

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Dated: June 5, 2013.

**Michael DeVillo,**  
Eligibility Examiner.

[FR Doc. 2013-13766 Filed 6-10-13; 8:45 am]

**BILLING CODE 3510-WH-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[S-87-2013]

#### **Foreign-Trade Zone 262—Southaven, Mississippi; Application for Subzone; Milwaukee Electric Tool Corporation; Olive Branch, Greenwood and Jackson, Mississippi**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by Northern Mississippi FTZ, Inc., grantee of FTZ 262, requesting special-purpose subzone status for the facilities of Milwaukee Electric Tool Corporation (METCO) located in Olive Branch, Greenwood and Jackson, Mississippi. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on June 5, 2013.

The proposed subzone would consist of the following sites: *Site 1* (39 acres)—Olive Branch Distribution/Kitting Facility, 12385 Crossroads Drive, Olive Branch (DeSoto County); *Site 2* (16 acres)—Greenwood Manufacturing Facility, 1003 Sycamore Street, Greenwood (Leflore County); and, *Site 3* (12 acres)—Jackson Manufacturing Facility, 4355 Milwaukee Street, Jackson (Hinds County). A notification of proposed production activity has been docketed (B-22-2013). The proposed subzone would be subject to the existing activation limit of FTZ 262.

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ

Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is July 22, 2013. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to August 5, 2013.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the "Reading Room" section of the FTZ Board's Web site, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Camille Evans at [Camille.Evans@trade.gov](mailto:Camille.Evans@trade.gov) or (202) 482-2350.

Dated: June 5, 2013.

**Andrew McGilvray,**  
Executive Secretary.

[FR Doc. 2013-13868 Filed 6-10-13; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-967; C-570-968]

#### **Aluminum Extrusions From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision**

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

**SUMMARY:** On May 23, 2013, the United States Court of International Trade (CIT) sustained the Department of Commerce's (the Department's) final results of remand redetermination in which it determined that certain drapery rail kits are outside of the scope of the antidumping (AD) and countervailing duty (CVD) orders on aluminum extrusions,<sup>1</sup> pursuant to the CIT's remand order in *The Rowley Company v. United States Court No. 12-00055* (Ct. Int'l Trade November 30,

2012) (*Remand Order*). See Final Results of Redetermination Pursuant to Court Remand *Rowley Company v. United States Court No. 12-00055* (February 27, 2013) (*Remand Results*). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's Final Scope Ruling on Drapery Rail Kits<sup>2</sup> and is amending its final scope ruling.

**DATES:** *Effective Date:* June 3, 2013.

#### **FOR FURTHER INFORMATION CONTACT:**

James Terpstra, AD/CVD Operations, Office 8, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC, 20230; telephone (202) 482-3965.

#### **SUPPLEMENTARY INFORMATION**

##### **Background**

On November 16, 2011, the Rowley Company (Rowley) submitted a scope request claiming that certain drapery rail kits which it imports are outside the scope of the *Orders*. The Department issued its Final Scope Ruling on Drapery Rail Kits on February 3, 2012; in that ruling, the Department determined that certain drapery rail kits are within the scope of the *Orders*.

On August 10, 2012, Rowley filed its brief with the Court. On October 19, 2012, the Department asked the Court to grant it a voluntary remand that would allow it to re-examine the determination it reached in its Final Scope Ruling on Drapery Rail Kits. On November 30, 2012, the Court granted the Department's request for a voluntary remand. In the *Remand Results*, we found that the drapery rail kits described in the Scope Request constituted "finished goods kits" as described in the scope of the *Orders*, and, thus, fall outside the scope. The Department found that the drapery rail kits are designed to incorporate readily interchangeable drapes or curtains that can change with users' needs and are intended to be customizable. On May 23, 2013, the CIT sustained the Department's *Remand Results*.<sup>3</sup>

<sup>2</sup> See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Final Scope Ruling on Drapery Rail Kits" (February 3, 2012) (Final Scope Ruling on Drapery Rail Kits).

<sup>3</sup> See *Remand Order*.

<sup>1</sup> See *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011) and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011) (*Orders*).

*Timken Notice*

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s May 23, 2013, judgment in this case constitutes a final decision of that court that is not in harmony with the Department’s Final Scope Ruling on Drapery Rail Kits. This notice is published in fulfillment of the publication requirements of *Timken*.

*Amended Final Scope Ruling*

Because there is now a final court decision with respect to this case, the Department amends its final scope ruling and now finds that the scope of the *Orders* does not include Rowley’s drapery rail kits. The Department will instruct U.S. Customs and Border Protection (CBP) that the cash deposit rate will be zero percent. In the event the CIT’s ruling is not appealed or, if appealed, upheld by the Federal Circuit, the Department will instruct CBP to liquidate entries of Rowley’s drapery rail kits without regard to antidumping and/or countervailing duties, and to lift suspension of liquidation of such entries.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: June 5, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

[FR Doc. 2013–13875 Filed 6–10–13; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A–570–601]

**Tapered Roller Bearings and Parts Thereof, Finished and Unfinished From the People’s Republic of China: Rescission, in Part, of Antidumping Duty Administrative Review**

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

**DATES:** *Effective Date:* June 11, 2013.

**FOR FURTHER INFORMATION CONTACT:** Blaine Wiltse, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th

Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6345.

**Background**

On June 1, 2012, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished (TRBs) from the People’s Republic of China (PRC) covering the period June 1, 2011, through May 31, 2012.<sup>1</sup> The Department received a timely request for an antidumping duty administrative review from the petitioner, The Timken Company, for the following companies: (1) Changshan Peer Bearing Company (CPZ/SKF); (2) Ningbo General Bearing Co., Ltd. (NGBC); and (3) Shanghai General Bearing—Ningbo Plant (SGBN). The Department also received timely requests for an antidumping duty administrative review from the following interested parties as defined by section 771(9)(A) of the Tariff Act of 1930, as amended (the Act): (1) CPZ/SKF; (2) Dana Heavy Axle S.A. de C.V. (Dana Heavy Axle); (3) Xinchang Kaiyuan Automotive Bearing Co., Ltd. (Kaiyuan); (4) Zhejiang Sihe Machine Co., Ltd. (Sihe); and (5) Zhejiang Zhaofeng Mechanical and Electronic Co., Ltd. (Zhaofeng). Finally, the Department also received a timely request for an antidumping duty administrative review from the interested party, as defined by section 771(9)(A) of the Act, as amended, Dana Off Highway Products, LLC, for the company Timken de Mexico S.A. de C.V. (Timken Mexico). On July 31, 2012, the Department published a notice of initiation<sup>2</sup> of administrative review with respect to these eight companies.<sup>3</sup>

In September 2012, we received comments<sup>4</sup> from Shanghai General

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 77 FR 32528 (June 1, 2012).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 45338, 45340 (July 31, 2012) (*Initiation Notice*).

<sup>3</sup> The Department conducts reviews of producers/exporters, not factories of producers/exporters in isolation. See 19 CFR 351.213(b)(1). Therefore, we initiated a review on Shanghai General Bearing (SGB), the entity which we believed to be SGBN’s parent company. See *Initiation Notice*, 77 FR at 45340.

<sup>4</sup> For a full discussion of parties’ comments on the question of SGBN, see the “Decision Memorandum for the Rescission, in Part, of Antidumping Duty Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished from the People’s Republic of China,” (SGBN Final Rescission Memo) from The Team, to Christian Marsh, Deputy Assistant Secretary for Antidumping

Bearing Co., Ltd. (SGBC), a PRC producer/exporter revoked from the antidumping duty order on TRBs,<sup>5</sup> requesting that the Department rescind the review with respect to SGB because it was simply a division of SGBC (and thus entitled to SGBC’s revocation). In this same month, the petitioner requested that the Department conduct a successor-in-interest analysis to determine if SGBN is in fact entitled to SGBC’s revocation because the petitioner claimed that there existed questions regarding when and how SGBN came into existence.

In October 2012, we received arguments from SGBC and the petitioner as to the appropriate disposition of the review for SGB and SGBN. Also in October 2012, Kaiyuan withdrew its request for an administrative review.

On March 25, 2013, we notified parties of our intent to rescind the review for SGB/SGBN and provided parties an opportunity to comment on this preliminary rescission.<sup>6</sup> In April 2013, we received comments from the petitioner and SGBC.

**Rescission, In Part**

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party that requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Kaiyuan’s request was submitted within the 90-day period and, thus, is timely. Because Kaiyuan previously established its entitlement to a separate rate that was in effect at the initiation of this administrative review, Kaiyuan’s withdrawal of request for an antidumping duty administrative review was timely, and no other party requested a review of this company, we are rescinding this administrative review with respect to Kaiyuan.

Regarding SGB, in 1997, the Department revoked the antidumping duty order on TRBs from the PRC with respect to merchandise produced and exported by SGBC. See *SGBC Revocation FR*. After receiving and analyzing extensive comments from the

and Countervailing Duty Operations, dated concurrently with this notice.

<sup>5</sup> See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People’s Republic of China; Final Results of Antidumping Duty Administrative Review and Revocation in Part of Antidumping Duty Order*, 62 FR 6189, 6214 (Feb. 11, 1997) (*SGBC Revocation FR*).

<sup>6</sup> See the memorandum to James Maeder, Director, Office 2, AD/CVD Operations, from Blaine Wiltse, Senior Analyst, Office 2, AD/CVD Operations, entitled, “2011–2012 Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished from the People’s Republic of China: Intent to Rescind Administrative Review,” dated March 25, 2013, at 3.