

**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-570-982]

**Utility Scale Wind Towers From the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2018**

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

**SUMMARY:** The Department of Commerce (Commerce) is rescinding the administrative review of the countervailing duty (CVD) order on utility scale wind towers (wind towers) from the People's Republic of China (China) for the period January 1, 2018, through December 31, 2018.

**DATES:** Applicable June 7, 2019.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4793.

**SUPPLEMENTARY INFORMATION:****Background**

On February 8, 2019, Commerce published a notice of opportunity to request an administrative review of the CVD order on wind towers from China.<sup>1</sup> On May 2, 2019, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act) and based on a timely request for review by the Wind Tower Trade Coalition (the petitioner),<sup>2</sup> Commerce published in the **Federal Register** a notice of initiation of an administrative review of the CVD order on wind towers from China with respect to 56 companies for the period January 1, 2018, through December 31, 2018.<sup>3</sup> On May 16, 2019, the petitioner withdrew its request for an administrative review of all 56 companies.<sup>4</sup> No other party requested a review of the CVD order.

**Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an

administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the date of publication of the notice of initiation of the requested review. In this case, the petitioner timely withdrew its request for review within the 90-day deadline, and no other party requested an administrative review of the CVD order. As a result, pursuant to 19 CFR 351.213(d)(1), we are rescinding the administrative review of the CVD order on wind towers from China for the period January 1, 2018, through December 31, 2018, in its entirety.

**Assessment**

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess countervailing duties on all appropriate entries. Because Commerce is rescinding this administrative review in its entirety, entries of wind towers from China during the period January 1, 2018, through December 31, 2018, shall be assessed countervailing duties at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after the publication of this notice in the **Federal Register**.

**Notification Regarding Administrative Protective Order (APO)**

This notice also serves as a final reminder to parties subject to APO of their responsibility concerning the return or 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 with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: June 3, 2019.

**James Maeder,**

*Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2019-12026 Filed 6-6-19; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****International Trade Administration****Proposed Information Collection; Comment Request; Procedures for Considering Requests and Comments From the Public for Textile and Apparel Safeguard Actions on Imports From Oman**

**AGENCY:** International Trade Administration (ITA), Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before August 6, 2019.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 or via email at [PRAcComments@doc.gov](mailto:PRAcComments@doc.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Maria D'Andrea, Office of Textiles and Apparel, U.S. Department of Commerce, Tel. (202) 482-1550, [Maria.D'Andrea-Yothers@trade.gov](mailto:Maria.D'Andrea-Yothers@trade.gov).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

Title III, Subtitle B, Section 321 through Section 328 of the United States-Oman Free Trade Agreement Implementation Act (the "Act") implements the textile and apparel safeguard provisions, provided for in Article 3.1 of the United States-Oman Free Trade Agreement (the "Agreement"). This safeguard mechanism applies when, as a result of the elimination of a customs duty under the Agreement, an Omani textile or apparel article is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage or actual threat thereof to a U.S. industry producing a like or directly competitive article. In these circumstances, Article 3.1 permits the United States to increase duties on the imported article from Oman to a level that does not exceed the lesser of the

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 84 FR 2816 (February 8, 2019).

<sup>2</sup> See Letter from the petitioner, "Utility Scale Wind Towers from the People's Republic of China: Request for Administrative Review," dated February 26, 2019.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 18777 (May 2, 2019).

<sup>4</sup> See Letter from the petitioner, "Utility Scale Wind Towers from the People's Republic of China: Withdrawal of Request for Administrative Review," dated May 16, 2019.

prevailing U.S. normal trade relations (NTR)/most-favored-nation (MFN) duty rate for the article or the U.S. NTR/MFN duty rate in effect on the day before the Agreement entered into force.

The Statement of Administrative Action accompanying the U.S.-Oman Free Trade Agreement Implementation Act (the "Act") provides that CITA will issue procedures for requesting such safeguard measures, for making its determinations under section 322(a) of the Act, and for providing relief under section 322(b) of the Act.

In Proclamation No. 8332 (73 FR 80,289, December 31, 2008), the President delegated to CITA his authority under Subtitle B of Title III of the Act with respect to textile and apparel safeguard measures.

CITA must collect information in order to determine whether a domestic textile or apparel industry is being adversely impacted by imports of these products from Oman, thereby allowing CITA to take corrective action to protect the viability of the domestic textile industry, subject to section 322(b) of the Act.

Pursuant to Section 321(a) of the Act and Section 7 of Presidential Proclamation 8332 of December 29, 2008, an interested party in the U.S. domestic textile and apparel industry may file a request for a textile and apparel safeguard action with CITA. Consistent with longstanding CITA practice in considering textile safeguard actions, CITA will consider an interested party to be an entity (which may be a trade association, firm, certified or recognized union, or group of workers) that is representative of either: (A) A domestic producer or producers of an article that is like or directly competitive with the subject Omani textile or apparel article; or (B) a domestic producer or producers of a component used in the production of an article that is like or directly competitive with the subject Omani textile or apparel article.

In order for a request to be considered, the requestor must provide the following information in support of a claim that a textile or apparel article from Oman is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage or actual threat thereof, to a U.S. industry producing an article that is like, or directly competitive with, the imported article: (1) Name and description of the imported article concerned; (2) import data demonstrating that imports of an Omani origin textile or apparel article that are

like or directly competitive with the articles produced by the domestic industry concerned are increasing in absolute terms or relative to the domestic market for that article; (3) U.S. domestic production of the like or directly competitive articles of U.S. origin indicating the nature and extent of the serious damage or actual threat thereof, along with an affirmation that to the best of the requester's knowledge, the data represent substantially all of the domestic production of the like or directly competitive article(s) of U.S. origin; (4) imports from Oman as a percentage of the domestic market of the like or directly competitive article; and (5) all data available to the requester showing changes in productivity, utilization of capacity, inventories, exports, wages, employment, domestic prices, profits, and investment, and any other information, relating to the existence of serious damage or actual threat thereof caused by imports from Oman to the industry producing the like or directly competitive article that is the subject of the request. To the extent that such information is not available, the requester should provide best estimates and the basis, therefore.

If CITA determines that the request provides the information necessary for it to be considered, CITA will publish a notice in the **Federal Register** seeking public comments regarding the request. The comment period shall be 30 calendar days. The notice will include a summary of the request. Any interested party may submit information to rebut, clarify, or correct public comments submitted by any interested party.

CITA will make a determination on any request it considers within 60 calendar days of the close of the comment period. If CITA is unable to make a determination within 60 calendar days, it will publish a notice in the **Federal Register**, including the date it will make a determination.

If a determination under section 322(b) of the Act is affirmative, CITA may provide tariff relief to a U.S. industry to the extent necessary to remedy or prevent serious damage or actual threat thereof and to facilitate adjustment by the domestic industry to import competition. The import tariff relief is effective beginning on the date that CITA's affirmative determination is published in the **Federal Register**.

Entities submitting requests, responses or rebuttals to CITA may submit both a public and confidential version of their submissions. If the request is accepted, the public version will be posted on the dedicated Oman Free Trade Agreement textile safeguards

section of the Office of Textile and Apparel (OTEXA) website. The confidential version of the request, responses or rebuttals will not be shared with the public as it may contain business confidential information. Entities submitting responses or rebuttals may use the public version of the request as a basis for responses.

## II. Method of Collection

When an interested party files a request for a textile and apparel safeguard action with CITA, ten copies of any such request must be provided in a paper format. If business confidential information is provided, two copies of a non-confidential version must also be provided. If CITA determines that the request provides the necessary information to be considered, it publishes a **Federal Register** notice seeking public comments on the request. To the extent business confidential information is provided, a non-confidential version must also be provided. Any interested party may submit information to rebut, clarify, or correct public comments submitted by any interested party.

## III. Data

*OMB Control Number:* 0625–0266.

*Form Number(s):* None.

*Type of Review:* Regular submission.

*Affected Public:* Individuals or households; business or other for-profit organizations.

*Estimated Number of Respondents:* 6 (1 for Request; 5 for Comments).

*Estimated Time per Response:* 4 hours for a Request; and 4 hours for each Comment.

*Estimated Total Annual Burden Hours:* 24.

*Estimated Total Annual Cost to Public:* \$960.

## IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB

approval of this information collection; they also will become a matter of public record.

**Sheleen Dumas,**

*Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

#### Freshwater Crawfish Tail Meat From the People's Republic of China: Final Results of Sunset Review and Revocation of Antidumping Duty Order

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

**SUMMARY:** On April 1, 2019, the Department of Commerce (Commerce) initiated a sunset review of the antidumping duty (AD) order on freshwater crawfish tail meat from the People's Republic of China (China). Because no domestic interested party responded to the sunset review notice of initiation by the applicable deadline, Commerce is revoking the AD order on freshwater crawfish tail meat from China.

**DATES:** Applicable May 16, 2019.

**FOR FURTHER INFORMATION CONTACT:** Jacob Keller or Mino Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4849 or (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

On September 15, 1997, Commerce published an AD order on imports of freshwater crawfish tail meat from China.<sup>1</sup> In the first three sunset reviews, Commerce and the International Trade Commission (ITC) determined that the continuation of the order was warranted.<sup>2</sup> On April 1, 2019,

Commerce initiated the current sunset review pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.218.<sup>3</sup>

We did not receive a notice of intent to participate from the domestic interested parties in this sunset review, pursuant to 19 CFR 351.218(d)(1)(i). As a result, in accordance with 19 CFR 351.218(d)(1)(iii)(A), Commerce has determined that no domestic interested party intends to participate in the sunset review. On April 23, 2019, Commerce notified the ITC in writing that we intend to revoke the AD order on freshwater crawfish tail meat from China.<sup>4</sup>

#### Scope of the Order

The product covered by the AD order is freshwater crawfish tail meat, in all its forms (whether washed or with fat on, whether purged or un-purged), grades, and sizes; whether frozen, fresh, or chilled; and regardless of how it is packed, preserved, or prepared. Excluded from the scope of the order are live crawfish and other whole crawfish, whether boiled, frozen, fresh, or chilled. Also excluded are saltwater crawfish of any type, and parts thereof. Freshwater crawfish tail meat is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 1605.40.10.10 and 1605.40.10.90, which are the HTSUS numbers for prepared foodstuffs, indicating peeled crawfish tail meat and other, as introduced by U.S. Customs and Border Protection (CBP) in 2000, and HTSUS numbers 0306.19.00.10 and 0306.29.00.00, which are reserved for fish and crustaceans in general. On February 10, 2012, Commerce added HTSUS classification number 0306.29.01.00 to the scope description pursuant to a request by CBP. On September 21, 2018, Commerce added HTSUS classification numbers 0306.39.0000 and 0306.99.0000 to the scope description pursuant to a request by CBP. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of the order is dispositive.

#### Revocation

Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.218(d)(1)(iii)(B)(3), if no domestic interested parties respond to a notice of initiation, Commerce shall, within 90 days after the initiation of the review, revoke the order. Because no domestic interested

party filed a notice of intent to participate in this sunset review, we determine that no domestic interested party is participating in this sunset review. Therefore, we are revoking the AD order on freshwater crawfish tail meat from China.

#### Effective Date of Revocation

Pursuant to section 751(c)(3)(A) of the Act, and 19 CFR 351.222(i)(2)(i), Commerce intends to instruct CBP to terminate the suspension of liquidation of the merchandise subject to this order entered, or withdrawn from warehouse, on or after May 16, 2019, the fifth anniversary of the date of publication of the last continuation notice. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and AD deposit requirements. Commerce will complete any pending reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

#### Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

This five-year (sunset) review and this notice are issued and published in accordance with sections 751(c) and 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: June 3, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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<sup>1</sup> See Notice of Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Freshwater Crawfish Tail Meat from the People's Republic of China, 62 FR 48218 (September 15, 1997).

<sup>2</sup> See Continuation of Antidumping Duty Order: Freshwater Crawfish Tail Meat from the People's Republic of China, 68 FR 48340 (August 13, 2003); Continuation of Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China, 73 FR 75392 (December 11, 2008); and Freshwater Crawfish Tail Meat from the People's Republic of China: Continuation of Antidumping Duty Order, 79 FR 28483 (May 16, 2014).

<sup>3</sup> See Initiation of Five-Year (Sunset) Reviews, 84 FR 12227 (April 1, 2019).

<sup>4</sup> See Commerce Letter, re: Sunset Review Initiated on April 1, 2019, dated April 23, 2019.