

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-570-912]

Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Second Extension of Time Limit for the Final Results of the 2009-2010 Administrative Review of the Antidumping Duty Order

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

DATES: *Effective Date:* February 22, 2012.

FOR FURTHER INFORMATION CONTACT:

Raquel Silva, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-6475.

SUPPLEMENTARY INFORMATION:**Background**

On October 28, 2010, the Department of Commerce ("Department") initiated the administrative review of the antidumping duty order on certain new pneumatic off-the-road tires ("off-the-road tires") from the People's Republic of China ("PRC") for the period, September 1, 2009, through August 31, 2010. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 75 FR 66349 (October 28, 2010). On October 7, 2011, the Department published its preliminary results of the administrative review of the antidumping order on off-the-road tires from the PRC. See *Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Preliminary Results of the 2009-2010 Antidumping Duty Administrative Review and Intent to Rescind, in Part*, 76 FR 62356 (October 7, 2011). On February 8, 2012, the Department extended the time limit for the final results by 14 days to February 18, 2012. See *Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Notice of Extension of Time Limit for the Final Results of the 2009-2010 Administrative Review of the Antidumping Duty Order*, 77 FR 6536 (February 8, 2012).

Extension of Time Limit for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the final results in an administrative review within 120 days after the date on which the preliminary results are published. However, if it is not practicable to

complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time period to a maximum of 180 days.

We determine that it is not practicable to complete the final results of this review within the current deadline because the Department continues to require additional time to analyze issues raised in recent surrogate value submissions, case briefs, and rebuttals. Therefore, in accordance with section 751(a)(3)(A) of the Act, we are extending the time limit for completion of the final results of this administrative review by 14 additional days, until March 3, 2012. However, because March 3, 2012, falls on a weekend, the final results are now due no later than March 5, 2012. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

This notice is published pursuant to sections 751(a) and 777(i) of the Act.

Dated: February 15, 2012.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-201-838]

Seamless Refined Copper Pipe and Tube From Mexico: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

DATES: *Effective Date:* February 22, 2012.

FOR FURTHER INFORMATION CONTACT:

Dennis McClure or Joy Zhang AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5973 or (202) 482-1168, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On November 1, 2011, the Department of Commerce (the "Department") published a notice of opportunity to request an administrative review of the antidumping duty order on seamless refined copper pipe and tube from

Mexico.¹ Pursuant to requests from interested parties,² the Department published in the **Federal Register** the notice of initiation of this antidumping duty administrative review with respect to the following companies for the period November 22, 2010, through October 31, 2011: GD Affiliates S. de R.L. de C.V. ("GD Affiliates"), Hong Kong GD Trading Co., Ltd., Nacional de Cobre, S.A. de C.V. ("Nacobre"), and IUSA, S.A. de C.V. ("IUSA").³ On February 6, 2012, the Department received a letter from Petitioners withdrawing their November 28, 2011, request for a review of Nacobre, IUSA, and Hong Kong GD Trading Co., Ltd.

Partial Rescission of the First Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. This review was initiated on December 30, 2011. See *Initiation Notice*. Petitioners withdrew their request for a review of Nacobre, IUSA and Hong Kong GD Trading Co., Ltd. on February 6, 2012, which is within the 90-day deadline. While no other party requested an administrative review of IUSA, we received other requests for review of Nacobre and Hong Kong GD Trading Co., Ltd. Therefore, in accordance with 19 CFR 351.213(d)(1), and consistent with our practice, we are rescinding this review only with respect to IUSA.⁴ The review will continue with respect to Nacobre, GD Affiliates, and Hong Kong GD Trading Co., Ltd.

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 76 FR 67413 (November 1, 2011).

² Cerro Flow Products, LLC, Wieland Copper Products, LLC, Muller Copper Tube Products, Inc., and Mueller Copper Tube Company, Inc. (collectively, "Petitioners"); GD Affiliates S. de R.L. de C.V., GD Affiliates Servicios S. de C.V., GD Copper Cooperatief UA, Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., Golden Dragon Holding (Hong Kong) International, Ltd., and DC Copper (U.S.A.); and Nacional de Cobre, S.A. de C.V.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in part*, 76 FR 82268 (December 30, 2011) ("*Initiation Notice*").

⁴ See, e.g., *Certain Lined Paper Products From India: Notice of Partial Rescission of Antidumping Duty Administrative Review and Extension of Time Limit for the Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 21781 (May 11, 2009); see also *Carbon Steel Butt-Weld Pipe Fittings from Thailand: Rescission of Antidumping Duty Administrative Review*, 74 FR 7218 (February 13, 2009).

Assessment

The Department will instruct CBP to assess antidumping duties on all appropriate entries. For IUSA, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period November 22, 2010, through October 31, 2011, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

Notification to Importers

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent increase in the amount of antidumping duties assessed.

Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protective orders ("APOs") of their responsibility concerning the disposition of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: February 15, 2012.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-806]

Silicon Metal From the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order

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

SUMMARY: On November 1, 2011, the Department of Commerce ("the Department") initiated the third sunset review of the antidumping duty order on silicon metal from the People's Republic of China ("PRC") pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). Based on the notice of intent to participate and adequate substantive response filed by the domestic interested party, and the lack of response from any respondent interested party, the Department conducted an expedited (120-day) sunset review of the antidumping duty order on silicon metal from the PRC, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of this sunset review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping, at the levels indicated in the "Final Results of Sunset Review" section of this notice, *infra*.

DATES: *Effective Date:* February 22, 2012.

FOR FURTHER INFORMATION CONTACT:

Patrick O'Connor or Howard Smith, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0989 or (202) 482-5193, respectively.

SUPPLEMENTARY INFORMATION: On June 10, 1991, the Department published the antidumping duty order on silicon metal from the PRC.¹ On November 1, 2011, the Department published the notice of initiation of the third sunset review of the antidumping duty order on silicon metal from the PRC, pursuant to section 751(c) of the Act.² On November 16, 2011, pursuant to 19 CFR 351.218(d)(1), the Department received a timely and complete notice of intent to participate in the sunset review from Globe Metallurgical, Inc., a domestic

producer of silicon metal ("Globe"). On December 1, 2011, pursuant to 19 CFR 351.218(d)(3), Globe filed a timely and adequate substantive response. The Department did not receive substantive responses from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited (120-day) sunset review of the antidumping duty order on silicon metal from the PRC.

Scope of the Order

Imports covered by this review are shipments of silicon metal containing at least 96.00 but less than 99.99 percent of silicon by weight. Also covered by this review is silicon metal from the PRC containing between 89.00 and 96.00 percent silicon by weight but which contains a higher aluminum content than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule ("HTS") as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS) is not subject to this review. Although the HTS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Analysis of Comments Received

A complete discussion of all issues raised in this sunset review is provided in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice. See "Issues and Decision Memorandum for the Expedited Third Sunset Review of the Antidumping Duty Order on Silicon Metal from the People's Republic of China," from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, dated concurrently with this notice ("I&D Memorandum"). The issues discussed in the I&D Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order is revoked. The I&D Memorandum is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS"). Access to IA ACCESS is

¹ See *Antidumping Duty Order: Silicon Metal From the People's Republic of China*, 56 FR 26649 (June 10, 1991).

² See *Initiation of Five-Year ("Sunset") Review*, 76 FR 67412 (November 1, 2011).