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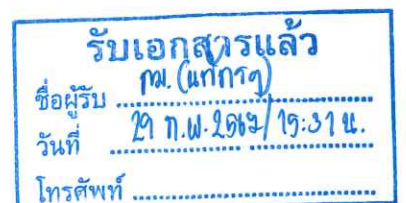


ถึง สภาอุตสาหกรรมแห่งประเทศไทย

กรมการค้าต่างประเทศขอแจ้งกรณีกระทรวงพาณิชย์สหรัฐฯ (Department of Commerce: DOC) ได้ออกประกาศ Federal Register Vol. 89 No. 37 ลงวันที่ ๒๓ กุมภาพันธ์ ๒๕๖๗ เรื่อง ประกาศผลการทบทวนประจำปีขั้นที่สุด (Final Results of Administrative Review) กรณีการเข้ามามาตรการตอบโต้การทุ่มตลาดสินค้าถังแก๊ส (Steel Propane Cylinder) จากประเทศไทย สำหรับช่วงระยะเวลาการทบทวน (Period of Review: POR) ระหว่างวันที่ ๑ สิงหาคม ๒๕๖๔ - ๓๑ กรกฎาคม ๒๕๖๕ โดย DOC พิจารณาแล้วพบว่าผู้ผลิต/ผู้ส่งออกสินค้าดังกล่าวของไทย ๑ ราย มีส่วนเหลือมาตรการทุ่มตลาดในอัตราร้อยละ ๒.๑๗ และผู้ผลิต/ผู้ส่งออกสินค้านรายอื่น ในอัตราร้อยละ ๑๐.๗๗ ทั้งนี้ สามารถศึกษาข้อมูลเพิ่มเติมได้ที่เว็บไซต์ <https://thaitr.dft.go.th> หรือ สามารถดาวน์โหลดประกาศดังกล่าวได้ตาม QR Code ที่แนบ



กรมการค้าต่างประเทศ  
กองปกป้องและตอบโต้ทางการค้า  
โทร ๐๒-๕๔๗-๔๗๓๙  
โทรสาร ๐๒-๕๔๗-๔๗๔๑



Commerce's "automatic assessment" practice will apply to entries of subject merchandise during the POR produced by Hyundai or POSCO for which the reviewed companies did not know that the merchandise they sold to the intermediary (*i.e.*, a reseller, trading company, or exporter) was destined for the United States.<sup>10</sup> 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.<sup>11</sup>

For Dongbu, the company that was not selected for individual examination, we assigned an assessment rate based on the weighted average of the cash deposit rates calculated for Hyundai and POSCO, excluding any which are zero, *de minimis*, or determined entirely on the basis of facts available.<sup>12</sup>

#### Cash Deposit Instructions

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on, or after, the date of publication of this notice in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the 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 or reviewed companies not covered in this review, the cash deposit rate will continue to be the company-specific cash deposit 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, a prior review, or the less-than-fair-value (LTFV) investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment of the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 20.33 percent, the all-others rate established in the LTFV investigation.<sup>13</sup> These cash deposit

requirements, when imposed, shall remain in effect until further notice.

#### 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 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.

#### 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 of Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 16, 2024.

#### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Results*
- IV. Discussion of the Issues
  - Comment 1: Comparing Hyundai's Home Market Sales of Non-Prime Merchandise to U.S. Sales of Prime Merchandise
  - Comment 2: Whether Commerce Should Apply its Quarterly Cost Methodology to Hyundai
  - Comment 3: Whether to Include Hyundai's Home Market and U.S. Billing Adjustments in its Margin Calculation
  - Comment 4: Whether to Increase U.S. Price by the Amount of Countervailing Duties Imposed to Offset Hyundai's Export Subsidy
  - Comment 5: Ministerial Errors in POSCO's Margin Calculation
- V. Recommendation

[FR Doc. 2024-03741 Filed 2-22-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-839]

#### Steel Propane Cylinders From Thailand: Final Results of Antidumping Duty Administrative Review; 2021–2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) finds that Sahamitr Pressure Container Plc. (also known as Sahamitr Pressure Container Public Company Limited) (SMPC) made sales of subject merchandise in the United States at prices below normal value during the period of review (POR) August 1, 2021, through July 31, 2022.

**DATES:** Applicable February 23, 2024.

**FOR FURTHER INFORMATION CONTACT:** Samuel Brummitt, 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) 482-7851.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 6, 2023, Commerce published the preliminary results of the 2021–2022 administrative review of the antidumping duty order on steel propane cylinders from Thailand and invited interested parties to comment.<sup>1</sup> On December 12, 2023, we extended the deadline for these final results to February 16, 2024.<sup>2</sup> For a complete description of the events that occurred since the *Preliminary Results*, see the *Issues and Decision Memorandum*.<sup>3</sup>

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

##### Scope of the Order<sup>4</sup>

The merchandise covered by this *Order* is steel propane cylinders from

<sup>1</sup> See *Steel Propane Cylinders from Thailand: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022*, 88 FR 60921 (September 6, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated December 12, 2023.

<sup>3</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Steel Propane Cylinders from Thailand; 2021–2022," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>4</sup> See *Steel Propane Cylinders from the People's Republic of China and Thailand: Amended Final*

<sup>10</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>11</sup> See *Order*, 81 FR at 64434.

<sup>12</sup> See section 735(c)(5)(A) of the Act.

<sup>13</sup> See *Order*, 81 FR at 64434.

Thailand. A full description of the scope of the *Order* is contained in 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 as an 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 a review of the record and comments received from interested parties, we made certain adjustments to the margin calculations for these final results, as detailed in the Issues and Decision Memorandum.

#### Final Results of Review

As a result of this administrative review, Commerce determines that the following weighted-average dumping margin exists for the period August 1, 2021, through July 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
Sahamitr Pressure Container Plc	2.17

#### Disclosure

Commerce intends to disclose the calculations performed to interested parties for these final results within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

#### Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, 19 CFR 351.213, and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with these final results of review. Pursuant to 19 CFR 351.212(b)(1), where the

respondent reported the entered value of its U.S. sales, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of the sales for which entered value was reported. Where the respondent did not report entered value, we calculated a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by the total quantity associated with those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis*, in accordance with 19 CFR 351.106(c)(2), we also calculated an importer-specific *ad valorem* ratio based on estimated entered values. Where 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 "reseller policy" will apply to entries of subject merchandise during the POR produced by SMPC for which the reviewed company did not know that the merchandise it sold to the 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.<sup>5</sup>

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 for estimated antidumping duties will be effective for all shipments

of 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 SMPC will be equal to the weighted-average dumping margin that is established in the final results of this review (except if that rate is *de minimis*, in which situation the cash deposit rate will be zero); (2) for merchandise exported by a company not covered in this review but covered in a prior completed 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 original investigation but the producer has been covered in a prior complete segment of this proceeding, the cash deposit rate will be the company-specific rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers and exporters will continue to be 10.77 percent *ad valorem*,<sup>6</sup> the all-others rate established in the less-than-fair-value investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also 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 the POR. 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.

#### Administrative Protective Order

This notice also serves as a reminder to parties subject to an 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

<sup>5</sup> *Determination of Sales at Less Than Fair Value and Antidumping Duty Orders*, 84 FR 41703 (August 15, 2019) (*Order*).

<sup>5</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>6</sup> See *Steel Propane Cylinders from Thailand: Final Determination of Sales at Less Than Fair Value*, 84 FR 29168, 29169 (June 21, 2019).



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).

Dated: February 16, 2024.

#### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-exclusive Functions and Duties of the 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 Commerce Should Remove Certain Non-Propane Cylinders from SMPC's Home Market Sales Database
  - Comment 2: Whether to Revise the Capping of U.S. Freight Revenue
  - Comment 3: Differential Pricing Analysis
- VI. Recommendation

[FR Doc. 2024-03740 Filed 2-22-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-469-823]

#### Utility Scale Wind Towers From Spain: Rescission of Antidumping Duty Administrative Review; 2022-2023

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on utility scale wind towers (wind towers) from Spain for the period of review (POR) August 1, 2022, through July 31, 2023.

**DATES:** Applicable February 23, 2024.

#### FOR FURTHER INFORMATION CONTACT:

Christopher Maciuba, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0413.

#### SUPPLEMENTARY INFORMATION:

#### Background

On August 26, 2020, Commerce published in the *Federal Register* the

AD order on wind towers from Spain.<sup>1</sup> On August 2, 2023, Commerce published in the *Federal Register* a notice of opportunity to request an administrative review of the AD order on wind towers from Spain.<sup>2</sup> On August 31, 2022, the Wind Tower Trade Coalition (the petitioner) submitted a timely request that Commerce conduct an administrative review.<sup>3</sup>

On October 18, 2023, Commerce published in the *Federal Register* a notice of initiation of administrative review with respect to imports of wind towers from Spain in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.221(c)(1)(i).<sup>4</sup> This review covers subject merchandise exported and/or produced by Acciona Energia, Acciona Windpower S.A., Industrial Barranquesa, S.A., Gamesa Energy Transmission S.A., GE Renewable Energy, GRI Renewable Industries S.L., Haizea Wind Group, Iberdrola, S.A., Iberdrola Renovables Energia S.A., Nordex SE, Nordex Energy Spain S.A., Siemens Gamesa Renewable Energy Inc., Vestas Eolica S.A.U., Vestas Eolica, S.A., Vestas Manufacturing Spain S.L.U., Vestas Control Systems Spain S.L.U., Vestas Wind Systems A/S, and Windar Renovables, S.A.<sup>5</sup> On October 24, 2023, we placed on the record U.S. Customs and Border Protection (CBP) data for entries of wind towers from Spain during the POR, showing no reviewable POR entries and invited interested parties to comment.<sup>6</sup>

On October 31, 2023, the petitioner filed comments with respect to the CBP data.<sup>7</sup> On November 17, 2023, Acciona Generación Renovable, S.A. (formerly Acciona Energia, S.A.) (Acciona) submitted a no-shipment certification, indicating that it had no exports or sales

of subject merchandise to the United States during the POR.<sup>8</sup>

On December 7, 2023, Commerce notified all interested parties of its intent to rescind the instant review because there were no reviewable, suspended entries of subject merchandise by any of the companies subject to this review during the POR and invited interested parties to comment.<sup>9</sup> We did not receive any comments.

#### Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of an AD order when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.<sup>10</sup> Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate calculated for the review period.<sup>11</sup> Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the AD assessment rate calculated for the review period.<sup>12</sup> As noted above, there were no entries of subject merchandise for the companies subject to this review during the POR. Accordingly, in the absence of suspended entries of subject merchandise during the POR, we are hereby rescinding this administrative review, in its entirety, in accordance with 19 CFR 351.213(d)(3).

#### Assessment

Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the *Federal Register*.

<sup>8</sup> See Acciona's Letter, "No Shipment Certification," dated November 17, 2023.

<sup>9</sup> See Memorandum, "Notice of Intent to Rescind Review," dated December 7, 2023.

<sup>10</sup> See, e.g., *Diocetyl Terephthalate from the Republic of Korea: Rescission of Antidumping Administrative Review; 2021-2022*, 88 FR 24758 (April 24, 2023); see also *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Rescission of Antidumping Administrative Review; 2020-2021*, 88 FR 4154 (January 24, 2023).

<sup>11</sup> See 19 CFR 351.212(b)(1).

<sup>12</sup> See 19 CFR 351.213(d)(3).

<sup>1</sup> See *Utility Scale Wind Towers from Canada, Indonesia, the Republic of Korea, and the Socialist Republic of Vietnam: Antidumping Duty Orders*, 85 FR 52546 (August 26, 2020) (Order), corrected in *Utility Scale Wind Towers from Canada, Indonesia, the Republic of Korea, and the Socialist Republic of Vietnam: Notice of Correction to the Antidumping Duty Orders*, 85 FR 56213 (September 11, 2020).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 88 FR 50840 (August 2, 2023).

<sup>3</sup> See Petitioner's Letter, "Request for Administrative Review," dated August 31, 2023.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 71829 (October 18, 2023).

<sup>5</sup> *Id.*, 88 FR at 71832.

<sup>6</sup> See Memorandum, "Release of Customs and Border Protection Data Query," dated October 24, 2023.

<sup>7</sup> See Petitioner's Letter, "Comments on CBP Data and Respondent Selection" dated October 31, 2023.