

claimed interested party status under section 771(9)(E) of the Act, as a trade or business association a majority of whose members manufacture, produce, or wholesale a domestic like product in the United States and stated that each member of the Committee is a manufacturer of the domestic like product and thus, is a domestic interested party pursuant to section 771(9)(C) of the Act.<sup>4</sup>

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

On May 21, 2021, Commerce notified the U.S. International Trade Commission 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 PRCBs. Imports of merchandise included within the scope of this *Order* are currently classifiable under statistical category 3923.21.0085 of the Harmonized Tariff Schedule of the United States. 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

Polyethylene Retail Carrier Bags from Vietnam: Domestic Industry Notice Of Intent To Participate In Sunset Review," dated April 9, 2021.

<sup>4</sup> *Id.* The individual members of the Committee are Hilex Poly Co., LLC and Superbag LLC.

<sup>5</sup> See Committee's Letter, "Five-Year (Sunset) Review of the Countervailing Duty Order On Polyethylene Retail Carrier Bags from Vietnam: Domestic Industry Substantive Response," dated April 28, 2021.

<sup>6</sup> See Commerce's Letter, "Sunset Reviews for April 2021," dated May 21, 2021.

<sup>7</sup> See Memorandum, "Issues and Decision Memorandum for the Expedited Second Sunset Review of the Countervailing Duty Order on Polyethylene Retail Carrier Bags from the Socialist Republic of Vietnam," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Antidumping and Countervailing Duty 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 directly on the internet at <http://enforcement.trade.gov/frn/>.

### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, we determine that revocation of the CVD order on PRCBs from Vietnam would be likely to lead to continuation or recurrence of countervailable subsidies at the following rates:

| Producer/exporter                                                     | Net countervailable subsidy (percent) |
|-----------------------------------------------------------------------|---------------------------------------|
| Advance Polybag Co., Ltd ...                                          | 52.56                                 |
| Fotai Vietnam Enterprise Corp. and Fotai Enterprise Corporation ..... | 5.28                                  |
| All Others .....                                                      | 5.28                                  |

### 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 final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act, and 19 CFR 351.218.

Dated: July 23, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

### Appendix—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. History of the Order
- IV. Scope 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 Likely To Prevail
  3. Nature of the Subsidies
- VII. Final Results of Sunset Review

### VIII. Recommendation

[FR Doc. 2021–16961 Filed 8–9–21; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–943, C–570–944]

### Oil Country Tubular Goods From the People's Republic of China: Preliminary Affirmative Determinations of Circumvention

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that imports of welded oil country tubular goods (OCTG) completed in Brunei or the Philippines using inputs manufactured in the People's Republic of China (China) are circumventing the antidumping and countervailing duty orders on OCTG from China.

**DATES:** Applicable August 10, 2021.

**FOR FURTHER INFORMATION CONTACT:** Yang Jin Chun or John Drury, AD/CVD Operations Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5760 and (202) 482–0195, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On November 3, 2020, Commerce self-initiated these anti-circumvention inquiries to determine whether certain imports of welded OCTG completed in Brunei or the Philippines using inputs manufactured in China are circumventing the antidumping and countervailing duty orders on OCTG from China.<sup>1</sup>

#### Scope of the Orders

The products covered by the orders are certain OCTG, which are hollow steel products of circular cross-section, including oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, regardless of end finish. A full description of the scope of the orders is contained in the Preliminary Decision

<sup>1</sup> See *Oil Country Tubular Goods from the People's Republic of China: Self-Initiation of Anti-Circumvention Inquiries on the Antidumping Duty and Countervailing Duty Orders*, 85 FR 71877 (November 12, 2020).

Memorandum.<sup>2</sup> The written description is dispositive.

### Scope of the Anti-Circumvention Inquiries

These anti-circumvention inquiries cover welded OCTG completed in Brunei or the Philippines using inputs manufactured in China and subsequently exported from Brunei or the Philippines to the United States.

### Methodology

Commerce is conducting these anti-circumvention inquiries in accordance with section 781(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.225(h). Because China is a non-market economy country within the meaning of section 771(18) of the Act, Commerce relied on surrogate values to value the purchases of Chinese hot-rolled steel, as discussed in section 773(c) of the Act. For a complete description of the events that followed the initiation of these anti-circumvention inquiries, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an Appendix 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/>.

### Preliminary Determinations

As detailed in the Preliminary Decision Memorandum, Commerce preliminarily determines that welded OCTG assembled or completed in Brunei or the Philippines using inputs manufactured in China and subsequently exported from Brunei or the Philippines to the United States are circumventing the antidumping and countervailing duty orders on OCTG from China. We therefore preliminarily determine that it is appropriate to include this merchandise within the antidumping and countervailing duty orders on OCTG from China and to instruct U.S. Customs and Border Protection (CBP) to suspend entries of merchandise produced using Chinese

inputs in a third country, *i.e.*, Brunei or the Philippines, and exported to the United States.

### Suspension of Liquidation

As stated above, Commerce has made preliminary affirmative findings of circumvention of the antidumping and countervailing duty orders on OCTG from China for welded OCTG completed in Brunei or the Philippines using inputs manufactured in China and subsequently exported from Brunei or the Philippines to the United States. These preliminary circumvention findings apply to welded OCTG assembled or completed in Brunei or the Philippines using inputs manufactured in China and subsequently exported from Brunei or the Philippines to the United States. In accordance with section 19 CFR 351.225(l)(2), Commerce will direct CBP to suspend liquidation and to require a cash deposit of estimated duties on unliquidated entries of welded OCTG completed in Brunei or the Philippines using inputs manufactured in China, subsequently exported from Brunei or the Philippines to the United States, and entered, or withdrawn from warehouse, for consumption on or after November 3, 2020, the date of initiation of these anti-circumvention inquiries. The suspension of liquidation will remain in effect until further notice. For entries of such merchandise produced in Brunei or the Philippines, Commerce will instruct CBP to require antidumping duty cash deposits equal to the rate established for the China-wide entity, *i.e.*, 99.14 percent,<sup>3</sup> and countervailing duty cash deposits equal to the current all-others rate, *i.e.*, 27.08 percent.<sup>4</sup>

Welded OCTG assembled or completed in Brunei or the Philippines using non-Chinese inputs is not subject to these anti-circumvention inquiries. However, because the mandatory respondents are unable to track welded OCTG to the country of origin of inputs used in the production of welded OCTG,<sup>5</sup> Commerce will not implement a certification process at this preliminary stage, and Commerce will require cash deposits on all entries of

welded OCTG from Brunei and the Philippines.<sup>6</sup> However, we intend to implement a certification process in the future for any companies that may be established in Brunei or the Philippines, and we plan to issue draft certifications shortly after these preliminary determinations of circumvention. With respect to the mandatory respondents, Commerce will reconsider eligibility to participate in a certification process if a party demonstrates in a future segment of the proceeding (*i.e.*, a changed circumstances review or an administrative review) that the OCTG being entered into the United States that it produces is not produced using Chinese inputs. Interested parties are invited to comment on this issue in their case briefs.

### Public Comment

Commerce intends to disclose the analysis used in these preliminary findings within five days of publication of this notice. Interested parties are invited to comment on the preliminary determinations of these anti-circumvention inquiries. Pursuant to 19 CFR 351.309(b)(2), interested parties may submit case briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may not be filed later than seven days after the time limit for filing case briefs.<sup>7</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case or rebuttal briefs in these anti-circumvention inquiries 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, 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

<sup>3</sup> See *Oil Country Tubular Goods from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*; 2017–2018, 84 FR 32125, 32126 (July 5, 2019).

<sup>4</sup> See *Oil Country Tubular Goods from the People's Republic of China: Notice of Court Decision Not in Harmony With the Amended Final Determination of the Countervailing Duty Investigation*, 82 FR 25770 (June 5, 2017).

<sup>5</sup> See, e.g., HLDS (B) Steel Sdn. Bhd.'s Letter, "HLDSB Initial Questionnaire Response," dated March 16, 2021 at 25; and HLD Clark Steel Pipe Co., Inc.'s Letter, "HLD Clark Initial Questionnaire Response," dated March 16, 2021 at 26.

<sup>6</sup> See, e.g., *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Determination of Anti-Circumvention Inquiry*, 84 FR 33920, 33921 (July 16, 2019).

<sup>7</sup> 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); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19: Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>2</sup> See Memorandum, "Oil Country Tubular Goods from the People's Republic of China: Decision Memorandum for Preliminary Affirmative Determinations of Circumvention," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum) at 3.

the date and time of the hearing two days before the scheduled date of the hearing.

### International Trade Commission Notification

Consistent with section 781(e) of the Act, Commerce will notify the International Trade Commission (ITC) of these preliminary determinations to include the merchandise subject to these anti-circumvention inquiries within the antidumping and countervailing duty orders on OCTG from China. Pursuant to section 781(e) of the Act, the ITC may request consultations concerning Commerce's proposed inclusion of the subject merchandise. If, after consultations, the ITC believes that a significant injury issue is presented by the proposed inclusion, it will have 60 days from the date of notification by Commerce to provide written advice.

### Final Determinations

According to section 781(f) of the Act, Commerce shall, to the maximum extent practicable, make its anti-circumvention determination within 300 days from the date of the initiation of the inquiry.<sup>8</sup> Due to the complicated nature of these anti-circumvention inquiries, we are hereby extending the deadline for the final determinations of these anti-circumvention inquiries by 50 days. Therefore, Commerce intends to issue the final determinations of these anti-circumvention inquiries to October 28, 2021.

These preliminary affirmative circumvention determinations are published in accordance with section 781(b) of the Act and 19 CFR 351.225(f).

Dated: August 4, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix

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

- I. Summary
- II. Background
- III. Scope of the Orders

- IV. Scope of the Anti-Circumvention Inquiries
- V. The Period of Inquiries
- VI. Surrogate Country and Valuation Methodology for Inputs From China
- VII. Statutory Framework
- VIII. Statutory Analysis
- IX. Other Statutory Criteria
- X. Summary of Statutory Analysis
- XI. Country-Wide Determinations
- XII. Recommendation

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XB289]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Notice, Issuance of 14 Enhancement of Survival Permits.

**SUMMARY:** Notice is hereby given that NMFS has issued 14 enhancement of survival permits (Permit Numbers 23271, 23276, 23278, 23279, 23280, 23284, 23285, 23286, 23287, 23288, 23289, 23290, 23291, 23434) for enhancement and monitoring purposes associated with the Template Safe Harbor Agreement for Conservation of Coho Salmon in the Shasta River (Agreement) and associated Site Plans Agreements developed for the enrolled properties.

**ADDRESSES:** The Agreement, Site Plan Agreements, permits, and supporting documents are available upon written request or by appointment: California Coastal Office, NMFS WCR, 1655 Heindon Road, Arcata, California 95521, ph: 707-825-5171, fax: 707-825-4840.

**FOR FURTHER INFORMATION CONTACT:** Jim Simondet, Arcata, California (ph: 707-825-5171, email: [jim.simondet@noaa.gov](mailto:jim.simondet@noaa.gov)).

**SUPPLEMENTARY INFORMATION:** The issuance of permits under the Endangered Species Act of 1973 (ESA)(16 U.S.C. 1531-1543) is based on a finding that such permits: (1) Are applied for in good faith; (2) would not operate to the disadvantage of the ESA-listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits are issued in accordance with and are subject to the ESA and NMFS regulations (50 CFR parts 222-226) governing listed marine and anadromous species.

#### Species Covered in This Notice

The following listed species is covered in this notice:

Threatened Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*; covered species).

#### Permits Issued

Twelve permittees have been issued enhancement of survival permits upon entry into the Agreement, which was developed by NMFS, California Department of Fish and Wildlife (CDFW), the Shasta Watershed Conservation Group (SWCG), and the permittees (Table 1). The 12 permittees (Table 1) each developed site plan agreements for their respective properties (*i.e.*, Enrolled Properties) that describe management activities that will be implemented, including Beneficial Management Activities (BMAs), as defined in the Agreement. The Site Plan Agreements, Agreement, and enhancement of survival permits are expected to promote the recovery of the covered species on enrolled properties within the Shasta River watershed in the Agreement area (see Figure 1 in the Agreement). The Shasta River is a tributary to the Klamath River and is in Siskiyou County, California. The duration of the Agreement and the associated enhancement of survival permits is 20 years.

TABLE 1—PERMITTEE, PERMIT NUMBER, AND ENROLLED PROPERTIES AFFILIATED WITH THE AGREEMENT

| Permittee                                   | Permit number | Enrolled property                                                       | Expiration date    |
|---------------------------------------------|---------------|-------------------------------------------------------------------------|--------------------|
| Outpost North Annex .....                   | 23271         | Belcampo-North Annex Property, 8030 Siskiyou Blvd., Gre-nada, CA 96038. | February 24, 2041. |
| California Department of Fish and Wildlife. | 23276         | Big Springs Ranch Wildlife Area, 41° 35'44.76 N 122°27' 31.52 W.        | February 25, 2041. |
| Cardoza Ranch .....                         | 23278         | Cardoza Ranch, 3710 East Louie Road, Montague, CA 96064.                | February 24, 2041. |

<sup>8</sup> See also 19 CFR 351.225(f)(iii)(5) (explaining that Commerce will issue a final anticircumvention

ruling "normally within 300 days from the date of the initiation of the. . . inquiry").