

affiliated with American Seafoods Company LLC; American Seafoods Japan, Ltd.; AS Europe ApS; and American Seafoods China (Dalian) Ltd.

3. Add as new Members six entities that are affiliated with the existing Member Arctic Storm, Inc.: Arctic Storm International, Inc.; Arctic Fjord, Inc.; AF International, Inc.; Fjord Seafoods LLC; Arctic Storm Management Group LLC; and Fjord Fisheries General Partnership;

4. Replace the existing Member Glacier Fish Company with Glacier Fish Company LLC, and add as a new Member an affiliated company, ASM Export Co; and

5. Replace the existing Member The Starbound Limited Partnership with Starbound LLC, and add as new Members affiliated companies, NWPI, Inc. and Aleutian Spray Fisheries, Inc.

*USSC's Export Trade Certificate of Review Now Lists Following Entities as Members Under the Amended Certificate*

1. American Seafoods Company LLC
2. American Seafoods Japan, Ltd.
3. AS Europe ApS
4. American Seafoods China (Dalian) Ltd.
5. Arctic Storm, Inc.
6. Arctic Storm International, Inc.
7. Fjord Fisheries General Partnership
8. Arctic Fjord, Inc.
9. AF International, Inc.
10. Fjord Seafood LLC
11. Arctic Storm Management Group LLC
12. Glacier Fish Company, LLC
13. ASM Export Co.
14. Starbound LLC
15. Aleutian Spray Fisheries, Inc.
16. NWPI, Inc.

Dated: February 17, 2016.

**Joseph E. Flynn,**

*Director, Office of Trade and Economic Analysis.*

[FR Doc. 2016-03742 Filed 2-22-16; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-039]

#### **Certain Amorphous Silica Fabric From the People's Republic of China: Initiation of Countervailing Duty Investigation**

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

**DATES:** *Effective Date:* February 16, 2016.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Bordas at (202) 482-3813, John

Corrigan at (202) 482-7438, and Emily Maloof at (202) 482-5649, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### **SUPPLEMENTARY INFORMATION:**

##### **The Petition**

On January 20, 2016, the Department of Commerce (Department) received a countervailing duty (CVD) petition concerning imports of certain amorphous silica fabric (silica fabric) from the People's Republic of China (the PRC), filed in proper form on behalf of Auburn Manufacturing, Inc. (Petitioner). The CVD petition was accompanied by an antidumping duty (AD) petition, also concerning imports of amorphous silica fabric from the PRC.<sup>1</sup> Petitioner is a domestic producer of amorphous silica fabric.<sup>2</sup>

On January 28, 2016, the Department requested information and clarification for certain areas of the Petition.<sup>3</sup> Petitioner filed its response to this request on February 1, 2016.<sup>4</sup> On January 27, 2016, the Department determined to toll all deadlines four business days as a result of the Federal Government closure during snowstorm "Jonas," which is applicable to this initiation.<sup>5</sup>

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), Petitioner alleges that the Government of the PRC (GOC) is providing countervailable subsidies (within the meaning of sections 701 and 771(5) of the Act) with respect to imports of amorphous silica fabric from the PRC, and that imports of amorphous silica fabric from the PRC are materially injuring, and threaten material injury to, the domestic industry producing amorphous silica fabric in the United States. Also, consistent with section

702(b)(1) of the Act, for those alleged programs on which we have initiated a CVD investigation, the Petition is accompanied by information reasonably available to Petitioner supporting its allegations.

The Department finds that Petitioner filed the Petition on behalf of the domestic industry because it is an interested parties as defined in section 771(9)(C) of the Act, and that Petitioner has demonstrated sufficient industry support with respect to the initiation of the investigation Petitioner is requesting.<sup>6</sup>

##### **Period of Investigation**

The period of the investigation is January 1, 2015, through December 31, 2015.<sup>7</sup>

##### **Scope of the Investigation**

The product covered by this investigation is amorphous silica fabric from the PRC. For a full description of the scope of this investigation, see "Scope of Investigation" at Appendix I of this notice.

##### **Comments on Scope of the Investigation**

During our review of the Petition, the Department issued questions to, and received responses from, Petitioner pertaining to the proposed scope to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.<sup>8</sup>

As discussed in the preamble to the Department's regulations,<sup>9</sup> we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, scope). The Department will consider all comments received from interested parties, and if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information (*see* 19 CFR 351.102(b)(21)), all such factual information should be limited to public information. In order to facilitate preparation of its questionnaire, the Department requests all interested parties to submit such comments by 5:00 p.m. Eastern Time (ET) on Monday, March 7, 2016, which is 20 calendar

<sup>1</sup> See "Petition for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Amorphous Silica Fabric from the People's Republic of China," dated January 20, 2016 (Petitions).

<sup>2</sup> See Volume I of the Petitions, at 2, and Exhibit I-1.

<sup>3</sup> See letter from the Department, "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Amorphous Silica Fabric from the People's Republic of China: Supplemental Questions," dated January 27, 2016.

<sup>4</sup> See letter from Petitioners, "Certain Amorphous Silica Fabric from the People's Republic of China: Amendment to Volume I of the Petition," dated February 1, 2016.

<sup>5</sup> See Memorandum for the Record from Ron Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, "Tolling of Administrative Deadlines as a Result of the Government Closure during Snowstorm 'Jonas,'" (January 27, 2016).

<sup>6</sup> See "Determination of Industry Support for the Petition" below.

<sup>7</sup> See 19 CFR 351.204(b)(2).

<sup>8</sup> See Memorandum to the File, "Phone Call with Counsel to Petitioner," dated February 10, 2016; *see also* Letter from Petitioner to the Department, "Certain Amorphous Silica Fabric from the People's Republic of China: Scope Clarification Letter," dated February 10, 2016; *see also* Memorandum to the File, "Phone Call with Counsel to Petitioner," dated February 12, 2016.

<sup>9</sup> See *Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on Thursday, March 17, 2016, which is 10 calendar days after the initial comments deadline.

The Department requests that any factual information the parties consider relevant to the scope of the investigation be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party may contact the Department and request permission to submit the additional information. All such comments must be filed on the record of the concurrent AD investigation.

### Filing Requirements

All submissions to the Department must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).<sup>10</sup> An electronically-filed document must be received successfully in its entirety by the time and date it is due. Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with Enforcement and Compliance's APO/Dockets Unit, Room 18022, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the applicable deadlines.

### Consultations

Pursuant to section 702(b)(4)(A)(i) of the Act, the Department notified representatives of the GOC of the receipt of the Petition. Also, in accordance with section 702(b)(4)(A)(ii) of the Act, the Department provided representatives of the GOC the opportunity for consultations with respect to the CVD petition.<sup>11</sup> As the GOC did not request consultations prior to the initiation of this investigation, the Department and the GOC did not hold consultations.

<sup>10</sup> See 19 CFR 351.303 (for general filing requirements); *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011), for details of the Department's electronic filing requirements, which went into effect on August 5, 2011. Information on help using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at <https://access.trade.gov/help/Handbook%20on%20Electronic%20Filing%20Procedures.pdf>.

<sup>11</sup> See Letter of Invitation Regarding Countervailing Duty Petition Certain Amorphous Silica Fabric from the People's Republic of China, dated January 20, 2016.

### Determination of Industry Support for the Petition

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the "industry."

Section 771(4)(A) of the Act defines the "industry" as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The International Trade Commission (ITC), which is responsible for determining whether "the domestic industry" has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product,<sup>12</sup> they do so for different purposes and pursuant to a separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>13</sup>

Section 771(10) of the Act defines the domestic like product as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title." Thus, the reference point from which the domestic like product analysis begins is

"the article subject to an investigation" (*i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the Petition).

With regard to the domestic like product, Petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation. Based on our analysis of the information submitted on the record, we have determined that silica fabric, as defined in the scope, constitutes a single domestic like product and we have analyzed industry support in terms of that domestic like product.<sup>14</sup>

In determining whether Petitioner has standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the "Scope of the Investigation," in Appendix I of this notice. To establish industry support, Petitioner provided its own production of the domestic like product in 2015, and conservatively compared this to the estimated total production of amorphous silica fabric (both industrial grade and aerospace grade) for the entire domestic industry.<sup>15</sup> We have relied upon data Petitioner provided for purposes of measuring industry support.<sup>16</sup>

Our review of the data provided in the Petition, General Issues Supplement, and other information readily available to the Department indicates that Petitioner has established industry support.<sup>17</sup> First, the Petition established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, the Department is not required to take further action in order to evaluate industry support (*e.g.*, polling).<sup>18</sup> Second, the domestic producers (or workers) have met the statutory criteria for industry support under section

<sup>14</sup> For a discussion of the domestic like product analysis in this case, see Countervailing Duty Investigation Initiation Checklist: Certain Amorphous Silica Fabric from the People's Republic of China (PRC CVD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Certain Amorphous Silica Fabric from the People's Republic of China (Attachment II). This checklist is dated concurrently with this notice and on file electronically via ACCESS. Access to documents filed via ACCESS is also available in the Central Records Unit, Room B8024 of the main Department of Commerce building.

<sup>15</sup> See Volume I of the Petition, at 4–6; see also General Issues Supplement, at 1–2 and Exhibit Supp. I–1.

<sup>16</sup> See PRC CVD Initiation Checklist, at Attachment II.

<sup>17</sup> *Id.*

<sup>18</sup> See section 702(c)(4)(D) of the Act; see also PRC CVD Initiation Checklist, at Attachment II.

<sup>12</sup> See section 771(10) of the Act.

<sup>13</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.<sup>19</sup> Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.<sup>20</sup> Accordingly, the Department determines that the Petition was filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.

The Department finds that Petitioner filed the Petition on behalf of the domestic industry because it is an interested party as defined in section 771(9)(C) of the Act and it has demonstrated sufficient industry support with respect to the CVD investigation that it is requesting the Department initiate.<sup>21</sup>

### Injury Test

Because the PRC is a “Subsidies Agreement Country” within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to this investigation. Accordingly, the ITC must determine whether imports of the subject merchandise from the PRC materially injure, or threaten material injury to, a U.S. industry.

### Allegations and Evidence of Material Injury and Causation

Petitioner alleges that imports of the subject merchandise are benefitting from countervailable subsidies and that such imports are causing, or threatening to cause, material injury to the U.S. industry producing the domestic like product. In addition, Petitioner alleges that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>22</sup>

Petitioner contends that the industry’s injured condition is illustrated by reduced market share; underselling and price suppression or depression; lost sales and revenues; declines in domestic industry production, capacity utilization, and U.S. shipments; declines in financial performance; and declines in employment indicators.<sup>23</sup>

We have assessed the allegations and supporting evidence regarding material injury, threat of material injury, and causation, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.<sup>24</sup>

### Initiation of Countervailing Duty Investigation

Section 702(b)(1) of the Act requires the Department to initiate a CVD investigation whenever an interested party files a CVD petition on behalf of an industry that: (1) Alleges elements necessary for an imposition of a duty under section 701(a) of the Act; and (2) is accompanied by information reasonably available to Petitioner supporting the allegations.

Petitioner alleges that producers/exporters of certain amorphous silica fabric in the PRC benefit from countervailable subsidies bestowed by the GOC. The Department examined the Petition and finds that it complies with the requirements of section 702(b)(1) of the Act. Therefore, in accordance with section 702(b)(1) of the Act, we are initiating a CVD investigation to determine whether manufacturers, producers, or exporters of certain amorphous silica fabric from the PRC receive countervailable subsidies from the GOC and various authorities thereof.

On June 29, 2015, the President of the United States signed into law the Trade Preferences Extension Act of 2015, which made numerous amendments to the AD and CVD law.<sup>25</sup> The 2015 law does not specify dates of application for those amendments. On August 6, 2015, the Department published an interpretative rule, in which it announced the applicability dates for each amendment to the Act, except for amendments contained in section 771(7) of the Act, which relate to determinations of material injury by the ITC.<sup>26</sup> The amendments to sections 776 and 782 of the Act are applicable to all determinations made on or after August 6, 2015, and, therefore, apply to this CVD investigation.<sup>27</sup>

<sup>24</sup> See PRC CVD Initiation Checklist, at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Certain Amorphous Silica Fabric from the People’s Republic of China.

<sup>25</sup> See Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

<sup>26</sup> See *Dates of Application of Amendments to the Antidumping and Countervailing Duty Laws Made by the Trade Preferences Extension Act of 2015*, 80 FR 46793 (August 6, 2015) (*Applicability Notice*). The 2015 amendments may be found at <https://www.congress.gov/bill/114th-congress/house-bill/1295/text/pl>.

<sup>27</sup> *Id.* at 46794–95.

Based on our review of the petition, we find that there is sufficient information to initiate a CVD investigation on all of the 19 alleged programs in the PRC.<sup>28</sup> For a full discussion of the basis for our decision to initiate or not initiate on each program, see the PRC CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination no later than 65 days after the date of this initiation.

### Respondent Selection

Petitioner named 81 companies as producers/exporters of amorphous silica fabric in the PRC.<sup>29</sup> Following standard practice in CVD investigations, the Department will, where appropriate, select respondents based on U.S. Customs and Border Protection (“CBP”) data for U.S. imports of amorphous silica fabric during the period of investigation. For this investigation, the Department will release U.S. Customs and Border Protection (CBP) data for U.S. imports of subject merchandise during the period of investigation under the following Harmonized Tariff Schedule of the United States numbers: 7019.59.4021, 7019.59.4096, 7019.59.9021, and 7019.59.9096. We intend to release the CBP data under Administrative Protective Order (APO) to all parties with access to information protected by APO within five business days of the announcement of this **Federal Register** notice. Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found at <http://enforcement.trade.gov/apo/>.

Interested parties may submit comments regarding the CBP data and respondent selection by 5:00 p.m. ET on the seventh calendar day after publication of this notice. Comments must be filed in accordance with the filing requirements stated above. If respondent selection is necessary, we intend to base our decision regarding respondent selection upon comments received from interested parties and our analysis of the record information within 20 days of publication of this notice.

### Distribution of Copies of the Petition

In accordance with section 702(b)(4)(A)(i) of the Act and 19 CFR

<sup>28</sup> Petitioner initially alleged 19 subsidy programs. See Volume III of the Petition, at 15–58.

<sup>29</sup> See Volume I of the Petition at Exhibit I–11,

<sup>19</sup> See PRC CVD Initiation Checklist, at Attachment II.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> See Volume I of the Petition, at 37 and Exhibit I–12.

<sup>23</sup> See Volume I of the Petition, at 22–25, 34–48, and Exhibits I–12–I–14 and I–15–I–26.

351.202(f), a copy of the public version of the Petition has been provided to the GOC *via* ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each known exporter (as named in the Petition), consistent with 19 CFR 351.203(c)(2).

### ITC Notification

We will notify the ITC of our initiation, as required by section 702(d) of the Act.

### Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of certain amorphous silica fabric from the PRC are materially injuring, or threatening material injury to, a U.S. industry.<sup>30</sup> A negative ITC determination will result in the investigation being terminated;<sup>31</sup> otherwise, this investigation will proceed according to statutory and regulatory time limits.

### Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The regulation requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Parties should review the regulations prior to submitting factual information in this investigation.

### Extension of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR

351.301, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301 expires. For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Under certain circumstances, we may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission; under limited circumstances we will grant untimely-filed requests for the extension of time limits. Review *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013), available at <http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>, prior to submitting factual information in this investigation.

### Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.<sup>32</sup> Parties are hereby reminded that revised certification requirements are in effect for company/government officials, as well as their representatives. Investigations initiated on the basis of petitions filed on or after August 16, 2013, and other segments of any AD or CVD proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule*.<sup>33</sup> The Department intends to reject factual submissions if the submitting party does not comply with the applicable revised certification requirements.

### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures*;

*APO Procedures*, 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (e.g., the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

This notice is issued and published pursuant to sections 702 and 777(i) of the Act.

Dated: February 16, 2016.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### Scope of the Investigation

The product covered by this investigation is woven (whether from yarns or rovings) industrial grade amorphous silica fabric, which contains a minimum of 90 percent silica (SiO<sub>2</sub>) by nominal weight, and a nominal width in excess of 8 inches. The investigation covers industrial grade amorphous silica fabric regardless of other materials contained in the fabric, regardless of whether in roll form or cut-to-length, regardless of weight, width (except as noted above), or length. The investigation covers industrial grade amorphous silica fabric regardless of whether the product is approved by a standards testing body (such as being Factory Mutual (FM) Approved), or regardless of whether it meets any governmental specification.

Industrial grade amorphous silica fabric may be produced in various colors. The investigation covers industrial grade amorphous silica fabric regardless of whether the fabric is colored. Industrial grade amorphous silica fabric may be coated or treated with materials that include, but are not limited to, oils, vermiculite, acrylic latex compound, silicone, aluminized polyester (Mylar®) film, pressure-sensitive adhesive, or other coatings and treatments. The investigation covers industrial grade amorphous silica fabric regardless of whether the fabric is coated or treated, and regardless of coating or treatment weight as a percentage of total product weight. Industrial grade amorphous silica fabric may be heat-cleaned. The investigation covers industrial grade amorphous silica fabric regardless of whether the fabric is heat-cleaned.

Industrial grade amorphous silica fabric may be imported in rolls or may be cut-to-length and then further fabricated to make welding curtains, welding blankets, welding pads, fire blankets, fire pads, or fire screens. Regardless of the name, all industrial grade amorphous silica fabric that has been further cut-to-length or cut-to-width or further finished by finishing the edges and/or adding grommets, is included within the scope of this investigation.

Subject merchandise also includes (1) any industrial grade amorphous silica fabric that has been converted into industrial grade amorphous silica fabric in China from fiberglass cloth produced in a third country; and (2) any industrial grade amorphous silica fabric that has been further processed in a third country prior to export to the United

<sup>32</sup> See section 782(b) of the Act.

<sup>33</sup> See *Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) ("Final Rule"); see also frequently asked questions regarding the *Final Rule*, available at [http://enforcement.trade.gov/tlei/notices/factual\\_info\\_final\\_rule\\_FAQ\\_07172013.pdf](http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf).

<sup>30</sup> See section 703(a)(2) of the Act.

<sup>31</sup> See section 703(a)(1) of the Act.

States, including but not limited to treating, coating, slitting, cutting to length, cutting to width, finishing the edges, adding grommets, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope industrial grade amorphous silica fabric.

Excluded from the scope of the investigation is amorphous silica fabric that is subjected to controlled shrinkage, which is also called “pre-shrunk” or “aerospace grade” amorphous silica fabric. In order to be excluded as a pre-shrunk or aerospace grade amorphous silica fabric, the amorphous silica fabric must meet the following exclusion criteria: (1) The amorphous silica fabric must contain a minimum of 98 percent silica (SiO<sub>2</sub>) by nominal weight; (2) the amorphous silica fabric must have an areal shrinkage of 4 percent or less; (3) the amorphous silica fabric must contain no coatings or treatments; and (4) the amorphous silica fabric must be white in color. For purposes of this scope, “areal shrinkage” refers to the extent to which a specimen of amorphous silica fabric shrinks while subjected to heating at 1800 degrees F for 30 minutes.

Areal shrinkage is expressed as the following percentage:

$$\frac{\text{Fired Area, cm}^2 - \text{Initial Area, cm}^2}{\text{Initial Area, cm}^2} \times 100 = \text{Areal Shrinkage, \%}$$

Also excluded from the scope are amorphous silica fabric rope and tubing (or sleeving). Amorphous silica fabric rope is a knitted or braided product made from amorphous silica yarns. Silica tubing (or sleeving) is braided into a hollow sleeve from amorphous silica yarns.

The subject imports are normally classified in subheadings 7019.59.4021, 7019.59.4096, 7019.59.9021, and 7019.59.9096 of the Harmonized Tariff Schedule of the United States (HTSUS), but may also enter under HTSUS subheadings 7019.40.4030, 7019.40.4060, 7019.40.9030, 7019.40.9060, 7019.51.9010, 7019.51.9090, 7019.52.9010, 7019.52.9021, 7019.52.9096 and 7019.90.1000. HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of this investigation is dispositive.

[FR Doc. 2016-03751 Filed 2-22-16; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-038]

### Certain Amorphous Silica Fabric From the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation

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

**ACTION:** Notice.

**DATES:** *Effective Date:* February 16, 2016.

#### FOR FURTHER INFORMATION CONTACT:

Michael J. Heaney at (202) 482-4475 or Scott Hoefke (202) 482-4947, AD/CVD Operations, Enforcement & Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petition

On January 20, 2016, the Department of Commerce (the Department) received an antidumping duty (AD) petition concerning imports of certain amorphous silica fabric (silica fabric) from the People's Republic of China (PRC), filed in proper form on behalf of Auburn Manufacturing, Inc. (Auburn) (Petitioner).<sup>1</sup> The AD petition was accompanied by a countervailing duty (CVD) petition for the PRC.<sup>2</sup> Petitioner is a domestic producer of silica fabric.<sup>3</sup>

On January 27, 2016, the Department requested additional information and clarification of certain areas of the Petition.<sup>4</sup> Petitioner filed responses to these requests on February 1, 2016.<sup>5</sup> On February 10, 2016, Petitioner submitted further clarification regarding the scope of the investigation.<sup>6</sup> On January 27, 2016, the Department determined to toll all deadlines four business days as a result of the Federal Government closure during snowstorm Jonas, which is applicable to this initiation.<sup>7</sup>

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the

<sup>1</sup> See the Petition for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Amorphous Silica Fabric from the PRC, dated January 20, 2016 (the Petition) at Volumes I and II.

<sup>2</sup> *Id.* at Volume III.

<sup>3</sup> See Volume I of the Petition at 2.

<sup>4</sup> See Letters from the Department to Petitioner entitled “Re: Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Amorphous Silica Fabric from the People's Republic of China: Supplemental Questions dated January 27, 2016 (General Issues Supplemental Questionnaire) and “Re: Petition for the Imposition of Antidumping Duties on Imports of Certain Amorphous Silica Fabric from the People's Republic of China: Supplemental Questions Antidumping” dated January 27, 2016.

<sup>5</sup> See “Certain Amorphous Silica Fabric from the People's Republic of China: Amendment to Volume I of the Petition” dated February 1, 2016 (General Issues Supplement); see also “Re: Certain Amorphous Silica Fabric from the People's Republic of China: Amendment to Volume II of the Petition” dated February 1, 2016 (AD Supplemental Response).

<sup>6</sup> See Scope Supplement to the Petition, dated February 10, 2016 (Scope Supplement).

<sup>7</sup> See Memorandum to the Record from Ron Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, regarding “Tolling of Administrative Deadlines As a Result of the Government Closure During Snowstorm Jonas,” dated January 27, 2016.

Act), Petitioner alleges that imports of silica fabric from the PRC are being, or are likely to be, sold in the United States at less-than-fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to Petitioner supporting its allegations.

The Department finds that Petitioner filed this Petition on behalf of the domestic industry because Petitioner is an interested party as defined in section 771(9)(C) of the Act. The Department also finds that Petitioner demonstrated sufficient industry support with respect to the initiation of the AD investigation that Petitioner is requesting.<sup>8</sup>

##### Period of Investigation

Because the Petition was filed on January 20, 2016, the period of investigation (POI) is, pursuant to 19 CFR 351.204(b)(1), July 1, 2015 through December 31, 2015.

##### Scope of the Investigation

The product covered by this investigation is silica fabric from the PRC. For a full description of the scope of this investigation, see the “Scope of the Investigation,” in Appendix I of this notice.

##### Comments on Scope of the Investigation

During our review of the Petition, the Department issued questions to, and received responses from, Petitioner pertaining to the proposed scope to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.<sup>9</sup>

As discussed in the preamble to the Department's regulations,<sup>10</sup> we are setting aside a period for interested parties to raise issues regarding product coverage (scope). The Department will consider all comments received from parties and, if necessary, will consult with parties prior to the issuance of the preliminary determination. If scope comments include factual information (see 19 CFR 351.102(b)(21)), all such factual information should be limited to

<sup>8</sup> See the “Determination of Industry Support for the Petition” section below.

<sup>9</sup> See Memorandum to the File, Phone Call with Counsel to Petitioner, dated February 10, 2016; see also Letter from Petitioner to the Department, “Certain Amorphous Silica Fiber from the People's Republic of China: Scope Clarification Letter,” dated February 10, 2016; see also Memorandum to the File, “Phone Call with Counsel to Petitioner,” dated February 12, 2016.

<sup>10</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997).