

## Analysis of Comments Received

A complete discussion of all issues raised in this sunset review is contained in the accompanying Issues and Decision Memorandum.<sup>9</sup> A list of topics discussed in the Issues and Decision Memorandum is included 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 directly accessed 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 dumping margins likely to prevail are weighted-average margins up to a weighted-average margin of up to 292.61 percent.

## Administrative Protective Order

This notice serves as the only 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). 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 these final results of 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: September 5, 2024.

### Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

**Editorial Note:** This document was received for publication by the Office of the Federal Register on December 6, 2024.

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

## 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 Margins of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–823–816]

### Carbon and Alloy Steel Wire Rod From Ukraine: Rescission of Antidumping Duty Administrative Review; 2023–2024

**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 carbon and alloy steel wire rod (wire rod) from Ukraine for the period of review (POR) March 1, 2023 through February 29, 2024.

**DATES:** Applicable December 11, 2024.

**FOR FURTHER INFORMATION CONTACT:** Brittany Bauer, 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) 482–3860.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 14, 2018, Commerce published in the *Federal Register* the AD order on wire rod from Ukraine.<sup>1</sup> On March 1, 2024, Commerce published in the *Federal Register* a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> On April 1, 2024, Commercial Metals Company and Nucor Corporation (collectively, the petitioners) submitted a timely request

<sup>1</sup> See *Carbon and Alloy Steel Wire Rod from the Republic of South Africa and Ukraine: Antidumping Duty Orders*, 83 FR 11175 (March 14, 2018) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List*, 89 FR 15157 (March 1, 2024).

that Commerce conduct an administrative review of the *Order*.<sup>3</sup> On May 8, 2024, Commerce published in the *Federal Register* its notice of initiation of an administrative review of the *Order*, 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 the following six companies: (1) ArcelorMittal Steel Kryvyi Rih; (2) Public Joint Stock Company Yenakieve Iron and Steel Works; (3) PrJSC Electrometallurgical Works Dnepropetsstal; (4) PJSC Dneprovsky Iron & Steel Integrated Works; (5) Metinvest Holding LLC; and (6) Variant Agro Build Ltd.<sup>5</sup> On May 10, 2024, we placed on the record U.S. Customs and Border Protection (CBP) data for entries of wire rod from Ukraine during the POR, showing no reviewable POR entries for any company listed in the *Initiation Notice*.

On November 6, 2024, 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 we invited interested parties to comment.<sup>6</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>7</sup> Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate calculated for the review period.<sup>8</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

<sup>3</sup> See Petitioners' Letter, "Request for Administrative Review," dated April 1, 2024.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 89 FR 38867 (May 8, 2024) (*Initiation Notice*).

<sup>5</sup> *Id.*, 89 FR 38871.

<sup>6</sup> See Memorandum, "Notice of Intent to Rescind Review," dated November 6, 2024.

<sup>7</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>8</sup> See 19 CFR 351.212(b)(1).

calculated for the review period.<sup>9</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 of wire rod from Ukraine. Antidumping duties shall be assessed at rates equal to the cash deposit rate 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 appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

#### Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). 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 terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: December 5, 2024.

#### Scot Fullerton,

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Environmental Policy Act; Proposed Implementing Procedures and Categorical Exclusions

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** Federal agencies are required to develop procedures to implement the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) regulations implementing NEPA. Consistent with these requirements, the National Institute of Standards and Technology (NIST) is proposing new NEPA implementing procedures (NEPA Procedures), including the establishment of new categorical exclusions (CEs) as part of its NEPA Procedures. CEs are categories of actions that an agency has determined normally do not have a significant effect on the human environment, individually or in the aggregate. CEs are a form of review that agencies use to comply with NEPA for proposed actions that normally have no or minimal environmental effects. NIST requests the views of the public on its draft NEPA Procedures as well as its substantiation record for the proposed CEs.

**DATES:** Submit written comments on or before January 10, 2025.

**ADDRESSES:** The draft NEPA Procedures and CE substantiation record are available for review at <https://www.nist.gov/chips/national-environmental-policy-act-nepa>. Submit all electronic public comments via email to [CHIPSNEPA@chips.gov](mailto:CHIPSNEPA@chips.gov) citing “NEPA Procedures” in the subject line. NIST will accept comments in attached Word or PDF formats or within the body of the email.

Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NIST. All comments received are a part of the public record; commenters should not include personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information. NIST will accept anonymous comments. The most helpful comments include a specific recommendation, explain the reason for any recommended change, and provide supporting information. NIST will consider all relevant comments received on or before the closing date.

**FOR FURTHER INFORMATION CONTACT:** David Frenkel, NIST, telephone number 240-204-1960, email [David.Frenkel@chips.gov](mailto:David.Frenkel@chips.gov).

#### SUPPLEMENTARY INFORMATION:

##### Legal Framework

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, requires Federal agencies to consider the environmental effects of their proposed actions in their decision-

making processes and inform and engage the public in that process. Section 101(a) of NEPA sets forth a national policy to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which humans and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans. 42 U.S.C. 4331(a). Section 102 of NEPA directs agencies to interpret and administer Federal policies, regulations and laws consistent with NEPA’s policies. 42 U.S.C. 4332.

NEPA also created the Council on Environmental Quality (CEQ), which has issued regulations implementing NEPA, 40 CFR parts 1500 through 1508 (CEQ regulations). CEQ also has issued numerous guidance documents to facilitate agency implementation of NEPA. See CEQ, CEQ Guidance Documents, <https://ceq.doe.gov/guidance/guidance.html>.

To comply with NEPA, agencies determine the appropriate level of review of any major Federal action—an environmental impact statement (EIS), environmental assessment (EA), or categorical exclusion (CE). 40 CFR 1501.3. If a proposed action is likely to have significant environmental effects, the agency must prepare an EIS and document its decision in a record of decision. 40 CFR 1501.3(c)(3), part 1502, 1505.2. If the proposed action is not likely to have significant environmental effects or the effects are unknown, the agency may instead prepare an EA, which is a concise public document used to support agency decision making. 40 CFR 1501.3(c)(2), 1501.5, 1508.1(j). After completing the analysis in the EA, the agency may conclude that the action will have no significant effects and document that conclusion in a finding of no significant impact, or conclude that the action is likely to have significant effects and therefore requires preparation of an EIS. 40 CFR 1501.6(a), 1508.1(j).

Under NEPA and the CEQ regulations, a Federal agency may establish CEs—categories of actions that the agency has determined normally do not have a significant effect on the human environment, individually or in the aggregate—in its agency NEPA procedures. 42 U.S.C. 4336(e)(1); 40 CFR 1501.4(a), 1507.3(c)(8), 1508.1(e). If an agency determines that a CE established in its agency NEPA procedures covers a proposed action, it then evaluates the proposed action for

<sup>9</sup> See 19 CFR 351.213(d)(3).