

## Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping and the magnitude of the margin of dumping likely to prevail if the *Order* were to be revoked, is provided in the accompanying Issues and Decision Memorandum.<sup>9</sup> A list of topics discussed in the Issues and Decision Memorandum is included as 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 <http://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(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to continuation or recurrence of dumping, and that the magnitude of the margin of dumping likely to prevail would be up to 30.80 percent.

## Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a), 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

Commerce is issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2) and 19 CFR 351.221(c)(5)(ii).

Dated: December 27, 2024.

**Abdelali Elouaradia,**

*Deputy 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 Dumping
  2. Magnitude of the Margin of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–935]

### Certain Circular Welded Carbon-Quality Steel Line Pipe From the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order

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

**SUMMARY:** As a result of this expedited third sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on certain circular welded carbon-quality steel line pipe (line pipe) from the People's Republic of China (China) would likely lead to continuation or recurrence of dumping at the level indicated in the "Final Results of Expedited Sunset Review" section of this notice.

**DATES:** Applicable January 3, 2025.

**FOR FURTHER INFORMATION CONTACT:** Howard Smith, 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) 482–5193.

**SUPPLEMENTARY INFORMATION:**

### Background

On May 13, 2009, Commerce published in the **Federal Register** the AD order on line pipe from China.<sup>1</sup> On September 1, 2024, Commerce

published the notice of initiation of the third sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> After Commerce initiated this sunset review of the *Order*, the American Line Pipe Producers Association Welded Line Pipe Committee<sup>3</sup> (ALPPA), a domestic interested party, timely submitted a complete notice of intent to participate in,<sup>4</sup> and an adequate substantive response regarding the sunset review.<sup>5</sup> ALPPA claimed interested party status under section 771(9)(F) of the Act and 19 CFR 351.102(b)(29)(viii) because its members are producers of the domestic like product and claimed that its members are domestic interested parties under section 771(9)(C) of the Act (a manufacturer, producer, or wholesaler in the United States of a domestic like product) and 19 CFR 351.102(b)(29)(v).<sup>6</sup> Commerce did not receive a substantive response from any respondent interested party, nor was a hearing requested. Consequently, on October 31, 2024, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from any respondent interested parties.<sup>7</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

### Scope of the Order

The merchandise covered by the *Order* is line pipe from China. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.<sup>8</sup>

### Analysis of Comments Received

All issues raised in this sunset review are addressed in the accompanying Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 89 FR 71252 (September 3, 2024).

<sup>3</sup> The members of ALPPA are the American Cast Iron Pipe Company, Axis Pipe & Tube, Dura-Bond Industries, and Welspun Tubular LLC.

<sup>4</sup> See ALPPA's Letter, "Notice of Intent to Participate in Sunset Review," dated September 17, 2024 (Intent to Participate).

<sup>5</sup> See ALPPA's Letter, "Substantive Response to Notice of Initiation," dated October 3, 2024.

<sup>6</sup> See Intent to Participate at 2.

<sup>7</sup> See Commerce's Letter, "Sunset Reviews Initiated on September 3, 2024," dated October 31, 2024; see also 19 CFR 351.218(3)(1)(ii)(C)(1).

<sup>8</sup> See Memorandum, "Issue and Decision Memorandum for the Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order on Certain Circular Welded Carbon-Quality Steel Line Pipe from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>1</sup> See *Certain Circular Welded Carbon Quality Steel Line Pipe from the People's Republic of China: Antidumping Duty Order*, 74 FR 22515 (May 13, 2009) (*Order*).

<sup>9</sup> *Id.*

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 <http://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 Expedited Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to the continuation or recurrence of dumping and that the magnitude of the margins likely to prevail if the *Order* was revoked is up to 101.10 percent.

### Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a). Timely 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 terms of an APO is a violation which is subject to sanction.

### Notification to Interested Parties

We are issuing, and publishing notice of, the results of this sunset review in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2) and 19 CFR 351.221(c)(5)(ii).

Dated: December 27, 2024.

### Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

### Appendix

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-428-848]

### Forged Steel Fluid End Blocks From Germany: Notice of Court Decision Not in Harmony With the Final Determination of Countervailing Duty Investigation; Notice of Amended Final Determination and Amended Countervailing Duty Order

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

**SUMMARY:** On December 26, 2024, the U.S. Court of International Trade (CIT) issued its final judgment in *BGH Edelstahl Siegen GmbH v. United States*, Court No. 21-00080, Slip Op. 24-148 (CIT December 26, 2024), sustaining the U.S. Department of Commerce's (Commerce) fourth remand redetermination pertaining to the countervailing duty (CVD) investigation of Forged Steel Fluid End Blocks (FEBs) from the Germany covering the period of investigation, January 1, 2018, through December 31, 2018. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final determination in that investigation, and that Commerce is amending the final determination and resulting CVD order with respect to the countervailable subsidy rates assigned to BGH Edelstahl Siegen GmbH (BGH Siegen), Schmiedewerke Grödtz GmbH (SWG), voestalpine Bohler Group (voestalpine Bohler), and all others.

**DATES:** Applicable January 3, 2025.

**FOR FURTHER INFORMATION CONTACT:** Robert Palmer or Shane Subler, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-9068 or (202) 482-6241, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 11, 2020, Commerce published its final determination in the CVD investigation of FEBs from Germany.<sup>1</sup> Commerce calculated countervailable subsidy rates of 5.86 percent for BGH Siegen, 6.71 percent for SWG, 14.81 percent for voestalpine Bohler, and 6.29 percent for all other

<sup>1</sup> See *Forged Steel Fluid End Blocks from the Federal Republic of Germany: Final Affirmative Countervailing Duty Determination*, 85 FR 80011 (December 11, 2020) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

producers/exporters of FEBs in Germany.<sup>2</sup> Commerce subsequently published the CVD order on FEBs from Germany.<sup>3</sup>

BGH Siegen appealed Commerce's *Final Determination*. On October 12, 2022, the CIT remanded the *Final Determination* to Commerce, directing Commerce to: (1) consider in the first instance whether to account for the compliance costs in its calculation of the CVD rates for subsidy programs under the Electricity Tax Act and Energy Tax Act; and (2) explain or reconsider its determination that the Konzessionsabgabenverordnung (KAV) Program is a specific subsidy.<sup>4</sup>

In the *First Remand Results*, issued in January 2023, Commerce explained its determination not to account for compliance costs in its calculation of the CVD rates for programs under the Electricity Tax Act and Energy Tax Act.<sup>5</sup> Commerce also further explained its determination that the KAV Program is specific.<sup>6</sup> However, Commerce made no changes to the final subsidy rates calculated during the investigation.<sup>7</sup>

In its *Second Remand Order*, the CIT sustained Commerce's *First Remand Results* with respect to the Electricity Tax Act and Energy Tax Act.<sup>8</sup> However, with respect to the KAV Program, the CIT held that Commerce's *First Remand Results* failed to explain: (1) how the amount of electricity consumed or the electricity prices paid by companies are not economic in nature; and (2) how criteria based solely on electricity consumption and pricing are not horizontal in application.<sup>9</sup> Regarding the latter, the CIT explained that for the KAV Program's criteria to be vertical in application, the criteria would need to expressly limit the program's application to specifically named enterprises or industries or a group of

<sup>2</sup> *Id.*, 85 FR at 80012.

<sup>3</sup> See *Forged Steel Fluid End Blocks from the People's Republic of China, the Federal Republic of Germany, India, and Italy: Countervailing Duty Orders, and Amended Final Affirmative Countervailing Duty Determination for the People's Republic of China*, 86 FR 7535 (January 29, 2021) (*Order*).

<sup>4</sup> See *BGH Edelstahl Siegen GmbH v. United States*, 600 F.Supp.3d 1241 (CIT 2022) (*First Remand Order*).

<sup>5</sup> See *Final Results of Redetermination Pursuant to the First Remand Order, BGH Edelstahl Siegen GmbH v. United States*, Consol. Court No. 21-00080; Slip. Op. 22-117 (CIT October 12, 2022), dated January 9, 2023 (*First Remand Results*) at 18, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>6</sup> *Id.*

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

<sup>8</sup> See *BGH Edelstahl Siegen GmbH v. United States*, 639 F.Supp.3d 1237, 1242 (CIT 2023) (*Second Remand Order*).

<sup>9</sup> *Id.*, 639 F.Supp.3d at 1243-44.