

preliminarily found that the “Export Buyer’s Credit Program” program is export contingent, we preliminarily find that the criterion under section 703(e)(1)(A) of the Act has been met.¹⁴

Chongqing Zongshen

In the *Preliminary Determination*, we found that Chongqing Zongshen received countervailable subsidies under the “Export Sellers Credit Program” program, which was found to be export contingent in the *Preliminary Determination*.¹⁵ Thus, because we preliminarily found that the “Export Sellers Credit Program” program is export contingent, we preliminarily find that the criterion under section 703(e)(1)(A) of the Act has been met.

Massive Imports

Commerce compared the import volumes of subject merchandise, as provided by the mandatory respondents, for the five months immediately preceding and following the filing of the petition. Because the petition was filed on March 18, 2020, in order to determine whether there was a massive surge in imports for the mandatory respondents, Commerce compared the total volume of shipments during the period of November 2019 through March 2020 with the volume of shipments during the period from April 2020 through August 2020.¹⁶ With respect to Chongqing Kohler, we preliminarily determine that there was no massive surge in imports between the base and comparison periods.¹⁷ However, with respect to Chongqing Zongshen, we preliminarily determine that there was a massive surge in imports between the base and comparison periods.¹⁸

For all other exporters and producers, we examined monthly shipment data for the same time periods, using import data from Global Trade Atlas (GTA), adjusted to remove the mandatory

respondents’ shipment data.¹⁹ However, the quantity of shipments reported by the mandatory respondents was greater than the quantity of imports recorded in the GTA data for U.S. harmonized tariff schedule number 8407.90.10.10. Therefore, we determine that the record does not support a determination that there is a massive surge in imports between the base and comparison periods for all other exporters and producers.²⁰

Accordingly, consistent with section 703(e)(1) of the Act, Commerce preliminarily determines that critical circumstances exist for imports of small vertical engines from China with respect to Chongqing Zongshen, but do not exist with respect to Chongqing Kohler and all other exporters or producers not individually examined. For the underlying data and results of Commerce’s analysis, see the Critical Circumstances Analysis Memo.

Final Determination

We will make a final determination concerning critical circumstances in the final determination of this investigation, which is currently scheduled for December 28, 2020.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Interested parties will be notified of the timeline for the submission of case briefs and written comments at a later date. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.²¹ Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Suspension of Liquidation

In accordance with section 703(e)(2)(A) of the Act, for Chongqing Zongshen, we intend to direct U.S. Customs and Border Protection (CBP) to suspend liquidation of any unliquidated entries of subject merchandise from the China entered, or withdrawn from warehouse for consumption, on or after May 26, 2020, which is 90 days prior to

the date of publication of the *Preliminary Determination* in the **Federal Register**. For such entries, CBP shall require a cash deposit equal to the estimated preliminary subsidy rates established in the *Preliminary Determination*. This suspension of liquidation will remain in effect until further notice.

ITC Notification

In accordance with section 703(f) of the Act, we intend to notify the ITC of this preliminary determination of critical circumstances.

This determination is issued and published pursuant to sections 703(f) and 777(i)(1) of the Act.

Dated: October 26, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–126]

Certain Non-Refillable Steel Cylinders From the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination and Extension of Provisional Measures

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that non-refillable steel cylinders (non-refillable cylinders) from People’s Republic of China (China) are, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is July 1, 2019 through December 31, 2019. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable October 30, 2020.

FOR FURTHER INFORMATION CONTACT: Katherine Sliney or Joy Zhang, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2437 or (202) 482–1168, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended

Investigation of Certain Vertical Shaft Engines between 99cc and up to 225cc, and Parts Thereof from the People’s Republic of China: Calculation Memorandum for Chongqing Kohler Engines Ltd. (Chongqing Kohler),” dated August 17, 2020 at Attachment 1.

¹⁴ See *Preliminary Determination* PDM at 25–37.
¹⁵ *Id.* at 28–29.

¹⁶ See Chongqing Kohler’s Letter, “Certain Vertical Shaft Engines Between 99cc and 225cc, and Parts Thereof from the People’s Republic of China: Chongqing Kohler’s Monthly Quantity and Value Data,” dated October 2, 2020; see also Chongqing Zongshen’s Letter, “Certain Vertical Shaft Engines Between 225cc and 999cc, and Parts Thereof, from China; CVD Investigation; Chongqing Zongshen Monthly Q&V Data,” dated October 2, 2020.

¹⁷ See Memorandum, “Critical Circumstances Shipment Data Analysis,” dated concurrently with this memorandum at Attachment 1 (Critical Circumstances Analysis Memo).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ See *Prestressed Concrete Steel Wire from the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination in Part*, 85 FR 59287 (September 21, 2020).

²¹ See 19 CFR 351.309(d)(1).

(the Act). Commerce published the notice of initiation of this investigation on April 22, 2020.¹ On August 26, 2020, Commerce postponed the preliminary determination of this investigation, and the revised deadline is now October 23, 2020.² For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.³ A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The products covered by this investigation are certain non-refillable cylinders from China. For a complete description of the scope of this investigation, *see Appendix I*.

Scope Comments

In accordance with the preamble to Commerce's regulations,⁴ the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (scope).⁵ Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. For a summary of all scope related comments submitted to the record for this investigation and accompanying discussion and analysis of all comments timely received, *see* the Preliminary Scope Decision Memorandum.⁶ Commerce is preliminarily modifying the scope language as it appeared in the *Initiation Notice*. *See* the revised scope in Appendix I to this notice.

The Preliminary Scope Decision Memorandum establishes the deadline to submit scope case briefs.⁷ There will be no further opportunity for comments on scope-related issues.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act. Because China is a non-market economy, within the meaning of section 771(18) of the Act, Commerce has calculated normal

value (NV) in accordance with section 773(c) of the Act.

In addition, Commerce has relied on facts available under section 776(a) of the Act to determine the cash deposit rate assigned to the China-wide entity. Furthermore, pursuant to sections 776(a) and (b) of the Act, because the China-wide entity did not cooperate to the best of its ability in responding to Commerce's requests for data, Commerce preliminarily has relied upon facts otherwise available, with adverse inferences, for the China-wide entity. For a full description of the methodology underlying Commerce's preliminary determination, *see* the Preliminary Decision Memorandum.

Combination Rates

In the *Initiation Notice*,⁸ Commerce stated that it would calculate producer/exporter combination rates for the respondents that are eligible for a separate rate in this investigation. Policy Bulletin 05.1 describes this practice.⁹ In this investigation, we calculated producer/exporter combination rates for respondents eligible for separate rates.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter	Producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent)
Sanjiang Kai Yuan Co. Ltd	Sanjiang Kai Yuan Co. Ltd	95.14	77.12
Wuyi Xilinde Machinery Manufacture Co., Ltd	Wuyi Xilinde Machinery Manufacture Co., Ltd	57.83	46.28
Hangzhou JM Chemical Co., Ltd	Hangzhou JM Chemical Co., Ltd	69.09	55.86
Ningbo Eagle Machinery & Technology Co., Ltd.	Jinhua Sinoblue Machinery Manufacturing Co., Ltd.	69.09	58.55
Zhejiang Kin-Shine Technology Co., Ltd	Zhejiang Kin-Shine Technology Co., Ltd	69.09	55.86
T.T. International Co. Ltd	Wuyi Xilinde Machinery Manufacture Co., Ltd	69.09	55.86
ICOOL International Commerce Limited	ICOOL International Commerce Limited	69.09	55.86
China-Wide Entity	114.58	104.04

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of subject

merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, as discussed below. Further,

pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the weighted average amount by which normal value exceeds U.S. price, as indicated in the chart

¹ See *Certain Non-Refillable Steel Cylinders from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 85 FR 22402 (April 22, 2020) (*Initiation Notice*).

² See *Non-Refillable Steel Cylinders from the People's Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation*, 85 FR 52548 (August 26, 2020).

³ See Memorandum, "Certain Non-Refillable Steel Cylinders from the People's Republic of China: Decision Memorandum for the Preliminary Affirmative Determination of Sales at the Less-Than-Fair-Value," dated concurrently with, and

hereby adopted by, this notice (Preliminary Decision Memorandum).

⁴ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

⁵ See *Initiation Notice*.

⁶ See Memorandum, "Antidumping Duty and Countervailing Duty Investigations on Certain Non-Refillable Steel Cylinders from the People's Republic of China: Preliminary Scope Decision Memorandum" (Preliminary Scope Decision Memorandum), dated concurrently with this preliminary determination.

⁷ Case briefs, other written comments, and rebuttal briefs submitted by in response to this

preliminary LTFV determination should not include scope-related issues. *See* Preliminary Scope Decision Memorandum and "Public Comment" section of this notice.

⁸ See *Initiation Notice*, 85 FR at 22406.

⁹ See Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, "Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries," (April 5, 2005) (Policy Bulletin 05.1), available on Commerce's website at <http://enforcement.trade.gov/policy/bull05-1.pdf>.

above as follows: (1) For the producer/exporter combinations listed in the table above, the cash deposit rate is equal to the estimated weighted-average dumping margin listed for that combination in the table; (2) for all combinations of Chinese producers/exporters of subject merchandise that have not established eligibility for their own separate rates, the cash deposit rate will be equal to the estimated weighted-average dumping margin established for the China-wide entity; and (3) for all third-country exporters of subject merchandise not listed in the table above, the cash deposit rate is the cash deposit rate applicable to the Chinese producer/exporter combination (or China-wide entity) that supplied that third-country exporter.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of domestic subsidy pass-through and export subsidies determined in a companion countervailing duty (CVD) proceeding when CVD provisional measures are in effect. Accordingly, where Commerce has made a preliminary affirmative determination for domestic subsidy pass-through or export subsidies, Commerce has offset the calculated estimated weighted-average dumping margin by the appropriate rate(s). Any such adjusted rates may be found in the chart of estimated weighted-average dumping margins, above.¹⁰

Should provisional measures in the companion CVD investigation expire prior to the expiration of provisional measures in this LTFV investigation, Commerce will direct CBP to begin collecting cash deposits at a rate equal to the estimated weighted-average dumping margins calculated in this preliminary determination unadjusted for the passed-through domestic subsidies or for export subsidies at the time the CVD provisional measures expire.

These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Commerce intends to disclose to interested parties the calculations performed in connection with this preliminary determination within five days of its public announcement or, if there is no public announcement, within five days of the date of

publication of this notice in accordance with 19 CFR 351.224(b).

Verification

Commerce is currently unable to conduct on-site verification of the information relied upon in making its final determination in this investigation. Accordingly, we intend to take additional steps in lieu of on-site verification. Commerce will notify interested parties of any additional documentation or information required.

Public Comment

Case briefs or other written comments on non-scope issues may be submitted to the Assistant Secretary for Enforcement and Compliance. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.¹¹ Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time of the hearing two days before the scheduled date.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the

event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioners. Pursuant to 19 CFR 351.210(e)(2), Commerce requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On October 15, 2020 and October 16, 2020, pursuant to 19 CFR 351.210(e), Wuyi Xilinde Machinery Manufacture Co., Ltd. (Wuyi Xilinde) and Sanjiang Kai Yuan Co. Ltd. (SKY) requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months, respectively.¹² In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) The preliminary determination is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce's final determination will publish no later than 135 days after the date of publication of this preliminary determination.

International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its preliminary determination of sales at LTFV. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of the subject merchandise are materially injuring, or threaten material injury to, the U.S. industry.

¹⁰ For further discussion of the methodology and calculation of these adjustments, see Preliminary Decision Memorandum; see also Memorandum, "Calculation of Export Subsidy Adjustments for the Preliminary Determination," dated concurrently with this notice.

¹¹ See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements); *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020) (*Temporary Rule*); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19: Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

¹² See Wuyi Xilinde's Letter, "Certain Non-Refillable Steel Cylinders from the People's Republic of China: Request to Postpone the Final Determination of the Investigation," dated October 15, 2020; see also SKY's Letter, "Certain Non-Refillable Steel Cylinders from China; A-570-126; Request to Postpone the Final Determination," dated October 16, 2020.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: October 23, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is certain seamed (welded or brazed), non-refillable steel cylinders meeting the requirements of, or produced to meet the requirements of, U.S. Department of Transportation (USDOT) Specification 39, TransportCanada Specification 39M, or United Nations pressure receptacle standard ISO 11118 and otherwise meeting the description provided below (non-refillable steel cylinders). The subject non-refillable steel cylinders are portable and range from 300-cubic inch (4.9 liter) water capacity to 1,526-cubic inch (25 liter) water capacity. Subject non-refillable steel cylinders may be imported with or without a valve and/or pressure release device and unfilled at the time of importation. Non-refillable steel cylinders filled with pressurized air otherwise meeting the physical description above are covered by this investigation.

Specifically excluded are seamless non-refillable steel cylinders.

The merchandise subject to this investigation is properly classified under statistical reporting numbers 7311.00.0060 and 7311.00.0090 of the Harmonized Tariff Schedule of the United States (HTSUS). The merchandise may also enter under HTSUS statistical reporting numbers 7310.29.0025 and 7310.29.0050. Although the HTSUS statistical reporting numbers are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope of Investigation
- V. Scope Comments
- VI. Discussion of the Methodology
- VII. Currency Conversion
- VIII. Adjustment for Countervailable Export Subsidies
- IX. Adjustment Under Section 777A(f) of the Act
- X. Recommendation

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XA512]

Scientific Advisory Subcommittee to the General Advisory Committee and General Advisory Committee to the U.S. Section to the Inter-American Tropical Tuna Commission; Meeting Announcements

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: NMFS announces a combined public meeting of the Scientific Advisory Subcommittee (SAS) to the General Advisory Committee (GAC), and the GAC to the U.S. Section to the Inter-American Tropical Tuna Commission (IATTC). This meeting will be held virtually on November 10, 2020, via webinar. The meeting topics are described under the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: The virtual meeting of the SAS and GAC will be held on November 10, 2020, from 8:30 a.m. to 1 p.m. PST (or until business is concluded).

ADDRESSES: Please notify William Stahnke (see **FOR FURTHER INFORMATION CONTACT**) if you plan to attend the webinar. Instructions will be emailed to meeting participants before the meeting occurs.

FOR FURTHER INFORMATION CONTACT: William Stahnke, West Coast Region, NMFS, at william.stahnke@noaa.gov, or at (562) 980–4088.

SUPPLEMENTARY INFORMATION: On June 18, 2020, NMFS hosted a combined virtual SAS and GAC meeting (85 FR 36562; June 17, 2020), in which NMFS indicated that it would host a second virtual SAS and GAC meeting on a date to be determined later in the year based on scheduling for relevant IATTC meetings. The IATTC Scientific Advisory Committee (SAC) meeting was held on October 26–28, 2020, and the IATTC annual meeting is expected to be held from November 30 to December 4, 2020. As such, NMFS is hosting a second virtual SAS and GAC meeting where priority items such as final stock assessments, tropical tuna management measures, Pacific bluefin tuna measures, observer issues, and other administrative topics will be discussed in light of information presented at the SAC meeting, in advance of the IATTC annual meeting.

In accordance with the Tuna Conventions Act (16 U.S.C. 951 *et seq.*), the U.S. Department of Commerce, in consultation with the Department of State (the State Department), appoints a GAC to the U.S. Section to the IATTC, and a SAS that advises the GAC. The U.S. Section consists of the four U.S. Commissioners to the IATTC and representatives of the State Department, NOAA, Department of Commerce, other U.S. Government agencies, and stakeholders. The GAC advises the U.S. Section with respect to U.S. participation in the work of the IATTC, focusing on the development of U.S. policies, positions, and negotiating tactics. The purpose of the SAS is to advise the GAC on scientific matters. NMFS West Coast Region staff provide administrative support for the SAS and GAC. The meetings of the SAS and GAC are open to the public, unless in executive session. The time and manner of public comment will be at the discretion of the Chairs for the SAS and GAC.

Currently, the 95th meeting of the IATTC and IATTC working group meetings are scheduled to be held, in a virtual format, from November 30 to December 4, 2020. For more information and updates on these meetings, please visit the IATTC's website: <https://www.iattc.org/MeetingsENG.htm>.

SAS and GAC Meeting Topics

As was the case at the prior combined SAS and GAC meeting (85 FR 36562; June 17, 2020), this SAS and GAC meeting will also have a streamlined agenda.

The meeting agenda will include, but is not limited to, the following topics:

- (1) Outcomes of the final 2020 stock assessments and stock status updates for tuna, tuna-like species, and other species caught in association with those fisheries in the eastern Pacific Ocean;
- (2) Evaluation of the IATTC Staff's Recommendations to the Commission for 2020;
- (3) Discussion of tropical tuna management measure, Pacific Bluefin tuna measures, observer issues, and administrative topics;
- (4) Recommendations and evaluations by the SAS and GAC; and
- (5) Other issues as they arise.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to William Stahnke (see **FOR FURTHER INFORMATION CONTACT**). (Authority: 16 U.S.C. 951 *et seq.*)