Preliminary Determination*; and *Poland Preliminary Determination*.

deposits will begin on the date of publication of the ITC's final injury determination.

Therefore, in accordance with section 733(d) of the Act and our practice, the Department will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of ESB rubber from Brazil, Korea, Mexico, and Poland entered, or withdrawn from warehouse, for consumption after August 24, 2017, the date on which the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determinations in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

**Critical Circumstances**

With regard to the ITC's negative critical circumstances determination on imports of subject merchandise from Korea, the Department will instruct CBP to lift suspension and to refund any cash deposits made to secure the payment of estimated antidumping duties with respect to entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after November 26, 2016 (*i.e.*, 90 days prior to the date of publication of the preliminary determinations), but before February 24, 2017, (*i.e.*, the date of publication of the preliminary determinations).

**Estimated Weighted-Average Dumping Margins**

The weighted-average antidumping duty margin percentages and cash deposit rates are as follows:

Exporter or producer	Weighted-average dumping margin (percent)
<b>Brazil</b>	
ARLANXEO Brasil S.A .....	19.61
All-Others .....	19.61
<b>Korea</b>	
LG Chem, Ltd .....	9.66
Daewoo International Corporation .....	** 44.30
Kumho Petrochemical Co, Ltd ...	** 44.30
All-Others .....	9.66
<b>Mexico</b>	
Industrias Negromex S.A. de C.V.—Planta Altamira (Negromex) .....	19.52
All-Others .....	19.52

Exporter or producer	Weighted-average dumping margin (percent)
<b>Poland</b>	
Synthos Dwory .....	25.43
All-Others .....	25.43

\*\* (AFA).

This notice constitutes the antidumping duty orders with respect to ESB rubber from Brazil, Korea, Mexico, and Poland pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

These orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: September 6, 2017.

**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**

**Scope of the Orders**

The products covered by these orders are cold-polymerized emulsion styrene-butadiene rubber. The scope of the orders includes, but is not limited to, ESB rubber in primary forms, bales, granules, crumbs, pellets, powders, plates, sheets, strip, etc. ESB rubber consists of non-pigmented rubbers and oil-extended non-pigmented rubbers, both of which contain at least one percent of organic acids from the emulsion polymerization process.

ESB rubber is produced and sold in accordance with a generally accepted set of product specifications issued by the International Institute of Synthetic Rubber Producers (IISRP). The scope of the investigations covers grades of ESB rubber included in the IISRP 1500 and 1700 series of synthetic rubbers. The 1500 grades are light in color and are often described as "Clear" or "White Rubber." The 1700 grades are oil-extended and thus darker in color, and are often called "Brown Rubber."

Specifically excluded from the scope of these orders are products which are manufactured by blending ESB rubber with other polymers, high styrene resin master batch, carbon black master batch (*i.e.*, IISRP 1600 series and 1800 series) and latex (an intermediate product).

The products subject to these orders are currently classifiable under subheadings 4002.19.0015 and 4002.19.0019 of the Harmonized Tariff Schedule of the United States (HTSUS). ESB rubber is described by Chemical Abstract Services (CAS) Registry No. 9003-55-8. This CAS number also refers to other types of styrene butadiene rubber. Although the HTSUS subheadings and CAS registry number are provided for convenience and customs purposes, the written

description of the scope of these investigations is dispositive.

[FR Doc. 2017-19287 Filed 9-11-17; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-011]

#### Certain Crystalline Silicon Photovoltaic Products From the People's Republic of China: Final Results of Countervailing Duty Administrative Review, and Partial Rescission of Countervailing Duty Administrative Review; 2014-2015

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

**SUMMARY:** The Department of Commerce (the Department) has completed its administrative review of the countervailing duty order (CVD) on crystalline silicon photovoltaic products (solar products) from the People's Republic of China (PRC) for the June 10, 2014, through December 31, 2015, period of review (POR). We have determined that the mandatory respondent Changzhou Trina Solar Energy Co., Ltd. and its cross-owned affiliates (collectively, Trina Solar) received countervailable subsidies during the POR. The final net subsidy rates are listed below in the section, "Final Results of Administrative Review." We are also rescinding the review for 22 companies for which all review requests were timely withdrawn or for which we have concluded that there were no entries, exports, or sales of the subject merchandise during the POR.

**DATES:** Applicable September 12, 2017.

**FOR FURTHER INFORMATION CONTACT:** Joseph Traw, 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) 482-6079.

#### Background

The Department published the *Preliminary Results* of this administrative review in the **Federal Register** on March 6, 2017.<sup>1</sup> We invited interested parties to comment on the

<sup>1</sup> See *Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review and Preliminary Intent To Rescind, in Part; 2014-2015*, 82 FR 12562 (March 6, 2017) (*Preliminary Results*).

*Preliminary Results*. On June 8, 2017, we received timely case briefs from the following interested parties: SolarWorld Americas, Inc. (the petitioner); the Government of China (GOC); Trina Solar; BYD (Shangluo) Industrial Co., Ltd. (BYD); and SNJ Enterprises, LLC, Dba Zamp Solar (SNJ).<sup>2</sup> On June 15, 2017, we received timely rebuttal comments from the petitioner, the GOC, and Trina Solar.<sup>3</sup>

On June 8, 2017, in accordance with section 751(a)(3)(A) of the Act, the Department extended the period for issuing the final results of this review by 60 days, to September 2, 2017. As September 2, 2017 is a Saturday and September 4, 2017 is Labor Day, the final results were extended until September 5, 2017.<sup>4</sup>

#### Scope of the Order

The merchandise covered by this order are modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials. The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.6020, 8541.40.6030 and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this order is dispositive. A full description of the scope of the order is contained in

<sup>2</sup> See Petitioner's Case Brief, "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Case Brief of SolarWorld Americas, Inc.," dated June 8, 2017; GOC's Case Brief, "GOC's Case Brief: Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China," dated June 8, 2017; Trina Solar's Case Brief, "Crystalline Silicon Photovoltaic Products from the People's Republic of China: Case Brief," dated June 8, 2017; BYD's Case Brief, "Crystalline Silicon Photovoltaic Products from the People's Republic of China: BYD's Case Brief" dated June 8, 2017; SNJ's Case Brief, "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Case Brief," dated June 8, 2017.

<sup>3</sup> See Petitioner's Rebuttal Brief, "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Rebuttal Brief of SolarWorld Americas, Inc.," dated June 15, 2017; GOC's Rebuttal Brief, "GOC's Rebuttal Brief Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China," dated June 15, 2017; Trina Solar's Rebuttal Brief, "Crystalline Silicon Photovoltaic Products from the People's Republic of China: Rebuttal Brief," dated June 15, 2017.

<sup>4</sup> See Memorandum, "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Extension of the Deadline for Issuing the Final Results of the 2014-2015 Countervailing Duty Administrative Review," dated June 8, 2017.

the Issues and Decision Memorandum, which is hereby adopted by this notice.<sup>5</sup>

#### Analysis of Comments Received

All issues raised in interested parties' briefs are addressed in the Issues and Decision Memorandum accompanying this notice. A list of the issues raised by interested parties and to which we responded in the Issues and Decision Memorandum is provided in Appendix I to this notice. 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 (ACCESS). ACCESS is available to registered users at <https://access.trade.gov> and in the Central Records Unit, Room B8024 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/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

#### Changes Since the Preliminary Results

Based on case briefs, rebuttal briefs, and all supporting documentation, we made changes from the *Preliminary Results*. The Department has modified its creditworthiness findings for Trina Solar. In the *Preliminary Results*, the Department found Trina Solar to be uncreditworthy during the 2012-2015 period. After reviewing Trina Solar's response to the Department's creditworthiness questionnaire,<sup>6</sup> the Department finds that Trina Solar was uncreditworthy from 2012 to 2013 and creditworthy during 2014 and 2015.<sup>7</sup>

#### Partial Rescission of Review

We are rescinding this administrative review for 22 companies<sup>8</sup> named in the *Initiation Notice*.<sup>9</sup> In the *Preliminary Results*, we made a preliminary determination to rescind the review of companies for which all review requests were timely withdrawn.<sup>10</sup> With the

<sup>5</sup> See Memorandum, "Decision Memorandum for Final Results and Partial Rescission of Countervailing Duty Administrative Review: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China; 2014," dated concurrently with this notice (Issues and Decision Memorandum).

<sup>6</sup> See Trina Solar's Letter, "Crystalline Silicon Photovoltaic Products from the People's Republic of China: Creditworthiness Questionnaire Response," dated April 20, 2017.

<sup>7</sup> See Issues and Decision Memorandum.

<sup>8</sup> See Appendix II.

<sup>9</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 20324, 20348-20349 (April 7, 2016) (*Initiation Notice*).

<sup>10</sup> See *Preliminary Results* 82 FR at 12562-12563.