

document must be received successfully in its entirety in IA ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>11</sup> Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing. Interested parties are invited to comment on the preliminary results of this review.

Because, as noted above, the Department intends to verify the information upon which we will rely in making our final determination with respect to the Minh Phu Group, the Department will establish the briefing schedule at a later time, and will notify parties of the schedule in accordance with 19 CFR 351.309. Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>12</sup>

The Department intends to issue the final results of this administrative review, including the results of our analysis of issues raised in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**.

#### Assessment Rates

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries covered by this review.<sup>13</sup> The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. For any individually examined respondent whose weighted average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results of this review, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of sales, in accordance with 19 CFR 351.212(b)(1). In these preliminary results, the Department applied the

assessment rate calculation method adopted in *Final Modification for Reviews*, i.e., on the basis of monthly average-to-average comparisons using only the transactions associated with that importer with offsets being provided for non-dumped comparisons. Where an importer- (or customer-) specific *ad valorem* rate is greater than *de minimis*, the Department will instruct CBP to collect the appropriate duties at the time of liquidation.<sup>14</sup> Where an importer- (or customer-) specific *ad valorem* is zero or *de minimis*, the Department will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>15</sup>

Additionally, pursuant to a recently announced refinement to its assessment practice in NME cases, if the Department continues to determine that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (i.e., at that exporter's rate) will be liquidated at the PRC-wide rate.<sup>16</sup>

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from Vietnam entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For the companies listed above, which have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed Vietnam and non-Vietnam exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Vietnam exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the Vietnam-wide entity; and (4) for all non-Vietnam exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnam exporter that supplied that non-Vietnam exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

<sup>14</sup> See 19 CFR 351.212(b)(1).

<sup>15</sup> See 19 CFR 351.106(c)(2).

<sup>16</sup> For a full discussion of this practice, see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties, 76 FR 65694 (October 24, 2011).

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: March 4, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum:

1. Background
2. Respondent Selection
3. Scope of the Order
4. Request for Revocation, in Part
5. Preliminary Determination of No Shipments
6. Non-Market Economy Country
7. Separate Rates
8. Separate Rate Calculation
9. Vietnam-Wide Entity
10. Surrogate Country and Surrogate Value Data
11. Surrogate Country
12. Economic Comparability
13. Significant Producers of Comparable Merchandise
14. Data Availability
15. Date of Sale
16. Fair Value Comparisons
17. Targeted Dumping
18. Results of Targeted Dumping Analysis
19. U.S. Price
20. Factor Valuations
21. Currency Conversion

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-533-820, A-560-812, A-570-865, A-583-835, A-549-817, A-823-811]

##### Certain Hot-Rolled Carbon Steel Flat Products From India, Indonesia, the People's Republic of China, Taiwan, Thailand, and Ukraine; Final Results of the Expedited Second Sunset Reviews of the Antidumping Duty Orders

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

<sup>11</sup> See 19 CFR 351.310(c).

<sup>12</sup> See 19 CFR 351.309(c) and (d).

<sup>13</sup> See 19 CFR 351.212(b).

**SUMMARY:** On November 5, 2012, the Department of Commerce (the Department) initiated the second sunset reviews of the antidumping duty orders on certain hot-rolled carbon steel flat products from India, Indonesia, the People's Republic of China (PRC), Taiwan, Thailand, and Ukraine. The Department finds that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the margins identified in the "Final Results of Sunset Reviews" section of this notice.

**DATES:** Effective March 12, 2013.

**FOR FURTHER INFORMATION CONTACT:** Deborah Scott or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2657 or (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 5, 2012, the Department initiated the second sunset reviews of the antidumping duty orders on certain hot-rolled carbon steel flat products from India, Indonesia, the PRC, Taiwan, Thailand, and Ukraine, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). *See Initiation of Five-Year ("Sunset") Review*, 77 FR 66439 (November 5, 2012). The Department received a notice of intent to participate from the following domestic interested parties: ArcelorMittal USA, LLC, Gallatin Steel, Nucor Corporation, SSAB Americas, Steel Dynamics, Inc., and United States Steel Corporation, within the deadline specified in 19 CFR 351.218(d)(1)(i). Each of these parties claimed interested party status under section 771(9)(C) of the Act as a manufacturer, producer, or

wholesaler in the United States of a domestic like product.

On December 5, 2012, the Department received adequate substantive responses from the domestic interested parties identified above within the deadline specified in 19 CFR 351.218(d)(3)(i). The Department received no responses from respondent interested parties with respect to any of the antidumping duty orders covered by these sunset reviews. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department has conducted expedited (120-day) sunset reviews of the antidumping duty orders on certain hot-rolled carbon steel flat products from India, Indonesia, the PRC, Taiwan, Thailand, and Ukraine.

**Scope of the Orders**

The products covered by the antidumping duty orders are certain hot-rolled carbon steel flat products of a rectangular shape, of a width of 0.5 inch or greater, neither clad, plated, nor coated with metal and whether or not painted, varnished, or coated with plastics or other non-metallic substances, in coils (whether or not in successively superimposed layers), regardless of thickness, and in straight lengths of a thickness of less than 4.75 mm and of a width measuring at least 10 times the thickness. The full scope language of each of the antidumping duty orders is listed in the Issues and Decision Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, dated March 5, 2013 (Issues and Decision Memorandum), which is hereby adopted by this notice. The merchandise is currently classified under the item numbers of the Harmonized Tariff Schedule of the United States (HTSUS) listed in the

scope of each order. Although the HTSUS item numbers are provided for convenience and customs purposes, the written descriptions of the scope of the antidumping duty orders remain dispositive.

**Analysis of Comments Received**

All issues raised in these sunset reviews are addressed in the Issues and Decision Memorandum. The issues discussed in the Issues and Decision Memorandum are the likelihood of continuation or recurrence of dumping and the magnitude of the dumping margins likely to prevail if the orders were revoked. Parties can find a complete discussion of these issues and the corresponding recommendations in this public document, which is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit (CRU) in Room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

**Final Results of Sunset Reviews**

Pursuant to sections 752(c)(1) and (3) of the Act, we determine that revocation of the antidumping duty orders on certain hot-rolled carbon steel flat products from India, Indonesia, the PRC, Taiwan, Thailand, and Ukraine would be likely to lead to continuation or recurrence of dumping at the following weighted-average percent margins:

Country	Manufacturer/producer/exporter	Weighted-average dumping margin (percent)
India .....	Ispat Industries Ltd .....	44.40
	Essar Steel Ltd .....	36.53
	All Others .....	38.72
Indonesia .....	Krakatau Steel Corporation .....	47.86
	All Others .....	47.86
PRC .....	Angang Group International Trade Co. Ltd., New Iron & Steel Co., Ltd., and Angang Group Hong Kong Co., Ltd.	31.09
	Shanghai Baosteel Group Corporation, Baoshan Iron & Steel Co., Ltd, and Baosteel Group International Trade Corporation.	12.34
	Benxi Iron & Steel Group International Economic & Trade Co., Ltd., Bengang Steel Plates Co., Ltd., and Benxi Iron & Steel Group Co., Ltd.	57.19
	Panzhihua Iron and Steel (Group) Co .....	65.59
	Wuhan Iron and Steel Group Corporation .....	65.59
	PRC-Wide Rate .....	90.83
	An Feng Steel Co., Ltd .....	29.14
Taiwan .....		

Country	Manufacturer/ Producer/ Exporter	Weighted- average dumping margin (percent)
	China Steel Corporation/Yieh Loong .....	29.14
	All Others .....	20.28
Thailand .....	Sahaviriya Steel Industries Public Co., Ltd .....	7.35
	Siam Strip Mill Public Co., Ltd .....	20.30
	All Others .....	4.41
Ukraine .....	All Others .....	90.33

### Notification to Interested Parties

This notice also serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing the final results of these reviews in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: March 5, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; American Fisheries Act (AFA): Permits

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before May 13, 2013.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer,

Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)).

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and instructions should be directed to Patsy A. Bearden, (907) 586-7008 or [Patsy.Bearden@noaa.gov](mailto:Patsy.Bearden@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This request is for extension of a currently approved information collection.

In response to the American Fisheries Act (AFA), NMFS developed a management program for Bering Sea and Aleutian Islands Management Area (BSAI) pollock to include a set of AFA permanent permits for AFA catcher/processors, AFA catcher vessels, AFA inshore processors, and AFA motherships. All vessels and processors participating in the non-Community Development Quota (CDQ) BSAI pollock fishery are required to have valid AFA permits on board the vessel or on site at the processing plant.

With the exceptions of the inshore vessel cooperatives, replacement vessel, and inshore vessel contract fishing applications, the AFA permit program had a one-time application deadline of December 1, 2000. All permitted participants in the AFA pollock fishery are already established and are issued with an indefinite expiration date.

This information collection was previously revised to include a new program, the Chinook Salmon Prohibited Species Catch Program (Chinook PSC Program). The Chinook PSC Program was established to promote reduction of Chinook salmon PSC in the Bering Sea pollock fishery to the extent practicable while achieving optimum yield in the pollock fishery. A PSC limit of Chinook salmon was established for the pollock industry participants in an industry-developed contractual arrangement, called an incentive plan agreement (IPA) that establishes an incentive program to

minimize bycatch at all levels of Chinook salmon abundance. NMFS issues transferable Chinook salmon PSC allocations to eligible entities representing the catcher/processor sector, the mothership sector, inshore cooperatives, and Community Development Quota (CDQ) groups. Transferable allocations provide the pollock fleet the flexibility to maximize the harvest of pollock while maintaining Chinook salmon bycatch at or below the PSC limit.

It is also proposed that the title of this collection will be changed from American Fisheries Act: Vessel and Processor Permit Applications to American Fisheries Act (AFA): Permits.

##### II. Method of Collection

Respondents have a choice of either electronic or paper forms. Methods of submittal include online data entry, email of electronic forms, and mail and facsimile transmission of paper forms.

##### III. Data

*OMB Control Number:* 0648-0393.

*Form Number:* None.

*Type of Review:* Regular submission (extension of a currently approved collection).

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 61.

*Estimated Time per Response:* Application for Approval as an Entity Eligible to Receive Transferable Chinook Salmon PSC Allocations, 8 hours; Application for Transfer of Bering Sea Chinook Salmon PSC Allocation, 8 hours; Application for Incentive Plan Agreement (IPA) and List of IPA participants, 30 minutes; Application for AFA Permit for Replacement Vessel, 1 hour; Application for AFA Inshore Catcher Vessel Cooperative Permit, 2 hours; and Contract Fishing by Non-Member Vessels, 4 hours.

*Estimated Total Annual Burden Hours:* 181.

*Estimated Total Annual Cost to Public:* \$124 in recordkeeping/reporting costs.