

Commerce initiated,³ the second sunset review of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930 as amended (the Act). As a result of its reviews, Commerce determined that a revocation of the *Orders* would likely lead to continuation or recurrence of dumping and countervailable subsidies and, therefore, notified the ITC of the magnitude of the margins and net subsidy rates likely to prevail should the *Orders* be revoked.⁴

On July 7, 2021, the ITC published its determinations, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵

Scope of the Orders

The products covered by the *Orders* include anhydrous Dipotassium Phosphate (DKP) and Tetrapotassium Pyrophosphate (TKPP), whether anhydrous or in solution (collectively “phosphate salts”).

TKPP, also known as normal potassium pyrophosphate, Diphosphoric acid or Tetrapotassium salt, is a potassium salt with the formula $K_4P_2O_7$. The CAS registry number for TKPP is 7320–34–5. TKPP is typically 18.7 percent phosphorus and 47.3 percent potassium. It is generally greater than or equal to 43.0 percent P_2O_5 content. TKPP is classified under heading 2835.39.1000 of the Harmonized Tariff Schedule of the United States (HTSUS).

DKP, also known as Dipotassium salt, Dipotassium hydrogen orthophosphate or Potassium phosphate, dibasic, has a chemical formula of K_2HPO_4 . The CAS registry number for DKP is 7758–11–4. DKP is typically 17.8 percent phosphorus, 44.8 percent potassium and 40 percent P_2O_5 content. DKP is classified under heading 2835.24.0000, HTSUS.

The products covered by these *Orders* include the foregoing phosphate salts in all grades, whether food grade or technical grade. The products covered by these *Orders* includes anhydrous DKP without regard to the physical

form, whether crushed, granule, powder or fines. Also covered are all forms of TKPP, whether crushed, granule, powder, fines or solution.

For purposes of the *Orders*, the narrative description is dispositive, and not the tariff heading, American Chemical Society, CAS registry number or CAS name, or the specific percentage chemical composition identified above.

Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to a continuation or a recurrence of dumping and countervailable subsidies, as well as material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Orders*.

U.S. Customs and Border Protection will continue to collect AD and CVD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the *Orders* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year review of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

Notification to Interested Parties

These five-year sunset reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: July 7, 2021.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–857]

Initiation and Preliminary Results of Changed Circumstances Review: Certain Softwood Lumber Products From Canada

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

SUMMARY: The Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) of the antidumping duty (AD) order on certain softwood lumber products (softwood lumber) from Canada and simultaneously issuing preliminary results finding CHAP Alliance, Inc. (CHAP) to be the successor-in-interest to L’Atelier de Readaption au Travail de Beauce Inc. (L’Atelier).

DATES: Applicable July 12, 2021.

FOR FURTHER INFORMATION CONTACT: Maisha Cryor, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5831.

SUPPLEMENTARY INFORMATION:

Background

On January 3, 2018, Commerce published in the **Federal Register** an AD order on softwood lumber from Canada.¹ On May 5, 2021, Commerce received a request on behalf of CHAP for an expedited CCR to establish CHAP as the successor-in-interest to L’Atelier with respect to the *Order*.² On June 8, 2021, Commerce informed CHAP that it required additional information in order to determine whether to initiate the requested CCR.³ On June 24, 2021, CHAP provided the requested information.⁴

Scope of the Order

The merchandise covered by the *Order* is softwood lumber, siding, flooring and certain other coniferous wood (softwood lumber products).

¹ See *Certain Softwood Lumber Products from Canada: Antidumping Duty Order and Partial Amended Final Determination*, 83 FR 350 (January 3, 2018) (*Order*).

² See CHAP’s Letter, “Certain Softwood Lumber from Canada: L’Atelier de Readaption au Travail de Beauce Inc. Request for Changed Circumstances Reviews,” dated May 5, 2021 (CCR Request).

³ See Commerce’s Letter, “Changed Circumstances Review of Certain Softwood Lumber Products from Canada: Supplemental Questionnaire,” dated June 8, 2021.

⁴ See CHAP’s Letter, “Certain Softwood Lumber from Canada: Supplemental Questionnaire Response,” dated June 24, 2021.

³ See *Initiation of Five-Year (Sunset) Reviews*, 85 FR 69585 (November 3, 2020).

⁴ See *Certain Potassium Phosphate Salts from the People’s Republic of China: Final Results of the Expedited Second Sunset Review of the Antidumping Duty Order*, 86 FR 13311 (March 8, 2021); see also, *Certain Potassium Phosphate Salts from the People’s Republic of China: Final Results of the Expedited Second Five-Year Sunset Review of the Countervailing Duty Order*, 86 FR 13314 (March 8, 2021).

⁵ See *Potassium Phosphate Salts from China*, 86 FR 35827 (July 7, 2021).

Softwood lumber product imports are generally entered under Chapter 44 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Order* is dispositive.⁵

Initiation

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.216(d), Commerce will conduct a CCR upon receipt of information or a review request showing changed circumstances sufficient to warrant a review of an order. Among other things, Commerce has conducted CCRs to consider the applicability of cash deposit rates after there have been changes in the name or structure of a company, such as a merger or spinoff (successor-in-interest, or successorship, determinations).

We find the information provided is sufficient to warrant a CCR of the *Order*. Specifically, the information CHAP provided regarding L'Atelier's name change to CHAP demonstrates changed circumstances sufficient to warrant a CCR with respect to the *Order*.

Therefore, in accordance with section 751(b)(1) of the Act and 19 CFR 351.216(d), we are initiating a CCR to determine whether CHAP is the successor-in-interest to L'Atelier for purposes of the *Order*.

In addition, Commerce's regulations (19 CFR 351.221(c)(3)(ii)), permit it to initiate a CCR and issue the preliminary results of that CCR simultaneously if it concludes that expedited action is warranted. We have on the record the information necessary to make a preliminary finding and, therefore, we find that expedited action is warranted.⁶ Consequently, we are combining the initiation of the CCR described above and our preliminary results, in accordance with 19 CFR 351.221(c)(3)(ii).

Preliminary Results

In determining whether one company is the successor to another for AD purposes, Commerce examines a number of factors including, but not limited to, changes in: (1) Management;

(2) production facilities; (3) suppliers; and (4) customer base.⁷ While no one, or several, of these factors will necessarily provide a dispositive indication of succession, Commerce will generally consider one company to be the successor to another company if its resulting operations are essentially the same as those of its predecessor.⁸ Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the company, in its current form, operates as essentially the same business entity as the prior company, Commerce will assign the new company the cash deposit rate of its predecessor.⁹

CHAP provided evidence that: (1) L'Atelier's name changed to CHAP in February 2021; and (2) there were no significant changes to management,¹⁰ production facilities,¹¹ suppliers, or customer base.¹² Based on the foregoing, which is explained in greater detail in the Preliminary Decision Memorandum, we preliminarily determine that CHAP is the successor-in-interest to L'Atelier for purposes of the *Order*.

Should our final results of review remain the same as these preliminary results of review, effective the date of publication of the final results of review, we will instruct U.S. Customs and Border Protection to apply L'Atelier's cash deposit rate to CHAP.

Public Comment

Interested parties may submit case briefs not later than 14 days after the date of publication of this notice.¹³ Rebuttal briefs, which must be limited to issues raised in case briefs, may be filed not later than seven days after the due date for case briefs.¹⁴ Parties who submit case briefs or rebuttal briefs in this CCR are requested to submit with

each argument: (1) A statement of the issues; and (2) a brief summary of the arguments with electronic versions included.

Any interested party may request a hearing within 14 days of publication of this notice.¹⁵ Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. 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 the date and the time of the hearing two days before the scheduled date.

All submissions, with limited exceptions, must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).¹⁶ An electronically filed document must be received successfully in its entirety by 5 p.m. Eastern Time (ET) on the due date.

Consistent with 19 CFR 351.216(e), we intend to issue the final results of this CCR no later than 270 days after the date on which these reviews were initiated or within 45 days if all parties agree to the outcome of the review.

We are issuing and publishing this initiation and preliminary results notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216 and 351.221(c)(3).

Dated: July 6, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-138]

Pentafluoroethane (R-125) From the People's Republic of China: Preliminary Affirmative Determination of Critical Circumstances, in Part, in the Countervailing Duty Investigation

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

¹⁵ Commerce is exercising its discretion under 19 CFR 351.310(c) to alter the time limit for requesting a hearing.

¹⁶ ACCESS is available to registered users at <https://access.trade.gov>; see also *Temporary Rule Modifying AD/CVD Service Requirements Due to Covid-19; Extension of Effective Period*, 85 FR 41363, (July 10, 2020).

⁷ See *Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Multilayered Wood Flooring from the People's Republic of China*, 79 FR 48117, 48118 (August 15, 2014), unchanged in *Multilayered Wood Flooring from the People's Republic of China: Final Results of Changed Circumstances Review*, 79 FR 58740 (September 30, 2014).

⁸ *Id.*

⁹ See, e.g., *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Initiation of Antidumping Duty Changed Circumstance Review*, 70 FR 17063, 17064 (April 4, 2005); and *Fresh and Chilled Atlantic Salmon from Norway: Final Results of Changed Circumstances Antidumping Administrative Review*, 64 FR 9979, 9980 (March 1, 1999).

¹⁰ See CCR Request at Exhibit 4, Attachment A.

¹¹ *Id.* at Exhibit 4, Attachment B.

¹² *Id.* at Exhibit 4, Attachments C and D.

¹³ Commerce is exercising its discretion under 19 CFR 351.309(c)(1)(ii) to alter the time limit for the filing of case briefs.

¹⁴ Commerce is exercising its discretion under 19 CFR 351.309(d)(1) to alter the time limit for the filing of rebuttal briefs.

⁵ For a complete description of the scope of the *Order*, see Memorandum, "Initiation and Preliminary Results of Changed Circumstances Review: Certain Softwood Lumber Products from Canada," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

⁶ See, e.g., *Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Softwood Lumber Products from Canada*, 70 FR 50299 (August 26, 2005).