

entries without regard to antidumping duties.

Pursuant to Commerce's refinement to its practice, for sales that were not reported in the U.S. sales database submitted by a respondent individually examined during this review, Commerce will instruct CBP to liquidate the entry of such merchandise at the dumping margin assigned to the China-wide entity.²⁸ Additionally, where Commerce determines that an exporter under review had no shipments of subject merchandise during the POR, any suspended entries of subject merchandise that entered under that exporter's CBP case number during the POR will be liquidated at the antidumping duty assessment rate for the China-wide entity.

For the companies for which this review is rescinded with these preliminary results, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the POR, in accordance with 19 CFR 351.212(c)(1)(i). For the companies rescinded from review, Commerce intends to issue assessment instructions to CBP 35 days after the publication of this notice in the **Federal Register**.

In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated ADs, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for all shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the date of publication of the notice of the final results of administrative review in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) for the companies that have a separate rate, the cash deposit rate will be that rate established in the final results of this review (except, if the rate is *de minimis*, then a cash deposit rate of zero will be required); (2) for previously investigated or reviewed Chinese and non-Chinese exporters for which a review was not

requested and that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity (*i.e.*, 322.25 percent); and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case and rebuttal briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

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 and/or countervailing 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 and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing the preliminary results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, 19 CFR 351.213(d)(4), and 19 CFR 351.221(b)(4).

Dated: September 6, 2024.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Determination of No Shipments
- V. Partial Rescission of Administrative Review
- VI. Discussion of the Methodology
- VII. Adjustment Under Section 777(A)(f) of the Act
- VIII. Currency Conversion
- IX. Recommendation

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[FR Doc. 2024–20780 Filed 9–12–24; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–915]

Light-Walled Rectangular Pipe and Tube From the People's Republic of China: Preliminary Results and Preliminary Determination of No Shipments; 2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting the administrative review of the countervailing duty (CVD) order on light-walled rectangular pipe and tube (LWRPT) from the People's Republic of China (China). The period of review (POR) is January 1, 2022, through December 31, 2022. Commerce preliminarily finds that Hoa Phat Steel Pipe Company Limited (Hoa Phat) had no subject shipments of LWRPT and that Hoa Phat will be eligible to participate in the certification program previously established with respect to the CVD order on LWRPT from China. We invite interested parties to comment on these preliminary results.

DATES: Applicable September 13, 2024.

FOR FURTHER INFORMATION CONTACT: Christopher Hargett, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4161.

SUPPLEMENTARY INFORMATION:

Background

On August 5, 2008, Commerce published in the **Federal Register** the CVD order on LWRPT from China.¹ On August 2, 2023, Commerce notified interested parties of the opportunity to request an administrative review of the Order.² On August 30, 2023, Hoa Phat requested that Commerce conduct an administrative review of its exports to

¹ See *Light-Walled Rectangular Pipe and Tube from the People's Republic of China: Countervailing Duty Order*, 73 FR 45405 (August 5, 2008) (Order).

² 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).

²⁸ For a full discussion of this practice, see *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

determine whether those exports are covered by the CVD *Order* on LWRPT from China.³ In its review request, Hoa Phat further explained that it sought an administrative review so that Commerce would permit it to submit certifications to U.S. Customs and Border Protection (CBP) to properly declare the origin of the hot-rolled steel (HRS) that it used to produce the LWRPT it exported.⁴ On August 31, 2023, GS Global USA, Inc. (GS Global) requested that Commerce conduct an administrative review of Hoa Phat's exports.⁵

Subsequently, we initiated an administrative review of the *Order* with respect to Hoa Phat.⁶

On November 9, 2023, we published in the **Federal Register** the *Circumvention Final Determination*, in which we: (1) determined that certain LWRPT exported from the Socialist Republic of Vietnam (Vietnam) and entered into the United States was circumventing the *Order* and therefore is now covered by the *Order*; and (2) established a certification program to allow eligible producers and exporters of LWRPT exported from Vietnam to certify that entries of LWRPT exported from Vietnam are not subject to the *Order*.⁷ We also indicated that we would allow interested parties to request reviews of LWRPT shipped from Vietnam and suspended under the *Order* that entered during the upcoming anniversary month of the *Order* (*i.e.*, August).⁸

Due to the common prerequisite issues in the concurrent administrative

reviews of the antidumping duty (AD) and CVD orders, *i.e.*, the origin of the HRS used in Hoa Phat's production and/or export of LWRPT and whether Hoa Phat is eligible to certify that origin with CBP, on March 11, 2024, Commerce notified all interested parties of its intent to address Hoa Phat's certification eligibility in the CVD administrative review in the context of the concurrent AD review of Hoa Phat and adopt the AD findings in the CVD review.⁹ Commerce also instructed all interested parties to file any future submissions that related to this issue on the record of both proceedings. Additionally, regarding previously filed submissions related to these issues that were only on the record of the AD administrative review, Commerce instructed all interested parties who filed such submissions to file those submissions on the record of the CVD administrative review.¹⁰

On April 12, 2024, Commerce extended the deadline for these preliminary results to August 30, 2024.¹¹ On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.¹² The deadline for the preliminary results is now September 6, 2024.

Scope of the Order

The merchandise subject to this *Order* is certain welded carbon quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm. The term carbon-quality steel includes both carbon steel and alloy steel which contains only small amounts of alloying elements. Specifically, the term carbon-quality includes products in which none of the elements listed below exceeds the quantity by weight respectively indicated: 1.80 percent of manganese, or 2.25 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium. The description of carbon-quality is

⁹ See Memorandum, "Notification of Procedure for Determining Certification Eligibility in Administrative Reviews of the Antidumping and Countervailing Duty Orders," dated March 11, 2024 (Notification of Procedure Memorandum).

¹⁰ *Id.*

¹¹ See Memorandum, "Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review," dated April 12, 2024.

¹² See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to this *Order* is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and CBP's customs purposes, our written description of the scope of the *Order* is dispositive.

Methodology

For the preliminary results of this CVD review, Commerce is hereby adopting the preliminary finding and Preliminary Decision Memorandum issued in the concurrent AD administrative review only with respect to Hoa Phat. For a full description of the methodology underlying the results, see the Preliminary Decision Memorandum adopted by reference, in this CVD review.¹³ Commerce preliminarily found that Hoa Phat had no subject shipments of LWRPT and is eligible to participate in the previously established certification program.¹⁴ The AD Preliminary Decision Memorandum is a public document and is made available to the public 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 AD Preliminary Decision Memorandum is available at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Thus, if our preliminary finding in the concurrent AD administrative review is unchanged in the final results, we will determine in the final results of this CVD review that Hoa Phat will be eligible to participate in the certification program previously established with respect to the CVD *Order* on LWRPT from China as of the publication date of the final results.

Public Comment

Because Commerce intends to conduct verification of the questionnaire responses of Hoa Phat in the concurrent AD review, the results of which will be adopted in this CVD review, interested parties will be notified of the deadline for the

¹³ See unpublished **Federal Register** Notice entitled, "Light-Walled Rectangular Pipe and Tube from the People's Republic of China: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review, and Preliminary Determination of No Shipments; 2022–2023," dated concurrently with this notice, and accompanying PDM.

¹⁴ *Id.*

³ See Hoa Phat Letter, "Request for Administrative Review," dated August 30, 2023.

⁴ *Id.* As background, in *Light-Walled Rectangular Pipe and Tube From the People's Republic of China: Preliminary Affirmative Determination of Circumvention of the Antidumping Duty and Countervailing Duty Orders*, 88 FR 21985–21986 (April 12, 2023) (*Preliminary Circumvention Determination*), and accompanying Preliminary Decision Memorandum (PDM) at 4–6, Commerce preliminarily determined that Hoa Phat had failed to cooperate in the circumvention proceeding and applied facts available with adverse inferences to determine that Hoa Phat was not eligible to participate in the certification regime established in the circumvention proceeding. In the final determination, Commerce continued to find that Hoa Phat was ineligible to participate in the certification regime. See *Light-Walled Rectangular Pipe and Tube from the People's Republic of China: Final Affirmative Determination of Circumvention of the Antidumping Duty and Countervailing Duty Orders*, 88 FR 77283 (November 9, 2023) (*Circumvention Final Determination*), and accompanying Issues and Decision Memorandum (IDM) at Comment 3.

⁵ See GS Global Letter, "Request for Administrative Review" dated August 31, 2023.

⁶ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 71829 (October 18, 2023) (*Initiation Notice*).

⁷ See *Circumvention Final Determination*, 88 FR at 77284.

⁸ *Id.*, 88 FR at 77285.

submission of case briefs at a later date.¹⁵ The case briefs submitted in the AD and CVD reviews must be identical, and Commerce will consider all case brief arguments in the concurrent AD review. As noted above, Commerce intends to adopt the final findings in the concurrent AD proceeding in the final results of this CVD administrative review.

Assessment Rates

Upon issuance of the final results of this review, Commerce will determine, and CBP will assess, CVD duties on all appropriate entries covered by this review.¹⁶ We intend to instruct CBP to liquidate entries of LWRPT exported by Hoa Phat without regard to countervailing duties if these preliminary results are unchanged for the final results.

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).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication 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 publication date of the final results of review, as provided for by section 751(a)(2)(C) of the Act: (1) for Hoa Phat, the cash deposit rate will remain unchanged (*i.e.*, 255.07 percent),¹⁷ unless the company satisfies the certification requirements in the *Final Circumvention Determination*; and (2) for all companies not subject to this review, CBP will continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, by

¹⁵ See 19 CFR 351.303 (for general filing requirements).

¹⁶ See 19 CFR 351.212(b)(1).

¹⁷ See *Final Circumvention Determination*.

adopting the findings in the concurrent AD review, within 120 days of publication of these preliminary results of review, pursuant to section 751(a)(3)(A) of the Act.

Notification to Interested Parties

This determination is 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: September 6, 2024.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2024-20773 Filed 9-12-24; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-161]

2,4-Dichlorophenoxyacetic Acid From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of 2,4-dichlorophenoxyacetic acid (2,4-D) from the People's Republic of China (China). The period of investigation (POI) is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable September 13, 2024.

FOR FURTHER INFORMATION CONTACT: Claudia Cott or Thomas Schauer, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4270 or (202) 482-0410, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this countervailing duty (CVD) investigation on April 30,

2024.¹ On June 10, 2024, Commerce postponed the preliminary determination until September 3, 2024.² On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.³ The deadline for the preliminary determination is now September 9, 2024.

For a complete description of events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.⁴ A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II 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 Investigation

The product covered by this investigation is 2,4-D from China. For a complete description of the scope of this investigation, see Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,⁵ the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).⁶ Commerce issued a supplemental questionnaire on June 4, 2024, requesting clarification regarding two of the Harmonized Tariff Schedule of the United States (HTSUS) subheadings under which the subject merchandise may also be classified.⁷ On

¹ See *2,4-Dichlorophenoxyacetic Acid from the People's Republic of China and India: Initiation of Countervailing Duty Investigations*, 89 FR 34205 (April 30, 2024) (*Initiation Notice*).

² See *2,4-Dichlorophenoxyacetic Acid from the People's Republic of China and India: Postponement of Preliminary Determinations in the Countervailing Duty Investigations*, 89 FR 48891 (June 10, 2024).

³ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

⁴ See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination of the Countervailing Duty Investigation of 2,4-Dichlorophenoxyacetic Acid from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

⁵ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

⁶ See *Initiation Notice*, 89 FR at 34206.

⁷ See Commerce's Letter, "Scope Supplemental Questions," dated June 4, 2024.