

Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2923.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 18, 2015, Commerce published in the **Federal Register** an antidumping duty order on certain crystalline silicon photovoltaic products (solar products) from Taiwan.<sup>1</sup> On February 1, 2019, Commerce received a request on behalf of URE for an expedited changed circumstances review (CCR) to determine whether URE is the successor-in-interest to Gintech, Neo Solar, and Solartech.<sup>2</sup> On March 26, 2019, we initiated a CCR and published notice in the **Federal Register**.<sup>3</sup>

On April 10, 2019, SunPower Manufacturing Oregon LLC, a domestic producer of subject merchandise and successor to SolarWorld Americas (the petitioner), filed a letter in support of an affirmative successor-in-interest determination.<sup>4</sup> We received no additional comments on URE's CCR request.

##### Scope of the Order

The merchandise covered by this order is crystalline silicon photovoltaic cells, and 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.

Merchandise covered by the order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 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 the order is dispositive. For a full description of the scope of the order,

<sup>1</sup> See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Antidumping Duty Order*, 80 FR 8596 (February 18, 2015).

<sup>2</sup> See URE's Letter, "Certain Crystalline Silicon Photovoltaic Products from Taiwan: Request for Changed Circumstances Review and Successor-in-Interest Determination," dated February 1, 2019 (CCR Request).

<sup>3</sup> See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Initiation of Antidumping Duty Changed Circumstances Review*, 84 FR 11284 (March 26, 2019).

<sup>4</sup> See the petitioner's Letter, "Certain Crystalline Silicon Photovoltaic Products from Taiwan: Support for Successor-in-Interest Determination Requested by United Renewable Energy Co. Ltd.," dated April 10, 2019.

please refer to the accompanying Preliminary Decision Memorandum.<sup>5</sup>

##### Methodology

We are conducting this CCR in accordance with section 751(b)(1) of the Tariff Act of 1930, as amended (the Act). For a full description of the methodology underlying our analysis, please refer to the accompanying Preliminary Decision Memorandum. For a list of topics addressed in the Preliminary Decision Memorandum, please see the Appendix to this notice.

##### Preliminary Results of Changed Circumstances Review

In accordance with 19 CFR 351.216, we preliminarily determine that URE is the successor-in-interest to Gintech, Neo Solar, and Solartech. Record evidence indicates that URE's management, board of directors and ownership are materially similar to those of Gintech, Neo Solar, and Solartech prior to their merger. Moreover, we preliminarily find that URE assumed the production facilities of Gintech, Neo Solar, and Solartech, and substantially assumed the supplier relationships and customer base of the predecessor companies. For the complete successor-in-interest analysis, please refer to the accompanying Preliminary Decision Memorandum.

Furthermore, we preliminarily determine that, as the successor-in-interest to Gintech, Neo Solar, and Solartech, URE should receive the same antidumping duty treatment with respect to the subject merchandise as Gintech, Neo Solar, and Solartech. If we continue to reach the same determination for the final results of this CCR, we will assign URE the cash deposit rate assigned to Gintech, Neo Solar, and Solartech, effective on the publication date of the final results in the **Federal Register**. At that time, we will instruct U.S. Customs and Border Protection (CBP) to collect the cash deposits accordingly.

##### Public Comment

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 10 days of publication of this notice in the **Federal Register**. In accordance with 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs not later than 10 days after the date of publication of this notice. Rebuttal briefs, limited to issues

<sup>5</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Antidumping Duty Changed Circumstances Review: Certain Crystalline Silicon Photovoltaic Products from Taiwan," dated concurrently with this notice (Preliminary Decision Memorandum).

raised in the case briefs, may be filed no later than five days after the case briefs, in accordance with 19 CFR 351.309(d). Parties who submit case or rebuttal briefs 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. All comments are to be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), available to registered users at <http://access.trade.gov> and in the Central Records Unit, Room B8024, of the main Department of Commerce building. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.<sup>6</sup>

Consistent with 19 CFR 351.216(e), we intend to issue the final results of this CCR no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary finding.

This notice is published in accordance with sections 751(b)(1) of the Act and 19 CFR 351.216(b), 351.221(b), and 351.221(c)(3).

Dated: June 4, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

##### Appendix

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Results of Changed Circumstances Review
- V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-820; A-560-812; A-570-865; A-583-835; A-549-817; A-823-811]

### Certain Hot-Rolled Carbon Steel Flat Products From India, Indonesia, the People's Republic of China, Taiwan, Thailand, and Ukraine: Final Results of Expedited Third Sunset Reviews of the Antidumping Duty Orders

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

**DATES:** Applicable June 10, 2019.

<sup>6</sup> See 19 CFR 351.303(b).

**SUMMARY:** As a result of these sunset reviews, the Department of Commerce (Commerce) finds that revocation of the antidumping duty orders on certain hot-rolled carbon steel flat products from India, Indonesia, the People's Republic of China (China), Taiwan, Thailand, and Ukraine would be likely to lead to continuation or recurrence of dumping. The magnitude of the dumping margins likely to prevail are indicated in the "Final Results of Sunset Review" section of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Chelsey Simonovich, AD/CVD Operations, Office VI, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482-1979.

**SUPPLEMENTARY INFORMATION:**

**Background**

In 2001, Commerce published in the *Federal Register* the *AD Orders* with respect to certain hot-rolled carbon steel flat products from India, Indonesia, China, Taiwan, Thailand, and Ukraine.<sup>1</sup> On December 5, 2006 and February 7, 2014, Commerce published notices of continuation of these *AD Orders*.<sup>2</sup> On February 5, 2019, Commerce published the notice of initiation of the third sunset reviews of the *AD Orders* on certain hot-rolled carbon steel flat products from India, Indonesia, China, Taiwan, Thailand, and Ukraine.<sup>3</sup>

On March 7, 2019, Commerce received complete substantive responses to the notices of initiation from Nucor

Corporation; AK Steel Corporation; ArcelorMittal USA LLC; United States Steel Corporation; California Steel Industries; SSAB Enterprises LLC; and Steel Dynamics, Inc. (collectively, the domestic interested parties) within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act, as manufacturers, producers, or wholesalers of a domestic like product in the United States. Commerce received comments from the Government of Ukraine,<sup>4</sup> but received no substantive responses from any other interested parties. As a result, Commerce conducted an expedited, *i.e.*, 120-day, sunset review of these *AD Orders* pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2).

**Scope of the Orders**

The merchandise subject to the *AD Orders* is certain hot-rolled carbon steel flat products. For a complete description of the products covered, see the Issues and Decision Memorandum.

**Analysis of Comments Received**

All issues raised in these reviews, including the likelihood of continuation or recurrence of dumping in the event of revocation, and the magnitude of dumping margins likely to prevail if the orders were revoked, are addressed in the accompanying Issues and Decision Memorandum dated concurrently with, and hereby adopted by, this notice. A list of the topics discussed in the Issues and Decision Memorandum is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document, which 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 in Room B8024 of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://trade.gov/enforcement/>. The signed and electronic versions of the Decision Memorandum are identical in content.

<sup>4</sup> See Issues and Decision Memorandum: Final Results of Expedited Third Sunset Reviews of the Antidumping Duty Orders on Certain Hot-Rolled Carbon Steel Flat Products from India, Indonesia, the People's Republic of China, Taiwan, Thailand, and Ukraine (Issues and Decisions Memorandum), dated June 5, 2019 at 20. Commerce did not find the Government of Ukraine's comments to be an adequate substantive response.

**Final Results of Sunset Review**

Pursuant to sections 752(c)(1) and (3) of the Act, we determine that revocation of the antidumping duty orders on certain hot-rolled carbon steel flat products from India, Indonesia, China, Taiwan, Thailand, and Ukraine would be likely to lead to continuation or recurrence of dumping. We determine that the weighted-average dumping margins likely to prevail are up to the following percentages:

Country	Weighted-average margin (percent)
India .....	44.40
Indonesia .....	47.86
China .....	90.83
Taiwan .....	29.14
Thailand .....	20.30
Ukraine .....	90.33

**Notification to Interested Parties**

This notice serves as the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the 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.

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: June 5, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix I**

**List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scopes of the Orders
- IV. History of the Orders
- V. Legal Framework
- VI. Discussion of the Issues
  1. The Adequacy of the Government of Ukraine's Response
  2. Likelihood of Continuation or Recurrence of Dumping
  3. Magnitude of the Dumping Margins Likely to Prevail
- VII. Final Results of Review
- VIII. Recommendation

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<sup>1</sup> See *Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products from India*, 66 FR 60194 (December 3, 2001) (*India Amended Final Determination and Order*); see also *Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Indonesia*, 66 FR 60192 (December 3, 2001); *Notice of Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products from the People's Republic of China*, 66 FR 59561 (November 29, 2001); *Notice of Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products from Taiwan*, 66 FR 59563 (November 29, 2001); *Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products from Thailand*, 66 FR 59562 (November 29, 2001); and *Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products from Ukraine*, 66 FR 59559 (November 29, 2001) (collectively, *AD Orders*).

<sup>2</sup> See *Certain Hot-Rolled Carbon Steel Flat Products from Argentina, the People's Republic of China, India, Indonesia, Kazakhstan, Romania, South Africa, Taiwan, Thailand, and Ukraine: Final Results of Expedited Sunset Reviews of the Antidumping Duty Orders*, 71 FR 70506 (December 5, 2006) (*First Sunset Review*); see also *Certain Hot-Rolled Carbon Steel Flat Products from India, Indonesia, the People's Republic of China, Taiwan, Thailand, and Ukraine: Continuation of Antidumping and Countervailing Duty Orders*, 79 FR 7425 (February 7, 2014) (*Second Sunset Review*).

<sup>3</sup> See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 1705 (February 5, 2019) (*Initiation*).