

percentage of the relevant industry supports the petition. A petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, sections 702(c)(4)(D) and 732(c)(4)(D) of the Act provide that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A), or (ii) if there is a large number of producers, determine industry support using a statistically valid sampling method to poll the industry.

Extension of Time

Sections 702(c)(1)(A)(ii) and 732(c)(1)(A)(ii) of the Act provide that within 20 days of the filing of an antidumping duty and countervailing duty petition, the Department will determine, *inter alia*, whether the petition has been filed by or on behalf of the U.S. industry producing the domestic like product. Sections 702(c)(1)(B) and 732(c)(1)(B) of the Act provide that the deadline for the initiation determination, in exceptional circumstances, may be extended by 20 days in any case in which the Department must “poll or otherwise determine support for the petition by the industry.” Because it is not clear from the Petitions whether the industry support criteria have been met, the Department has determined it should extend the time for initiating these investigations in order to further examine the issue of industry support.

The Department will need additional time to gather and analyze additional information regarding industry support. Therefore, it is necessary to extend the deadline determining the adequacy of the Petitions for a period not to exceed 40 days from the filing of the Petition. Because the extended initiation determinations date of December 1, 2013, falls on a Sunday, a non-business day, the Department’s initiation determinations will now be due no later than December 2, 2013, the next business day.²

² See Notice of Clarification: Application of “Next Business Day” Rule for Administrative

International Trade Commission Notification

The Department will contact the International Trade Commission (“ITC”) and will make this extension notice available to the ITC.

Dated: November 1, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2013–26730 Filed 11–6–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–967, C–570–968]

Aluminum Extrusions From the People’s Republic of China: Preliminary Results of Changed Circumstances Reviews, and Intent To Revoke Antidumping and Countervailing Duty Orders in Part

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

DATES: *Effective:* November 7, 2013.

SUMMARY: On June 20, 2013, the Department of Commerce (Department) received a request for changed circumstances reviews and a request to revoke, in part, the antidumping (AD) and countervailing duty (CVD) orders on aluminum extrusions from the People’s Republic of China (PRC),¹ with respect to certain rectangular wire. We published the notice of initiation of changed circumstances reviews on August 20, 2013 and invited comments from interested parties. We received no comments. We preliminarily conclude that changed circumstances warrant the revocation of the *Orders*, in part. Specifically, we preliminarily determine that producers accounting for substantially all of the production of the domestic like product to which these *Orders* pertain lack interest in the relief provided by the AD and CVD *Orders* based on a statement of no interest in the continuation of the *Orders* with respect to certain rectangular wire described below. Accordingly, we are notifying the public of our intent to revoke, in part, these *Orders* as to imports of certain rectangular wire

Determination Deadlines Pursuant to Tariff Act of 1930, As Amended, 70 FR 24533 (May 10, 2005).

¹ See *Aluminum Extrusions from the People’s Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011) and *Aluminum Extrusions From the People’s Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011) (together, the *Orders*).

described below. The Department invites interested parties to comment on these preliminary results.

FOR FURTHER INFORMATION CONTACT:

James Terpstra, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington DC 20230; telephone (202) 482–3965.

Background

On May 26, 2011, the Department published the AD and CVD *Orders* in the **Federal Register**. On June 20, 2013, the Department received a request on behalf of 3M Company (3M) for changed circumstances reviews to revoke, in part, the *Orders* with respect to certain rectangular wire imported by 3M. In its request, 3M attached a letter submitted on behalf of the Aluminum Extrusion Fair Trade Committee (AEFTC), the petitioners in the less-than-fair-value and CVD investigations, and the Aluminum Extrusion Council (AEC), in which representatives of the AEFTC and AEC stated that they no longer have interest in maintaining the *Orders* with respect to certain rectangular wire-identified in 3M’s request for the changed circumstances reviews.

On July 2, 2013, 3M filed a letter containing a clarification from the AEFTC and AEC in which they stated that they no longer have interest in maintaining the *Orders* with respect to certain rectangular wire, regardless of whether 3M or another party imports it. On August 20, 2013, we published a notice of initiation of these changed circumstances reviews.² Because the statement provided by the AEC and offered in support of 3M’s request for changed circumstances reviews did not indicate whether the AEC accounts for substantially all of domestic aluminum extrusion production, in the *Initiation Notice*, we invited interested parties to comment on the Department’s initiation. We received no comments from interested parties.

Scope of the Orders

The merchandise covered by these *Orders* is aluminum extrusions which are shapes and forms, produced by an extrusion process, made from aluminum alloys having metallic elements corresponding to the alloy series designations published by The Aluminum Association commencing with the numbers 1, 3, and 6 (or

² See *Aluminum Extrusions from the People’s Republic of China: Initiation of Changed Circumstance Reviews and Consideration of Revocation of the Antidumping and Countervailing Duty Orders in Part*, 78 FR 51143 (August 20, 2013) (*Initiation Notice*).

proprietary equivalents or other certifying body equivalents). Specifically, the subject merchandise made from aluminum alloy with an Aluminum Association series designation commencing with the number 1 contains not less than 99 percent aluminum by weight. The subject merchandise made from aluminum alloy with an Aluminum Association series designation commencing with the number 3 contains manganese as the major alloying element, with manganese accounting for not more than 3.0 percent of total materials by weight. The subject merchandise is made from an aluminum alloy with an Aluminum Association series designation commencing with the number 6 contains magnesium and silicon as the major alloying elements, with magnesium accounting for at least 0.1 percent but not more than 2.0 percent of total materials by weight, and silicon accounting for at least 0.1 percent but not more than 3.0 percent of total materials by weight. The subject aluminum extrusions are properly identified by a four-digit alloy series without either a decimal point or leading letter. Illustrative examples from among the approximately 160 registered alloys that may characterize the subject merchandise are as follows: 1350, 3003, and 6060.

Aluminum extrusions are produced and imported in a wide variety of shapes and forms, including, but not limited to, hollow profiles, other solid profiles, pipes, tubes, bars, and rods. Aluminum extrusions that are drawn subsequent to extrusion (drawn aluminum) are also included in the scope.

Aluminum extrusions are produced and imported with a variety of finishes (both coatings and surface treatments), and types of fabrication. The types of coatings and treatments applied to subject aluminum extrusions include, but are not limited to, extrusions that are mill finished (*i.e.*, without any coating or further finishing), brushed, buffed, polished, anodized (including bright-dip anodized), liquid painted, or powder coated. Aluminum extrusions may also be fabricated, *i.e.*, prepared for assembly. Such operations would include, but are not limited to, extrusions that are cut-to-length, machined, drilled, punched, notched, bent, stretched, knurled, swedged, mitered, chamfered, threaded, and spun. The subject merchandise includes aluminum extrusions that are finished (coated, painted, *etc.*), fabricated, or any combination thereof.

Subject aluminum extrusions may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, window frames, door frames, solar panels, curtain walls, or furniture. Such parts that otherwise meet the definition of aluminum extrusions are included in the scope. The scope includes the aluminum extrusion components that are attached (*e.g.*, by welding or fasteners) to form subassemblies, *i.e.*, partially assembled merchandise unless imported as part of the finished goods 'kit' defined further below. The scope does not include the non-aluminum extrusion components of subassemblies or subject kits.

Subject extrusions may be identified with reference to their end use, such as fence posts, electrical conduits, door thresholds, carpet trim, or heat sinks (that do not meet the finished heat sink exclusionary language below). Such goods are subject merchandise if they otherwise meet the scope definition, regardless of whether they are ready for use at the time of importation.

The following aluminum extrusion products are excluded: aluminum extrusions made from aluminum alloy with an Aluminum Association series designations commencing with the number 2 and containing in excess of 1.5 percent copper by weight; aluminum extrusions made from aluminum alloy with an Aluminum Association series designation commencing with the number 5 and containing in excess of 1.0 percent magnesium by weight; and aluminum extrusions made from aluminum alloy with an Aluminum Association series designation commencing with the number 7 and containing in excess of 2.0 percent zinc by weight.

The scope also excludes finished merchandise containing aluminum extrusions as parts that are fully and permanently assembled and completed at the time of entry, such as finished windows with glass, doors with glass or vinyl, picture frames with glass pane and backing material, and solar panels. The scope also excludes finished goods containing aluminum extrusions that are entered unassembled in a "finished goods kit." A finished goods kit is understood to mean a packaged combination of parts that contains, at the time of importation, all of the necessary parts to fully assemble a final finished good and requires no further finishing or fabrication, such as cutting or punching, and is assembled 'as is' into a finished product. An imported product will not be considered a 'finished goods kit' and therefore excluded from the scope of the

investigation merely by including fasteners such as screws, bolts, *etc.* in the packaging with an aluminum extrusion product.

The scope also excludes aluminum alloy sheet or plates produced by other than the extrusion process, such as aluminum products produced by a method of casting. Cast aluminum products are properly identified by four digits with a decimal point between the third and fourth digit. A letter may also precede the four digits. The following Aluminum Association designations are representative of aluminum alloys for casting: 208.0, 295.0, 308.0, 355.0, C355.0, 356.0, A356.0, A357.0, 360.0, 366.0, 380.0, A380.0, 413.0, 443.0, 514.0, 518.1, and 712.0. The scope also excludes pure, unwrought aluminum in any form.

The scope also excludes collapsible tubular containers composed of metallic elements corresponding to alloy code 1080A as designated by the Aluminum Association where the tubular container (excluding the nozzle) meets each of the following dimensional characteristics: (1) length of 37 millimeters (mm) or 62 mm, (2) outer diameter of 11.0 mm or 12.7 mm, and (3) wall thickness not exceeding 0.13 mm.

Also excluded from the scope of these *Orders* are finished heat sinks. Finished heat sinks are fabricated heat sinks made from aluminum extrusions the design and production of which are organized around meeting certain specified thermal performance requirements and which have been fully, albeit not necessarily individually, tested to comply with such requirements.

Imports of the subject merchandise are provided for under the following categories of the Harmonized Tariff Schedule of the United States (HTSUS): 7604.21.0000, 7604.29.1000, 7604.29.3010, 7604.29.3050, 7604.29.5030, 7604.29.5060, 7608.20.0030, and 7608.20.0090. The subject merchandise entered as parts of other aluminum products may be classifiable under the following additional Chapter 76 subheadings: 7610.10, 7610.90, 7615.19, 7615.20, and 7616.99 as well as under other HTSUS chapters. In addition, fin evaporator coils may be classifiable under HTSUS numbers: 8418.99.80.50 and 8418.99.80.60.

Additional subject products may be classifiable under the following HTSUS categories: 7615.19.10, 7615.19.30, 7615.19.50, 7615.19.70, 7615.19.90, 7616.99.10, 7616.99.50, 8302.10.3000, 8302.10.6030, 8302.10.6060, 8302.10.6090, 8302.30.3010, 8302.30.3060, 8302.41.3000,

8302.41.6015, 8302.41.6045, 8302.41.6050, 8302.41.6080, 8302.42.3010, 8302.42.3015, 8302.42.3065, 8302.49.6035, 8302.49.6045, 8302.49.6055, 8302.49.6085, 8302.50.0000, 8302.60.9000, 8306.30.0000, 8419.90.1000, 8479.89.98, 8479.90.94, 8513.90.20, 9403.10.00, 9403.20.00, 9403.90.1040, 9403.90.1050, 9403.90.1085, 9403.90.2540, 9403.90.2580, 9403.90.4005, 9403.90.4010, 9403.90.4060, 9403.90.5005, 9403.90.5010, 9403.90.5080, 9403.90.6005, 9403.90.6010, 9403.90.6080, 9403.90.7005, 9403.90.7010, 9403.90.7080, 9403.90.8010, 9403.90.8015, 9403.90.8020, 9403.90.8030, 9403.90.8041, 9403.90.8051, 9403.90.8061, 9506.11.4080, 9506.51.4000, 9506.51.6000, 9506.59.4040, 9506.70.2090, 9506.91.0010, 9506.91.0020, 9506.91.0030, 9506.99.0510, 9506.99.0520, 9506.99.0530, 9506.99.1500, 9506.99.2000, 9506.99.2580, 9506.99.2800, 9506.99.6080, 9507.30.2000, 9507.30.4000, 9507.30.6000, and 9507.90.6000.

While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these *Orders* is dispositive.

Scope of Changed Circumstance Reviews

The merchandise covered by these changed circumstances reviews is:

{C}ertain rectangular wire produced from continuously cast rolled aluminum wire rod, which is subsequently extruded to dimension to form rectangular wire. The product is made from aluminum alloy grade 1070 or 1370, with no recycled metal content allowed. The dimensions of the wire are 5 mm (+/- 0.05 mm) in width and 1.0 mm (+/- 0.02 mm) in thickness. Imports of rectangular wire are provided for under HTSUS category 7605.19.000.

Preliminary Results of Changed Circumstances Reviews, and Intent To Revoke the Orders in Part

Pursuant to section 751(d)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.222(g), the Department may revoke an AD or CVD order, in whole or in part, based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances review to be conducted upon receipt of a request which shows changed circumstances sufficient to warrant a review. Section 782(h)(2) of the Act gives the Department the authority to revoke an order if producers accounting for substantially all of the

production of the domestic like product have expressed a lack of interest in the order. 19 CFR 351.222(g) provides that the Department will conduct a changed circumstances review under 19 CFR 351.216, and may revoke an order (in whole or in part), if it concludes that (i) producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the relief provided by the order, in whole or in part, or (ii) if other changed circumstances sufficient to warrant revocation exist. Both the Act and the Department's regulations require that "substantially all" domestic producers express a lack of interest in the order for the Department to revoke the orders, in whole or in part.³ The Department has interpreted "substantially all" to represent producers accounting for at least 85 percent of U.S. production of the domestic like product.⁴

As noted in the *Initiation Notice*, 3M requested the revocation of the *Orders*, in part, and supported its request. In light of 3M's submission and because the Department received no comments during the comment period, we preliminarily conclude that changed circumstances warrant revocation of the *Orders*, in part, because producers accounting for substantially all of the production of the domestic like product, to which these *Orders* pertain, lack interest in the relief provided by the *Orders* with respect to the certain rectangular wire that is the subject of 3M's request.

Accordingly, we are notifying the public of our intent to revoke the *Orders*, in part, with respect to certain rectangular wire. We intend to revoke the *Orders* as to certain rectangular wire by including the following language in the scope of each order:

Also excluded from the scope of the order is certain rectangular wire produced from continuously cast rolled aluminum wire rod, which is subsequently extruded to dimension to form rectangular wire. The product is made from aluminum alloy grade 1070 or 1370, with no recycled metal content allowed. The dimensions of the wire are 5 mm (+/- 0.05 mm) in width and 1.0 mm (+/- 0.02 mm) in thickness. Imports of rectangular wire are provided for under HTSUS category 7605.19.000.

³ See section 782(h) of the Act and 19 CFR 351.222(g).

⁴ See *Honey from Argentina; Antidumping and Countervailing Duty Changed Circumstances Reviews; Preliminary Intent to Revoke Antidumping and Countervailing Duty Orders*, 77 FR 67790, 67791 (November 14, 2012) (*Honey CCR*), unchanged in *Honey from Argentina; Final Results of Antidumping and Countervailing Duty Changed Circumstances Reviews; Revocation of Antidumping and Countervailing Duty Orders*, 77 FR 77029 (December 31, 2012).

Request to Expedite Final Results

On September 5, 2013, 3M requested that the Department expedite the changed circumstances reviews and issue final results no later than October 4, 2013.⁵ 3M argued that the Department's regulations do not specify a deadline for the issuance of preliminary results of a changed circumstances review, but provide that the Department will issue the final results within 45 days if all parties to the proceeding agree to the outcome of the review.⁶ 3M argued that, because no party submitted comments in opposition to their request, the Department should conclude that all parties agree with their request and issue the final results no later than 45 days after the *Initiation Notice*, or October 4, 2013.⁷

The Department did not issue a combined notice of initiation and preliminary results because, as discussed above, the statement provided by the AEC and offered in support of 3M's request for changed circumstances reviews does not indicate whether the AEC accounts for substantially all of domestic aluminum extrusion production.⁸ Thus, the Department did not determine, at the time the *Initiation Notice* was published, that producers accounting for substantially all of the production of the domestic like product lacked interest in the continued application of the *Orders* as to certain rectangular wire. Further, the Department requested interested party comments on the issue of domestic industry support of partial revocations.⁹ As noted above, because the Department received no comments during the comment period, including comments concerning industry support or opposing initiation of the changed circumstances reviews of the *Orders*, the Department now preliminarily finds that producers accounting for substantially all of the production of the domestic like product lack interest in the relief afforded by the *Orders* with respect to the certain rectangular wire, and requests comment on that preliminary finding, before issuing the final results.¹⁰

⁵ See "Aluminum Extrusions from the People's Republic of China: Request to Expedite Changed Circumstance Review" (September 5, 2013) (3M's Request).

⁶ *Id.*, at 2, quoting 19 CFR 351.216(e).

⁷ *Id.*, at 2–3.

⁸ See *Initiation Notice*, 78 FR at 51144.

⁹ *Id.*

¹⁰ See, e.g., *Honey CCR*; see also 19 CFR 351.222(g)(1)(v) (providing that, if the Department's preliminary decision is that changed circumstances warrant revocation, the Department will publish the

Public Comment

Interested parties are invited to comment on these preliminary results in accordance with 19 CFR 351.309(c)(1)(ii). If an interested party is of the view that certain arguments continue to be relevant to the Department's final results of this review, that interested party is required to file a case brief containing all such arguments, including any such arguments presented to the Department before the date of publication of the preliminary results, pursuant to 19 CFR 351.309(c)(2). Written comments may be submitted no later than 14 days after the date of publication of these preliminary results. Rebuttals to written comments, limited to issues raised in such comments, may be filed no later than 21 days after the date of publication of these preliminary results. All comments are to be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS) available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, Room 7046 of the main Department of Commerce building, and must also be served on interested parties.¹¹ An electronically filed document must be received successfully in its entirety by IA ACCESS by 5:00 p.m. Eastern Standard Time on the day it is due.¹²

The Department will issue the final results of these changed circumstances reviews, which will include its analysis of any written comments, no later than 270 days after the date on which these reviews were initiated.

If, in the final results, the Department continues to determine that changed circumstances warrant the revocation of the *Orders*, in part, we will instruct U.S. Customs and Border Protection (CBP) to liquidate without regard to ADs and CVDs, and to refund any estimated ADs and CVDs collected, on all unliquidated entries of the product in question that are not covered by the final results of an administrative review or automatic liquidation. Specifically, because there has been no completed administrative review of the *Orders*, we will instruct CBP to liquidate, without regard to ADs and CVDs, and refund estimated ADs and CVDs collected, on unliquidated entries of aluminum extrusions meeting the specifications of the product in question, entered or withdrawn from warehouse, for consumption, on or after

November 12, 2010 (for ADs) and September 7, 2010 (for CVDs).

The current requirement for cash deposits of estimated ADs and CVDs on all entries of subject merchandise will continue unless and until they are modified pursuant to the final results of these changed circumstances reviews.

These preliminary results of review and notice are in accordance with sections 751(b) and 777(i) of the Act and 19 CFR 351.221 and 19 CFR 351.222.

Dated: October 31, 2013.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2013-26744 Filed 11-6-13; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-818]

Low Enriched Uranium From France: Final Results of Changed Circumstances Review

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

SUMMARY: The Department of Commerce (the Department) has extended the deadline, until November 1, 2015, for the re-exportation of one specified entry of low enriched uranium (LEU) that entered under a narrow provision excluding it from the scope of the antidumping (AD) order.¹ The Department also determined that this will be the final extension of the re-exportation deadline.

DATES: *Effective:* November 7, 2013.

FOR FURTHER INFORMATION CONTACT: Andrew Huston or Mark Hoadley, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4261 or (202) 482-3148, respectively.

SUPPLEMENTARY INFORMATION:

Background

Since the publication of the *Preliminary Results*, the following events have taken place. Eurodif S.A. and AREVA NP Inc. (collectively,

AREVA) submitted comments on September 11, 2013. No other party submitted comments and no rebuttal comments were filed.

Scope of the Order

The product covered by the order is all low-enriched uranium. Low-enriched uranium is enriched uranium hexafluoride (UF₆) with a U²³⁵ product assay of less than 20 percent that has not been converted into another chemical form, such as UO₂, or fabricated into nuclear fuel assemblies, regardless of the means by which the LEU is produced (including low-enriched uranium produced through the down-blending of highly enriched uranium).

Certain merchandise is outside the scope of the order. Specifically, the order does not cover enriched uranium hexafluoride with a U²³⁵ assay of 20 percent or greater, also known as highly-enriched uranium. In addition, fabricated low-enriched uranium is not covered by the scope of the order. For purposes of the order, fabricated uranium is defined as enriched uranium dioxide (UO₂), whether or not contained in nuclear fuel rods or assemblies. Natural uranium concentrates (U₃O₈) with a U²³⁵ concentration of no greater than 0.711 percent and natural uranium concentrates converted into uranium hexafluoride with a U²³⁵ concentration of no greater than 0.711 percent are not covered by the scope of the order.

Also excluded from the order is low-enriched uranium owned by a foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO₂) and/or fabrication into fuel assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported low-enriched uranium (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designed transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the low-enriched uranium for consumption by the end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end-user.

The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2844.20.0020. Subject merchandise may also enter under 2844.20.0030, 2844.20.0050, and 2844.40.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the

notice of preliminary results, pursuant to 19 CFR 351.221(b)(4), and notice of intent to revoke order in part).

¹¹ See 19 CFR 351.303(f).

¹² See 19 CFR 351.310(c).

¹ See *Low Enriched Uranium from France: Initiation of Expedited Changed Circumstances Review, and Preliminary Results of Changed Circumstances Review*, 78 FR 52905 (August 27, 2013) (*Preliminary Results*).