Analysis

In the Amended Preliminary Results, Commerce determined that Fufeng was eligible for separate rate status and assigned it a dumping margin of zero percent, which is the dumping margin that Commerce calculated for both of the respondents individually examined in the review. As noted above, no parties commented on the Amended Preliminary Results. In these amended final results of review, we are making no change to and are adopting the decisions in the Preliminary Decision Memorandum. Specifically, we continue to find that Fufeng is eligible for separate rate status and that it is appropriate to assign Fufeng the zero percent dumping margin that Commerce calculated for both of the respondents that it individually examined in the review.

Assessment

Pursuant to section 751(a)(2)(C) of the Tariff Act of 1930 as amended (the Act), and 19 CFR 351.212(b), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by the amended final results of this review. Because Fufeng’s weighted average dumping margin is zero percent, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these amended final results of review in the Federal Register. If a timely summons is filed for consumption on or after the date of publication of this notice in the Federal Register, as provided for by section 751(a)(2)(C) of the Act. For information regarding the cash deposit requirements established for other companies in this segment of the proceeding, see the Final Results. This cash deposit requirement, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 Commerce’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Orders

This notice also serves as a 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, which continues to govern business proprietary information in this segment of the proceeding. Timely written 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

These amended final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h)(1) and 19 CFR 351.221(b)(5).


Ryan Majerus,
Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

DEPARTMENT OF COMMERCE
International Trade Administration
[C–580–884]
Certain Hot-Rolled Steel Flat Products From the Republic of Korea: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

SUMMARY: The Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on certain hot-rolled steel flat products (hot-rolled steel) from the Republic of Korea (Korea) would be likely to lead to the continuation or recurrence of countervailable subsidies at the levels indicated in the “Final Results of Sunset Review” section of this notice.

DATES: Applicable January 5, 2022.


SUPPLEMENTARY INFORMATION:
Background

On October 3, 2016, Commerce published in the Federal Register the CVD order on hot-rolled steel from Korea.1 On September 1, 2021, Commerce published the notice of initiation of the first sunset review of the CVD order on hot-rolled steel from Korea, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).2 Commerce received timely notices of intent to participate from Cleveland-Cliffs Inc. (Cleveland-Cliffs), United States Steel Corporation (U.S. Steel), California Steel Industries (CSI), Steel Dynamics Inc. (SDI), and Nucor Corporation (Nucor) (collectively, domestic interested parties).3 The
domestic interested parties claimed interested party status under section 771(9)(C) of the Act, as domestic producers of hot-rolled steel.

On September 30, 2021, Commerce received a timely and adequate substantive response from the domestic interested parties. We received no substantive responses from any other interested parties, including the Government of Korea, nor was a hearing requested. On October 20, 2021, Commerce notified the U.S. International Trade Commission that we did not receive an adequate substantive response from any respondent interested parties. As a result, pursuant to 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 CVD order on hot-rolled steel from Korea.

Scope of the Order
The product covered by this order is hot-rolled steel. For a full description of the Scope of the Order, see Hot-Rolled Steel Flat Products from the Republic of Korea.

Analysis of Comments Received
All issues raised in this sunset review are addressed in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice. A list of the topics discussed in the Issues and Decision Memorandum is attached as an appendix to this notice. The Issues and Decision Memorandum is a public document and is available electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users directly at https://access.trade.gov. In addition, a complete version of the Issues and Decision Memorandum can be accessed at https://access.trade.gov/public/FRNoticesListLayout.aspx.

Final Results of Sunset Review
Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the order would be likely to lead to the continuation or recurrence of countervailable subsidies at the rates listed below:

<table>
<thead>
<tr>
<th>Producer/exporter</th>
<th>Subsidy rate (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSCO</td>
<td>41.64</td>
</tr>
<tr>
<td>Hyundai Steel Co., Ltd</td>
<td>3.98</td>
</tr>
<tr>
<td>All Others</td>
<td>3.89</td>
</tr>
</tbody>
</table>

Notification Regarding Administrative Protective Order (APO)
This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written 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 sanctionable violation.

Notification to Interested Parties
We are issuing and publishing these results in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act, and 19 CFR 351.218.


Ryan Majerus,
Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of the 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 Order
V. Legal Framework
VI. Discussion of the Issues
1. Likelihood of Continuation or Recurrence of Countervailable Subsidies
2. Net Countervailable Subsidy Rates Likely to Prevail
3. Nature of the Subsidies
VII. Final Results of Review
VIII. Recommendation

[FR Doc. 2021–28556 Filed 1–4–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE
International Trade Administration

AGENCY: United States Section, USMCA Secretariat, International Trade Administration, Department of Commerce.

ACTION: Notice of USMCA Request for Panel Review.


FOR FURTHER INFORMATION CONTACT: Vidya Desai, Acting United States Secretary, USMCA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, 202–482–5438.

SUPPLEMENTARY INFORMATION: Article 10.12 of Chapter 10 of USMCA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to review the trade remedy determination being challenged and issue a binding Panel Decision. There are established USMCA Rules of Procedure for Article 10.12 (Binational Panel Reviews), which were adopted by the three governments for panels requested pursuant to Article 10.12(2) of USMCA which requires Requests for Panel Review to be published in accordance with Rule 40. For the complete Rules, please see https://can-mex-usa-sec.org/secretariat/agreement-accord-aceuerdo/usmca-aceum-tmec-rules-regles-reglas/article-article-articulo_10_12.aspx?lang=eng.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 44 no later than 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is January 27, 2022);

(b) A Party, an investigating authority or other interested person who does not...