733(f) and 777(i)(1) of the Act and 19 CFR 351.205(b)(2).

Dated: 16 July 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

List of Topics Discussed in the Preliminary Decision Memorandum:

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III. Discussion of the Methodology
1. Non-Market Economy Country
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3. Total Adverse Facts Available for Rui Sunny
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5. Application of Facts Available and Selection Based Upon Adverse Inferences for the PRC-Wide Entity
6. Corroboration of AFA Rate
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8. Section 777A(f) of the Act
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[FR Doc. 2014–17487 Filed 7–24–14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–905]

Certain Polyester Staple Fiber From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2012–2013

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

SUMMARY: The Department of Commerce (''the Department'') is conducting an administrative review of the antidumping duty order on certain polyester staple fiber from the People's Republic of China (''PRC''). The period of review (''POR'') is June 1, 2012, through May 31, 2013. The Department preliminarily determines that Takayasu Industrial (Jiangyin) Co., Ltd. (''Takayasu'') did not sell subject merchandise in the United States at prices below normal value (''NV'') during the POR June 1, 2012, through May 31, 2013. If these preliminary results are adopted in our final results of review, we will instruct U.S. Customs and Border Protection (''CBP'') to liquidate the appropriate entries without regard to antidumping duties. Interested parties are invited to comment on these preliminary results.

FOR FURTHER INFORMATION CONTACT: Steven Hampton, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0116.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the order is certain polyester staple fiber.[1] The product is currently classified under the Harmonized Tariff Schedule of the United States (''HTSUS'') numbers 5503.20.0045 and 5503.20.0065. Although the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope of the order remains dispositive.

Methodology

The Department conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (''the Act''). For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of the topics included in the Preliminary Decision Memorandum is attached 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 (''IA ACCESS''). IA ACCESS is available to registered users at *http://iaaccess.trade.gov,* and it is available to all parties in the Central Records Unit (''CRU''), room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of Review

The Department preliminarily determines that the following weighted-average dumping margin exists for the period June 1, 2012, through May 31, 2013:

Exporter	Weighted-average dumping margin (%)
Takayasu Industrial (Jiangyin) Co., Ltd	0.00

Disclosure, Public Comment & Opportunity To Request a Hearing

The Department will disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[2] Parties who submit case briefs or rebuttal briefs in this proceeding 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.[3] Case and rebuttal briefs should be filed using IA ACCESS.[4] An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via IA ACCESS. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs.

The Department intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days

[1] *See* Decision Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled ''Preliminary Results and Rescission in Part of 2011–2012 Antidumping Duty Administrative Review: Certain Polyester Staple Fiber from the People's Republic of China'' (Preliminary Decision Memorandum) issued concurrently with this notice for a complete description of the Scope of the Order.

[2] *See* 19 CFR 351.309(d).

[3] *See* 19 CFR 351.309(c)(2) and (d)(2).

[4] *See* 19 CFR 351.303.

after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.[5] The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

For any individually examined respondent whose weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent), we will calculate importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).[6] We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is not zero or *de minimis.* Where either the respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For the PRC-wide entity, we will instruct CBP to assess antidumping duties at an *ad valorem* rate as appropriate.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results, as provided by sections 751(a)(2)(C) of the Act: (1) For Takayasu, which at the outset of this review was not eligible for a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is *de minimis,* where the cash deposit rate will be zero); (2) For previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior completed segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific cash deposit rate published for the most recently completed period; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the PRC-wide entity, 44.30 percent;[7] and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 16, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum:

1. Summary
   a. Case History
   b. Scope of the Order
2. Discussion of the Methodology
   a. Non-Market Economy Status
   b. Separate Rates
   c. Surrogate Country
   d. Date of Sale
   e. Fair Value Comparisons
   i. Determination of Comparison Method
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   h. Factor Valuations
   i. Currency Conversion
3. Recommendation

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[5] *See* 19 CFR 351.212(b)(1).

[6] In these final results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012).

[7] *See Final Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances: Certain Polyester Staple Fiber from the People's Republic of China,* 72 FR 19690, 19693 (April 19, 2007).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–947]

Steel Grating From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Determination in the Less-Than-Fair-Value Investigation and Notice of Amended Final Determination Pursuant to Court Decision

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

SUMMARY: On April 9, 2014, the United States Court of International Trade (''CIT'') sustained the Department of Commerce's (the ''Department'') results of redetermination, pursuant to the CIT's remand order, in *Yantai Xinke Steel Structure Co., Ltd.* v. *United States,* Slip Op. 2014–38 (CIT April 9, 2014), concerning the final determination of the less-than-fair-value investigation of certain steel grating from the People's Republic of China (''PRC'').[1]

Consistent with the decision of the United States Court of Appeals for the Federal Circuit (''CAFC'') 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 Determination,* and it is amending the *Final Determination* with respect to Yantai Xinke Steel Structure Co., Ltd. (''Yantai Xinke''), Ningbo Haitian International Co., Ltd. (''Haitian''), and Ningbo Jiulong Machinery Co., Ltd (''Jiulong'').

DATES: *Effective Date:* April 19, 2014.

FOR FURTHER INFORMATION CONTACT: Brandon Farlander and Thomas Martin, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0182 and (202) 482–3936.

[1] *See* Final Results of Redetermination Pursuant to Court Remand, Court No. 10–00240, dated January 18, 2013, available at: *http://enforcement.trade.gov/remands/index.html* (''*Steel Grating Final Remand*''); *Certain Steel Grating From the People's Republic of China: Final Determination of Sales at Less Than Fair Value,* 75 FR 32366 (June 8, 2010) (''*Final Determination*'').