

submitted by parties, including comments on our cost calculation methodology. Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is fully extending the time limit for the final results to December 5, 2011.

We are issuing and publishing this notice in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: September 7, 2011.

**Christian Marsh,**

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

[FR Doc. 2011-23381 Filed 9-12-11; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-819]

#### **Magnesium Metal from the Russian Federation: Final Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** On May 6, 2011, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on magnesium metal from the Russian Federation. The period of review (POR) is April 1, 2009, through March 31, 2010.

Based on our analysis of the comments received we have made changes in the margin for one company. Therefore, the final results differ from the preliminary results. The final margin is listed below in the section entitled "Final Results of the Review."

**DATES:** *Effective Date:* September 13, 2011.

**FOR FURTHER INFORMATION:** Hermes Pinilla, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3477.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On May 6, 2011, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on magnesium metal from the Russian Federation. See *Magnesium Metal From the Russian Federation: Preliminary Results of Antidumping Duty Administrative*

*Review*, 76 FR 26247 (May 6, 2011) (*Preliminary Results*).

We invited interested parties to comment on the *Preliminary Results* and received case and rebuttal briefs from interested parties. The Department has conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

#### **Scope of the Order**

The merchandise covered by the order<sup>1</sup> is magnesium metal (also referred to as magnesium), which includes primary and secondary pure and alloy magnesium metal, regardless of chemistry, raw material source, form, shape, or size. Magnesium is a metal or alloy containing by weight primarily the element magnesium. Primary magnesium is produced by decomposing raw materials into magnesium metal. Secondary magnesium is produced by recycling magnesium-based scrap into magnesium metal. The magnesium covered by the order includes blends of primary and secondary magnesium.

The subject merchandise includes the following pure and alloy magnesium metal products made from primary and/or secondary magnesium, including, without limitation, magnesium cast into ingots, slabs, rounds, billets, and other shapes, and magnesium ground, chipped, crushed, or machined into raspings, granules, turnings, chips, powder, briquettes, and other shapes: (1) Products that contain at least 99.95 percent magnesium, by weight (generally referred to as "ultra-pure" magnesium); (2) products that contain less than 99.95 percent but not less than 99.8 percent magnesium, by weight (generally referred to as "pure" magnesium); and (3) chemical combinations of magnesium and other material(s) in which the magnesium content is 50 percent or greater, but less than 99.8 percent, by weight, whether or not conforming to an "ASTM Specification for Magnesium Alloy."

The scope of the order excludes: (1) Magnesium that is in liquid or molten form and (2) mixtures containing 90 percent or less magnesium in granular or powder form by weight and one or more of certain non-magnesium granular materials to make magnesium-based reagent mixtures, including lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorspar, nepheline syenite,

feldspar, alumina (Al<sub>2</sub>O<sub>3</sub>), calcium aluminate, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomite lime, and colemantite.<sup>2</sup>

The merchandise subject to the order is currently classifiable under items 8104.11.00, 8104.19.00, 8104.30.00, and 8104.90.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS item numbers are provided for convenience and customs purposes, the written description of the merchandise covered by the order is dispositive.

#### **No-Shipment Determination**

Based on the information Solikamsk Magnesium Works (SMW) provided on the record, we continue to find that SMW did not have knowledge of exports or involvement in imports of magnesium metal into the United States during the POR. Thus, we did not request SMW to report such sales for purposes of calculating a dumping margin in this administrative review.

See *Preliminary Results*, 76 FR at 26248-49. Therefore, we have determined that SMW did not make shipments of subject merchandise during the POR.

#### **Analysis of the Comments Received**

All issues raised in the case and rebuttal briefs by parties to this administrative review of the order on magnesium metal from the Russian Federation are addressed in the "Issues and Decision Memorandum" from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, dated concurrently with this notice (Decision Memorandum), which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded is in the Decision Memorandum and attached to this notice as an Appendix. The

<sup>2</sup> This second exclusion for magnesium-based reagent mixtures is based on the exclusion for reagent mixtures in the 2000-2001 investigations of magnesium from the People's Republic of China, Israel, and the Russian Federation. See *Notice of Final Determination of Sales at Less Than Fair Value: Pure Magnesium in Granular Form From the People's Republic of China*, 66 FR 49345 (September 27, 2001), *Notice of Final Determination of Sales at Less Than Fair Value: Pure Magnesium From Israel*, 66 FR 49349 (September 27, 2001), and *Notice of Final Determination of Sales at Not Less Than Fair Value: Pure Magnesium From the Russian Federation*, 66 FR 49347 (September 27, 2001). These mixtures are not magnesium alloys because they are not chemically combined in liquid form and cast into the same ingot.

<sup>1</sup> We revoked the order effective April 15, 2010. See *Magnesium Metal From the Russian Federation: Revocation of Antidumping Duty Order Pursuant to Five-Year Sunset Review*, 76 FR 13128 (March 10, 2011).

Decision Memorandum, which is a public document, is on file in the Central Records Unit, main Department of Commerce building, Room 7046, and is accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Changes From the Preliminary Results

As a result of our analysis of the comments we received, we have made certain changes to the margin calculation for PSC VSMPO–AVISMA Corporation (AVISMA) for the final results. Specifically, we have revised

AVISMA's reported costs of production for the April 1 through December 31, 2009, period to reflect the treatment of chlorine gas as a byproduct of raw magnesium production. We then calculated AVISMA's POR costs as the weighted average of the revised costs for the period April 1 through December 31, 2009, and the costs for the period January 1 through March 31, 2010, that we calculated for the *Preliminary Results*. For further discussion of this change, see Comment 1.A of the Decision Memorandum.

Our comparison of AVISMA's revised costs to its reported sales establishes that all of AVISMA's sales in the

comparison market were made at prices below cost. In accordance with section 773(b)(1)(B) of the Act, we have relied upon the constructed value of the subject merchandise for purposes of these final results. For further discussion of this change, see Comment 1.B of the Decision Memorandum.

#### Final Results of the Review

As a result of our review, we determine that the following weighted-average dumping margins on magnesium metal from the Russian Federation exist for the period April 1, 2009, through March 31, 2010:

Manufacturer/exporter	Margin (percent)
PSC VSMPO–AVISMA Corporation .....	2.24
Solikamsk Magnesium Works .....	*

\* No shipments or sales subject to this review.

#### Assessment Rates

The Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate for AVISMA reflecting these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by AVISMA or SMW for which AVISMA or SMW did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries of merchandise produced by AVISMA or SMW at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

The Department intends to issue instructions to CBP 15 days after the publication of the final results of review.

#### Cash-Deposit Requirements

Because we revoked the order effective April 15, 2010, no cash deposit for estimated antidumping duties on future entries of subject merchandise is required.

#### Notifications

This notice serves as a final reminder to importers of their responsibility

under 19 CFR 351.402(f) 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 Department'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 order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: September 6, 2011.

**Ronald K. Lorentzen,**

Deputy Assistant Secretary for Import Administration.

#### Appendix

1. Cost Methodology
2. Affiliation
3. Zeroing

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–929]

#### Small Diameter Graphite Electrodes from the People's Republic of China: Final Results of the First Administrative Review of the Antidumping Duty Order and Final Rescission of the Administrative Review, in Part

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

**SUMMARY:** On March 7, 2011, the Department of Commerce ("Department") published the preliminary results of the first administrative review of the antidumping duty order on small diameter graphite electrodes ("SDGE") from the People's Republic of China ("PRC"), covering the period August 21, 2008, through January 31, 2010. See *Small Diameter Graphite Electrodes from the People's Republic of China: Preliminary Results of the First Administrative Review of the Antidumping Duty Order; Partial Rescission of Administrative Review; and Intent to Rescind Administrative Review, in Part*, 75 FR 12325 (March 7, 2011) ("Preliminary Results").

We invited interested parties to comment on our *Preliminary Results*. Based on our analysis of the comments received, we made certain changes to our margin calculations for the mandatory respondents. The final dumping margins for this review are