

to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

#### Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: February 10, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix

List of Topics Discussed in the Final Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope
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  - Comment 1: Consideration of an Alternative Comparison Method in Administrative Reviews
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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-805]

#### Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Notice of Amended Final Results of Antidumping Duty Administrative Review Pursuant to Settlement

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

**DATES:** Effective: February 18, 2015.

**FOR FURTHER INFORMATION CONTACT:** Mark Flessner or Robert James, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6312 and (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On April 9, 2010, the Department of Commerce (the Department) published the final results of its administrative review of the antidumping duty order on certain circular welded non-alloy steel pipe from Mexico. The period of review (POR) is November 1, 2008, through October 31, 2009.<sup>1</sup>

In the *Final Results*, the Department assigned to Mueller Comercial de Mexico, S. de R.L. de C.V. (Mueller), an exporter of certain circular welded non-alloy steel pipe from Mexico to the United States, a rate of 19.81 percent for the 2008-09 period of review. The Department had conducted administrative reviews of Mueller, Tuberia Nacional, S.A. de C.V. (TUNA), and Ternium, S.A. de C.V. (Ternium). The Department based Mueller's margin, in part, on facts available because an unaffiliated supplier refused to supply the Department with its costs of production, necessary to conduct the sales-below-cost test on Mueller's home market sales.

Following the publication of the *Final Results*, Mueller filed a lawsuit with the United States Court of International Trade (CIT) challenging the Department's final results of administrative review.<sup>2</sup> The CIT upheld

<sup>1</sup> See *Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Final Results of Antidumping Duty Administrative Review*, 76 FR 36086 (June 21, 2011) (*Final Results*).

<sup>2</sup> See *Mueller Comercial de Mexico, S. de R.L. de C.V. v. United States*, Court No. 11-00319, Slip Op. 12-156 (December 21, 2012).

the Department's final results.<sup>3</sup> Mueller timely appealed to the United States Court of Appeals for the Federal Circuit (CAFC or Court).<sup>4</sup> The CAFC remanded for the Department to reconsider the margin calculated for Mueller.<sup>5</sup>

The United States and Mueller have now entered into an agreement to settle this dispute. The Court issued its amended Order of Judgment by Stipulation on February 6, 2015.<sup>6</sup> Pursuant to the Court's amended Order of Judgment by Stipulation, the amended final weighted-average dumping margin for Mueller Comercial de Mexico, S. de R.L. de C.V. is 13.70 percent, as agreed to by the parties.

#### Assessment Rates

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b). The Department intends to issue assessment instructions to CBP within 15 days after the date of publication of these amended final results of review in the **Federal Register**.

Because Mueller's weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent), the Department has calculated importer-specific antidumping duty assessment rates. We calculated importer-specific *ad valorem* antidumping duty assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered value associated with those sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review where an importer-specific assessment rate is not zero or *de minimis*. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the importer-specific assessment rate is zero or *de minimis*.

#### Cash Deposit Requirements

The cash deposit rate for Mueller will be that stipulated in the settlement agreement, 13.70 percent.

#### Notification to Importers

This notice also serves as a final reminder to importers of their

<sup>3</sup> See *Mueller Comercial de Mexico, S. de R.L. de C.V. v. United States*, Court No. 11-00319, Slip Op. 13-57 (May 2, 2013).

<sup>4</sup> See *Mueller Comercial de Mexico, S. de R.L. de C.V. v. United States*, 753 F.3d 1227 (Fed. Circ., 2014).

<sup>5</sup> *Id.*, at 1235-36.

<sup>6</sup> See *Mueller Comercial de Mexico, S. de R.L. de C.V. v. United States*, Court No. 11-00319, Slip Op. 15-9 (February 6, 2015).

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 the Secretary's presumption that reimbursement of antidumping duties occurred, and the subsequent assessment of double antidumping duties.

We are issuing this determination and publishing these final results of antidumping duty administrative review pursuant to settlement and notice in accordance with 19 U.S.C. 1516(e).

Dated: February 12, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-873; A-791-815]

#### **Ferrovanadium From the People's Republic of China and the Republic of South Africa: Continuation of Antidumping Duty Orders**

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

**SUMMARY:** As a result of determinations by the Department of Commerce (the "Department") and the International Trade Commission (the "ITC") that revocation of the antidumping duty orders on ferrovanadium from the People's Republic of China ("PRC") and the Republic of South Africa ("South Africa") would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of these antidumping duty orders.

**DATES:** *Effective Date:* February 18, 2015.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Hill or Howard Smith, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-3518 or 202-482-5193, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On November 1, 2013, the Department published a notice of initiation of the second sunset reviews of the

antidumping duty orders on ferrovanadium from the PRC and South Africa, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the "Act").<sup>1</sup> As a result of its reviews, the Department determined that revocation of the antidumping duty orders on ferrovanadium from the PRC and South Africa would likely lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margins likely to prevail should the orders be revoked.<sup>2</sup> On February 3, 2015, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on ferrovanadium from the PRC and South Africa would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>3</sup>

#### **Scope of the Orders**

The scope of these orders covers all ferrovanadium regardless of grade, chemistry, form, shape, or size. Ferrovanadium is an alloy of iron and vanadium that is used chiefly as an additive in the manufacture of steel. The merchandise is commercially and scientifically identified as vanadium. It specifically excludes vanadium additives other than ferrovanadium, such as nitride vanadium, vanadium-aluminum master alloys, vanadium chemicals, vanadium oxides, vanadium waste and scrap, and vanadium-bearing raw materials such as slag, boiler residues and fly ash. Merchandise under the following Harmonized Tariff Schedule of the United States ("HTSUS") item numbers 2850.00.2000, 8112.40.3000, and 8112.40.6000 are specifically excluded. Ferrovanadium is classified under HTSUS item number 7202.92.00. Although the HTSUS item number is provided for convenience and Customs purposes, the Department's written description of the scope of these orders remains dispositive.

#### **Continuation of the Orders**

As a result of the determinations by the Department and the ITC that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders

the continuation of the antidumping orders on ferrovanadium from the PRC and South Africa. U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the orders not later than 30 days prior to the fifth anniversary of the effective date of continuation.

These five-year sunset reviews and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: February 6, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **Cyber Security Business Development Mission to Poland and Romania May 11-15, 2015**

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

**ACTION:** Notice.

**SUMMARY:** The United States Department of Commerce, International Trade Administration, is amending the Notice published at 79 FR 58746 (September 30, 2014), regarding the executive-led Cyber Security Business Development Mission to Poland and Romania, scheduled for May 11-15, 2015, to announce new leadership in the trade mission and to extend the date of the application deadline from March 1, 2015 to the new deadline of March 13, 2015.

**SUPPLEMENTARY INFORMATION:** Amendments to Announce Leadership and Revise the Dates.

#### **Background**

The United States Department of Commerce is pleased to announce that the Cyber Security Business Development Mission to Poland and Romania will now be led by the Deputy Secretary of Commerce, Bruce H. Andrews. Due to this change in leadership, it has been determined that

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Review*, 78 FR 65614 (November 1, 2013).

<sup>2</sup> See *Ferrovanadium from the People's Republic of China and the Republic of South Africa: Final Results of the Expedited Second Sunset Reviews of the Antidumping Duty Orders*, 79 FR 14216 (March 13, 2014).

<sup>3</sup> See *Ferrovanadium from China and South Africa: Determinations*, 80 FR 5787 (February 3, 2015).