

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-050]

Ammonium Sulfate From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

SUMMARY: As a result of this expedited sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on ammonium sulfate from the People's Republic of China (China) would likely lead to the continuation or recurrence of countervailing subsidies at the levels indicated in the "Final Results of Review" section of this notice.

DATES: Applicable June 8, 2022.

FOR FURTHER INFORMATION CONTACT:

Zachary Shaykin, 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) 482-2638.

SUPPLEMENTARY INFORMATION:**Background**

On May 9, 2017, Commerce published the CVD order on imports of ammonium sulfate from China.¹ On February 1, 2022, Commerce published the notice of initiation of the first sunset review of the *Order* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² On February 14, 2022, Commerce received a notice of intent to participate, within the 15-day deadline specified in 19 CFR 351.218(d)(1)(i), from the Committee for Fair Trade in Ammonium Sulfate, an association of AdvanSix Inc. and PCI Nitrogen, LLC (collectively, the domestic interested party).³ The domestic interested party claimed interested party status under section 771(9)(C) and (E) of the Act, as manufacturers in the United States of the domestic like product.⁴ On February 25, 2022, Commerce received a timely

and adequate substantive response to the notice of initiation from the domestic interested party within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁵ Commerce received no substantive responses from any other interested parties.

On March 21, 2022, Commerce notified the U.S. International Trade Commission that we did not receive an adequate substantive response from the Government of China or from respondent interested parties.⁶ As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)–(C), Commerce conducted an expedited (120-day) sunset review of the *Order*.

Scope of the Order

The merchandise covered by the *Order* is ammonium sulfate. For a complete description of the scope of the *Order*, see Issues and Decision Memorandum signed concurrently with this notice.⁷

Analysis of Comments Received

All issues raised in this sunset review are addressed in the accompanying Issues and Decision Memorandum.⁸ The issues discussed in the Issues and Decision Memorandum are listed in the appendix to this notice. The Issues and 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 Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to the continuation or recurrence of countervailable subsidies at the rates listed below.

⁵ See Domestic Interested Party's Letter, "Five-Year ("Sunset") Review of Countervailing Duty Order on Ammonium Sulfate from the People's Republic of China: Domestic Interested Party's Substantive Response to Notice of Initiation," dated February 25, 2022.

⁶ See Commerce's Letter, "Sunset Reviews Initiated on February 1, 2022," dated March 21, 2022.

⁷ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Antidumping Duty Order on Ammonium Sulfate from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁸ *Id.*

Exporter/producer	Subsidy rate (percent)
Wuzhoufeng Agricultural Science & Technology Co. Ltd *	206.72
Yantai Jiahe Agriculture Means of Production Co. Ltd *	206.72
All Others	206.72

* Non-cooperative company to which an adverse facts available rate was applied.

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 written notification of the return or destruction of APO materials or conversion to judicial protective orders 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), 771(i)(1) of the Act, and 19 CFR 351.218(e)(1)(ii)(C)(2) and 351.221(c)(5).

Dated: June 1, 2022.

Lisa Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix**List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. History 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 Rate Likely to Prevail
 3. Nature of the Subsidies
- VII. Final Results of Sunset Review
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-844]

Steel Concrete Reinforcing Bar From Mexico: Final Results of Antidumping Duty Administrative Review; 2019–2020

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

¹ See *Ammonium Sulfate from the People's Republic of China: Antidumping Duty and Countervailing Duty Orders*, 82 FR 13094 (March 9, 2017) (*Order*).

² See *Initiation of Five-Year (Sunset) Reviews*, 87 FR 5467 (February 1, 2022) (*Initiation Notice*).

³ See Domestic Interested Party's Letter, "Five-Year ("Sunset") Review of Countervailing Duty Order on Ammonium Sulfate from The People's Republic of China: Domestic Interested Party's Notice of Intent to Participate," dated February 14, 2022.

⁴ *Id.* at 2.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that steel concrete reinforcing bar (rebar) from Mexico was sold in the United States at less than normal value during the period of review (POR), November 1, 2019, through October 31, 2020.

DATES: Applicable June 8, 2022.

FOR FURTHER INFORMATION CONTACT: David Lindgren or Kyle Clahane, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1671 or (202) 482–5449, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 2021, Commerce published the *Preliminary Results* for this review in the **Federal Register** and invited interested parties to comment on those results.¹ From January 2 to February 11, 2022, Commerce received case briefs on behalf of Deacero S.A.P.I. de C.V. (Deacero), Grupo Simec,² Sidertul S.A. de C.V. (Sidertul), and Grupo Acerero S.A. de C.V. (Grupo Acerero). From February 18 to 24, 2022, the petitioners³ and Grupo Simec submitted rebuttal briefs and comments.⁴

Commerce extended the deadline for the final results by 27 days on March 7, 2022, and by an additional 33 days on April 22, 2022.⁵ The deadline for the

final results of this review is now June 1, 2022. For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.⁶

Scope of the Order⁷

The product covered by the *Order* is rebar from Mexico. For a complete description of the scope, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is attached at the appendix to this notice. The Issues and 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 Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties regarding the *Preliminary Results*, we made certain changes to the margin calculation for Deacero. For a discussion of the issues, see the Issues and Decision Memorandum.⁸

Use of Adverse Facts Available

We continue to find that the application of facts available with an adverse inference (AFA), pursuant to sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), is warranted in determining Grupo Simec's dumping margin because it withheld information regarding its sales and cost reconciliations and potential affiliations, incorrectly reported control numbers, and provided unreliable and unusable sales and cost databases.⁹ Therefore, as in the *Preliminary Results*, as AFA, we assigned Grupo Simec a dumping margin of 66.70 percent. See

the Issues and Decision Memorandum for further discussion.¹⁰

Commerce is not required to corroborate any dumping margin applied in a separate segment of the same proceeding.¹¹ Because the 66.70 percent rate was applied in a separate segment of this proceeding, Commerce does not need to corroborate the rate in this review.

Rates for Companies Not Selected for Individual Examination

The statute and Commerce's regulations do not address the establishment of a rate to be applied to individual companies not selected for examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for companies which we did not examine in an administrative review.

When the rates for individually examined companies are all zero, *de minimis*, or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use "any reasonable method" to establish the all-others rate.

We calculated a zero percent dumping margin for one of the mandatory respondents in this review, Deacero, and we based the dumping margin on facts available with an adverse inference for the other mandatory respondent, Grupo Simec. Therefore, we assigned the companies not selected for examination a dumping margin equal to the simple average of the dumping margins for Deacero and Grupo Simec, consistent with the guidance in section 735(c)(5)(B) of the Act.¹²

Final Results of Review

Commerce determines that the following weighted-average dumping margins exist for the period November 1, 2019, through October 31, 2020:

¹ See *Steel Concrete Reinforcing Bar from Mexico: Preliminary Results of Antidumping Duty Administrative Review; 2019–2020*, 86 FR 68632 (December 3, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² Commerce has previously collapsed the following entities into a single entity, collectively, Grupo Simec: Grupo Simec; Aceros Especiales Simec Tlaxcala, S.A. de C.V.; Compania Siderurgica del Pacifico S.A. de C.V.; Fundiciones de Acero Estructurales, S.A. de C.V.; Grupo Chant S.A.P.I. de C.V.; Operadora de Perfiles Sigosa, S.A. de C.V.; Orge S.A. de C.V.; Perfiles Comerciales Sigosa, S.A. de C.V.; RRLC S.A.P.I. de C.V.; Siderúrgicos Noroeste, S.A. de C.V.; Siderurgica del Occidente y Pacifico S.A. de C.V.; Simec International 6 S.A. de C.V.; Simec International, S.A. de C.V.; Simec International 7 S.A. de C.V.; and Simec International 9 S.A. de C.V. See, e.g., *Steel Concrete Reinforcing Bar from Mexico: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019*, 86 FR 50527, 50528 (September 9, 2021).

³ The petitioners are the Rebar Trade Action Coalition and its individual members, Nucor Corporation; Ameristeel US Inc.; Commercial Metals Company; Cascade Steel Rolling Mills, Inc.; and Byer Steel Corporation.

⁴ See Memorandum, "Steel Concrete Reinforcing Bar from Mexico: Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review; 2019–2020," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁵ See Memorandum, "Steel Concrete Reinforcing Bar from Mexico: Antidumping Duty

Administrative Review; 2019–2020; Extension of Deadline for Final Results," dated March 7, 2022; see also "Steel Concrete Reinforcing Bar from Mexico: Antidumping Duty Administrative Review; 2019–2020; Extension of Deadline for Final Results," dated April 22, 2022.

⁶ See Issues and Decision Memorandum.

⁷ See *Steel Concrete Reinforcing Bar from Mexico: Antidumping Duty Order*, 79 FR 65925 (November 6, 2014) (*Order*).

⁸ *Id.* at 3 and 6.

⁹ See *Preliminary Results*.

¹⁰ See Issues and Decision Memorandum at Comment 4; see also Memorandum, "Grupo Simec Questionnaire Deficiencies Analysis," dated concurrently with this notice.

¹¹ See section 776(c)(2) of the Act.

¹² See, e.g., *Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews and Rescission of Reviews in Part*, 73 FR 52823, 52824 (September 11, 2008), and accompanying Issues and Decision Memorandum, at Comment 16.

Producer and/or exporter	Weighted-average dumping margin (percent)
Deacero S.A.P.I de C.V.	0.00
Grupo Simec (Aceros Especiales Simec Tlaxcala, S.A. de C.V.; Compania Siderurgica del Pacifico S.A. de C.V.; Fundiciones de Acero Estructurales, S.A. de C.V.; Grupo Chant S.A.P.I. de C.V.; Operadora de Perfiles Sigosa, S.A. de C.V.; Orge S.A. de C.V.; Perfiles Comerciales Sigosa, S.A. de C.V.; RRLC S.A.P.I. de C.V.; Siderurgicos Noroeste, S.A. de C.V.; Siderurgica del Occidente y Pacifico S.A. de C.V.; Simec International 6 S.A. de C.V.; Simec International, S.A. de C.V.; Simec International 7 S.A. de C.V.; and Simec International 9 S.A. de C.V.)	66.70
Grupo Acerero S.A. de C.V.	33.35
Sidertul S.A. de C.V.	33.35

Assessment Rate

Pursuant to section 751(a)(2)(A) of the Act, and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**, in accordance with 19 CFR 356.8(a). If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific antidumping duty assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered value associated with those sales. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), 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. Commerce's "automatic assessment" will apply to entries of subject merchandise during the POR produced by Deacero for which it did not know that the merchandise it sold to an intermediary (*e.g.*, a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

Because we are applying total AFA to Grupo Simec, we will instruct CBP to apply an assessment rate to all entries Grupo Simec produced and/or exported equal to the dumping margin indicated

above in the "Final Results of Review."

Further, the assessment rate for antidumping duties for each of the companies not selected for individual examination will be equal to the weighted-average dumping margin identified above in the "Final Results of Review."

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rates for the companies identified above in the "Final Results of Review" will be equal to the company-specific weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by a company not covered in this administrative review but covered in a completed prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or completed prior segment of this proceeding but the producer is, the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 20.58 percent, the rate established in the investigation of this proceeding.¹³ These cash deposit requirements, when imposed, shall remain in effect until further notice.

¹³ See *Steel Concrete Reinforcing Bar from Mexico: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 79 FR 54967 (September 15, 2014).

Notification to Importers

This notice serves as a final 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 POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under 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 or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5) and 19 CFR 351.213(h)(1).

Dated: June 1, 2022.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the Preliminary Results
- V. Discussion of the Issues

Comment 1: Whether Grupo Simec Should Have Been Granted More Time to Cure Its Questionnaire Deficiencies
 Comment 2: Whether Grupo Simec Should Have Been Issued Another Supplemental Questionnaire
 Comment 3: Whether Commerce Correctly Rejected Grupo Simec's Untimely Submission of Additional Information
 Comment 4: Whether Commerce Should Have Applied AFA to Grupo Simec
 Comment 5: Whether Commerce Selected the Correct AFA Rate To Assign to Grupo Simec
 Comment 6: Whether Deacero's Margin Programming Contained Clerical Errors
 Comment 7: Whether Commerce's Methodology To Determine the Rate for Non-Selected Respondents Is Reasonable
 VI. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-906]

Sodium Nitrite From India: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

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

DATES: Applicable June 8, 2022.

FOR FURTHER INFORMATION CONTACT: Joy Zhang, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1168.

SUPPLEMENTARY INFORMATION:

Background

On February 2, 2022, the U.S. Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation of imports of sodium nitrite from India.¹ Currently, the preliminary determination is due no later than June 22, 2022.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later

than 190 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On May 27, 2022, the petitioner² submitted a timely request that Commerce postpone the preliminary determination in this LTFV investigation.³ The petitioner stated that it requests postponement because Commerce is still collecting information from the respondent, and the petitioner will need additional time to review the responses and prepare comments for Commerce's consideration.⁴

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination by 50 days (*i.e.*, no more than 190 days after the date on which the investigation was initiated). As a result, Commerce will issue its preliminary determination no later than August 11, 2022. In accordance with section 735(a)(1) of the Act and 19 CFR 351.201(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

Notification to Interested Parties

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: June 2, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

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² The petitioner is Chemtrade Chemicals US LLC.

³ See Petitioner's Letter, "Sodium Nitrite from India: Chemtrade's Request to Postpone the Antidumping Investigation Preliminary Determination," dated May 27, 2022.

⁴ *Id.*

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Alaġum Kanuuġ Site Added to the Inventory of Areas for Possible Designation as National Marine Sanctuaries

AGENCY: Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice.

SUMMARY: On June 13, 2014, NOAA published a final rule establishing the Sanctuary Nomination Process, allowing communities to submit nominations to NOAA for consideration as new national marine sanctuaries. The rule included the final review process, national significance criteria, and management considerations that NOAA uses to evaluate new national marine sanctuary nominations for inclusion in the inventory of areas that could be considered for designation as national marine sanctuaries. The rule also states that NOAA will publish a **Federal Register** notice when areas have been added to the inventory of successful nominations. This notice announces that NOAA added the Alaġum Kanuuġ (Heart of the Ocean) sanctuary nomination to the inventory.

DATES: This notice is effective on June 8, 2022.

ADDRESSES: Kristina Kekuewa, Pacific Islands Regional Director, NOAA Office of National Marine Sanctuaries, 1845 Wasp Blvd., Honolulu, Hawaii 96818, and at <https://nominate.noaa.gov/nominations/>.

FOR FURTHER INFORMATION CONTACT: Kristina Kekuewa, Pacific Islands Regional Director, NOAA Office of National Marine Sanctuaries, kristina.kekuewa@noaa.gov, or at 808-725-5252.

SUPPLEMENTARY INFORMATION:

I. Background

The National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1431 *et seq.*) authorizes the Secretary of Commerce to identify and designate as national marine sanctuaries areas of the marine environment, including the Great Lakes, which are of special national significance; to manage these areas as the National Marine Sanctuary System; and to provide for the comprehensive and coordinated conservation and management of these areas and the activities affecting them in a manner which complements existing regulatory

¹ See *Sodium Nitrite from India and the Russian Federation: Initiation of Less-Than-Fair-Value Investigations*, 87 FR 7122 (February 8, 2022).