

Compliance's ACCESS system. Hearing requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Issues addressed at the hearing will be limited to those raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date. Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

#### Notification to Interested Parties

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213 and 351.221(b)(4).

Dated: November 30, 2021.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Intent To Rescind the Administrative Review, in Part
- IV. Non-Selected Rate
- V. Scope of the Order
- VI. Subsidies Valuation Information
- VII. Analysis of Programs
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-825]

#### Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Turkey: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

**SUMMARY:** As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on heavy walled rectangular welded carbon steel pipes and tubes (HWR pipes and tubes) from the Republic of Turkey (Turkey) would be likely to lead to the continuation or recurrence of countervailable subsidies at the levels indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** Applicable December 6, 2021.

**FOR FURTHER INFORMATION CONTACT:** Jaron Moore or Janae Martin, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3640 and (202) 482-0238, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 21, 2016, Commerce published in the *Federal Register* the CVD order on HWR pipes and tubes from Turkey.<sup>1</sup> On August 2, 2021, Commerce initiated the first sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> Commerce received notices of intent to participate from Atlas Tube, a division of Zekelman Industries, Bull Moose Tube Company, Maruichi American Corporation, Nucor Tubular Products Inc.,<sup>3</sup> Searing Industries, and Vest, Inc. (collectively, the domestic interested parties),<sup>4</sup> within

<sup>1</sup> See *Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Final Affirmative Countervailing Duty Determination*, 81 FR 47349 (July 21, 2016); see also *Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 81 FR 62874 (September 13, 2016) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 86 FR 41439 (August 2, 2021).

<sup>3</sup> See Nucor Tubular's Letter, "Notice of Intent to Participate," dated August 17, 2021.

<sup>4</sup> See Atlas Tube, Bull Moose Tube Company, Maruichi American Corporation, Searing Industries,

the deadline specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as manufacturer of the domestic like product.

Commerce received a substantive response from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>5</sup> We received no substantive responses from the Government of Turkey or any other interested parties in this proceeding, nor was a hearing requested.

On September 20, 2021, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.<sup>6</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

#### Scope of the Order

The scope of this *Order* covers HWR pipes and tubes. Imports of merchandise included within the scope of this *Order* are currently classifiable under statistical category 7306.61.1000 of the Harmonized Tariff Schedule of the United States (HTSUS). Imports may also enter under statistical category HTSUS 7306.61.3000. For a complete description of the scope of the *Order*, see the accompanying Issues and Decision Memorandum.<sup>7</sup>

#### Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via the Enforcement and Compliance's Antidumping and Countervailing Duty

and Vest, Inc.'s Letter, "Notice of Intent to Participate in the First Five-Year Review of the Countervailing Duty Order on Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey," dated August 17, 2021.

<sup>5</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Substantive Response to Notice of Initiation," dated September 1, 2021 (Domestic Interested Parties' Substantive Response).

<sup>6</sup> See Commerce's Letter, "Sunset Reviews Initiated on August 2, 2021," dated September 20, 2021.

<sup>7</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Countervailing Duty Order on Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey," dated concurrently with, and hereby adopted by this notice (Issues and Decision Memorandum).

Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <http://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to the continuation or recurrence of countervailable subsidies at the following net countervailable subsidy rates listed below:

Producer/exporter	Net countervailable subsidy (percent)
MMZ Onur Boru Profil Uretim San Ve Tic A.S. ....	9.87
Ozdemir Boru Profil San ve Tic. Ltd Sti .....	14.70
All Others .....	12.36

### Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act, and 19 CFR 351.218.

Dated: November 29, 2021.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, Performing The Non-Exclusive Functions And Duties Of The Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Issues Addressed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of a Countervailable Subsidy
  2. Net Countervailable Subsidy Rates that Are Likely to Prevail

3. Nature of the Subsidies
- VII. Final Results of Review
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–533–898]

### Utility Scale Wind Towers From India: Countervailing Duty Order

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing the countervailing duty order on utility scale wind towers (wind towers) from India.

**DATES:** Applicable December 6, 2021.

**FOR FURTHER INFORMATION CONTACT:** David Crespo or Melissa Kinter, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3693 and (202) 482–1413, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on October 13, 2021, Commerce published its affirmative final determination in the countervailing duty investigation of wind towers from India.<sup>1</sup> On November 29, 2021, the ITC notified Commerce of its affirmative final 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 India.<sup>2</sup>

#### Scope of the Order

The products covered by this order are wind towers from India. For a complete description of the scope of the order, see the appendix to this notice.

#### Countervailing Duty Order

As noted above, on November 29, 2021, in accordance with section 705(d) of the Act, the ITC notified Commerce

of its final determination in this investigation, in which it found that an industry in the United States is materially injured by reason of subsidized imports of wind towers from India.<sup>3</sup> Therefore, in accordance with section 705(c)(2) of the Act, Commerce is issuing this countervailing duty order. Because the ITC determined that imports of wind towers from India are materially injuring a U.S. industry, unliquidated entries of such merchandise from India, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

In accordance with section 706(a) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, countervailing duties for all relevant entries of wind towers from India. With the exception of entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final affirmative injury determination, as further described below, countervailing duties will be assessed on unliquidated entries of wind towers from India entered, or withdrawn from warehouse, for consumption on or after March 25, 2021, the date of publication of the *Preliminary Determination*.<sup>4</sup>

#### Suspension of Liquidation and Cash Deposits

In accordance with section 706 of the Act, Commerce will instruct CBP to reinstitute the suspension of liquidation of wind towers from India, as described in the appendix to this notice, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, and to assess, upon further instruction by Commerce, 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 below. On or after the date of publication of the ITC's final injury determination in the **Federal Register**, CBP must require, at the same time as importers would deposit estimated normal customs duties on this merchandise, a cash deposit equal to the rates listed in the table below. The all-others rate applies to all producers or exporters not specifically listed, as appropriate.

<sup>3</sup> *Id.*

<sup>1</sup> See *Utility Scale Wind Towers from India: Final Affirmative Countervailing Duty Determination*, 86 FR 56896 (October 13, 2021).

<sup>2</sup> See ITC Letter, "Notification of ITC Final Determination," dated November 29, 2021.

<sup>4</sup> See *Utility Scale Wind Towers from India: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 86 FR 15897 (March 25, 2021) (*Preliminary Determination*).