

- Comment 11: Whether Commerce Should Apply Partial AFA to POSCO's U.S. Inventory Carrying Costs
- Comment 12: Whether Commerce Should Revise UPI's Further Manufacturing G&A Expense Ratio
- Comment 13: Whether Commerce Should Revise UPI's G&A and INTEX Ratio Denominators
- Comment 14: Whether Commerce Should Revise the Further Manufacturing Cost of UPI's Non-Prime Products
- Comment 15: Whether Commerce Should Revise UPI's U.S. Brokerage and Handling Expenses
- Comment 16: Whether POSCO/UIP Should Receive a CEP Offset
- Comment 17: POSCO's CONNUM-Specific Costs Reporting and Whether to Smooth Cost
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VI. Recommendation

[FR Doc. 2019-14482 Filed 7-8-19; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-875]

Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China: Continuation of Antidumping Duty Order

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

SUMMARY: As a result of the determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) that revocation of the antidumping duty (AD) order on non-malleable cast iron pipe fittings (NMPF) from the People's Republic of China (China) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD order.

DATES: Applicable July 9, 2019.

FOR FURTHER INFORMATION CONTACT: Ariela Garvett, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3609.

SUPPLEMENTARY INFORMATION:

Background

On April 7, 2003, Commerce published the notice of the AD order on NMPF from China.¹ On January 2, 2019,

the ITC instituted its review of the *Order*.² On February 5, 2019, Commerce published the initiation of the third sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).³ Commerce received a timely notice of intent to participate in this review from Anvil International, LLC and Ward Manufacturing LLC (collectively, the petitioners), a domestic interested party, within the deadline specified in 19 CFR 351.218(d)(1)(i).⁴ On March 7, 2019, Commerce received a complete and adequate substantive response from the petitioners within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁵ Commerce received no substantive responses from respondent interested parties. Pursuant to section 751(c)(3)(B) of the Act, Commerce conducted an expedited (120-day) sunset review of the *Order*.⁶ On May 10, 2019, the ITC published its notice to conduct an expedited five-year review of the *Order*.⁷

As a result of its review, Commerce determined, pursuant to section 751(c)(1) of the Act, that revocation of the *Order* on NMPF from China would likely lead to continuation or recurrence of dumping. Commerce, therefore, notified the ITC of the magnitude of the margin of dumping rates likely to prevail should this *Order* be revoked.⁸

On July 1, 2019, the ITC published its determination that revocation of the *Order* 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.⁹

Republic of China, 68 FR 16765 (April 7, 2003) (*Order*).

² See *Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China: Institution of Five-Year Review*, 84 FR 14 (January 2, 2019).

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

⁴ See Petitioners' Letter, "Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China," dated February 5, 2019.

⁵ See Petitioners' Letter, "Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China, Third Review: Substantive Response to Notice of Initiation," dated March 7, 2019.

⁶ See *Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China: Final Results of Expedited Third Sunset Review of Antidumping Duty Order*, 84 FR 27088 (June 11, 2019) and accompanying Issues and Decision Memorandum (Issues and Decision Memorandum).

⁷ See *Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China: Scheduling of an Expedited Five-Year Review*, 84 FR 20659 (May 10, 2019).

⁸ See Issues and Decision Memorandum.

⁹ See *Non-Malleable Cast Iron Pipe Fittings from China: Determination*, 84 FR 31349 (July 1, 2019); see also *Non-Malleable Cast Iron Pipe Fittings from China: Investigation No. 731-TA-990 (Third Review)*, USITC Publication 4915 (June 2019).

Scope of the Order

The products covered by the *Order* are finished and unfinished non-malleable cast iron pipe fittings with an inside diameter ranging from 1/4 inch to 6 inches, whether threaded or unthreaded, regardless of industry or proprietary specifications. The subject fittings include elbows, ells, tees, crosses, and reducers as well as flanged fittings. These pipe fittings are also known as "cast iron pipe fittings" or "gray iron pipe fittings." These cast iron pipe fittings are normally produced to ASTM A-126 and ASME B.16.4 specifications and are threaded to ASME B1.20.1 specifications. Most building codes require that these products are Underwriters Laboratories (UL) certified. The scope does not include cast iron soil pipe fittings or grooved fittings or grooved couplings.

Fittings that are made out of ductile iron that have the same physical characteristics as the gray or cast iron fittings subject to the scope above or which have the same physical characteristics and are produced to ASME B.16.3, ASME B.16.4, or ASTM A-395 specifications, threaded to ASME B1.20.1 specifications and UL certified, regardless of metallurgical differences between gray and ductile iron, are also included in the scope of the *Order*. These ductile fittings do not include grooved fittings or grooved couplings. Ductile cast iron fittings with mechanical joint ends (MJ), or push on ends (PO), or flanged ends and produced to American Water Works Association (AWWA) specifications AWWA C110 or AWWA C153 are not included.

Imports of covered merchandise are classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 7307.11.00.30, 7307.11.00.60, 7307.19.30.60 and 7307.19.30.85. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the *Order* is dispositive.¹⁰

Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *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 this *Order* on NMPF from China. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the

¹⁰ See *Order*.

¹ See *Notice of Antidumping Duty Order: Non-Malleable Cast Iron Pipe Fittings from the People's*

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 this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year review of this *Order* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Notification to Interested Parties

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

Dated: July 2, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2019-14561 Filed 7-8-19; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-091]

Certain Steel Wheels 12 to 16.5 Inches in Diameter From the People's Republic of China: Final Affirmative Countervailing Duty Determination, and Final Affirmative Determination of Critical Circumstances

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

SUMMARY: The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain steel wheels 12 to 16.5 inches in diameter (certain steel wheels) from the People's Republic of China (China).

DATES: Applicable July 9, 2019.

FOR FURTHER INFORMATION CONTACT: Emily Halle or Keith Haynes, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0176 or (202) 482-5139, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 25, 2019, Commerce published the *Preliminary Determination* of this investigation in

the **Federal Register**.¹ In the *Preliminary Determination*, Commerce aligned the final determination in this countervailing duty (CVD) investigation with the final determination in the companion less-than-fair-value (LTFV) investigation, in accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4). A complete summary of the events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.²

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 <https://access.trade.gov>, and is available to all parties in the Central Records Unit, Room B8024 of the main 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.

Commerce exercised its discretion to toll all deadlines affected by the partial Federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.³ Accordingly, the deadline for the final determination of this investigation is July 1, 2019.

Period of Investigation

The period of investigation (POI) is January 1, 2017 through December 31, 2017.

¹ See *Certain Steel Wheels 12 to 16.5 Inches in Diameter from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination*, 84 FR 5989 (February 25, 2019) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum.

² See Memorandum, "Issues and Decision Memorandum for the Final Determination in the Countervailing Duty Investigation of Certain Steel Wheels 12 to 16.5 Inches in Diameter from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

³ See Memorandum to the Record from Gary Taveran, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

Scope of the Investigation

The products covered by this investigation are certain steel wheels 12 to 16.5 inches in diameter from China. For a complete description of the scope of this investigation, see Appendix I of this notice.

Scope Comments

During the course of this investigation and the concurrent LTFV investigation of certain steel wheels from China, Commerce received scope comments from interested parties. Commerce issued a Preliminary Scope Decision Memorandum to address these comments and set aside a period of time for parties to address scope issues in scope case and rebuttal briefs.⁴ Commerce has reviewed the briefs submitted by interested parties, considered the arguments therein, and has made changes to the scope of the investigation, including additional exclusions, and clarifying language. For a summary of the scope comments and rebuttal responses submitted to the record for this final determination, along with the accompanying discussion and analysis of all comments timely received, see the Final Scope Decision Memorandum.⁵

Final Affirmative Determination of Critical Circumstances

In the *Preliminary Determination*, Commerce preliminarily determined, pursuant to section 703(e)(1) of the Act, that critical circumstances exist with respect to Xingmin Intelligent Transportation Systems (Group) (Xingmin), Zhejiang Jingu Company Limited (Zhejiang Jingu), and all other exporters or producers not individually examined. For this final determination, we continue to find that critical circumstances exist for Xingmin, Zhejiang Jingu, and all other exporters or producers not individually examined, pursuant to section 705(a)(2) of the Act. For a full description of the methodology and results of Commerce's analysis, see the Issues and Decision Memorandum.

Analysis of Subsidy Programs and Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this proceeding, other than

⁴ See Memorandum, "Certain Steel Wheels 12 to 16.5 Inches in Diameter from the People's Republic of China: Preliminary Scope Decision Memorandum," dated April 15, 2019, at 11.

⁵ See Memorandum, "Certain Steel Wheels 12 to 16.5 Inches in Diameter from the People's Republic of China: Final Scope Comments Decision Memorandum," dated concurrently with this notice (Final Scope Decision Memorandum).