

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-201-836]

**Light-Walled Rectangular Pipe and Tube From Mexico: Final Results of Antidumping Duty Administrative Review**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On September 7, 2012, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on light-walled rectangular pipe and tube (LWR pipe and tube) from Mexico. This review covers two respondent companies and the period of review is from August 1, 2010, through July 31, 2011. We invited interested parties to comment on the preliminary results but we received no such comments. Therefore, our final results remain unchanged from the preliminary results of review.

**DATES:** *Effective Date:* January 8, 2013.

**FOR FURTHER INFORMATION CONTACT:** Edythe Artman or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue NW., Washington, DC 20230; telephone: (202) 482-3931 or (202) 482-3019, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On September 7, 2012, the Department published the preliminary results of the administrative review on LWR pipe and tube from Mexico in the **Federal Register**.<sup>1</sup> In these results, we preliminarily determined that the respondents, Maquilacero S.A. de C.V. (Maquilacero) and Regiomontana de Perfiles y Tubos S.A. de C.V. (Regiopytsa) did not sell subject merchandise at less than normal value during the period of review. We invited interested parties to comment on the preliminary results but received no such comments. We also did not receive a request for a hearing.

**Period of Review**

The period of review is August 1, 2010, through July 31, 2011.

**Scope of the Order**

The merchandise that is the subject of the order is certain welded carbon-quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm.

The term carbon-quality steel includes both carbon steel and alloy

steel which contains only small amounts of alloying elements. Specifically, the term carbon-quality includes products in which none of the elements listed below exceeds the quantity by weight respectively indicated: 1.80 percent of manganese, or 2.25 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium. The description of carbon-quality is intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to the order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

**Final Results of Review**

We determine that the following weighted-average dumping margins exist for the period August 1, 2010, through July 31, 2011:

<i>Manufacturer/Exporter</i>	<i>Weighted-average dumping margins (percent)</i>
Maquilacero S.A. de C.V. ....	0.00
Regiomontana de Perfiles y Tubos S.A. de C.V. ....	0.00

**Assessment Rates**

We will instruct U.S. Customs and Border Protection (CBP) to apply an assessment rate of zero percent to all entries of subject merchandise during the period of review that were produced and exported by Maquilacero and Regiopytsa.

The Department clarified its “automatic assessment” regulation on May 6, 2003. *See Assessment of Antidumping Duties*. This clarification will apply to entries of subject merchandise during the period of review produced by Maquilacero and Regiopytsa for which they did not know that their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate

unreviewed entries at the all-others rate of 3.76 percent, as established in the less-than-fair-value investigation of this proceeding<sup>2</sup>, if there is no rate for the intermediate company(ies) involved in the transaction.

In accordance with 19 CFR 356.8(a), the Department intends to issue assessment instructions to CBP on or after 41 days following the publication of the final results of this review.

**Cash-Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered or withdrawn from warehouse for

consumption on or after the publication date of these final results, consistent with section 751(a)(2)(C) of the Act: (1) For subject merchandise manufactured and exported by the Maquilacero and Regiopytsa, the cash deposit rate will be zero; (2) for previously reviewed or investigated companies, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, the prior review, or the investigation but the manufacturer is, then the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this review, a previous

<sup>1</sup> See *Light-Walled Rectangular Pipe and Tube From Mexico: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review*, 77 FR 55186 (September 7, 2012) (*Preliminary Results*). Please note that reference to

a partial rescission in this notice was erroneous, as no companies were rescinded from the review.

<sup>2</sup> See *Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea: Antidumping Duty Orders;*

*Light-Walled Rectangular Pipe and Tube from the Republic of Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value*, 73 FR 45403, 45405 (August 5, 2008).

review or the less-than-fair-value investigation conducted by the Department, then the cash deposit rate will be the all-others rate of 3.76 percent. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notifications to Interested Parties

This notice also 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 Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), 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.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: December 26, 2012.

**Lynn Fischer Fox,**

*Deputy Assistant Secretary for Policy and Negotiations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-900]

#### Diamond Sawblades and Parts Thereof From the People's Republic of China: Initiation of Antidumping Duty Changed Circumstances Review

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** Pursuant to section 751(b) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 351.221(c)(3), the Department of Commerce is initiating a changed circumstances review of the

antidumping duty order on diamond sawblades and parts thereof from the People's Republic of China with respect to Husqvarna (Hebei) Co., Ltd.

**DATES:** *Effective Date:* January 8, 2013.

**FOR FURTHER INFORMATION:** Yang Jin Chun AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5760.

#### SUPPLEMENTARY INFORMATION:

#### Background

The Department of Commerce (the Department) published the antidumping duty order on diamond sawblades and parts thereof from the People's Republic of China on November 4, 2009. See *Diamond Sawblades and Parts Thereof From the People's Republic of China and the Republic of Korea: Antidumping Duty Orders*, 74 FR 57145 (November 4, 2009).

On October 1, 2012, Husqvarna (Hebei) Co., Ltd. ("Hebei Husqvarna"), an interested party in the ongoing, 2010-2011 administrative review, filed a request for a changed circumstances review. In its letter, Hebei Husqvarna informed the Department that Hebei Husqvarna Jikai Diamond Tools Co., Ltd. changed its name to Husqvarna (Hebei) Co., Ltd. on April 27, 2012, and it requested that the Department find Hebei Husqvarna to be the successor-in-interest to Hebei Husqvarna Jikai Diamond Tools Co., Ltd..

#### Scope of the Order

The products covered by the order are all finished circular sawblades, whether slotted or not, with a working part that is comprised of a diamond segment or segments, and parts thereof. Merchandise subject to the order is typically imported under heading 8202.39.00.00 of the Harmonized Tariff Schedule of the United States ("HTSUS"). When packaged together as a set for retail sale with an item that is separately classified under headings 8202 to 8205 of the HTSUS, diamond sawblades or parts thereof may be imported under heading 8206.00.00.00 of the HTSUS. On October 11, 2011, the Department added HTSUS 6804.21.00.00 to the scope description pursuant to a request by U.S. Customs and Border Protection. The tariff classification is provided for convenience and customs purposes; however, the written description, available in *Diamond Sawblades and Parts Thereof From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative*

*Review: 2010-2011*, 77 FR 73417 (December 10, 2012), is dispositive.

#### Initiation of Changed Circumstances Review

Based on Hebei Husqvarna's request and in accordance with section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b), the Department is initiating a changed circumstances review to determine whether Hebei Husqvarna is the successor-in-interest to Hebei Husqvarna Jikai Diamond Tools Co., Ltd. In accordance with 19 CFR 351.221(b)(2), we will send to interested parties questionnaires requesting factual information for review.

In accordance with 19 CFR 351.221(c)(3), the Department will publish in the **Federal Register** a notice of preliminary results of this changed circumstances review, which will set forth the factual and legal conclusions upon which our preliminary results are based and a description of any action proposed based on those results.

This notice of initiation is in accordance with section 751(b)(1) of the Act, 19 CFR 351.216(b) and (d), and 19 CFR 351.221(b)(1).

Dated: December 31, 2012.

**Gary Taverman,**

*Senior Advisor for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XC424

#### Endangered and Threatened Species; Take of Anadromous Fish

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of receipt of a scientific purposes and Enhancement of survival permit application and Hatchery and Genetic Management Plan (HGMP); notice of availability of draft environmental assessment (EA).

**SUMMARY:** Notice is hereby given that NMFS has received an application for a permit for scientific purposes and to enhance the propagation and survival of a listed species under the Endangered Species Act of 1973, as amended (ESA), from the California Department of Fish and Game (CDFG) and PacifiCorp for a 10 year period. As part of this permit application, the CDFG has submitted a