

request to the Assistant Secretary for Import Administration, Room 1117, within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed.<sup>74</sup> Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.

#### Final Determination

The Department intends to issue the final determination no later than October 2, 2012. This determination is issued and published in accordance with section 781(d) of the Act and section 351.225(j) of the Department's regulations.

Dated: June 13, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-978]

#### High Pressure Steel Cylinders From the People's Republic of China: Countervailing Duty Order

**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 a countervailing duty order on high pressure steel cylinders ("steel cylinders") from the People's Republic of China ("PRC").

**DATES:** *Effective Date:* June 21, 2012.

**FOR FURTHER INFORMATION CONTACT:** David Layton or Christopher Siepmann, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0371 and (202) 482-7958, respectively.

#### Background

On May 7, 2012, the Department published its final determination in the countervailing duty investigation of steel cylinders from the PRC. *See High Pressure Steel Cylinders From the People's Republic of China: Final*

*Affirmative Countervailing Duty Determination*, 77 FR 26738 (May 7, 2012).

On June 14, 2012, the ITC notified the Department of its final determination pursuant to section 705(b)(1)(A)(i) of the Tariff Act of 1930, as amended ("the Act"), that an industry in the United States is materially injured by reason of subsidized imports of subject merchandise from the PRC. *See High Pressure Steel Cylinders From China*, USITC Pub. 4328, Investigation Nos. 701-TA-480 and 731-TA-1188 (Final) (June 2012).

#### Scope of the Order

The merchandise covered by the scope of the order is seamless steel cylinders designed for storage or transport of compressed or liquefied gas ("high pressure steel cylinders"). High pressure steel cylinders are fabricated of chrome alloy steel including, but not limited to, chromium-molybdenum steel or chromium magnesium steel, and have permanently impressed into the steel, either before or after importation, the symbol of a U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration ("DOT")-approved high pressure steel cylinder manufacturer, as well as an approved DOT type marking of DOT 3A, 3AX, 3AA, 3AAX, 3B, 3E, 3HT, 3T, or DOT-E (followed by a specific exemption number) in accordance with the requirements of sections 178.36 through 178.68 of Title 49 of the Code of Federal Regulations, or any subsequent amendments thereof. High pressure steel cylinders covered by these orders have a water capacity up to 450 liters, and a gas capacity ranging from 8 to 702 cubic feet, regardless of corresponding service pressure levels and regardless of physical dimensions, finish or coatings.

Excluded from the scope of the order are high pressure steel cylinders manufactured to U-ISO-9809-1 and 2 specifications and permanently impressed with ISO or UN symbols. Also excluded from the order are acetylene cylinders, with or without internal porous mass, and permanently impressed with 8A or 8AL in accordance with DOT regulations.

Merchandise covered by the order is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") under subheading 7311.00.00.30. Subject merchandise may also enter under HTSUS subheadings 7311.00.00.60 or 7311.00.00.90. Although the HTSUS subheadings are provided for convenience and customs purposes, the

written description of the merchandise under the order is dispositive.

#### Countervailing Duty Order

In accordance with section 705(d) of the Act, the ITC has notified the Department of its final determination that the industry in the United States producing steel cylinders is materially injured by reason of subsidized imports of steel cylinders from the PRC. Therefore, in accordance with section 705(c)(2) of the Act, we are publishing this countervailing duty order.

As a result of this order, countervailing duties will be assessed on all unliquidated entries of steel cylinders from the PRC entered, or withdrawn from warehouse, for consumption on or after October 18, 2011, the date on which the Department published its preliminary affirmative countervailing duty determination in the **Federal Register**,<sup>1</sup> and before February 15, 2012, the date the Department instructed U.S. Customs and Border Protection ("CBP") to discontinue the suspension of liquidation in accordance with section 703(d) of the Act. Section 703(d) of the Act states that the suspension of liquidation pursuant to a preliminary determination may not remain in effect for more than four months. Therefore, entries of steel cylinders made on or after February 15, 2012, and prior to the date of publication of the ITC's final determination in the **Federal Register** are not liable for the assessment of countervailing duties due to the Department's discontinuation, effective February 15, 2012, of the suspension of liquidation.

In accordance with section 706 of the Act, the Department will direct CBP to reinstitute the suspension of liquidation for steel cylinders from the PRC, effective the date of publication of the ITC's notice of final determination in the **Federal Register** and to assess, upon further advice by the Department pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates for the subject merchandise as noted below.

<sup>1</sup> See *High Pressure Steel Cylinders From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination With Final Antidumping Duty Determination*, 76 FR 64301 (October 18, 2011).

<sup>74</sup> See *Id.*

Exporter/manufacture	Net sub- sidy rate (percent)
Beijing Tianhai Industry Co., Ltd.; Tianjin Tianhai High Pressure Container Co., Ltd.; Langfang Tianhai High Pres- sure Container Co., Ltd. ....	15.81
All-Others .....	15.81

This notice constitutes the countervailing duty order with respect to steel cylinders from the PRC, pursuant to section 706(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room 7046 of the main Commerce Building, for copies of an updated list of countervailing duty orders currently in effect.

This order is issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: June 18, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application 12-00004]

### Export Trade Certificate of Review

**ACTION:** Notice of Application for an Export Trade Certificate of Review Colombia Poultry Export Quota, Inc. (COLOM-PEQ).

**SUMMARY:** The Office of Competition and Economic Analysis, International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review ("Certificate"). This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** Joseph Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from

private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register**, identifying the applicant and summarizing its proposed export conduct.

### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked "privileged" or "confidential business information" will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021X, Washington, DC 20230, or transmitted by email at [etca@trade.gov](mailto:etca@trade.gov).

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. § 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 12-00004." A summary of the application follows.

### Summary of the Application

**Applicant:** Colombia Poultry Export Quota, Inc., c/o DTB Associates, LLP, 1700 Pennsylvania Avenue NW., Suite 200, Washington, DC 20006, (202) 684-2512.

**Application No.:** 12-00003.

**Date Deemed Submitted:** May 16, 2012.

**Members (in addition to applicant):** Colombia Poultry Export Quota, Inc. (hereinafter, "COLOM-PEQ") was formed by USA Poultry and Egg Export Council (USAPEEC) representing the poultry exporting industry of the United States of America and by Federacion Nacional de Avicultores representing the Colombian poultry industry. Their respective addresses are:

USA Poultry & Export Council, 2300 West Park Place Boulevard, Suite 100, Stone Mountain, GA 30087;

Federacion Nacional de Avicultores, Calle 67 No. 7-35 Oficina 610, Bogota, Colombia.

COLOM-PEQ seeks a Certificate of Review to engage in the Export Trade Activities and Methods of Operation described below in the following Export Trade and Export Markets.

### Export Trade

**Products:** COLOM-PEQ plans to export poultry products as described in the Agricultural Tariff Schedule of the Republic of Colombia, as appended to the TPA, and including the following Colombian HTS Codes: 0207.1300.A—leg quarters [fresh or chilled] curators traseros [frescos o refrigerados]; 0207.1400.A—leg quarters [frozen] (curators traseros [congelados]); 1602.3200.A—leg quarters, seasoned and frozen (curators traseros, sazonados y congelados).

### Export Markets

Poultry products for which awards will be made will be exported to the Republic of Colombia.

#### 1. Purpose

Colombia—U.S. Poultry Export Quota, Inc. ("COLOM-PEQ") will manage on an open tender basis the tariff-rate quotas (TRQs) for poultry products granted by the Republic of Colombia to the United States under the terms of the TPA or any amended or successor agreement providing for Colombian TRQs for poultry from the United States of America.

Specifically, the TRQs for poultry products are set forth at Paragraph 6 of Appendix I of the General Notes of Colombia, Annex 2.3 to the TPA. COLOM-PEQ also will provide for distributions of the proceeds received from the tender process based on exports of poultry products ("the TRQ System") to support the operation and administration of COLOM-PEQ and fund market access maintenance, market promotion and market competitiveness improvement, educational, scientific and technical projects for the respective benefits of the poultry industry of the United States and of the Sector Representative Association ("sector gremial representativo") for poultry in the Republic of Colombia as defined in Article 2.6 of the Colombian Ministry of Agriculture and Rural Development Decree No. 0728 of April 13, 2012.

#### 2. Implementation

**A. Administrator.** COLOM-PEQ shall contract with a third party Administrator who shall bear responsibility for administering the TRQ System, subject to general supervision