

the U.S. Department of Commerce's (Commerce) remand redetermination pertaining to the countervailing duty (CVD) investigation of granular polytetrafluoroethylene (PTFE) resin from India covering the period of investigation April 1, 2019, through March 31, 2020. 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 the resulting CVD order with respect to the countervailable subsidy rate assigned to Gujarat Fluorochemicals Limited (GFL).

**DATES:** Applicable October 23, 2023.

**FOR FURTHER INFORMATION CONTACT:** Robert Palmer, 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.

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 25, 2022, Commerce published its final determination in the CVD investigation of granular PTFE resin from India. Commerce calculated a countervailable subsidy rate of 31.89 percent for GFL and for all other producers/exporters of granular PTFE resin in India.<sup>1</sup> Commerce subsequently published the CVD order on granular PTFE resin from India.<sup>2</sup>

GFL appealed Commerce's *Final Determination*. On January 24, 2023, the CIT remanded the *Final Determination* to Commerce, directing Commerce to: (1) delete from the overall rate the 26.50 percent estimated subsidy rate for the provision of land by the State Industrial Development Corporation (SIDC) in the state of Madhya Pradesh, and (2) reconsider its inclusion of an estimated 0.12 percent subsidy rate for the provision of land by the Gujarat Industrial Development Corporation (GIDC).<sup>3</sup>

In its final remand redetermination, issued in February 2023, Commerce removed the 26.50 percent estimated subsidy rate for the SIDC's provision of land from GFL's overall subsidy rate, under respectful protest; reconsidered

the inclusion of the subsidy rate for the GIDC's provision of land; determined that this provision of land constitutes a financial contribution from an authority and is specific, making no changes to the 0.12 percent estimated subsidy rate for the GIDC's provision of land; and revised the all-others rate, which was based on GFL's rate.<sup>4</sup> The CIT sustained Commerce's *Final Redetermination*.<sup>5</sup>

**Timken Notice**

In its decision in *Timken*,<sup>6</sup> as clarified by *Diamond Sawblades*,<sup>7</sup> the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's October 13, 2023, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Determination*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

**Amended Final Determination**

Because there is now a final court judgment, Commerce is amending its *Final Determination* with respect to GFL and the all-others rate as follows:

Company	Subsidy rate <i>ad valorem</i> (percent)
Gujarat Fluorochemicals Limited <sup>8</sup> .....	5.39
All Others .....	5.39

**Amended Countervailing Duty Order**

Because there is now a final court decision, Commerce is amending its *Final Determination* and *Order*. As a result of this amended final determination, Commerce is hereby updating GFL's *ad valorem* subsidy rate to 5.39 percent. Additionally, because the all-others rate was based on GFL's

<sup>4</sup> See *Final Results of Redetermination Pursuant to Court Remand, Gujarat Fluorochemicals Limited v. United States*, Court No. 22-00120, Slip Op. 23-9 (CIT February 23, 2023) (*Final Redetermination*), available at <https://access.trade.gov/resources/remands/index.html>.

<sup>5</sup> See *Gujarat Fluorochemicals Limited v. United States*, Court No. 22-00120, Slip Op. 23-151 (CIT October 13, 2023).

<sup>6</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>7</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>8</sup> Commerce has found the following companies to be cross-owned with GFCL: Inox Leasing Finance Limited and Inox Wind Limited.

rate, Commerce is also updating the all-others rate to 5.39 percent.

**Cash Deposit Requirements**

Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP). Additionally, Commerce will instruct CBP to refund the difference between the amount of cash deposits paid as a result of the application of the *Final Determination* and the amount due as a result of the application of this amended CVD order.

**Liquidation of Suspended Entries**

At this time, Commerce remains enjoined by CIT order from liquidating entries that: were produced and/or exported by GFL and were entered, or withdrawn from warehouse, during the period July 6, 2021, through December 31, 2022, excluding any merchandise entered, or withdrawn from warehouse, for consumption, on November 3, 2021, through March 11, 2022. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

**Notification to Interested Parties**

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: October 25, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XD489]

**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.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Habitat Joint Advisory Panel and Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). This meeting will be held in-person with a webinar option. Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

<sup>1</sup> See *Granular Polytetrafluoroethylene Resin from India: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination*, 87 FR 3765 (January 25, 2022) (*Final Determination*).

<sup>2</sup> See *Granular Polytetrafluoroethylene Resin from India and the Russian Federation: Countervailing Duty Orders*, 87 FR 14509 (March 15, 2022) (*Order*).

<sup>3</sup> See *Gujarat Fluorochemicals Limited v. United States*, Court No. 22-00120, Slip Op. 23-9 (CIT January 24, 2023).

**DATES:** This hybrid meeting be held on Tuesday, November 14, 2023, at 9 a.m.

**ADDRESSES:**

*Meeting address:* This meeting will be held at the Four Points by Sheraton, One Audubon Road, Wakefield, MA 01880; telephone: (781) 245-9300.

*Webinar registration URL information:* <https://attendeegoto.webinar.com/register/5291714603459595103>.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Cate O'Keefe, Ph.D., Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:**

**Agenda**

The Advisory Panel and Committee plan to discuss progress towards developing alternatives and analyses for the Northern Edge Habitat-Scallop Framework and provide guidance to the Plan Development Team. They will briefly discuss findings of the joint Mid-Atlantic Fishery Management Council-New England Fishery Management Council Scientific and Statistical Committee (MAFMC-NEFMC SSC) subpanel essential fish habitat (EFH) methods review and consider next steps for the Council's management action. They also plan to discuss current issues and comment opportunities related to offshore wind or other offshore development projects and provide guidance as appropriate. This will include reviewing and commenting on draft Wind Energy Areas and suitability modeling for the Gulf of Maine. The Panel and Committee plan to discuss and rank 2024 work priorities related to habitat and offshore development issues for Council consideration in December. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

**Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Ph.D., Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: October 25, 2023.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XD478]

**Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting**

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

**ACTION:** Notice; public meeting.

**SUMMARY:** The MAFMC's Spiny Dogfish Committee will meet via webinar to develop recommendations for 2024-2026 Spiny Dogfish specifications.

**DATES:** The meeting will be held on Friday, November 17, 2023, from 9 a.m. to 12:30 p.m.

**ADDRESSES:** The meeting will be held via webinar. Connection information will be posted to the MAFMC's website calendar prior to the meeting at [www.mafmc.org](http://www.mafmc.org).

*Council address:* Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; [www.mafmc.org](http://www.mafmc.org).

**FOR FURTHER INFORMATION CONTACT:**

Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

**SUPPLEMENTARY INFORMATION:** The purpose of the meeting is for the Spiny Dogfish Committee to develop recommendations regarding 2024-2026 Spiny Dogfish specifications, including changes to commercial quotas and/or other federal management measures to ensure annual catch limits are not exceeded.

**Special Accommodations**

The meeting is physically accessible to people with disabilities. Requests for

sign language interpretation or other auxiliary aid should be directed to Shelley Spedden, (302) 526-5251, at least 5 days prior to the meeting date.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: October 25, 2023.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XD475]

**Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meeting**

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

**ACTION:** Notice of SEDAR 89 South Atlantic Tilefish Life History Topical Working Group (LH-TWG) Data Scoping Webinar.

**SUMMARY:** The SEDAR 89 assessment of the South Atlantic stock of tilefish will consist of a series of assessment webinars. A SEDAR 89 LH-TWG Data Scoping Webinar is scheduled for November 16, 2023. See **SUPPLEMENTARY INFORMATION**.

**DATES:** The SEDAR 89 South Atlantic Tilefish LH-TWG Data Scoping Webinar has been scheduled for November 16, 2023, from 1 p.m. to 4 p.m. Eastern. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

**ADDRESSES:**

*Meeting address:* The meeting will be held via webinar. The webinar is open to members of the public. Registration for the webinar is available by contacting the SEDAR coordinator via email at [Meisha.Key@safmc.net](mailto:Meisha.Key@safmc.net).

*SEDAR address:* South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405; [www.sedarweb.org](http://www.sedarweb.org).

**FOR FURTHER INFORMATION CONTACT:**

Meisha Key, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone: (843) 571-4366; email: [Meisha.Key@safmc.net](mailto:Meisha.Key@safmc.net).