

Company	Subsidy rate (percent)
Borusan Istikbal Ticaret and Borusan Mannesmann Boru Sanayi ve Ticaret A.S. ⁶	0.78 <i>ad valorem</i> .

Assessment Rates

In accordance with 19 CFR 351.212(b)(2), Commerce intends to issue appropriate instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of the final results of this review. Commerce will instruct CBP to liquidate shipments of subject merchandise produced and/or exported by the company listed above, entered, or withdrawn from warehouse, for consumption, from March 20, 2015, through December 31, 2015, at the *ad valorem* rate listed above.

Cash Deposit Requirements

Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown above for Borusan, on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, Commerce will instruct CBP to continue to collect cash deposits at the most recent company-specific or all-others rate applicable to the company, as appropriate. Accordingly, the cash deposit requirements that will be applied to companies covered by this order, but not examined in this administrative review, are those established in the most recently completed segment of the proceeding for each company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (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 or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply

⁶ For the Borusan Companies, we initiated on the following: Borusan Istikbal Ticaret (Istikbal) and Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (BMB). As explained in the PDM, we found Istikbal and BMB to be cross-owned under Borusan Holding, A.S. No party has provided argument to the contrary; thus, for these final results, we continue to find all three companies to be cross-owned, though only BMB received countervailable subsidies in this review period.

with the regulations and terms of an APO is a sanctionable violation.

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: July 12, 2018.

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

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Subsidies Valuation
 - A. Allocation Period
 - B. Attribution of Subsidies
 - C. Benchmark Interest Rates
- V. Programs Determined To Be Countervailable
- VI. Programs Determined Not To Be Used During the POR
- VII. Analysis of Comments
 - Comment 1: Treatment of the Investment Encouragement Program (IEP): Customs and Value Added Tax (VAT) Exemption Program
 - Comment 2: Whether To Include Borusan's Exchange Variation Income in the Total Value of Sales and Total Value of Export Sales
- VIII. Recommendation

[FR Doc. 2018-15435 Filed 7-18-18; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-520-807]

Circular Welded Carbon-Quality Steel Pipe From the United Arab Emirates: Notice of Court Decision Not in Harmony With Final Determination of Sales at Less Than Fair Value

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

SUMMARY: On July 9, 2018, the United States Court of International Trade (the Court) entered final judgment sustaining the final results of the remand redetermination by the Department of Commerce (Commerce) pertaining to the antidumping duty (AD) investigation of circular welded carbon-quality steel pipe (CWP) from the United Arab Emirates (UAE). Commerce is notifying the public that the final judgment in this case is not in harmony with Commerce's final determination in the AD investigation of CWP from the UAE.

DATES: Applicable July 19, 2018.

FOR FURTHER INFORMATION CONTACT: Blaine Wiltse and Whitley Herndon, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6345 and (202) 482-6274, respectively.

SUPPLEMENTARY INFORMATION:

Background

Subsequent to the October 28, 2016, publication of the *Final Determination*,¹ and the December 16, 2016, publication of the *Order*,² Wheatland Tube Company (*i.e.*, the petitioner), filed a complaint with the Court challenging Commerce's treatment of the cost of "caps" used by Universal Tube and Plastic Industries, LLC—Jebel Ali Branch (UTP-JA), a producer/exporter of the mandatory respondent, Universal.³ On April 24, 2018, the Court remanded Commerce's final determination with the instruction that Commerce reexamine whether UTP-JA's cost of caps should be treated as packing expenses in light of its prior treatment of this material.⁴

On June 22, 2018, Commerce issued its final results of redetermination, in which we reclassified UTP-JA's cost of caps as packing expenses; this revision did not change the final dumping margin for Universal.⁵ On July 9, 2018, the Court sustained the Remand Redetermination.

Timken Notice

In its decision in *Timken*,⁶ as clarified by *Diamond Sawblades*,⁷ the United States Court of Appeals for the Federal

¹ See *Circular Welded Carbon-Quality Steel Pipe from the United Arab Emirates: Final Determination of Sales at Less Than Fair Value*, 81 FR 75030 (October 28, 2016) (*Final Determination*).

² See *Circular Welded Carbon-Quality Steel Pipe from the Sultanate of Oman, Pakistan, and the United Arab Emirates: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Orders*, 81 FR 91906 (December 19, 2016) (*Order*).

³ Universal is the name collectively used for the following group of affiliated producers/exporters of CWP: KHK Scaffolding and Framework LLC; Universal Tube and Pipe Industries, Ltd; and UTP-JA.

⁴ See *Wheatland Tube Company v. United States*, Court No. 17-00021, Slip Op. 18-49 (CIT April 24, 2018).

⁵ See *Final Results of Redetermination Pursuant to Court Remand, Wheatland Tube Company v. United States*, Court No. 17-00021, Slip Op. 18-49 (CIT April 24, 2018), dated June 21, 2018, available at: <https://enforcement.trade.gov/remands/index.html> (Remand Redetermination).

⁶ See *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) (*Timken*).

⁷ See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Circuit held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending a “conclusive” court decision. The Court’s July 9, 2018, final judgment sustaining Commerce’s Remand Redetermination constitutes a final decision of the Court that is not in harmony with Commerce’s *Final Determination*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, Commerce will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal, or if appealed, pending a final and conclusive court decision.

We have not amended the *Final Determination* because reclassifying UTP–JA’s cost of caps as packing expenses did not result in a change to the weighted-average dumping margin calculated for Universal in the *Final Determination*, which remains 5.58 percent.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c)(1) and (e), and 777(i)(1) of the Act.

Dated: July 13, 2018.

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.

[FR Doc. 2018–15566 Filed 7–18–18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–048]

Certain Carbon and Alloy Steel Cut-to-Length Plate From the People’s Republic of China: Final Results of Countervailing Duty Expedited Review

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

SUMMARY: The Department of Commerce (Commerce) has completed its expedited review of the countervailing duty (CVD) order on certain carbon and alloy steel cut-to-length plate (CTL plate) from the People’s Republic of China (China) and finds that Jiangsu Tiangong Tools Company Limited (TG Tools) received countervailable subsidies during period of review (POR) January 1, 2015, through December 31, 2015.

DATES: Applicable July 19, 2018.

FOR FURTHER INFORMATION CONTACT: Ryan Mullen, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5260.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* of this expedited review on March 21, 2018.¹ A summary of the events that occurred since we published the *Preliminary Results*, as well as a full discussion of the issues raised by parties for the final results, may be found in the Issues and Decision Memorandum² issued concurrently with, and hereby adopted by, 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 <http://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 Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version are identical in content.

Scope of the Order

The product covered by this order is CTL plate. A full description of the scope of the order is contained in the Issues and Decision Memorandum.³

Methodology

Commerce conducted this CVD expedited review in accordance with 19 CFR 351.214(k). For a full description of the methodology underlying our conclusions, see the Issues and Decision Memorandum. The subsidy programs under review, and the issues raised in the case and rebuttal briefs submitted by the parties, are discussed in the Issues and Decision Memorandum. A list of the issues that parties raised, and to which we responded in the Issues and Decision Memorandum, is attached as an Appendix to this notice.

Based on our review and analysis of the comments received from parties, we made certain changes to TG Tools’ subsidy rate calculations since the *Preliminary Results*. For a discussion of these changes, see the Issues and Decision Memorandum and the Final Calculation Memorandum.⁴

Final Results of the Expedited Review

As a result of this expedited review, we determine the countervailable subsidy rate to be:

Company	Subsidy rate
Jiangsu Tiangong Tools Company Limited, Tiangong Aihe Company Limited, Jiangsu Tiangong Group Company Limited, Jiangsu Tiangong Mould Steel R&D Center Company Limited	26.90 percent

Cash Deposit Instructions

Pursuant to section 19 CFR 351.214(k)(3)(iii), the final results of this expedited review will not be the basis for the assessment of countervailing duties. Upon the issuance of these final

results, Commerce will instruct Customs and Border Protection (CBP) to collect cash deposits of estimated countervailing duties for the companies subject to this expedited review, at the rates shown above, on shipments of subject merchandise entered, or

withdrawn from warehouse, for consumption on or after the date of publication of the final results of this expedited review. These cash deposit requirements, when imposed, shall remain in effect until further notice.

¹ See *Certain Carbon and Alloy Steel Cut-to-Length Plate from the People’s Republic of China: Preliminary Results of Countervailing Duty Expedited Review*, 83 FR 12337 (March 21, 2018) (*Preliminary Results*).

² See Memorandum, “Issues and Decision Memorandum for the Final Results of Expedited Review of the Countervailing Duty Order on Certain Carbon and Alloy Steel Cut-to-Length Plate from the People’s Republic of China,” dated concurrently

with, and hereby adopted by, this notice (Issues and Decision Memorandum).

³ *Id.*

⁴ *Id.*; see also Memorandum, “Final Results Calculations for TG Tools” (June 13, 2018).