

The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

*Fifth*, a copy of this Order shall be delivered to Sun and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until November 17, 2030.

**John Sonderman,**

*Director, Office of Export Enforcement.*

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**BILLING CODE 3510–DT–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–533–871]

#### Finished Carbon Steel Flanges From India: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily finds that producers and/or exporters subject to this administrative review made sales of subject merchandise at less than normal value (NV) during the period of review (POR) August 1, 2020, through July 31, 2021. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable September 8, 2022.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker or Preston Cox, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2924 or (202) 482–5041, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 24, 2017, Commerce published in the **Federal Register** the

antidumping duty order on finished carbon steel flanges from India.<sup>1</sup> On August 2, 2021, Commerce published a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> Between August 12 and 30, 2021, Commerce received timely requests for an administrative review from the petitioners,<sup>3</sup> Norma Group,<sup>4</sup> R.N. Gupta & Co. Ltd. (RNG), Munish Forge Private

<sup>1</sup> See *Finished Carbon Steel Flanges from India and Italy: Antidumping Duty Orders*, 82 FR 40136 (August 24, 2017) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 86 FR 41436, 41437 (August 2, 2021).

<sup>3</sup> The petitioners are Weldbend Corporation and Boltex Manufacturing Co., L.P.

<sup>4</sup> In prior segments of this proceeding, we determined that Norma (India) Limited, USK Exports Private Limited, Uma Shanker Khandelwal & Co., and Bansidhar Chiranjilal were affiliated and should be collapsed and treated as a single entity (Norma Group). See *Finished Carbon Steel Flanges from India: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 82 FR 9719 (February 8, 2017), and accompanying Preliminary Decision Memorandum, at 4–5, unchanged in *Finished Carbon Steel Flanges from India: Final Determination of Sales at Less Than Fair Value*, 82 FR 29483 (June 29, 2017); *Finished Carbon Steel Flanges from India: Preliminary Results of Antidumping Duty Administrative Review; 2017–2018*, 84 FR 57848 (October 29, 2019), unchanged in *Finished Carbon Steel Flanges from India: Final Results of Antidumping Duty Administrative Review; 2017–2018*, 85 FR 21391 (April 17, 2020); *Finished Carbon Steel Flanges from India: Preliminary Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019*, 85 FR 83051 (December 21, 2021), unchanged in *Finished Carbon Steel Flanges from India: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019*, 86 FR 33226 (June 24, 2021); and *Finished Carbon Steel Flanges from India: Preliminary Results of Antidumping Duty Administrative Review; 2019–2020*, 86 FR 50048 (September 7, 2021), unchanged in *Finished Carbon Steel Flanges from India: Final Results of Antidumping Duty Administrative Review; 2019–2020*, 87 FR 13701 (March 10, 2022). In this review, Norma (India) Limited and its affiliated entities have affirmed that the factual basis on which Commerce made its prior determinations has not changed. See Norma Group's Letter, "Finished Carbon Steel Flanges from India: 1st Supplemental Response to Section C and D of Anti-Dumping Duty Original Questionnaire," dated July 1, 2022, at 2–4. Therefore, Commerce continues to collapse and treat these four companies as a single entity.

Limited (Munish), Jai Auto Pvt. Ltd. of India (Jai Auto), Cetus Engineering Private Limited (Cetus), and Balkrishna Steel Forge Pvt. Ltd. (Balkrishna).<sup>5</sup> On October 7, 2021, Commerce published a notice of initiation of an administrative review of the *Order* with respect to 42 companies.<sup>6</sup> On November 2, 2021, Commerce selected Norma Group and RNG as mandatory respondents in this administrative review.<sup>7</sup> On April 29, 2022, Commerce extended the time period for issuing these preliminary results by 120 days until August 31, 2022, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(h)(2).<sup>8</sup>

<sup>5</sup> See Petitioners' Letter, "Finished Carbon Steel Flanges from India: Request for Administrative Review," dated August 31, 2021; Norma Group's Letter, "Finished Carbon Steel Flanges from India: Request for Anti-Dumping Duty Administrative Review for Norma (India) Limited, USK Export Private Limited, Umashanker Khandelwal and Co. and Bansidhar Chiranjilal," dated August 30, 2021; RNG's Letter, "Finished Carbon Steel Flanges from India: Request for Anti-Dumping Duty Administrative Review," dated August 30, 2021; Munish's Letter, "Finished Carbon Steel Flanges from India: Request for Anti-Dumping Duty Administrative Review," dated August 12, 2021; Jai Auto's Letter, "Finished Carbon Steel Flanges from India: Request for Anti-Dumping Duty Administrative Review for Jai Auto Pvt. Ltd. during POR August 01, 2020 to July 31, 2021," dated August 30, 2021; Cetus' Letter, "Finished Carbon Steel Flanges from India: Request for Anti-Dumping Duty Administrative Review for Cetus Engineering Private Limited during POR August 01, 2020 to July 31, 2021," dated August 30, 2021; and Balkrishna's Letter, "Finished Carbon Steel Flanges from India: Request for Anti-Dumping Duty Administrative Review for Balkrishna Steel Forge Pvt. Ltd. during POR August 01, 2020 to July 31, 2021," dated August 30, 2021.

<sup>6</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 55811 (October 7, 2021) (*Initiation Notice*).

<sup>7</sup> See Memorandum, "Antidumping Duty Administrative Review of Finished Carbon Steel Flanges from India: Respondent Selection," dated November 2, 2021.

<sup>8</sup> See Memorandum, "Finished Carbon Steel Flanges from India: Extension of Preliminary Results of Antidumping Duty Administrative Review; 2020–21," dated April 29, 2022.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.<sup>9</sup> A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I 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 (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope of the Order

The merchandise covered by the Order is finished carbon steel flanges. For a complete description of the scope of the Order, *see* the Preliminary Decision Memorandum.

### Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Act. Export price is calculated in accordance with section 772 of the Act and NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

### Rate for Non-Selected Companies

The Act and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual 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 a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section

735(c)(5)(A) of the Act, the all-others rate is normally "an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}."

In this administrative review, we preliminarily calculated weighted-average dumping margins for Norma Group and RNG that are not zero, *de minimis*, or determined entirely on the basis of facts available. Accordingly, Commerce is preliminarily assigning to the companies not individually examined, listed in Appendix II, a margin of 0.79 percent, which is the weighted average of Norma Group's margin and RNG's margin based on publicly ranged data.<sup>10</sup>

### Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period August 1, 2020, through July 31, 2021:

Producer/exporter	Weighted-average dumping margin (percent)
R.N. Gupta & Co. Ltd .....	0.69
Norma (India) Limited/USK Export Private Limited/Uma Shanker Khandelwal & Co./Bansidhar Chiranjilal <sup>11</sup> .....	0.94
Non-Selected Companies <sup>12</sup> .....	0.79

### Disclosure and Public Comment

Commerce will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.<sup>13</sup> Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results.<sup>14</sup> Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than seven days after the date for filing case briefs.<sup>15</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit arguments are requested to submit with the argument: (1) a statement of the issue; (2) a brief

summary of the argument; and (3) a table of authorities.

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, U.S. Department of Commerce, using Enforcement and Compliance's ACCESS system within 30 days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants, whether any participant is a foreign national; and (3) a list of the issues to be discussed. Issues addressed during the hearing will be limited to those raised in the respective case and rebuttal briefs.<sup>16</sup> 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 time of the hearing two days before the scheduled date.

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>17</sup>

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2),

Shanker Khandelwal & Co., which is part of the collapsed entity, Norma Group.

<sup>12</sup> See Appendix II for a list of companies not selected for individual examination.

<sup>13</sup> See 19 CFR 351.224(b).

<sup>14</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>15</sup> See 19 CFR 351.309(d)(1); *see also* Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period, 85 FR 41363 (July 10, 2020) (Temporary Rule).

<sup>16</sup> See 19 CFR 351.310(c).

<sup>17</sup> See Temporary Rule.

<sup>9</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Finished Carbon Steel Flanges from India; 2020–2021," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>10</sup> See Memorandum, "Preliminary Results of the Antidumping Duty Administrative Review of Finished Carbon Steel Flanges from India; 2020–21: Calculation of Margin for Respondents Not Selected for Individual Examination," dated concurrently with this notice; *see also*, e.g., *Xanthan Gum from the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review*,

*and Partial Rescission; 2018–2019*, 85 FR 75686 (November 23, 2020); *Albemarle Corp. v. United States*, 821 F. 3d 1345 (Fed. Cir. 2016); and *Emulsion Styrene-Butadiene Rubber from the Republic of Korea: Preliminary Results of the Administrative Review of the Antidumping Duty Order; 2018–2019*, 85 FR 39534 (July 1, 2020).

<sup>11</sup> Commerce initiated on "Uma Shanker Khandelwal & Co." and "UmaShanker Khandelwal and Co." based on the requests for administrative review that Commerce received from interested parties. *See Initiation Notice*. Because of the minor differences in the spelling of these company names, we have combined them under the name Uma

Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in any written briefs, no later than 120 days after the date of publication of these preliminary results.

#### Assessment Rates

Upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If the weighted-average dumping margin for a mandatory respondent is not zero or *de minimis* in the final results of this review, we will calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1).<sup>18</sup> If the weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate is zero or *de minimis*, Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>19</sup> For entries of subject merchandise during the period of review produced by the respondents for which they did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries pursuant to the reseller policy, *i.e.*, the assessment rate for such entries will be the all-others rate established in the investigation if there is no rate for the intermediate company(ies) involved in the transaction.<sup>20</sup>

For the companies which were not selected for individual examination, we intend to assign an assessment rate based on the methodology described in the "Rate for Non-Examined Companies" section.

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**. 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). The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future cash deposits of estimated antidumping duties, where applicable.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for companies subject to this 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 review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 8.91 percent, the all-others rate established in the less-than-fair-value investigation.<sup>21</sup> These cash 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 Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: August 31, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Rates for Non-Examined Companies
- V. Discussion of the Methodology
- VI. Recommendation

#### Appendix II

##### List of Companies Not Selected for Individual Examination

1. Adinath International
2. Allena Group
3. Alloyed Steel
4. Balkrishna Steel Forge Pvt. Ltd.
5. Behitz Flanges Works Private Limited
6. C. D. Industries
7. Cetus Engineering Private Limited
8. CHW Forge
9. CHW Forge Pvt. Ltd.
10. Citizen Metal Depot
11. Corum Flange
12. DN Forge Industries
13. Echjay Forgings Limited
14. Falcon Valves and Flanges Private Limited
15. Heubach International
16. Hindon Forge Pvt. Ltd.
17. Jai Auto Pvt. Ltd.
18. Kinnari Steel Corporation
19. Mascot Metal Manufacturers
20. M F Rings and Bearing Races Ltd.
21. Munish Forge Private Limited
22. OM Exports
23. Punjab Steel Works
24. Raaj Sagar Steels
25. Ravi Ratan Metal Industries
26. R. D. Forge
27. Rolex Fittings India Pvt. Ltd.
28. Rollwell Forge Engineering Components and Flanges
29. Rollwell Forge Pvt. Ltd.
30. SHM (ShinHeung Machinery)
31. Siddhagiri Metal & Tubes
32. Sizer India
33. Steel Shape India
34. Sudhir Forgings Pvt. Ltd.
35. Tirupati Forge Pvt. Ltd.
36. Umashanker Khandelwal Forging Limited

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A–570–827]

##### Certain Cased Pencils From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2020–2021

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

<sup>18</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

<sup>19</sup> *Id.*, 77 FR at 8102–03; see also 19 CFR 351.106(c)(2).

<sup>20</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>21</sup> See *Order*, 82 FR at 40138.