

sufficient indication that CTP is not subject to either *de jure* or *de facto* government control with respect to its exports of subject merchandise.

On February 24, 2016, the President signed into law the Trade Facilitation and Trade Enforcement Act of 2015, H.R. 644, which made several amendments to section 751(a)(2)(B) of the Act. We will conduct this NSR in accordance with section 751(a)(2)(B) of the Act, as amended by the *Trade Facilitation and Trade Enforcement Act of 2015*.<sup>16</sup>

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order, in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act, 19 CFR 351.214, and 19 CFR 351.221(c)(1)(i).

**Christian Marsh,**

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

[FR Doc. 2016-26587 Filed 11-2-16; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### U.S. Department of Commerce Trade Finance Advisory Council

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of an Open Meeting.

**SUMMARY:** The U.S. Department of Commerce Trade Finance Advisory Council (TFAC) will hold its inaugural meeting on Friday, November 18, 2016, at the U.S. Department of Commerce Library, in Washington, DC. The meeting is open to the public with registration instructions provided below.

The TFAC was chartered on August 11, 2016, to advise the Secretary in identifying effective ways to help expand access to finance for U.S. exporters, especially small and medium-sized enterprises, and their foreign buyers. At the meeting, members will be sworn-in and will begin a discussion of the work they will undertake during their term. They will also be briefed by officials from the Department of

Commerce and other agencies on major issues impacting this area. The final agenda will be posted on the Department of Commerce Web site for the Council at <http://trade.gov/tfac/>, at least one week in advance of the meeting.

**DATES:** Friday, November 18, 2016, from approximately 9:00 a.m. to 12:00 p.m. Eastern Standard Time (EST).

**FOR FURTHER INFORMATION CONTACT:** Ericka Ukrow, Designated Federal Officer, Office of Finance and Insurance Industries (OFII), International Trade Administration, U.S. Department of Commerce at (202) 482-0405; email: [Ericka.Ukrow@trade.gov](mailto:Ericka.Ukrow@trade.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On July 25, 2016, the Secretary of Commerce established the TFAC pursuant to discretionary authority and in accordance with the Federal Advisory Committee Act, as amended, 5 U.S.C. App. The TFAC advises the Secretary of Commerce in identifying effective ways to help expand access to finance for U.S. exporters, especially small- and medium-sized enterprises (SMEs) and their foreign buyers. The TFAC also provides a forum to facilitate the discussion between a diverse group of stakeholders such as banks, non-bank financial institutions, other trade finance related organizations, and exporters, to gain a better understanding regarding current challenges facing U.S. exporters in accessing capital.

On November 18, 2016, the TFAC will hold its inaugural meeting. Members will be sworn-in, discuss the Council's operational structure, major challenges impacting the provision of trade finance as well as prospects to foster greater access to private sector financing for U.S. exporters, and key priorities to focus on during their term. Members will also hear from officials from the Department of Commerce and other agencies on the resources available to support our exporters in the trade finance area. The agenda may change to accommodate TFAC requirements. The final agenda will be posted on the Department of Commerce Web site for the Council <http://trade.gov/tfac/> at least a week prior to the meeting.

##### **II. Public Participation**

The public is invited to submit written statements for the TFAC's meeting. Statements must be received by 5:00 p.m. EST, November 11, 2016 by the following methods: (a) Electronic Submission: Submit statements electronically to Ericka Ukrow, U.S. Department of Commerce

Trade Finance Advisory Council Designated Federal Officer, via email to [TFAC@trade.gov](mailto:TFAC@trade.gov); or (b) Paper Submissions: Send paper statements to Ericka Ukrow, U.S. Department of Commerce Trade Finance Advisory Council Designated Federal Officer, Room 18002, 1401 Constitution Avenue NW., Washington, DC 20230.

Statements will be posted on the TFAC Web site without change, including any business or personal information provided such as names, addresses, email addresses, or telephone numbers. All statements received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. You should submit only information that you wish to make publicly available.

##### **III. Meeting Minutes**

Copies of TFAC meeting minutes will be available within 30 days following the meeting.

Dated: October 27, 2016.

**Paul Thanos**

*Director, Office of Finance and Insurance Industries.*

[FR Doc. 2016-26572 Filed 11-2-16; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-979]

#### **Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China**

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

**SUMMARY:** The Department of Commerce (the "Department") is simultaneously initiating, and issuing the preliminary results, of a changed circumstances review of the antidumping duty ("AD") order on crystalline silicon photovoltaic cells, whether or not assembled into modules, ("solar cells") from the People's Republic of China ("PRC") regarding whether Zhejiang ERA Solar Technology Co., Ltd ("Zhejiang ERA") is the successor-in-interest to Era Solar Co., Ltd ("Era Solar"). Based on the information on the record, we preliminarily determine that Zhejiang ERA is the successor-in-interest to Era Solar for purposes of the AD order on solar cells from the PRC and, as such, is entitled to Zhejiang ERA's cash

<sup>16</sup> Notably, the *Trade Facilitation and Trade Enforcement Act of 2015* removed from section 751(a)(2)(B) of the Act the provision directing the Department to instruct CBP to allow an importer the option of posting a bond or security in lieu of a cash deposit during the pendency of an NSR.

deposit rate with respect to entries of subject merchandise. Interested parties are invited to comment on these preliminary results.

**DATES:** Effective November 3, 2016.

**FOR FURTHER INFORMATION CONTACT:** Jeff Pedersen or Eli Lovely, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2769 and (202) 482-1593, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 7, 2012, the Department published the AD order on solar cells from the PRC in the **Federal Register**.<sup>1</sup> On August 31, 2016, Zhejiang ERA requested that the Department initiate an expedited changed circumstances review to determine that Zhejiang ERA is the successor-in-interest to Era Solar for AD purposes.<sup>2</sup> On September 12, 2016, Zhejiang ERA responded to a request for additional information from the Department issued on September 9, 2016.<sup>3</sup> We have received no comments on Zhejiang ERA's CCR Request.

##### Scope of the Order

The merchandise covered by the Order is crystalline silicon photovoltaic cells, whether or not assembled into modules, subject to certain exclusions.<sup>4</sup>

Imports of the subject merchandise are provided for under the following subheadings of the Harmonized Tariff Schedule of the United States ("HTSUS"): 8501.61.0000, 8507.20.80, 8541.40.6020, 8541.40.6030, and

8501.31.8000. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the subject merchandise is dispositive.

##### Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended, (the "Act") and 19 CFR 351.216(d), the Department will conduct a changed circumstances review of an order upon receipt of information concerning, or of a request from an interested party for a review of, an order which shows changed circumstances sufficient to warrant a review of the order. In the past, the Department has used changed circumstances reviews to address the applicability of cash deposit rates after there have been changes in the name or structure of a respondent, such as a merger or spinoff ("successor-in-interest," or "successorship," determinations). Thus, consistent with Department practice, the information submitted by Zhejiang ERA, which includes information regarding a name change, demonstrates changed circumstances sufficient to warrant a review.<sup>5</sup>

Therefore, in accordance with section 751(b)(1) of the Act and 19 CFR 351.216(d), the Department is initiating a changed circumstances review to determine whether Zhejiang ERA is the successor-in-interest to Era Solar.

##### Preliminary Determination

When it concludes that expedited action is warranted, the Department may publish the notice of initiation and preliminary results for a changed circumstances review concurrently.<sup>6</sup> The Department has combined the notice of initiation and preliminary results in successor-in-interest cases when sufficient documentation has been provided supporting the request to make a preliminary determination.<sup>7</sup> In this instance, because we have determined that the information necessary to support the request for a preliminary determination is on the record, we find that expedited action is warranted, and we are combining the notice of initiation and the notice of preliminary results in accordance with 19 CFR 351.221(c)(3)(ii).

In determining whether one company is the successor to another for purposes

of applying the AD law, the Department examines a number of factors including, but not limited to, changes in: (1) Management, (2) production facilities, (3) suppliers, and (4) customer base.<sup>8</sup> While no one or several of these factors will necessarily provide a dispositive indication of succession, the Department will generally consider one company to be the successor to another company if its resulting operation is essentially the same as that of its predecessor.<sup>9</sup> Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the prior company, the Department will assign the new company the cash deposit rate of its predecessor.<sup>10</sup>

In its CCR Request and its Supplemental Response, Zhejiang ERA provided evidence demonstrating that it is essentially the same company as Era Solar.<sup>11</sup> According to the information provided, the principal owners remained the same both pre- and post-name change. Further, although the nine-person board of directors was reduced from nine directors to three directors as a result of changes to Era Solar's legal form, the ultimate owners continued to occupy positions on the board after the name change. With regard to management, eight of the nine managers maintained their positions after the company name change.<sup>12</sup> Regarding its production of the subject merchandise, Zhejiang ERA stated that its production facility is the same as that of Era Solar.<sup>13</sup> Zhejiang ERA also provided documentation showing that there has been no material changes in suppliers of inputs or services related to the production, sale and distribution of the subject merchandise<sup>14</sup> or in the customer base as a result of the name

<sup>1</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 77 FR 73018 (December 7, 2012) ("Order").

<sup>2</sup> See Letter from Zhejiang ERA to the Department regarding, "Re. Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules from the People's Republic of China: Request for Expedited Changed Circumstances Review" (August 31, 2016) ("CCR Request").

<sup>3</sup> See Letter from Hangzhou Sunny to the Department, regarding "Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules: Response to Supplemental Questionnaire of Zhejiang ERA Solar Technology Co., Ltd" (September 12, 2016) ("Supplemental Response").

<sup>4</sup> For a complete description of the Scope of the Order, see Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Initiation and Preliminary Results of Changed Circumstances Review: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China" ("Preliminary Decision Memorandum"), dated concurrently with, and adopted by, this notice.

<sup>5</sup> See 19 CFR 351.216(d).

<sup>6</sup> See 19 CFR 351.221(c)(3)(ii).

<sup>7</sup> See, e.g., Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Softwood Lumber Products from Canada, 70 FR 50299 (August 26, 2005).

<sup>8</sup> See, e.g., *Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Multilayered Wood Flooring From the People's Republic of China*, 79 FR 48117, 48118 (August 15, 2014), unchanged in *Multilayered Wood Flooring From the People's Republic of China: Final Results of Changed Circumstances Review*, 79 FR 58740 (September 30, 2014).

<sup>9</sup> *Id.*

<sup>10</sup> See *Notice of Final Results of Changed Circumstances Review: Polychloroprene Rubber from Japan*, 69 FR 67890 (November 22, 2004) citing, *Brass Sheet and Strip from Canada: Notice of Final Results of Antidumping Duty Administrative Review*, 57 FR 20460 (May 13, 1992); and, *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Initiation of Antidumping Duty Changed Circumstance Review*, 70 FR 17063 (April 4, 2005).

<sup>11</sup> See, generally, CCR Request and Supplemental Response.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

change.<sup>15</sup> Based on the foregoing, which is explained in greater detail in the Preliminary Decision Memorandum, we preliminarily determine that Zhejiang ERA is the successor-in-interest to Era Solar and, as such, that it is entitled to Zhejiang ERA's AD cash deposit rate with respect to entries of subject merchandise.

Should our final results remain the same as these preliminary results, effective the date of publication of the final results, we will instruct U.S. Customs and Border Protection to suspend liquidation of entries of subject merchandise exported by Zhejiang ERA at the AD cash deposit rate applicable to Era Solar.

### Public Comment

Interested parties may submit case briefs not later than 14 days after the date of publication of this notice.<sup>16</sup> Rebuttal briefs, which must be limited to issues raised in case briefs, may be filed not later than seven days after the due date for case briefs.<sup>17</sup> Parties who submit case briefs or rebuttal briefs in this changed circumstances review are requested to submit with each argument: (1) A statement of the issue and (2) a brief summary of the argument with an electronic version included.<sup>18</sup>

Any interested party may request a hearing within 14 days of publication of this notice.<sup>19</sup> Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230 in a room to be determined.<sup>20</sup>

All submissions, with limited exceptions, must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("ACCESS").<sup>21</sup> An electronically filed

document must be received successfully in its entirety by 5 p.m. Eastern Time ("ET") on the due date. Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with the APO/Dockets Unit in Room 18022 and stamped with the date and time of receipt by 5 p.m. ET on the due date.<sup>22</sup>

Unless extended, consistent with 19 CFR 351.216(e), we intend to issue the final results of this changed-circumstances review no later than 270 days after the date on which this review was initiated or within 45 days if all parties agree to the outcome of the review.

We are issuing and publishing this initiation and preliminary results notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216 and 351.221(c)(3).

Dated: October 27, 2016.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XE997**

#### Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting of the South Atlantic Fishery Management Council's (Council) Scientific and Statistical Committee (SSC).

**SUMMARY:** The Council will hold a meeting of its SSC to review the available data for Spiny Lobster and make recommendations for setting the Overfishing Limit (OFL) and Acceptable Biological Catch (ABC).

**DATES:** The SSC meeting will be held via webinar on Monday, November 21, 2016, from 9 a.m. to 12 p.m.

**ADDRESSES:** The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Mike

in the Central Records Unit, Room B8024 of the main Department of Commerce building.

<sup>22</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

Errigo at the Council office (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of the webinar.

**Council address:** South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

**FOR FURTHER INFORMATION CONTACT:** Mike Errigo; 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone (843) 571-4366 or toll free (866) SAFMC-10; fax (843) 769-4520; email: [mike.errigo@safmc.net](mailto:mike.errigo@safmc.net).

**SUPPLEMENTARY INFORMATION:** This meeting is held to review the available data for *Spiny Lobster* and make recommendations for OFL and ABC. The SSC decided at their October 18-20, 2016 meeting in Charleston, SC that they did not have enough information to make recommendations of OFL and ABC for Spiny Lobster and requested a webinar be held to review the available information.

Items to be addressed during this meeting:

Review the available information for *Spiny Lobster* and provide recommendations of OFL and ABC for the Spiny Lobster fishery.

### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to the meeting.

**Note:** The times and sequence specified in this agenda are subject to change.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: October 28, 2016.

**Tracey L. Thompson,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2016-26519 Filed 11-2-16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration (NOAA)

#### Environmental Assessment (EA) for the Proposed Relocation of the Atmospheric Turbulence and Diffusion Division of the Air Resources Laboratory in Oak Ridge, TN

**AGENCY:** Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce (DOC).

<sup>15</sup> *Id.*

<sup>16</sup> The Department is exercising its discretion under 19 CFR 351.309(c)(1)(ii) to alter the time limit for the filing of case briefs.

<sup>17</sup> The Department is exercising its discretion under 19 CFR 351.309(d)(1) to alter the time limit for the filing of rebuttal briefs.

<sup>18</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>19</sup> The Department is exercising its discretion under 19 CFR 351.310(c) to alter the time limit for requesting a hearing.

<sup>20</sup> See 19 CFR 351.310(d).

<sup>21</sup> ACCESS is available to registered users at <https://access.trade.gov> and available to all parties