

Critical Circumstances
VIII. Currency Conversion
IX. Adjustments to Cash Deposit Rates for
Export Subsidies in Companion CVD
Investigation
X. Recommendation

[FR Doc. 2022–10051 Filed 5–10–22; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–844]

Emulsion Styrene-Butadiene Rubber From Italy: Termination of Less-Than- Fair-Value Investigation

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

SUMMARY: Based on a withdrawal of the antidumping duty petition on emulsion styrene-butadiene rubber (ESBR) from Italy by Lion Elastomers LLC (the petitioner), we are terminating this less-than-fair-value (LTFV) investigation.

DATES: Applicable May 11, 2022.

FOR FURTHER INFORMATION CONTACT: Zachary Le Vene, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0056.

SUPPLEMENTARY INFORMATION:

Background

On November 12, 2021, Commerce received a petition concerning imports of ESBR from Italy, filed in proper form by the petitioner.¹ Commerce published the notice of initiation of this investigation on December 10, 2021.² On April 29, 2022, Commerce published its preliminary determination in the LTFV investigation of ESBR from Italy.³ On May 2, 2022, the petitioner submitted a letter withdrawing the Petition with respect to Italy.⁴

¹ See Petitioner's Letter, "Petition (Vol. I–IV) for the Imposition of Antidumping Duties on Imports of Emulsion Styrene-Butadiene Rubber from Czech Republic, Italy, and Russia," dated November 12, 2021 (Petition).

² See *Emulsion Styrene-Butadiene Rubber from the Czech Republic, Italy, and the Russian Federation: Initiation of Less-Than-Fair-Value Investigations*, 86 FR 70447 (December 10, 2021).

³ See *Emulsion Styrene-Butadiene Rubber from Italy: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 87 FR 25447 (April 29, 2022) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

⁴ See Petitioner's Letter, "Emulsion Styrene-Butadiene Rubber from Italy: Petitioner's Withdrawal of Antidumping Duty Petition Alleging Sales of ESBR from Italy at LTFV (Vol. III)," dated May 2, 2022.

Section 351.207(b)(1) of Commerce's regulations stipulates that the Secretary may terminate an investigation, provided it has concluded that termination of the investigation is in the public interest. Because the petitioner has withdrawn its Petition with respect to Italy, Commerce has concluded that termination is in the public interest, pursuant to 19 CFR 351.207(b)(1). Accordingly, pursuant to section 734(a)(1)(A) of the Tariff Act of 1930, as amended (the Act), 19 CFR 351.207(b)(1), and based on the petitioner's letter withdrawing the Petition, we are terminating this LTFV investigation.

Termination of the Investigation

In accordance with section 734(a)(1)(A) of the Act and 19 CFR 351.207(b)(1), upon the petitioner's withdrawal of the Petition, we are terminating the LTFV investigation of ESBR from Italy.

Suspension of Liquidation

In the *Preliminary Determination*, Commerce determined weighted-average dumping margins for exporters of ESBR from Italy that were above *de minimis*. Because Commerce is terminating this LTFV investigation, we will instruct U.S. Customs and Border Protection to terminate suspension of liquidation and refund any cash deposits of estimated antidumping duties for entries of ESBR from Italy.

Dated: May 5, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–859]

Steel Concrete Reinforcing Bar From Taiwan: Notice of Court Decision Not in Harmony With the Results of Antidumping Duty Administrative Review; Notice of Amended Final Results

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

SUMMARY: On April 28, 2022, the U.S. Court of International Trade (CIT) issued its final judgment in *Power Steel Co., Ltd. v. United States*, Court no. 20–03771, sustaining the Department of Commerce (Commerce)'s first remand results pertaining to the administrative

review of the antidumping duty (AD) order on steel concrete reinforced bar (rebar) from Taiwan covering the period March 7, 2017, through September 30, 2018. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin assigned to Power Steel Co., Ltd. (Power Steel).

DATES: Applicable May 8, 2022.

FOR FURTHER INFORMATION CONTACT:

Jacob Saude, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0981.

SUPPLEMENTARY INFORMATION:

Background

On October 8, 2020, Commerce published its final results in the 2017–2018 AD administrative review of rebar from Taiwan.¹ In the *Final Results*, Commerce deducted section 232 duties from export price for all of Power Steel's transactions because Commerce found that the documents Power Steel submitted did not support its claim that section 232 duties were not included in U.S. price for certain transactions.² Commerce calculated a weighted-average dumping margin of 3.27 percent.³

Power Steel appealed Commerce's *Final Results*. On December 23, 2021, the CIT sustained, in part, and remanded, in part, aspects of the *Final Results*.⁴ The CIT sustained Commerce's interpretation that section 232 duties are "United States import duties" that are deducted from export price under section 772(c)(2)(A) of the Tariff Act of 1930, as amended (the Act). The CIT remanded Commerce's determination that Power Steel paid section 232 duties for all its U.S. sales.⁵ The CIT found the evidence Power Steel submitted during the administrative review "appears to be ambiguous if considered in a vacuum" and further found that certain information Power Steel submitted to the CIT, some of which was not previously on Commerce's record, "may show that Power Steel did not pay the

¹ See *Steel Concrete Reinforcing Bar from Taiwan: Final Results of Antidumping Duty Administrative Review; 2017–2018*, 85 FR 63505 (October 8, 2020) (*Final Results*).

² *Id.*

³ *Id.*

⁴ See *Power Steel Co., Ltd. v. United States*, Court No. 20–03771, Slip. Op. 21–173 (CIT December 23, 2021).

⁵ *Id.* at 6–7.