

merchandise was destined for the United States, we will instruct CBP to liquidate such unreviewed entries pursuant to the reseller policy,<sup>11</sup> *i.e.*, the assessment rate for such entries will be equal to the all-others rate established in the investigation (*i.e.*, 41.10 percent), if there is no rate for the intermediate company(ies) involved in the transaction.

### Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the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 rate for POSCO will be equal to POSCO's weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent, and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated companies not participating in this review, the cash deposit will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the underlying investigation, but the producer is, then the cash deposit rate will be the rate established for the completed segment for the most recent POR for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 41.10 percent, the all-others rate established in the underlying investigation.<sup>12</sup> These deposit requirements, when imposed, shall remain in effect until further notice.

### Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied on here in advance of the final results of this review.

### Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice in accordance with 19 CFR 351.224(b).

Case briefs or other written comments may be submitted to the Assistance

Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the time limit for filing case briefs.<sup>13</sup> 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.<sup>14</sup> Executive summaries should be limited to five pages total, including footnotes. Case and rebuttal briefs should be filed using ACCESS and must be served on interested parties.<sup>15</sup> Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>16</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed request for a hearing must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>17</sup> Hearing 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 issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.<sup>18</sup>

### Final Results of Review

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the publication of these preliminary results in the **Federal Register** pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1), unless otherwise extended.<sup>19</sup>

<sup>13</sup> See 19 CFR 351.309(d)(1).

<sup>14</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>15</sup> See 19 CFR 351.303.

<sup>16</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>17</sup> See 19 CFR 351.310(c); see also 19 CFR 351.303(b)(1).

<sup>18</sup> See 19 CFR 351.310(c).

<sup>19</sup> See section 751(a)(3)(A) of the Act.

### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) 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 Commerce'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 and 19 CFR 351.221(b)(4).

Dated: May 26, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-061]

#### **Fine Denier Polyester Staple Fiber 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 first sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on fine denier polyester staple fiber (fine denier PSF) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of countervailable subsidies at the levels indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** Applicable June 2, 2023.

**FOR FURTHER INFORMATION CONTACT:** George McMahon, AD/CVD Operations, Office VI, Enforcement and Compliance,

<sup>11</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>12</sup> See *Order*, 81 FR at 23419.

International Trade Administration,  
U.S. Department of Commerce, 1401  
Constitution Avenue NW, Washington,  
DC 20230; telephone: (202) 482-1167.

#### SUPPLEMENTARY INFORMATION:

#### Background

On February 1, 2023, Commerce published the notice of initiation of the first sunset review of the *Order*,<sup>1</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (Act).<sup>2</sup> Commerce received a notice of intent to participate from Auriga Polymers Inc., Fiber Industries LLC, Nan Ya Plastics Corporation, America, and Sun Fiber LLC (collectively, domestic interested parties) within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> Each claimed interested party status under section 771(9)(C) of the Act as domestic producers engaged in the production of fine denier PSF in the United States.

Commerce received an adequate substantive response to the *Initiation Notice* from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce received no substantive responses from any other interested party, including the Government of China, nor was a hearing requested.

On March 23, 2023, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.<sup>5</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)(2) and (C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

#### Scope of the Order

The product covered by this *Order* is fine denier PSF from China. For a complete description of the scope of this

order, see the Issues and Decision Memorandum.<sup>6</sup>

#### Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of countervailable subsidies and the net countervailable subsidy rates likely to prevail if the *Order* were revoked.<sup>7</sup> 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 Services System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://enforcement.trade.gov/frn/index.html>.

#### 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 following rates:

| Producer/exporter   | Subsidy rate (percent <i>ad valorem</i> ) |
|---|---|
| Jiangyin Hailun Chemical Fiber Co. Ltd. <sup>8</sup> .....  | 37.75                                     |
| Jiangyin Huahong Chemical Fiber Co. Ltd. <sup>9</sup> ..... | 47.57                                     |
| All Others .....  | 42.66                                     |

#### Administrative Protective Order

This notice serves as the only reminder to parties subject to

administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the 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.

#### Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act, and 19 CFR 351.218.

Dated: May 26, 2023.

**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. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of Countervailable Subsidies
  2. Net Countervailable Subsidy Rates That Are Likely To Prevail
  3. Nature of the Subsidies
- VII. Final Results of Sunset Review
- VIII. Recommendation

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[RTID 0648-XD053]

##### New England Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting.

Thermal Power Co., Ltd.; and Jiangyin Yunlun Chemical Fiber Co., Ltd.. See *Fine Denier Polyester Staple Fiber from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination*, 82 FR 51396 (November 6, 2017) (*Preliminary Determination*), and accompany Preliminary Decision Memorandum (PDM).

<sup>9</sup> Commerce found the following companies to be cross-owned with Jiangyin Huahong Chemical Fiber Co. Ltd.: Jiangsu Huahong Industrial Group Co., Ltd.; Jiangyin Hongkai Chemical Fiber Co., Ltd.; Jiangyin Huahong International Trade Co., Ltd.; and Jiangyin Huakai Polyesterer Co., Ltd. See *Preliminary Determination PDM*.

<sup>1</sup> See *Fine Denier Polyester Staple Fiber from the People's Republic of China and India: Amended Final Affirmative Countervailing Duty Determination for the People's Republic of China and Countervailing Duty Orders for the People's Republic of China and India*, 83 FR 11681 (March 16, 2018); and *Fine Denier Polyester Staple Fiber from the People's Republic of China and India: Amended Final Affirmative Countervailing Duty Determination for the People's Republic of China and Countervailing Duty Orders for the People's Republic of China and India*, 83 FR 12149 (March 20, 2018) (collectively, *Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 6700 (February 1, 2023) (*Initiation Notice*).

<sup>3</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Notice of Intent to Participate," dated February 15, 2023.

<sup>4</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Substantive Response," dated March 2, 2023.

<sup>5</sup> See Commerce's Letter, "Sunset Reviews Initiated on February 1, 2023," dated March 23, 2023.

<sup>6</sup> See Memorandum, "Issues and Decision Memorandum for the Expedited First Sunset Review of the Countervailing Duty Order on Fine Denier Polyester Staple Fiber from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>7</sup> *Id.*

<sup>8</sup> Commerce found the following companies to be cross-owned with Jiangyin Hailun Chemical Fiber Co. Ltd.: Jiangyin Bolun Chemical Fiber Co., Ltd.; Jiangyin Fenghua Synthetic Fiber Co., Ltd.; Jiangsu Hailun Petrochemicals Co., Ltd.; Jiangyin Huamei Special Fiber Co., Ltd.; Jiangyin Huasheng Polymerization Co., Ltd.; Jiangyin Huaxing Synthetic Co., Ltd.; Jiangying Huayi Polymerization Co., Ltd.; Jiangsu Sanfangxiang Group Co., Ltd.; Jiangsu Sanfangxiang International Trading Co., Ltd.; Sanhai International Trading PTE Ltd.; Jiangyin Xingsheng Plastic Co., Ltd.; Jiangyin Xingtai New Material Co., Ltd.; Jiangsu Xingye Plastic Co., Ltd.; Jiangsu Xingye Polytech Co., Ltd.; Jiangyin Xingyu New Material Co., Ltd.; Jiangyin Xinlun Chemical Fiber Co., Ltd.; Jiangyin Xinyuan