

decision of the Court that is not in harmony with Commerce's *Amended Final Determination and Order*. This notice is published in fulfillment of the publication requirements of *Timken*.

#### Amended Final Determination

Because there is now a final court decision, Commerce is amending the *Final Determination and Amended*

*Final Determination and Order* with respect to Fufeng. The revised weighted-average dumping margin for Fufeng for the period October 1, 2011, through March 31, 2012, is as follows:

Exporter	Producer	Weighted-average dumping margin (percent)
Neimenggu Fufeng Biotechnologies, Co., Ltd. (aka Inner Mongolia Fufeng Biotechnologies Co., Ltd.)/Shandong Fufeng Fermentation Co., Ltd.	Neimenggu Fufeng Biotechnologies, Co., Ltd. (aka Inner Mongolia Fufeng Biotechnologies Co., Ltd.)/Shandong Fufeng Fermentation Co., Ltd.	0.00

#### Partial Exclusion From Antidumping Duty Order and Partial Discontinuation of Fourth and Fifth Antidumping Duty Administrative Reviews

Pursuant to section 735(a)(4) of the Act, Commerce "shall disregard any weighted average dumping margin that is *de minimis* as defined in section 733(b)(3) of the Act."<sup>12</sup> Furthermore, and pursuant to section 735(c)(2) of the Act, "the investigation shall be terminated upon publication of that negative determination" and Commerce shall "terminate the suspension of liquidation" and "release any bond or other security, and refund any cash deposit."<sup>13</sup> As a result of this amended final determination, in which Commerce has calculated an estimated weighted-average dumping margin of 0.00 percent for Fufeng, Commerce is hereby excluding merchandise from the above producer-exporter combination from the antidumping duty order.<sup>14</sup> Accordingly, Commerce will direct U.S. Customs and Border Protection (CBP) to release any bonds or other security and refund cash deposits pertaining to any suspended entries from the producer-exporter combination listed above. This exclusion does not apply beyond the producer-exporter combination referenced above.

We note, however, pursuant to *Timken*, the suspension of liquidation must continue during the pendency of the appeals process. Thus, we will instruct CBP to suspend liquidation of all unliquidated entries from the

producer-exporter combination referenced above at a cash deposit rate of 0.00 percent which are entered, or withdrawn from warehouse, for consumption after September 27, 2018, which is ten days after the CIT's final decision, in accordance with section 516A of the Act.<sup>15</sup> If the CIT's ruling is not appealed, or if appealed and upheld, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate entries subject to the producer-exporter combination rate stated above without regard to antidumping duties. As a result of the exclusion, Commerce (1) is discontinuing the ongoing fourth and fifth administrative reviews, in part, with respect to Fufeng's entries during those periods of review;<sup>16</sup> and (2) will not initiate any new administrative reviews of Fufeng's entries pursuant to the antidumping order.<sup>17</sup>

Lastly, we note that, at this time, Commerce remains enjoined by Court order from liquidating entries that: (1) Were produced and exported by Fufeng, and were entered, or withdrawn from warehouse, for consumption during the period July 19, 2013, through June 30, 2014; (2) were produced and exported by Fufeng, and were entered, or withdrawn from warehouse, for consumption during the period July 1, 2014, through June 30, 2015, by East West Technologies Inc.; and (3) were produced and exported by Fufeng, and were entered, or withdrawn from warehouse, for consumption during the period July 1, 2014, through June 30,

2015, by LABH Inc., designated as Entry No. 22703189153, with an entry date of July 7, 2014, and Fufeng's Invoice No. MEU14088. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

#### Notification to Interested Parties

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

Dated: October 10, 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.*

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-580-867]

#### Large Power Transformers From the Republic of Korea: Continuation of Antidumping Duty Order

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

**SUMMARY:** The Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) determined that revocation of the antidumping duty (AD) order on large power transformers

36 (April 5, 2018), Final Results of Fourth Redetermination Pursuant to Court Order, dated July 5, 2018 (*Fourth Remand Results*).

<sup>12</sup> Section 733(b)(3) of the Act defines *de minimis* dumping margin as "less than 2 percent ad valorem or the equivalent specific rate for the subject merchandise."

<sup>13</sup> See sections 735(c)(2)(A) and (B) of the Act.

<sup>14</sup> See *Fourth Remand Results*, at 12.

<sup>15</sup> See, e.g., *Drill Pipe from the People's Republic of China: Notice of Court Decision Not in Harmony with International Trade Commission's Injury Determination, Revocation of Antidumping and Countervailing Duty Orders Pursuant to Court*

*Decision, and Discontinuation of Countervailing Duty Administrative Review*, 79 FR 78037, 78038 (December 29, 2014) (*Drill Pipe*); *High Pressure Steel Cylinders from the People's Republic of China: Notice of Court Decision Not in Harmony with Final Determination in Less Than Fair Value Investigation, Notice of Amended Final Determination Pursuant to Court Decision, Notice of Revocation of Antidumping Duty Order in Part, and Discontinuation of Fifth Antidumping Duty Administrative Review*, 82 FR 46758, 46760 (October 6, 2017).

<sup>16</sup> See *Xanthan Gum from the People's Republic of China: Preliminary Results of the Antidumping*

*Duty Administrative Review, and Preliminary Determination of No Shipments; 2016-2017*, 83 FR 40229, August 14, 2018; see also *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 45596 (September 10, 2018).

<sup>17</sup> See *Drill Pipe*, 79 FR at 78038; see also *Certain Steel Nails from the United Arab Emirates: Notice of Court Decision Not in Harmony with the Final Determination and Amended Final Determination of the Less Than Fair Value Investigation*, 80 FR 77316 (December 14, 2015).

(LPTs) from the Republic of Korea (Korea) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States. Therefore, Commerce is publishing a notice of continuation for this AD order.

**DATES:** Applicable October 16, 2018.

**FOR FURTHER INFORMATION CONTACT:** Brian Davis, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-7924.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 31, 2012, Commerce published in the *Federal Register* the AD order on LPTs from Korea.<sup>1</sup> On July 3, 2017, Commerce published in the *Federal Register* a notice of initiation of its first five-year (sunset) review of the AD order on LPTs from Korea, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup>

Commerce conducted this sunset review on an expedited basis, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), because it received a complete, timely, and adequate response from a domestic interested party but no substantive responses from respondent interested parties. As a result of this sunset review, Commerce determined that revocation of the AD order on LPTs from Korea would likely lead to a continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the order be revoked.<sup>3</sup>

On October 2, 2018, the ITC published its determination that revocation of the AD order on LPTs would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time, pursuant to section 751(c) of the Act.<sup>4</sup>

**Scope of the Order**

The scope of this order covers large liquid dielectric power transformers (LPTs) having a top power handling capacity greater than or equal to 60,000

kilovolt amperes (60 megavolt amperes), whether assembled or unassembled, complete or incomplete.

Incomplete LPTs are subassemblies consisting of the active part and any other parts attached to, imported with or invoiced with the active parts of LPTs. The “active part” of the transformer consists of one or more of the following when attached to or otherwise assembled with one another: The steel core or shell, the windings, electrical insulation between the windings, the mechanical frame for an LPT.

The product definition encompasses all such LPTs regardless of name designation, including but not limited to step-up transformers, step-down transformers, autotransformers, interconnection transformers, voltage regulator transformers, rectifier transformers, and power rectifier transformers.

The LPTs subject to this order are currently classifiable under subheadings 8504.23.0040, 8504.23.0080 and 8504.90.9540 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

**Continuation of the Order**

As a result of the determinations by Commerce and the ITC that revocation of the AD order would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the AD order on LPTs from Korea.

CBP will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of this order will be the date of publication in the *Federal Register* of the notice of continuation of the AD order on LPTs. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the sunset review of this order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This sunset review and this notice are in accordance with sections 751(c) and 752(d)(2) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: October 10, 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.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XG548**

**Atlantic Coastal Fisheries Cooperative Management Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit renewal application from the Commercial Fisheries Research Foundation contains all of the required information and warrants further consideration. This permit would facilitate research on the abundance and distribution of juvenile American lobster and Jonah crab along the northwest Atlantic coast. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act and the Atlantic Coastal Fisheries Cooperative Management Act require publication of this notice to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

**DATES:** Comments must be received on or before October 31, 2018.

**ADDRESSES:** You may submit written comments by any of the following methods:

- *Email:* NMFS.GAR.EFP@noaa.gov. Include in the subject line “Comments on CFRF Lobster Study Fleet EFP.”
- *Mail:* Michael Pentony, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope “Comments on CFRF Lobster Study Fleet EFP.”

**FOR FURTHER INFORMATION CONTACT:** Laura Hansen, NOAA Affiliate, 978-281-9225, [Laura.Hansen@noaa.gov](mailto:Laura.Hansen@noaa.gov).

<sup>1</sup> See *Large Power Transformers from the Republic of Korea: Antidumping Duty Order*, 77 FR 53177 (August 31, 2012) (AD Order).

<sup>2</sup> See *Initiation of Five-Year (“Sunset”) Reviews*, 82 FR 30844 (July 3, 2017).

<sup>3</sup> See *Large Power Transformers from the Republic of Korea: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order*, 82 FR 51604 (November 7, 2017) and accompanying Issues and Decision Memorandum.

<sup>4</sup> See *Large Power Transformers from the Republic of Korea*, 82 FR 49575 (October 2, 2018).