DEPARTMENT OF COMMERCE
International Trade Administration
Initiation of Five-Year ("Sunset") Review

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

SUMMARY: In accordance with section 751(c) of the Tariff Act of 1930, as amended (“the Act”), the Department of Commerce (“the Department”) is automatically initiating the five-year review (“Sunset Review”) of the antidumping and countervailing duty (“AD/CVD”) orders listed below. The International Trade Commission (“the Commission”) is publishing concurrently with this notice its notice of Institution of Five-Year Review which covers the same orders.

DATE: Effective Date: April 1, 2016.


SUPPLEMENTARY INFORMATION:

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Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the pertinent statute and Department’s regulations, the Department’s schedule for Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on the Department’s Web site at the following address: “http://enforcement.trade.gov/sunset/.” All submissions in these Sunset Reviews must be filed in accordance with the Department’s regulations regarding format, translation, and service of documents. These rules, including electronic filing requirements via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (“ACCESS”), can be found at 19 CFR 351.303.1 This notice serves as a reminder that any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information.2 Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in these segments.3 The formats for the revised certifications are provided at the end of the Final Rule. The Department intends to reject factual submissions if the submitting party does not comply with the revised certification requirements.

On April 10, 2013, the Department modified two regulations related to AD/CVD proceedings: The definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301).4 Parties are advised to review the final rule, available at http://enforcement.trade.gov/frn/2013/1309frn2013-22853.txt, prior to submitting factual information in these segments.5

Background

The Department’s procedures for the conduct of Sunset Reviews are set forth in its Procedures for Conducting Five-Year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to the Department’s conduct of Sunset Reviews is set forth in Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification, 77 FR 8101 (February 14, 2012).

Initiation of Review

In accordance with 19 CFR 351.218(c), we are initiating Sunset Reviews of the following antidumping and countervailing duty orders:

1 See also Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures, 76 FR 39263 (July 6, 2011).
2 See section 782(b) of the Act.
3 See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings, 78 FR 57790 (September 20, 2013).
4 See Extension of Time Limits, 78 FR 57790 (September 20, 2013).
5 See Extension of Time Limits, 78 FR 57790 (September 20, 2013).
DEPARTMENT OF COMMERCE
International Trade Administration
[A–570–044]

1, 1, 1, 2-Tetrafluoroethane From the People’s Republic of China: Initiation of Less Than Fair Value Investigation

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

DATES: Effective Date: March 23, 2016.


SUPPLEMENTARY INFORMATION:

The Petition

On March 3, 2016, the Department of Commerce (“Department”) received an antidumping duty (“AD”) petition concerning imports of 1,1,1,2-Tetrafluoroethane (“R–134a”) from the People’s Republic of China (“PRC”), filed in proper form on behalf of the American HFC Coalition and its individual members,1 as well as District Lodge 154 of the International Association of Machinists and Aerospace Workers (“IAMAW”) (collectively, “Petitioners”).2

On March 8, 2016, the Department requested additional information and clarification of certain areas of the Petition.3 Petitioners submitted the requested information and clarification to the Department on March 11, 2016.4 In accordance with section 732(b) of the Tariff Act of 1930, as amended (“the Act”), Petitioners alleged that imports of R–134a 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 Petitioners supporting their allegations.

The Department finds that Petitioners filed the Petition on behalf of the domestic industry because Petitioners are interested parties as defined in sections 771(9)(C),(D), and (F) of the Act. The Department also finds that Petitioners demonstrated sufficient industry support with respect to the initiation of the AD investigation that Petitioners are requesting.5

Scope of Investigation

The product covered by this investigation is R–134a 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, Petitioners 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.6

As discussed in the preamble to the Department’s regulations,7 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 310.2(b)(21)), all such factual information should be limited to public information. In order to facilitate preparation of its questionnaires, the Department requests all interested parties to submit such comments by

1 See the “Determination of Industry Support for the Petition” section, below.
2 See Supplemental Questionnaire and Petition Supplement.
3 See Antidumping Duties; Countervailing Duties, 62 FR 27296, 27323 (May 19, 1997).

Gary Taverman,
Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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