

subsidies.¹⁰ Therefore, no offset to the WW Group's cash deposit rate for export subsidies is necessary.¹¹ With respect to Taihe, because its CVD rate in the companion investigation included an amount for export subsidies, an offset of 0.30 percent will be made to its cash deposit rate.¹² With respect to the separate-rate companies, we find that an export subsidy adjustment of 0.30 percent to the cash deposit rate is warranted because this is the export subsidy rate included in the CVD "all-others" rate to which the separate-rate companies are subject. For the PRC-wide entity, which continues to receive an adverse facts available (AFA) rate in this amended final determination, as an extension of the adverse inference found necessary pursuant to section 776(b) of the Act, the Department has not adjusted the PRC-wide entity's AD cash deposit rate by the lowest export subsidy rate determined for any party in the companion CVD proceeding, because the lowest export subsidy rate determined in the companion CVD proceeding is 0.00 percent.^{13 14}

Pursuant to section 777A(f) of the Act, we normally adjust preliminary cash deposit rates for estimated domestic subsidy pass-through, where appropriate. However, in this case there is no basis to grant a domestic subsidy pass-through adjustment.¹⁵

Provisional Measures

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months.

At the request of the exporters that account for a significant portion of HEDP from the PRC, we extended the

four-month period to six months in this case.¹⁶ In the underlying investigation, the Department published the *Preliminary Determination* on November 4, 2016. Therefore, the extended period beginning on the date of publication of the *Preliminary Determination*, ended May 2, 2017. Furthermore, section 737(b) of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination, *i.e.*, May 11, 2017.¹⁷

Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of HEDP from the PRC entered, or withdrawn from warehouse, for consumption on or after May 2, 2017, the date on which the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determinations, *i.e.*, May 10, 2017, in the **Federal Register**. Suspension of liquidation will resume on May 11, 2017, the date of publication of the *ITC Final*.

Notification to Interested Parties

This notice constitutes the antidumping duty order with respect to HEDP from the PRC pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This order and amended final determination are published in accordance with sections 735(e), 736(a) and 777(i) of the Act, and 19 CFR 351.211 and 351.224(e).

Dated: May 12, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

The merchandise covered by this investigation includes all grades of aqueous acidic (non-neutralized) concentrations of 1-hydroxyethylidene-1, 1-diphosphonic acid (HEDP), also referred to as hydroxyethylidenediphosphonic acid, hydroxyethanediphosphonic acid, acetodiphosphonic acid, and etidronic acid. The Chemical Abstract Service (CAS) registry number for HEDP is 2809–21–4.

The merchandise subject to this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2931.90.9043. It may also enter under HTSUS subheadings 2811.19.6090 and 2931.90.9041. While

HTSUS subheadings and the CAS registry number are provided for convenience and customs purposes only, the written description of the scope of this investigation is dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–046]

1-Hydroxyethylidene-1, 1-Diphosphonic Acid From the People's Republic of China: Countervailing Duty Order

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Department) and the International Trade Commission (ITC), the Department is issuing the countervailing duty order on 1-Hydroxyethylidene-1, 1-Diphosphonic Acid (HEDP) from the People's Republic of China (PRC).

DATES: Effective May 18, 2017.

FOR FURTHER INFORMATION CONTACT: Javier Barrientos at (202) 482–2243, or Matthew Renkey at (202) 482–2312, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with section 705(d) of the Tariff Act of 1930, as amended (Act), on March 23, 2017, the Department published its affirmative final determination that countervailable subsidies are being provided to producers and exporters of HEDP from the PRC.¹ On May 8, 2017, the ITC notified the Department of its affirmative determination that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act, by reason of subsidized imports of subject merchandise from the PRC.²

¹ See *Countervailing Duty Investigation of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China: Final Affirmative Determination* 82 FR 14872 (March 23, 2017).

² See Letter to Ronald Lorentzen, Acting Assistant Secretary of Commerce for Enforcement and Compliance, from Rhonda K. Schmidlein, Chairman of the U.S. International Trade Commission, regarding HEDP from the PRC, (May 8, 2017) (ITC Letter).

¹⁰ See *Countervailing Duty Investigation of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China: Final Affirmative Determination*, 82 FR 14872 (March 23, 2017).

¹¹ *Id.*

¹² *Id.*

¹³ See, e.g., *Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value; Preliminary Affirmative Determination of Critical Circumstances; In Part and Postponement of Final Determination*, 80 FR 4250 (January 27, 2015) and accompanying Issues and Decision Memorandum at 35.

¹⁴ See *Countervailing Duty Investigation of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China: Preliminary Affirmative Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 81 FR 62084 (September 8, 2016).

¹⁵ See Preliminary Decision Memorandum at 28–29.

¹⁶ See *Preliminary Determination*.

¹⁷ See *ITC Final*.

Scope of the Order

The scope of this order covers HEDP from the PRC. For a complete description of the scope, *see* Appendix.

Countervailing Duty Order

On May 8, 2017, in accordance with sections 705(b)(1)(A)(i) and 705(d) of the Act, the ITC notified the Department of its final determination in this investigation, in which it found that an industry in the United States is materially injured by reason of imports of HEDP from the PRC.³ Therefore, in accordance with section 705(c)(2) of the Act, the Department is issuing this countervailing duty order. Because the ITC determined that imports of HEDP from the PRC are materially injuring a U.S. industry, unliquidated entries of

such merchandise from the PRC, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, countervailing duties for all relevant entries of HEDP from the PRC. Countervailing duties will be assessed on unliquidated entries of HEDP from the PRC entered, or withdrawn from warehouse, for consumption on or after September 8, 2016, the date of publication of the *Preliminary Determination*,⁴ but will not include entries occurring after the expiration of the provisional measures period and

before publication of the ITC's final injury determination as further described below.

Suspension of Liquidation

In accordance with section 706 of the Act, the Department will instruct CBP to reinstitute the suspension of liquidation of HEDP from the PRC. We will also instruct CBP to require, pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates for the subject merchandise.⁵ These instructions suspending liquidation will remain in effect until further notice. The all-others rate applies to all producers and exporters of subject merchandise.

Company	Subsidy rate (percent <i>ad valorem</i>)
Nanjing University of Chemical Technology Changzhou Wujin Water Quality Stabilizer Factory (Wujin Water)	0.75 (<i>de minimis</i>).
Shandong Taihe Chemicals Co., Ltd. and Shandong Taihe Water Treatment Technologies Co., Ltd. (Taihe Companies)	2.40.
All-Others	2.40.
Changzhou Kewei Fine Chemicals Co., Ltd	54.11.
Hebei Longke Water Treatment Co., Ltd	54.11.
Shandong Huayou Chemistry Co., Ltd	54.11.
Shandong Xintai Water Treatment Technology	54.11.
Zaozhuang Fuxing Water Treatment Technology	54.11.
Zaozhuang YouBang Chemicals Co., Ltd	54.11.
Zouping Dongfang Chemical Industry Co., Ltd	54.11.

Provisional Measures

Section 703(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months. In the underlying investigation, the Department published the *Preliminary Determination* on September 8, 2016. As such, the four-month period beginning on the date of the publication of the *Preliminary Determination* ended on January 6, 2017. Furthermore, section 707(b) of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination.

Therefore, in accordance with section 703(d) of the Act and our practice, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of HEDP from the PRC entered, or withdrawn from warehouse, for consumption, on or after January 6, 2017, the date the provisional measures expired, until and through the day preceding the date of publication of the

ITC's final injury determination in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Notifications to Interested Parties

This notice constitutes the countervailing duty order with respect to HEDP from the PRC pursuant to section 706(a) of the Act. Interested parties can find a list of countervailing duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This order is issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: May 9, 2017.

Gary Taverman,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix

The merchandise covered by this investigation includes all grades of aqueous acidic (non-neutralized) concentrations of

HEDP, also referred to as hydroxyethylidenediphosphonic acid, hydroxyethanediphosphonic acid, acetodiphosphonic acid, and etidronic acid. The Chemical Abstract Service (CAS) registry number for HEDP is 2809–21–4.

The merchandise subject to this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2931.90.9043. It may also enter under HTSUS subheadings 281.19.6090 and 2931.90.9041. While HTSUS subheadings and the CAS registry number are provided for convenience and customs purposes only, the written description of the scope of this investigation is dispositive.

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³ See ITC Letter.

⁴ See *Countervailing Duty Investigation of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China: Preliminary Affirmative Determination and Alignment of Final*

Determination with Final Antidumping Duty Determination, 81 FR 62084 (September 8, 2016).

⁵ With the exception of Wujin Water, the net subsidy rate of which is *de minimis*, and hence, is excluded from this order. This exclusion will apply

only to subject merchandise both produced and exported by Wujin Water.