

- E. Short-Term Pre-Shipment Rediscount Program.
- F. Law 5084: Withholding of Income Tax on Wages and Salaries.
- G. Law 5084: Incentive for Employers' Share in Insurance Premiums.
- H. Law 5084: Allocation of Free Land.
- I. Law 5084: Energy Support.
- J. OIZ: Exemption from Property Tax.

## II. Programs Determined To not Confer Countervailable Benefits

- A. Inward Processing Certificate Exemption.
- B. Investment Encouragement Program (IEP): Customs Duty Exemptions.

## III. Programs Determined To not Be Used

- A. Post-Shipment Export Loans.
- B. Export Credit Bank of Turkey Buyer Credits.
- C. Subsidized Turkish Lira Credit Facilities.
- D. Subsidized Credit for Proportion of Fixed Expenditures.
- E. Subsidized Credit in Foreign Currency.
- F. Regional Subsidies.
- G. VAT Support Program (Incentive Premium on Domestically Obtained Goods).
- H. IEP: VAT Exemptions.
- I. IEP: Reductions in Corporate Taxes.
- J. IEP: Interest Support.
- K. IEP: Social Security Premium Support.
- L. IEP: Land Allocation.
- M. National Restructuring Program.
- N. Regional Incentive Scheme: Reduced Corporate Tax Rates.
- O. Regional Incentive Scheme: Social Security Premium Contribution for Employees.
- P. Regional Incentive Scheme: Allocation of State Land.
- Q. Regional Incentive Scheme: Interest Support.
- R. OIZ: Waste Water Charges.
- S. OIZ: Exemptions From Customs Duties, VAT, and Payments for Public Housing Fund, for Investments for Which an Income Certificate Is Received.
- T. OIZ: Credits for Research and Development Investments, Environmental Investments, Certain Technology Investments, Certain "Regional Development" Investments, and Investments Moved From Developed Regions to "Regions of Special Purpose".
- U. Provision of Buildings and Land Use Rights for Less Than Adequate Remuneration Under the Free Zones Law.
- V. Corporate Income Tax Exemption Under the Free Zones Law.
- W. Stamp Duties and Fees Exemptions Under the Free Zones Law.
- X. Customs Duties Exemptions Under the Free Zones Law.
- Y. Value-Added Tax Exemptions Under the Free Zones Law.
- Z. OIZ: Exemption From Building and Construction Charges.
- AA. OIZ: Exemption From Amalgamation and Allotment Transaction Charges.

## Analysis of Comments

### Borusan

Comment 1: Whether the Department Should Grant an Offset to the Gross Subsidy

Found on Turkish Eximbank Loans for the Bank Guarantee Fees.

### Toscelik

Comment 2: Whether the Denominator for Benefits at the Osmaniye Plant Should Include Sale of Billets.

Comment 3: Whether the GOT's Energy Subsidies Under Law 5084 Were Properly Attributed to the Subject Merchandise.

Comment 4: Whether the Benchmark Price Used to Calculate Toscelik's Benefit from the Provision of Land for Less Than Adequate Remuneration in the Organized Industrial Zone (OIZ) Should be Revised.

Comment 5: Whether the Department Correctly Attributed Subsidies Received by Toscelik in the OIZ to Subject Merchandise and Should Continue To Do So in the Final Results.

[FR Doc. 2012-19168 Filed 8-3-12; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-580-869]

### Large Residential Washers From the Republic of Korea: Amendment to the Scope of the Countervailing Duty Investigation

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

**SUMMARY:** The Department of Commerce (the Department) is amending the scope of the countervailing duty (CVD) investigation of large residential washers (washing machines) from the Republic of Korea (Korea) to exclude top-load washing machines with a vertical rotational axis and a rated capacity of less than 3.70 cubic feet.

**DATES:** *Effective Date:* July 27, 2012.

**FOR FURTHER INFORMATION CONTACT:** Justin Neuman or Milton Koch, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0486 and (202) 482-2584, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On January 19, 2012, the Department initiated the CVD investigation of washing machines from Korea.<sup>1</sup> On May 29, 2012, the Department issued its affirmative preliminary determination.<sup>2</sup>

<sup>1</sup> See *Large Residential Washers From the Republic of Korea: Initiation of Countervailing Duty Investigation*, 77 FR 4279 (January 27, 2012) (*Initiation Notice*).

<sup>2</sup> See *Large Residential Washers From the Republic of Korea: Preliminary Affirmative*

In accordance with the preamble to the Department's regulations,<sup>3</sup> in our *Initiation Notice* the Department set aside a period of time for parties to raise issues regarding product coverage, and encouraged all parties to submit comments within 20 calendar days of publication of the *Initiation Notice*. No interested party submitted comments during that period. However, on May 17, 2012, the petitioner, Whirlpool Corporation, requested that the Department exclude automatic washing machines with a vertical rotational axis and a rated capacity of less than 3.70 cubic feet from the scope of this and the concurrent antidumping duty (AD) investigations of washing machines from Mexico and Korea. Subsequently, the Department received comments from respondents Samsung Electronics Co., Ltd. (Samsung) on May 23, 2012, and from LG Electronics, Inc. on May 24, 2012, objecting to the petitioner's scope exclusion request. On June 21, 2012, the Department contacted U.S. Customs and Border Protection (CBP) seeking its input on whether the petitioner's proposed scope exclusion request, if granted by the Department, would be enforceable by CBP.<sup>4</sup> On July 11, 2012, General Electric Company (GE), a domestic producer and importer of washing machines, filed comments on the record of the AD investigation of washing machines from Korea in support of the petitioner's scope exclusion request. GE's comments were placed on the record of this CVD investigation on July 18, 2012. Also on July 18, Staber Industries, Inc., a domestic producer of washing machines, filed comments in support of the petitioner's scope exclusion request.

Based on the comments received from the interested parties and information provided by CBP, the Department is amending the scope of the investigations to exclude top-load washing machines with a vertical rotational axis and a rated capacity of less than 3.70 cubic feet.<sup>5</sup> Section

*Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Determination*, 77 FR 33181 (June 5, 2012) (*Preliminary Determination*).

<sup>3</sup> See *Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

<sup>4</sup> See Memorandum from Brandon Custard to The File, "Exchange with CBP Regarding Petitioner's Scope Exclusion Request," dated June 21, 2012.

<sup>5</sup> See *Large Residential Washers from Mexico: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, and *Large Residential Washers from the Republic of Korea: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, signed July 27, 2012 (not yet published), for the scope amendments in the concurrent AD washing machine investigations.

702(b)(1) of the Tariff Act of 1930 (as amended) (the Act), states that a “petition may be amended at such time, and upon such conditions, as the administering authority \* \* \* may permit.” In making a request to amend the scope of the investigations, the petitioner is essentially asking for the Department to amend the petition. It is, therefore, within the Department’s authority to permit such an amendment.<sup>6</sup> Further, it is the Department’s practice to provide ample deference to the petitioner with respect to the merchandise from which it intends to seek relief.<sup>7</sup>

### Amended Scope of the Investigation

The product covered by this investigation is all large residential washers and certain subassemblies thereof from Korea.

For purposes of this investigation, the term “large residential washers” denotes all automatic clothes washing machines, regardless of the orientation of the rotational axis, except as noted below, with a cabinet width (measured from its widest point) of at least 24.5 inches (62.23 cm) and no more than 32.0 inches (81.28 cm).

Also covered are certain subassemblies used in large residential washers, namely: (1) All assembled cabinets designed for use in large residential washers which incorporate, at a minimum: (a) At least three of the six cabinet surfaces; and (b) a bracket; (2) all assembled tubs<sup>8</sup> designed for use in large residential washers which incorporate, at a minimum: (a) A tub; and (b) a seal; (3) all assembled baskets<sup>9</sup> designed for use in large residential washers which incorporate, at a minimum: (a) a side wrapper;<sup>10</sup> (b) a base; and (c) a drive hub;<sup>11</sup> and (4) any combination of the foregoing subassemblies.

Excluded from the scope are stacked washer-dryers and commercial washers. The term “stacked washer-dryers” denotes distinct washing and drying machines that are built on a unitary

frame and share a common console that controls both the washer and the dryer. The term “commercial washer” denotes an automatic clothes washing machine designed for the “pay per use” market meeting either of the following two definitions:

(1)(a) It contains payment system electronics;<sup>12</sup> (b) it is configured with an externally mounted steel frame at least six inches high that is designed to house a coin/token operated payment system (whether or not the actual coin/token operated payment system is installed at the time of importation); (c) it contains a push button user interface with a maximum of six manually selectable wash cycle settings, with no ability of the end user to otherwise modify water temperature, water level, or spin speed for a selected wash cycle setting; and (d) the console containing the user interface is made of steel and is assembled with security fasteners;<sup>13</sup> or

(2)(a) It contains payment system electronics; (b) the payment system electronics are enabled (whether or not the payment acceptance device has been installed at the time of importation) such that, in normal operation,<sup>14</sup> the unit cannot begin a wash cycle without first receiving a signal from a *bona fide* payment acceptance device such as an electronic credit card reader; (c) it contains a push button user interface with a maximum of six manually selectable wash cycle settings, with no ability of the end user to otherwise modify water temperature, water level, or spin speed for a selected wash cycle setting; and (d) the console containing the user interface is made of steel and is assembled with security fasteners.

Also excluded from the scope are automatic clothes washing machines with a vertical rotational axis and a rated capacity of less than 3.70 cubic feet, as certified to the U.S. Department of Energy pursuant to 10 CFR 429.12 and 10 CFR 429.20, and in accordance with the test procedures established in 10 CFR part 430.

The products subject to this investigation are currently classifiable

under subheading 450.20.0090 of the Harmonized Tariff System of the United States (HTSUS). Products subject to this investigation may also enter under HTSUS subheadings 8450.11.0040, 8450.11.0080, 8450.90.2000, and 8450.90.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this scope is dispositive.

### Suspension of Liquidation

As noted in the *Preliminary Determination*, sections 703(d)(1)(B) and (2) of the Act require the Department, upon making an affirmative preliminary determination, to direct CBP to suspend liquidation of all entries of the subject merchandise from Korea, other than those exported by companies with a *de minimis ad valorem* subsidy rate, that are entered, or withdrawn from warehouse, for consumption on or after the publication date of the preliminary determination in the **Federal Register**, and to require a cash deposit for such entries of the merchandise in the amounts of the calculated subsidy rates or all-others rate, as appropriate.<sup>15</sup> Because the scope of this investigation is being amended, the Department will direct CBP to suspend liquidation of entries of the subject merchandise from Korea using the amended scope language.

### Public Comment

Interested parties who wish to comment on the amended scope language should do so when submitting case briefs. As noted in the *Preliminary Determination*, the Department will notify parties of the schedule for submitting case briefs and rebuttal briefs, in accordance with 19 CFR 351.309(c) and 19 CFR 351.309(d)(1), respectively. A list of authorities relied upon, a table of contents, and an executive summary of issues should accompany any briefs submitted to the Department. Executive summaries should be limited to five pages total, including footnotes. Based on timely requests by the petitioner and Samsung, the Department intends to hold a public hearing to afford interested parties an opportunity to discuss the arguments raised in case or rebuttal briefs. The Department will notify all parties regarding the scheduling of the public hearing, which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW.,

<sup>15</sup> See *Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations*, 76 FR 61042 (October 3, 2011).

<sup>6</sup> See section 702(b)(1) of the Act.

<sup>7</sup> See “Memorandum from The Team to Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations: Exclusion of Top-Load Washing Machines with a Rated Capacity Less than 3.70 Cubic Feet from the Scope of the Investigations,” dated July 27, 2012, for further discussion.

<sup>8</sup> A “tub” is the part of the washer designed to hold water.

<sup>9</sup> A “basket” (sometimes referred to as a “drum”) is the part of the washer designed to hold clothing or other fabrics.

<sup>10</sup> A “side wrapper” is the cylindrical part of the basket that actually holds the clothing or other fabrics.

<sup>11</sup> A “drive hub” is the hub at the center of the base that bears the load from the motor.

<sup>12</sup> “Payment system electronics” denotes a circuit board designed to receive signals from a payment acceptance device and to display payment amount, selected settings, and cycle status. Such electronics also capture cycles and payment history and provide for transmission to a reader.

<sup>13</sup> A “security fastener” is a screw with a non-standard head that requires a non-standard driver. Examples include those with a pin in the center of the head as a “center pin reject” feature to prevent standard Allen wrenches or Torx drivers from working.

<sup>14</sup> “Normal operation” refers to the operating mode(s) available to end users (i.e., not a mode designed for testing or repair by a technician).

Washington, DC 20230. Parties should confirm, by telephone, the date, time, and place of the hearing 48 hours before the scheduled time.

This notice is issued pursuant to 777(i) of the Act.

Dated: July 31, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

[FR Doc. 2012-19152 Filed 8-3-12; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 10-3A001]

#### Export Trade Certificate of Review

**ACTION:** Notice of Application (10-3A001) To Amend the Export Trade Certificate of Review Issued to Alaska Longline Cod Commission ("ALCC"), Application No. 10-3A001.

**SUMMARY:** The Office of Competition and Economic Analysis ("OCEA") of the International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review ("Certificate"). This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** Joseph Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should

be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-X, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 10-3A001."

ALCC's original Certificate was issued on May 13, 2010 (75 FR 29514, May 26, 2010). A summary of the current application for an amendment follows.

#### Summary of the Application

**Applicant:** Alaska Longline Cod Commission ("ALCC"), 271 Wyatt Way NE., Suite 106, Bainbridge Island, WA, 98110.

**Contact:** Duncan R. McIntosh, Attorney, Telephone: (206) 624-5950.

**Application No.:** 10-3A001.

**Date Deemed Submitted:** July 18, 2012.

**Proposed Amendment:** ALCC seeks to amend its Certificate to:

1. Add Glacier Bay Fisheries LLC as Member of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)).

Dated: July 26, 2012.

**Joseph E. Flynn,**

*Director, Office of Competition and Economic Analysis.*

[FR Doc. 2012-19117 Filed 8-3-12; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-984]

#### Drawn Stainless Steel Sinks From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce ("Department") preliminarily determines that countervailable subsidies are being provided to producers and exporters of drawn stainless steel sinks ("SS sinks") from the People's Republic of China ("PRC"). For information on the estimated subsidy rates, see the "Suspension of Liquidation" section of this notice.

**DATES:** *Effective Date:* August 6, 2012.

**FOR FURTHER INFORMATION CONTACT:** Shane Subler or Hermes Pinilla, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0189 or (202) 482-3477, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Case History

The following events have occurred since the publication of the notice of initiation in the **Federal Register**.<sup>1</sup>

On April 20, 2012, the U.S. International Trade Commission ("ITC") published its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is materially injured by reason of allegedly subsidized imports of SS sinks from the PRC.<sup>2</sup>

The Department released U.S. Customs and Border Protection ("CBP") entry data for U.S. imports of SS sinks from the PRC between January 1, 2011, and December 31, 2011, to be used as the basis for respondent selection.<sup>3</sup> The Department received comments on this CBP data from the petitioner, Elkay Manufacturing Company ("Petitioner"), Zhongshan Superte Kitchenware Co.,

<sup>1</sup> See *Drawn Stainless Steel Sinks from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 77 FR 18211 (March 27, 2012) ("Initiation Notice"), and the accompanying Initiation Checklist ("SS Sinks Checklist").

<sup>2</sup> See *Drawn Stainless Steel Sinks From China*, 77 FR 23752 (April 20, 2012).

<sup>3</sup> See Memorandum from Hermes Pinilla, International Trade Compliance Analyst to the File, "Release of Customs and Border Protection Entry Data to Interested Parties for Comment," dated March 28, 2012.