

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-929]

Small Diameter Graphite Electrodes From the People’s Republic of China: Final Results of Expedited Second Sunset Review of the Antidumping Duty Order

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

SUMMARY: As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on small diameter graphite electrodes from the People’s Republic of China (China) would be likely to lead to continuation or recurrence of dumping. The magnitude of the dumping margins likely to prevail are indicated in the “Final Results of Sunset Review” section of this notice.

DATES: Applicable August 27, 2019.

FOR FURTHER INFORMATION CONTACT: Jinny Ahn, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0339.

SUPPLEMENTARY INFORMATION:

Background

On February 26, 2009, Commerce issued an AD order on small diameter graphite electrodes from China.¹

On June 23, 2014, Commerce published the notice of continuation of the *Order*.² On May 1, 2019, Commerce published the notice of initiation of the second sunset review of the *Order*.³

On May 16, 2019, Commerce received notice of intent to participate from Tokai Carbon GE LLC (Tokai Carbon), within the deadline specified in 19 CFR 351.218(d)(1)(i).⁴ Tokai Carbon, a domestic producer of the subject merchandise, claimed interested party status under section 771(9)(C) of the Tariff Act of 1930, as amended (the Act).⁵ On May 31, 2019, Commerce received adequate substantive responses

from Tokai Carbon within the 30-day period specified in 19 CFR 351.218(d)(3)(i).⁶ We received no substantive responses from any respondent interested parties. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

Scope of the Order

The merchandise covered by the *Order* includes all small diameter graphite electrodes of any length, whether or not finished, of a kind used in furnaces, with a nominal or actual diameter of 400 millimeters (16 inches) or less, and whether or not attached to a graphite pin joining system or any other type of joining system or hardware. The merchandise covered by the *Order* also includes graphite pin joining systems for small diameter graphite electrodes, of any length, whether or not finished, of a kind used in furnaces, and whether or not the graphite pin joining system is attached to, sold with, or sold separately from, the small diameter graphite electrodes. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes are most commonly used in primary melting, ladle metallurgy, and specialty furnace applications in industries including foundries, smelters, and steel refining operations. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes that are subject to the *Order* are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 8545.11.0010, 3801.10, and 8545.11.0020. The HTSUS numbers are provided for convenience and customs purposes, but the written description of the scope is dispositive.

Analysis of Comments Received

All issues raised for the final results of this sunset review are listed in the appendix to this notice and addressed in the Issues and Decision Memorandum.⁷ The issues discussed in the Issues and Decision Memorandum include the likelihood of the continuation or recurrence of dumping

and the magnitude of the margins of dumping likely to prevail. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* on small diameter graphite electrodes from China would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the margin of dumping likely to prevail if the *Order* is revoked would be up to 159.64 percent.⁸

Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an 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.

Notification to Interested Parties

We are issuing and publishing the final results of this expedited sunset review in accordance with sections 751(c), 752(c), and 777(i) of the Act, and 19 CFR 351.218.

Dated: August 20, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Issues Addressed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. History of the Proceeding
- V. Legal Framework
- VI. Discussion of the Issues

¹ See *Antidumping Duty Order: Small Diameter Graphite Electrodes from the People’s Republic of China*, 74 FR 8775 (February 26, 2009) (*Order*).

² See *Small Diameter Graphite Electrodes From the People’s Republic of China: Continuation of Antidumping Duty Order*, 79 FR 35523 (June 23, 2014).

³ See *Initiation of Five-Year (Sunset) Review*, 84 FR 18477 (May 1, 2019).

⁴ See Tokai Carbon’s Letter, “Five-Year (2nd Sunset) Review of Antidumping Duty Order—Notice of Intent to Participate,” dated May 16, 2019.

⁵ *Id.*

⁶ See Tokai Carbon’s Letter, “Five-Year (2nd Sunset) Review of Antidumping Duty Order—Domestic Industry’s Substantive Response,” dated May 31, 2019.

⁷ See Memorandum, “Issues and Decision Memorandum for the Expedited Second Sunset Review of the Antidumping Duty Order on Small Diameter Graphite Electrodes from the People’s Republic of China,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁸ *Id.*

1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Margin of Dumping Likely to Prevail
- VII. Final Results of Expedited Sunset Review
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-052]

Certain Hardwood Plywood Products From the People's Republic of China: Partial Rescission of 2017-2018 Countervailing Duty Administrative Review

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

SUMMARY: The Department of Commerce (Commerce) is partially rescinding the administrative review of the countervailing order on certain hardwood plywood products from the People's Republic of China for the period of review (POR), April 25, 2017, through December 31, 2018.

DATES: Applicable August 27, 2019.

FOR FURTHER INFORMATION CONTACT: Omar Qureshi, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone 202.482.5307

SUPPLEMENTARY INFORMATION:

Background

On February 8, 2019, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the CVD order on certain hardwood plywood products from the People's Republic of China (China).¹ On April 1, 2019, based on a timely requests for review,² Commerce

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 84 FR 2816 (February 8, 2019).

² See Letter from Canusa Wood Products Ltd., "Administrative Review of the Countervailing Duty Order on Certain Hardwood Plywood Products from the People's Republic of China: Request for Review," dated February 28, 2019; see Letter from Cha Trading LLC, "Certain Hardwood Plywood from the People's Republic of China: Request for Administrative Review," dated February 28, 2019; see Letter from Concannon Corp., "Administrative Review of the Countervailing Duty Order on Certain Hardwood Plywood Products from the People's Republic of China: Request for Review," dated February 28, 2019; see Letter from the Law Office of DeKieffer and Horgan, PLLC, "Hardwood Plywood Products from the People's Republic of

published in the **Federal Register** a notice of initiation of an administrative review of the countervailing duty order on certain hardwood plywood products from China with respect to 59 companies, covering the POR.³

Rescission of Review

From June 21, 2019, to July 25, 2019, multiple entities timely withdrew their request for administrative review.⁴

China: Request for Administrative Review," dated February 28, 2019; see Letter from the Law Offices of Husch Blackwell, "Certain Hardwood Plywood Products from China: Request for Administrative Review," dated February 28, 2019; see Letter from Richmond International Forest Products LLC, "Administrative Review of the Countervailing Duty Order on Certain Hardwood Plywood Products from the People's Republic of China: Request for Review," dated February 28, 2019; see Letter from Sierra Forest Products Inc., "Administrative Review of the Countervailing Duty Order on Certain Hardwood Plywood Products from the People's Republic of China: Request for Review," dated February 28, 2019; see Letter from Shandong Huaxin Jiasheng Wood Co., Ltd., "Certain Hardwood Plywood Products from the People's from the People's Republic of China: Request for Administrative Review," dated February 28, 2019; see Letter from Taraca Pacific Inc., "Administrative Review of the Countervailing Duty Order on Certain Hardwood Plywood Products from the People's Republic of China: Request for Review," dated February 28, 2019; see Letter from Vietnam Finewood Company Limited, "Hardwood Plywood Products from the People's Republic of China: Request for Administrative Review," dated February 28, 2019; and see Letter from the Law Office of Husch Blackwell, "Certain Hardwood Plywood Products from China: Correction to Request for Administrative Review," dated March 1, 2019.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 12200 (April 1, 2019); see also *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 18777 (May 2, 2019).

⁴ See Letter from Richmond International Forest Products LLC, "Administrative Review of the Antidumping and Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 21, 2019; see Letter from Canusa Wood Products Ltd., "Administrative Review of the Antidumping and Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Requests for Review," dated June 21, 2019; see Letter from Concannon Corp., "Administrative Review of the Antidumping and Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 21, 2019; see Letter from Sierra Forest Products Inc., "Administrative Review of the Antidumping and Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 21, 2019; see Letter from Taraca Pacific Inc., "Administrative Review of the Antidumping and Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 21, 2019; see Letter from Richmond International Forest Products LLC, "Administrative Review of the Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 28, 2019; see Letter from Canusa Wood Products Ltd., "Administrative Review of the Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 28, 2019; see Letter from the Law Offices of

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind and administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 day of the date of publication of the notice of initiation of the requested review. Multiple entities requested reviews and timely withdrew their requests for review. As a result, Commerce is rescinding, in part, the administrative review of certain hardwood plywood products from China for the following 47 entities where a request for review was timely withdrawn: Anhui Hoda Wood Co., Ltd; Celtic Co., Ltd; Cosco Star International Co., Ltd.; Feixian Longteng Wood Co., Ltd.; Golder International Trade Co., Ltd.; Huainan Mengping Import and Export Co., Ltd; Jiangsu Top Point International Co., Ltd; Jiangsu Top Point International Co., Ltd.; Jiaying Gsun Imp. & Exp. Co., Ltd.; Jiaying Hengtong Wood Co., Ltd.; Lianyungang Yuantai International Trade Co., Ltd.; Linyi Chengen Import and Export Co., Ltd.; Linyi City Dongfang Jinxin Economic and Trade Co., Ltd. (a/k/a; Linyi City Dongfang Jinxin Economic and Trade Co., Ltd.); Linyi Dahua Wood Co., Ltd.; Linyi Evergreen Wood Co., Ltd; Linyi Glary Plywood Co., Ltd.; Linyi Hengsheng Wood Industry Co., Ltd.;

DeKieffer & Horgan, "Hardwood Plywood Products from the People's Republic of China: Withdrawal of Request for Administrative Review," dated June 25, 2019; see Letter from Vietnam Finewood Company Limited, "Hardwood Plywood Products from the People's Republic of China: Withdrawal of Request for Administrative Review," dated June 28, 2019; see Letter from Cosco Star International Co., Ltd., "Certain Hardwood Plywood Products from China: Withdrawal of Request for Administrative Review," dated June 28, 2019; see Letter from Taraca Pacific Inc., "Administrative Review of the Antidumping and Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 28, 2019; see Letter from Richmond International Forest Products LLC, "Administrative Review of the Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated June 29, 2019; see Letter from Taraca Pacific Inc., "Administrative Review of the Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review," dated July 1, 2019; see Letter from Richmond International Forest Products LLC, "Administrative Review of the Countervailing Duty Order on Plywood Products from the People's Republic of China: Withdrawal of Request for Review and Correction to June 21 Submission," dated July 1, 2019; see Letter from Lianyungang Yuantai International Trade Co., Ltd., "Certain Hardwood Plywood Products from China: Withdrawal of Request for Administrative Review," dated July 1, 2019; and see Letter from Linyi Dahua Wood Co., Ltd. (Linyi Dahua), "Certain Hardwood Plywood Products from China: Withdrawal from Administrative Review," dated July 25, 2019. Linyi Dahua's withdrawal of review request was timely because it was submitted within 90 days of the corrected initiation notice that published on May 2, 2019, in which it was first listed as a company under review.