

assigned a probability of selection that is a function of its relative size within the stratum (payroll) and a stratum-specific reliability constraint. The larger establishments in a stratum may have probabilities equal to 1.00. Within each stratum, an independent sample will be selected. We will use a fixed sample size selection method for selecting the sample. This technique considerably improves the reliability of the resulting survey estimates by eliminating the variability associated with a variable sample size. The impact of the multi-establishment firms within each stratum will be taken into account in deriving the target sample size from the single-establishment firm population. We estimate that the mail canvass for the 2012 construction sector will include approximately 112,000 establishments of single-establishment firms.

### III. Data

*OMB Control Number:* 0607-0935.

*Form Number:* CC-23601, CC-23701, CC-23801-4. You can obtain information on the proposed content at this Web site: <http://www.census.gov/mcd/clearance>.

*Type of Review:* Regular submission.

*Affected Public:* Businesses or other for profit, non-profit institutions or organizations, and State or Local Governments.

*Estimated Number of Respondents:* 130,000.

*Estimated Time per Response:* 2.9 hours.

*Estimated Total Annual Burden Hours:* 377,000.

*Estimated Total Annual Cost:* \$12,222,340.

*Respondent's Obligation:* Mandatory.

**Legal Authority:** Title 13, United States Code, Sections 131 and 224.

### 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.

Dated: March 10, 2011.

**Glenna Mickelson,**

*Management Analyst, Office of the Chief Information Officer.*

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**BILLING CODE 3510-07-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-841]

#### Antidumping Duty Order: Polyvinyl Alcohol From Taiwan

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC), the Department is issuing an antidumping duty order on polyvinyl alcohol (PVA) from Taiwan.

**DATES:** *Effective Date:* March 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Thomas Schauer at (202) 482-0410, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 1, 2011, the Department published its affirmative final determination of sales at less than fair value in the antidumping duty investigation of PVA from Taiwan. *See Polyvinyl Alcohol From Taiwan: Final Determination of Sales at Less Than Fair Value*, 76 FR 5562 (February 1, 2011).

On March 9, 2011, the ITC notified the Department of its final determination, pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured by reason of less-than-fair-value imports of PVA from Taiwan within the meaning of section 735(b)(1)(A)(i) of the Act. *See Polyvinyl Alcohol from Taiwan* (Investigation No. 731-TA-1088 (Final), USITC Publication 4218, March 2011).

##### Scope of the Order

The merchandise covered by this antidumping duty order is PVA. This product consists of all PVA hydrolyzed in excess of 80 percent, whether or not mixed or diluted with commercial levels of defoamer or boric acid. PVA in

fiber form and PVB-grade low-ash PVA are not included in the scope of this order. PVB-grade low-ash PVA is defined to be PVA that meets the following specifications: Hydrolysis, Mole % of 98.40 +/- 0.40, 4% Solution Viscosity 30.00 +/- 2.50 centipois, and ash—ISE, wt% less than 0.60, 4% solution color 20mm cell, 10.0 maximum APHA units, haze index, 20mm cell, 5.0, maximum. The merchandise subject to this order is currently classifiable under subheading 3905.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to this order is dispositive.

##### Provisional Measures

Section 733(d) of the Act states that suspension-of-liquidation instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of the exporter that accounted for a significant proportion of exports of the subject merchandise in the investigations of PVA from Taiwan, we extended the four-month period to no more than six months. *See Polyvinyl Alcohol From Taiwan: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 75 FR 55552 (September 13, 2010) (*Preliminary Results*).

In the investigation, the six-month period beginning on the date of the publication of the preliminary determination (*i.e.*, September 13, 2010) will end on March 12, 2011.

Furthermore, section 737 of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination. Therefore, in accordance with section 733(d) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of PVA from Taiwan entered, or withdrawn from warehouse, for consumption after March 12, 2011, through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will resume for entries entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's final

injury determination in the **Federal Register**.

### Antidumping Duty Order

On March 9, 2011, in accordance with section 735(d) of the Act, the ITC notified the Department of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of PVA from Taiwan.

In accordance with section 736(a)(1) of the Act, the Department will direct CBP to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds U.S. price of the merchandise for all relevant entries of PVA from Taiwan. These antidumping duties will be assessed on all unliquidated entries of PVA from Taiwan entered, or withdrawn from warehouse, for consumption on or after September 13, 2010, the date on which the Department published its notice of preliminary determination in the **Federal Register**, excluding those entries entered, or withdrawn from warehouse, for consumption between March 13, 2011 (the day following the end of the provisional-measures period), and the day preceding the publication date of the ITC's final injury determination in the **Federal Register**. See *Preliminary Results*, 75 FR at 55552.

Effective on the date of publication of the ITC's notice of final determination in the **Federal Register**, CBP will require, pursuant to section 736(a)(3) of the Act and at the same time as importers would normally deposit estimated duties on subject merchandise, a cash deposit equal to the estimated weighted-average antidumping margins listed below. Upon further instruction by the Department and in accordance with section 736(a)(1) of the Act, the Department will instruct CBP to assess antidumping duties equal to the amount by which the normal value of the merchandise exceeds U.S. price of the merchandise for all relevant entries of PVA from Taiwan. These antidumping duties will be assessed on all unliquidated entries of PVA entered from Taiwan, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination in the **Federal Register**.

Producer or exporter	Weighted-average margin
Chang Chun Petrochemical Co., Ltd .....	3.08
All Others .....	3.08

This notice constitutes the antidumping duty order with respect to PVA from Taiwan pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit of the main Department of Commerce building, Room 7046, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: March 9, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

#### **Fresh Garlic from the People's Republic of China: Court Decision Not in Harmony With Final Results and Amended Final Results of Review**

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

**SUMMARY:** On March 1, 2011, the United States Court of International Trade ("CIT") sustained in an unpublished judgment the Department of Commerce's ("the Department") final results of redetermination as applied to respondent Shenzhen Greening Trading Co., Ltd. ("Greening") pursuant to the CIT's order granting the Department's voluntary remand request in *Shandong Chenhe International Trading Co., Ltd. and Shenzhen Greening Trading Co., Ltd. v. United States*, Court No. 09-00246 (Ct. Int'l Trade April 22, 2010). See *Final Results of Redetermination Pursuant to Voluntary Remand*, Court No. 09-00246, dated July 30, 2010, available at <http://ia.ita.doc.gov/remands> ("Remand Results"); *Shandong Chenhe International Trading Co., Ltd. and Shenzhen Greening Trading Co., Ltd. v. United States*, Court No. 09-00246 (Ct. Int'l Trade March 1, 2011) ("Judgment"). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990)

("Timken"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results and is amending the final results of the administrative review of the antidumping duty order on fresh garlic from the People's Republic of China ("PRC") covering the period of review ("POR") of November 1, 2006, through October 31, 2007 with respect to Greening. See *Fresh Garlic From the People's Republic of China: Final Results and Partial Rescission of the 13th Antidumping Duty Administrative Review and New Shipper Reviews*, 74 FR 29174 (June 19, 2009) ("*Final Results*"), and accompanying Issues and Decision Memorandum at Comment 11. **DATES:** Effective Date: March 11, 2011.

**FOR FURTHER INFORMATION CONTACT:** Scott Lindsay or David Lindgren, AD/CVD Operations, Office 6, Import Administration—International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC, 20230; telephone (202) 482-0780 or (202) 482-3870.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 19, 2009, the Department issued its *Final Results*, where it determined that neither Shandong Chenhe International Trading Co., Ltd. ("Chenhe") nor Greening submitted a separate rate application or certification, and neither company informed the Department that they had no shipments of subject merchandise during the POR within the deadlines provided in the separate rate applications and certifications. See *Final Results* and accompanying Issues and Decision Memorandum at Comment 11. Accordingly, for the six months of the POR not covered by the concurrently conducted new shipper review ("NSR"), we determined that Chenhe and Greening had not established that they were each entitled to a separate rate, and without timely filed no-shipment certifications, Chenhe and Greening should be deemed to be part of the PRC-wide entity. *Id.* See also *Fresh Garlic from the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews*, 72 FR 38057 (July 12, 2007).

Chenhe and Greening timely challenged the Department's determination not to rescind the administrative review with respect to both companies to the CIT. On April 22,