

351.301, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301. For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, we may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in the letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission; under limited circumstances we will grant untimely-filed requests for the extension of time limits. Parties should review *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013), available at <http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>, prior to submitting factual information in this investigation.

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.³⁵ Parties must use the certification formats provided in 19 CFR 351.303(g).³⁶ Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. On January 22, 2008, Commerce published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures*, 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (e.g., the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

³⁵ See section 782(b) of the Act.

³⁶ See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (“*Final Rule*”); see also frequently asked questions regarding the *Final Rule*, available at http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.

This notice is issued and published pursuant to sections 702 and 777(i) of the Act and 19 CFR 351.203(c).

Dated: November 13, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The products covered by this investigation are primary and secondary pure and alloy magnesium metal, regardless of chemistry, raw material source, form, shape, or size (including, without limitation, magnesium cast into ingots, slabs, t-bars, rounds, sows, billets, and other shapes, and magnesium ground, chipped, crushed, or machined into raspings, granules, turnings, chips, powder, briquettes, and any other shapes). Magnesium is a metal or alloy containing at least 50 percent by actual weight the element magnesium. Primary magnesium is produced by decomposing raw materials into magnesium metal. Secondary magnesium is produced by recycling magnesium-based scrap into magnesium metal. The magnesium covered by this investigation also includes blends of primary magnesium, scrap, and secondary magnesium.

The subject merchandise includes the following pure and alloy magnesium metal products made from primary and/or secondary magnesium: (1) Products that contain at least 99.95 percent magnesium, by actual weight (generally referred to as “ultra-pure” or “high purity” magnesium); (2) products that contain less than 99.95 percent but not less than 99.8 percent magnesium, by actual weight (generally referred to as “pure” magnesium); and (3) chemical combinations of magnesium and other material(s) in which the magnesium content is 50 percent or greater, but less than 99.8 percent, by actual weight, whether or not conforming to an “ASTM Specification for Magnesium Alloy.”

The scope of this investigation excludes mixtures containing 90 percent or less magnesium in granular or powder form by actual weight and one or more of certain non-magnesium granular materials to make magnesium-based reagent mixtures, including lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorspar, nepheline syenite, feldspar, alumina (A1203), calcium aluminat, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomite lime, and colemanite.

The merchandise subject to this investigation is classifiable under items 8104.11.0000, 8104.19.0000, and 8104.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS items are provided for convenience and customs purposes, the

written description of the merchandise under investigation is dispositive.

[FR Doc. 2018–25293 Filed 11–19–18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–898]

Chlorinated Isocyanurates From the People’s Republic of China: Notice of Court Decision Not in Harmony With Final Results of Antidumping Duty Administrative Review; 2012–2013 and Notice of Amended Final Results

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

SUMMARY: On October 24, 2018, the United States Court of International Trade (CIT) entered final judgment sustaining the final results of remand redetermination pursuant to court order by the Department of Commerce (Commerce) pertaining to the antidumping duty (AD) administrative review of chlorinated isocyanurates (chlorinated isos) from the People’s Republic of China (China). Commerce is notifying the public that the final judgment in this case is not in harmony with Commerce’s final results in the AD review of chlorinated isos from China.

DATES: Applicable November 3, 2018.

FOR FURTHER INFORMATION CONTACT: Sean Carey, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4261.

SUPPLEMENTARY INFORMATION:

Background

On January 28, 2015, Commerce published its final results in the eighth AD review of chlorinated isos from China.¹ Commerce selected the two largest exporters, Hebei Jiheng Chemical Co., Ltd. and Juancheng Kangtai Chemical Co., Ltd., as the mandatory respondents, and determined that Heze Huayi Chemical Co., Ltd. (Heze Huayi), Arch Chemicals (China) Co., Ltd., and Zucheng Taisheng Chemical Co., Ltd. demonstrated their eligibility for separate rate status.² On January 28,

¹ See *Chlorinated Isocyanurates from the People’s Republic of China: Final Results of Antidumping Duty Administrative Review; 2012–2013*, 80 FR 4539 (January 28, 2015) and accompanying Issues and Decision Memorandum (*Final Results*).

² See *Chlorinated Isocyanurates from the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2012–2013*, 79 FR 43391 (July 25, 2014) (Preliminary

2015, Commerce published the *Final Results* and assigned Heze Huayi the separate rate of 53.15 percent from the *Seventh Review*³ consistent with our past practice because both mandatory respondents received zero margins and none of the separate rate companies had its own calculated rate from the segment immediately prior to the instant segment.

Heze Huayi appealed Commerce's decisions not to treat Heze Huayi as a mandatory or voluntary respondent and not to apply the zero rate of the mandatory respondents to Heze Huayi. While the case was pending before the CIT, in June 2016, Commerce voluntarily sought a remand⁴ to consider the impact of the Court of Appeals for the Federal Circuit's decision in *Albemarle Corp. v. United States*.⁵ On September 11, 2018, the Court held a telephone status conference and ordered that the Government "advise the court in one week from September 11, 2018, if they have any reason for anything other than a zero rate for all outstanding entries."⁶ Commerce responded within the one-week deadline that Commerce's request for a voluntary remand on this issue was still pending; however, in light of the Court's request, Commerce stated that it had identified no "reason for anything other than a zero rate" to be applied to Heze Huayi's entries.⁷ On September 28, 2018, the Court ordered Commerce to assign Heze Huayi the mandatory respondents' weighted-average zero rate.⁸ On remand, Commerce, under respectful protest, assigned Heze Huayi the mandatory respondents' weighted-average zero rate.⁹ On October 24, 2018,

Results), and accompanying Decision Memorandum, at 5–6.

³ See *Chlorinated Isocyanurates from the People's Republic of China; 2011–2012; Final Results of Antidumping Duty Administrative Review*, 79 FR 4875, 4876 (January 30, 2014) (*Seventh Review*).

⁴ See *Heze Huayi Chemical Co. Ltd., v. United States*, Ct. No. 15–27, Defendant's Supplemental Brief and Motion for Voluntary Remand, Docket #68, June 21, 2016 ("In light of the intervening legal decision in *Albemarle*, we respectfully request that the Court grant a voluntary remand for Commerce to consider the application of *Albemarle* to the facts of this case.")

⁵ 821 F.3d 1345 (Fed. Cir. 2016).

⁶ See *Heze Huayi Chemical Co., Ltd. v. United States*, Ct. No. 15–27, Court Order, Docket #81, Sept. 12, 2018.

⁷ See *Heze Huayi Chemical Co., Ltd., v. United States*, Defendant's Response to Court Order, Ct. No. 15–27, Docket #82, at 1–2, Sept. 18, 2018.

⁸ See *Remand Order* at 7.

⁹ See Final Results of Redetermination Pursuant to Court Remand, *Heze Huayi Chemical Co., Ltd. v. United States*, Court No. 15–00027, Slip Op. 18–130 (CIT September 28, 2010), dated October 19, 2018 (Final Redetermination).

the CIT sustained Commerce's Final Redetermination.¹⁰

Timken Notice

In its decision in *Timken*,¹¹ as clarified by *Diamond Sawblades*,¹² the Federal Circuit held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's October 24, 2018, judgment constitutes a final decision of that court that is not in harmony with Commerce's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, Commerce will continue suspension of liquidation of subject merchandise pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

Amended Final Results

Because there is now a final court decision, Commerce is amending the *Final Results* and assigning Heze Huayi the mandatory respondents' weighted-average zero rate¹³ for the period June 1, 2012, through May 31, 2013. In the event the CIT's ruling is not appealed, or, if appealed, is upheld by a final and conclusive court decision, we will instruct U.S. Customs and Border Protection (CBP) to liquidate Heze Huayi's appropriate entries without regard to antidumping duties.

Cash Deposit Rate

Heze Huayi has a superseding cash deposit rate (e.g., from a subsequent administrative review). Therefore, Commerce will not issue revised cash deposit instructions to CBP.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1) and 777(i)(1) of the Act.

¹⁰ See *Heze Huayi Chemical Co., Ltd. v. United States*, Slip Op. 18–149, Consolidated Court No. 15–00027 (CIT 2018).

¹¹ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹² See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹³ See *Remand Order* at 7.

Dated: November 15, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2018–25298 Filed 11–19–18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–508–812]

Magnesium From Israel: Initiation of Less-Than-Fair-Value Investigation

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

DATES: Applicable November 13, 2018.

FOR FURTHER INFORMATION CONTACT: Bryan Hansen at (202) 482–3683 or Mino Hatten (202) 482–1690; AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On October 24, 2018, the U.S. Department of Commerce (Commerce) received an antidumping duty (AD) Petition concerning imports of magnesium from Israel, filed in proper form on behalf of US Magnesium LLC (the petitioner), a domestic producer of magnesium.¹ The AD Petition was accompanied by a countervailing duty (CVD) Petition concerning imports of magnesium from Israel.

On October 29, 2018, and November 5, 2018, Commerce requested supplemental information pertaining to certain aspects of the Petition in three separate supplemental questionnaires, two addressing Volume I of the Petition and the other addressing Volume III of the Petition (i.e., the AD allegation).² The petitioner filed its responses to the supplemental questionnaires on October

¹ See the petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties in the Matter of: Magnesium from Israel," dated October 24, 2018 (Petition).

² See Commerce Letters, "Re: Petition for the Imposition of Antidumping Duties on Imports of Magnesium from Israel: Supplemental Questions," dated October 29, 2018, "Re: Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Magnesium from Israel: Supplemental Questions," dated October 29, 2018, and Memorandum "RE: Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Magnesium from Israel—Phone Call with Counsel to the Petitioner," dated November 5, 2018.