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## 駐美國代表處經濟組 函

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受文者：經濟部國際貿易局

發文日期：中華民國108年2月26日  
發文字號：經美字第1080000192號  
速別：最速件  
密等及解密條件或保密期限：  
附件：如文 (1080000192\_Attach1.pdf)

主旨：陳報美國商務部公告修正對我國抗腐蝕性鋼品(Corrosion-Resistant Steel Products)反傾銷終判結果事，敬請查照。

說明：

- 一、相關文號：本組本(2019)年2月25日經美字第1080000188號函。
- 二、美商務部甫於本年2月26日公告，因美國國際貿易法庭於上(2018)年12月20日就利害關係人針對旨揭反傾銷調查提出之異議作出裁決並要求商務部改正，爰商務部將修正終判結果，以符合前述判決。商務部修正我商燁輝企業有限公司及其關係企業欣建股份有限公司與裕鐵企業股份有限公司之稅率為3.6%，並亦調整所有其他廠商之稅率(all-other rate)為3.6%。
- 三、本次商務部修正者係該部於2016年7月2日發布之本案終判結果，不同於說明一函中所述之行政複查終判；檢附本案聯邦公報如附件，併請卓參。

國際貿易局 108/02/27



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正本：經濟部國際貿易局

副本：電子公文交換章

2019/02/27 08:46:45

駐美國代表處經濟組

review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: February 19, 2019.

Andrew McGilvray,  
Executive Secretary.

[FR Doc. 2019-03238 Filed 2-25-19; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[S-21-2019]

**Foreign-Trade Zone 40—Cleveland, Ohio, Application for Subzone Expansion, Swagelok Company, Ravenna, Ohio**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Cleveland Cuyahoga County Port Authority, grantee of FTZ 40, requesting an expansion of Subzone 40I on behalf of Swagelok Company (Swagelok). The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on February 19, 2019.

Subzone 40I currently consists of the following sites: *Site 1* (70 acres) 29500 Solon Rd & 29495 FA Lennon Dr., Solon, Cuyahoga County; *Site 2* (13.3 acres) 31400 Aurora Rd., Solon, Cuyahoga County; *Site 3* (5 acres) 29500 Ambina Dr., Solon, Cuyahoga County; *Site 4* (7.82 acres) 26651 & 26653 Curtiss Wright Parkway, Willoughby Hills, Cuyahoga County; *Site 5* (16.8 acres) 318,348, & 358 Bishop Rd., Highland Heights, Cuyahoga County; *Site 6* (23.95 acres) 6050, 6060, & 6100 Cochran Rd., Solon, Cuyahoga County; *Site 7* (3 acres) 29900 Solon Industrial Parkway, Solon, Cuyahoga County; *Site 8* (5 acres) 32550 Old South Miles Rd., Solon, Cuyahoga County; and, *Site 9* (9.5 acres) 15400 Foltz Parkway, Strongsville, Cuyahoga County.

The proposed expanded subzone would include the following additional site: *Site 10* (8.87 acres), 935 N Freedom St., Ravenna, Portage County. Because the proposed site is outside FTZ 40's Alternative Site Framework (ASF) service area, authorization of the expanded subzone would not be under the ASF. No authorization for expanded production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 40.

In accordance with the FTZ Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is April 8, 2019. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 22, 2019.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the "Reading Room" section of the FTZ Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Elizabeth Whiteman at [Elizabeth.Whiteman@trade.gov](mailto:Elizabeth.Whiteman@trade.gov) or (202) 482-0473.

Dated: February 19, 2019.

Andrew McGilvray,  
Executive Secretary.

[FR Doc. 2019-03235 Filed 2-25-19; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[S-23-2019]

**Foreign-Trade Zone 262—Southaven, Mississippi; Application for Subzone; WPG Americas Inc.; Southaven, Mississippi**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Northern Mississippi FTZ, Inc., grantee of FTZ 262, requesting subzone status for the facility of WPG Americas Inc., located in Southaven, Mississippi. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on February 19, 2019.

The proposed subzone (1.25 acres) is located at 481 Airport Industrial Drive, Suite 102, Southaven, Mississippi. No authorization for production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 262.

In accordance with the Board's regulations, Qahira El-Amin of the FTZ

Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is April 8, 2019. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 22, 2019.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Qahira El-Amin at [Qahira.El-Amin@trade.gov](mailto:Qahira.El-Amin@trade.gov) or (202) 482-5928.

Dated: February 19, 2019.

Andrew McGilvray,  
Executive Secretary.

[FR Doc. 2019-03237 Filed 2-25-19; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-583-856]

**Corrosion-Resistant Steel Products From Taiwan: Notice of Court Decision Not in Harmony With Final Determination of Antidumping Duty Investigation and Notice of Amended Final Determination of Investigation**

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

**SUMMARY:** On December 20, 2018, the United States Court of International Trade (Court) issued a final judgment in *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-175 (CIT Dec. 20, 2018), sustaining the Department of Commerce's (Commerce) remand results for the final determination of the antidumping investigation of certain corrosion-resistant steel products (CORE) from Taiwan, covering the period of investigation (POI) April 1, 2014, through March 31, 2015. Commerce is notifying the public that the Court has made a final judgment that is not in harmony with Commerce's amended final determination of the antidumping investigation, and that

Commerce is amending the final determination.

**DATES:** Applicable December 30, 2018.

**FOR FURTHER INFORMATION CONTACT:** Shanah Lee, 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) 482-6386.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 2, 2016, Commerce published its *Final Determination*, and on July 25, 2016, Commerce published its *Amended Final Determination and Order* concerning the antidumping investigation of CORE from Taiwan.<sup>1</sup> The plaintiffs in this litigation, consisting of the two-mandatory respondents, Prosperity Tieh Enterprise Co., Ltd. (Prosperity) and Yieh Phui Enterprise Co., Ltd. (Yieh Phui) timely filed complaints with the Court challenging certain aspects of Commerce's investigation. The petitioners in the investigation, AK Steel Corporation, Nucor Corporation, Steel Dynamics, Inc., California Steel Industries, Inc., ArcelorMittal USA LLC, and United States Steel Corporation intervened as defendant-intervenors.

On January 23, 2018, the Court remanded three aspects of Commerce's findings, in *Prosperity Tieh I*.<sup>2</sup> First, the Court held that Commerce's determination to deny Yieh Phui's and Synn Industrial Co., Ltd.'s post-sale rebate adjustments "violated its own regulations," and remanded to Commerce to "correct this error."<sup>3</sup> Second, the Court remanded Commerce's determination to collapse Prosperity, Yieh Phui, and Synn pursuant to its analysis under 19 CFR 351.401(f), because "the collapsing decision was based on erroneous findings of fact."<sup>4</sup> Third, the Court remanded Commerce's application of partial adverse facts available to

Prosperity based on Commerce's finding that Prosperity misclassified certain of its products in reporting sales in the databases by placing these products in the wrong yield strength category.<sup>5</sup> The Court held that, in reporting its yield strength, "Prosperity complied with the instructions as Commerce wrote them."<sup>6</sup> The Court ruled that "Commerce may not use facts otherwise available as a substitute for information that is now on the administrative record of the investigation, but indicated that "the type of corrective action is a matter for Commerce to decide" as to this remanded issue.<sup>7</sup>

In its Final Results Redetermination, Commerce: (1) Granted, under protest, downward price adjustments to the home market sales price equal to the amount of Yieh Phui's post-sale rebates granted to the company's home market customers; (2) continued to treat Prosperity, Yieh Phui, and Synn as a single-entity consistent with 19 CFR 351.401(f); and (3) revised, under protest, the Yieh Phui/Prosperity/Synn entity's weighted-average dumping margin by using Prosperity's reported yield strength data.<sup>8</sup> After accounting for all such changes and issues in the Final Results Redetermination, the resulting antidumping margin for the Yieh Phui/Prosperity/Synn entity is 3.66 percent.<sup>9</sup> On December 20, 2018, the Court sustained the Final Results Redetermination, in *Prosperity II*.<sup>10</sup>

**Timken Notice**

In its decision in *Timken*,<sup>11</sup> as clarified by *Diamond Sawblades*,<sup>12</sup> the Court of Appeals for the Federal Circuit (Federal Circuit) held that, pursuant to section 516A of the Tariff Act of 1930, as amended (Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision.<sup>13</sup> The Court's December 20, 2018, judgment

constitutes a final decision of the Court that is not in harmony with Commerce's *Final Determination and Amended Final Determination and Order*. As such, Commerce has published this notice in fulfillment of the publication requirement of *Timken*.

**Amended Final Determination and Amended Order**

Because there is now a final court decision, Commerce is amending the *Final Determination and Amended Final Determination and Order* with respect to the weighted-average dumping margin for the Yieh Phui/Prosperity/Synn entity. Furthermore, in the *Amended Final Determination and Order*, and in accordance with section 735(c)(5)(A) of the Act, for companies not individually investigated, we applied an "all-others" rate of 10.34 percent.<sup>14</sup> This rate was determined based on assigning the Yieh Phui/Prosperity/Synn entity's rate as the all-others rate.<sup>15</sup> As noted above, the Yieh Phui/Prosperity/Synn's amended weighted-average dumping margin is now 3.66 percent. Therefore, for purposes of this amended *Final Determination*, Commerce will instruct CBP that the all-others rate is to be amended to 3.66 percent.<sup>16</sup> Accordingly, the revised weighted-average dumping margin for the collapsed Yieh Phui/Prosperity/Synn entity and for all-others is as follows:

Producer	Weighted-average dumping margin (percent)
Prosperity Tieh Enterprise Co., Ltd., Yieh Phui Enterprise Co., Ltd., and Synn Industrial Co., Ltd .....	3.66
All-Others .....	3.66

**Cash Deposit Requirements**

Since the *Final Determination*, Commerce has established a new cash deposit rate for Prosperity and Yieh Phui/Synn.<sup>17</sup> Therefore, this amended final determination does not change the

<sup>1</sup> *Certain Corrosion-Resistant Steel Products from Taiwan: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, in Part, 81 FR 35313 (June 2, 2016), and accompanying Issues and Decision Memorandum (IDM) (*Final Determination*), as amended by *Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders*, 81 FR 48390 (July 25, 2016) (*Amended Final Determination and Order*).

<sup>2</sup> See *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-5, at 2, 31-32 (CIT January 23, 2018) (*Prosperity Tieh I*).

<sup>3</sup> *Id.* at 6-15.

<sup>4</sup> *Id.* at 15-20.

<sup>5</sup> *Id.* at 20-31.

<sup>6</sup> *Id.* at 28.

<sup>7</sup> *Id.* at 30-31.

<sup>8</sup> See Final Results of Redetermination Pursuant to *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-5, dated May 23, 2018 (Final Results Redetermination).

<sup>9</sup> *Id.* at 31.

<sup>10</sup> See *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-175 (CIT December 20, 2018) (*Prosperity II*) (this opinion was made public on February 11, 2019).

<sup>11</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>12</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>13</sup> See sections 516A(c) and (e) of the Act.

<sup>14</sup> See *Amended Final Determination and Order*, 81 FR at 48391; *Final Determination*, 81 FR at 35314.

<sup>15</sup> See *Final Determination*, 81 FR at 35314.

<sup>16</sup> See *United States Steel Corp. v. United States*, Slip Op. 18-139, at 8 (CIT October 17, 2018).

<sup>17</sup> See *Certain Corrosion-Resistant Steel Products from Taiwan: Final Results of Antidumping Administrative Review; 2016-2017*, 83 FR 64527 (December 17, 2018) (*First Administrative Review Final Results*). As a result of this administrative review, Commerce continued to treat Yieh Phui and Synn as a single entity and determined that Prosperity should no longer be collapsed with Yieh Phui and Synn.

later-established cash deposit rates for those producers and/or exporters. For all-other producers and/or exporters, except for companies that subsequently received their own rates in the first administrative review,<sup>18</sup> Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection, adjusting the cash deposit rate for all-other producers and/or exporters to 3.66 percent, effective December 30, 2018.

Lastly, we note that, at this time, Commerce remains enjoined by Court order from liquidating entries that were produced and/or exported by Prosperity and imported by Prosperity Tieh USA, that were the subject of the *First Administrative Review Final Results*, and that were entered, or withdrawn from warehouse, on or after June 2, 2016, up to and including June 30, 2017. 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(e), 751(a)(1), and 777(i)(1) of the Act.

Dated: February 19, 2019.

Gary Taverman,

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2019-03240 Filed 2-25-19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-868]

#### Large Residential Washers From the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2017–2018

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

**SUMMARY:** The Department of Commerce (Commerce) determines that LG Electronics, Inc. (LGE), a producer/exporter of large residential washers from the Republic of Korea (Korea), did not make sales at prices below normal value during the February 1, 2017, through January 31, 2018, period of review (POR).

**DATES:** Applicable February 26, 2019.

**FOR FURTHER INFORMATION CONTACT:** David Goldberger, 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) 482-4136.

**SUPPLEMENTARY INFORMATION:** On November 5, 2018, Commerce published the *Preliminary Results* and invited comments from interested parties.<sup>1</sup> No interested party submitted comments. Commerce conducted this administrative review in accordance with sections 751(a)(1) and (2) of the Tariff Act of 1930, as amended (the Act). Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 28, 2019.<sup>2</sup> If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final results of this review is now April 15, 2019.

#### Scope of the Order

The products covered by the order are all large residential washers and certain subassemblies thereof from Korea. The products are currently classifiable under subheadings 8450.20.0040 and 8450.20.0080 of the Harmonized Tariff System of the United States (HTSUS). Products subject to this order may also enter under HTSUS subheadings 8450.11.0040, 8450.11.0080, 8450.90.2000, and 8450.90.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this scope is dispositive.<sup>3</sup>

#### Changes Since the Preliminary Results

As no parties submitted comments on the *Preliminary Results*, we made no changes in the final results of this review.

#### Final Results of the Review

As a result of this review, Commerce determines that a weighted-average dumping margin of 0.00 percent exists for LGE for the period February 1, 2017, through January 31, 2018.

<sup>1</sup> See *Large Residential Washers From the Republic of Korea: Preliminary Results of the Antidumping Duty Administrative Review; 2017–2018*, 83 FR 55346 (November 5, 2018) (*Preliminary Results*).

<sup>2</sup> See Memorandum, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

<sup>3</sup> For a full description of the scope of the order, see Memorandum, "Decision Memorandum for the Preliminary Results of the 2017–2018 Administrative Review of the Antidumping Duty Order on Large Residential Washers from the Republic of Korea," dated October 29, 2018.

#### Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Commerce intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of this administrative review.

Because we calculated a zero margin for LGE in the final results of this review, we intend to instruct CBP to liquidate without regard to antidumping duties all shipments of subject merchandise manufactured and exported by LGE, entered or withdrawn from warehouse, for consumption, during the POR. In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by LGE for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>4</sup>

#### 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, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for merchandise produced and/or exported by LGE will be zero; (2) for previously reviewed or investigated companies not covered by this review, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (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, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 11.80 percent, the all-others rate established in the LTFV investigation.<sup>5</sup> These

<sup>4</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) for a full discussion of this practice.

<sup>5</sup> See *Large Residential Washers from Mexico and the Republic of Korea: Antidumping Duty Orders*, 78 FR 11148 (February 15, 2013).

<sup>18</sup> *Id.*, at 64528.

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駐美國代表處經濟組 函

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受文者：經濟部國際貿易局

發文日期：中華民國108年2月26日

發文字號：經美字第1080000192號

類別：最速件

密等及解密條件或保密期限：

附件：如文 (1080000192\_Attach1.pdf)

主旨：陳報美國商務部公告修正對我國抗腐蝕性鋼品(Corrosion-Resistant Steel Products)反傾銷終判結果事，敬請查照。

說明：  
一、相關文號：本組本(2019)年2月25日經美字第1080000188號函。  
二、美商務部甫於本年2月26日公告，因美國國際貿易法庭於上(2018)年12月20日就利害關係人針對反傾銷調查提出之異議作出裁決並要求商務部改正，爰商務部將修正終判結果，以符合前述判決。商務部修正我商燁輝企業有限公司及其關係企業欣建股份有限公司與裕鐵企業股份有限公司之稅率為3.6%，並亦調整所有其他廠商之稅率(all-other rate)為3.6%。

三、本次商務部修正者係該部於2016年7月2日發布之本案終判結果，不同於說明一函中所述之行政複查終判；檢附本案聯邦公報如附件，併請卓參。



正本：經濟部國際貿易局  
副本：電子公文檢章  
2019/02/27 08:46:45  
駐美國代表處經濟組

review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: February 19, 2019.

Andrew McGilvray,  
Executive Secretary.

[FR Doc. 2019-03238 Filed 2-25-19; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[S-21-2019]

**Foreign-Trade Zone 40—Cleveland, Ohio, Application for Subzone Expansion, Swagelok Company, Ravenna, Ohio**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Cleveland Cuyahoga County Port Authority, grantee of FTZ 40, requesting an expansion of Subzone 40I on behalf of Swagelok Company (Swagelok). The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on February 19, 2019.

Subzone 40I currently consists of the following sites: *Site 1* (70 acres) 29500 Solon Rd & 29495 FA Lennon Dr., Solon, Cuyahoga County; *Site 2* (13.3 acres) 31400 Aurora Rd., Solon, Cuyahoga County; *Site 3* (5 acres) 29500 Ambina Dr., Solon, Cuyahoga County; *Site 4* (7.82 acres) 26651 & 26653 Curtiss Wright Parkway, Willoughby Hills, Cuyahoga County; *Site 5* (16.8 acres) 318,348, & 358 Bishop Rd., Highland Heights, Cuyahoga County; *Site 6* (23.95 acres) 6050, 6060, & 6100 Cochran Rd., Solon, Cuyahoga County; *Site 7* (3 acres) 29900 Solon Industrial Parkway, Solon, Cuyahoga County; *Site 8* (5 acres) 32550 Old South Miles Rd., Solon, Cuyahoga County; and, *Site 9* (9.5 acres) 15400 Foltz Parkway, Strongsville, Cuyahoga County.

The proposed expanded subzone would include the following additional site: *Site 10* (8.87 acres), 935 N Freedom St., Ravenna, Portage County. Because the proposed site is outside FTZ 40's Alternative Site Framework (ASF) service area, authorization of the expanded subzone would not be under the ASF. No authorization for expanded production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 40.

In accordance with the FTZ Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is April 8, 2019. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 22, 2019.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the "Reading Room" section of the FTZ Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Elizabeth Whiteman at [Elizabeth.Whiteman@trade.gov](mailto:Elizabeth.Whiteman@trade.gov) or (202) 482-0473.

Dated: February 19, 2019.

Andrew McGilvray,  
Executive Secretary.

[FR Doc. 2019-03235 Filed 2-25-19; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[S-23-2019]

**Foreign-Trade Zone 262—Southaven, Mississippi; Application for Subzone; WPG Americas Inc.; Southaven, Mississippi**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Northern Mississippi FTZ, Inc., grantee of FTZ 262, requesting subzone status for the facility of WPG Americas Inc., located in Southaven, Mississippi. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on February 19, 2019.

The proposed subzone (1.25 acres) is located at 481 Airport Industrial Drive, Suite 102, Southaven, Mississippi. No authorization for production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 262.

In accordance with the Board's regulations, Qahira El-Amin of the FTZ

Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is April 8, 2019. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 22, 2019.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Qahira El-Amin at [Qahira.El-Amin@trade.gov](mailto:Qahira.El-Amin@trade.gov) or (202) 482-5928.

Dated: February 19, 2019.

Andrew McGilvray,  
Executive Secretary.

[FR Doc. 2019-03237 Filed 2-25-19; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-583-856]

**Corrosion-Resistant Steel Products From Taiwan: Notice of Court Decision Not in Harmony With Final Determination of Antidumping Duty Investigation and Notice of Amended Final Determination of Investigation**

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

**SUMMARY:** On December 20, 2018, the United States Court of International Trade (Court) issued a final judgment in *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-175 (CIT Dec. 20, 2018), sustaining the Department of Commerce's (Commerce) remand results for the final determination of the antidumping investigation of certain corrosion-resistant steel products (CORE) from Taiwan, covering the period of investigation (POI) April 1, 2014, through March 31, 2015. Commerce is notifying the public that the Court has made a final judgment that is not in harmony with Commerce's amended final determination of the antidumping investigation, and that



Commerce is amending the final determination.

**DATES:** Applicable December 30, 2018.

**FOR FURTHER INFORMATION CONTACT:** Shanah Lee, 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) 482-6386.

**SUPPLEMENTARY INFORMATION:**

### Background

On June 2, 2016, Commerce published its *Final Determination*, and on July 25, 2016, Commerce published its *Amended Final Determination and Order* concerning the antidumping investigation of CORE from Taiwan.<sup>1</sup> The plaintiffs in this litigation, consisting of the two-mandatory respondents, Prosperity Tieh Enterprise Co., Ltd. (Prosperity) and Yieh Phui Enterprise Co., Ltd. (Yieh Phui) timely filed complaints with the Court challenging certain aspects of Commerce's investigation. The petitioners in the investigation, AK Steel Corporation, Nucor Corporation, Steel Dynamics, Inc., California Steel Industries, Inc., ArcelorMittal USA LLC, and United States Steel Corporation intervened as defendant-intervenors.

On January 23, 2018, the Court remanded three aspects of Commerce's findings, in *Prosperity Tieh I*.<sup>2</sup> First, the Court held that Commerce's determination to deny Yieh Phui's and Synn Industrial Co., Ltd.'s post-sale rebate adjustments "violated its own regulations," and remanded to Commerce to "correct this error."<sup>3</sup> Second, the Court remanded Commerce's determination to collapse Prosperity, Yieh Phui, and Synn pursuant to its analysis under 19 CFR 351.401(f), because "the collapsing decision was based on erroneous findings of fact."<sup>4</sup> Third, the Court remanded Commerce's application of partial adverse facts available to

Prosperity based on Commerce's finding that Prosperity misclassified certain of its products in reporting sales in the databases by placing these products in the wrong yield strength category.<sup>5</sup> The Court held that, in reporting its yield strength, "Prosperity complied with the instructions as Commerce wrote them."<sup>6</sup> The Court ruled that "Commerce may not use facts otherwise available as a substitute for information that is now on the administrative record of the investigation, but indicated that "the type of corrective action is a matter for Commerce to decide" as to this remanded issue.<sup>7</sup>

In its Final Results Redetermination, Commerce: (1) Granted, under protest, downward price adjustments to the home market sales price equal to the amount of Yieh Phui's post-sale rebates granted to the company's home market customers; (2) continued to treat Prosperity, Yieh Phui, and Synn as a single-entity consistent with 19 CFR 351.401(f); and (3) revised, under protest, the Yieh Phui/Prosperity/Synn entity's weighted-average dumping margin by using Prosperity's reported yield strength data.<sup>8</sup> After accounting for all such changes and issues in the Final Results Redetermination, the resulting antidumping margin for the Yieh Phui/Prosperity/Synn entity is 3.66 percent.<sup>9</sup> On December 20, 2018, the Court sustained the Final Results Redetermination, in *Prosperity II*.<sup>10</sup>

### Timken Notice

In its decision in *Timken*,<sup>11</sup> as clarified by *Diamond Sawblades*,<sup>12</sup> the Court of Appeals for the Federal Circuit (Federal Circuit) held that, pursuant to section 516A of the Tariff Act of 1930, as amended (Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision.<sup>13</sup> The Court's December 20, 2018, judgment

constitutes a final decision of the Court that is not in harmony with Commerce's *Final Determination and Amended Final Determination and Order*. As such, Commerce has published this notice in fulfillment of the publication requirement of *Timken*.

### Amended Final Determination and Amended Order

Because there is now a final court decision, Commerce is amending the *Final Determination and Amended Final Determination and Order* with respect to the weighted-average dumping margin for the Yieh Phui/Prosperity/Synn entity. Furthermore, in the *Amended Final Determination and Order*, and in accordance with section 735(c)(5)(A) of the Act, for companies not individually investigated, we applied an "all-others" rate of 10.34 percent.<sup>14</sup> This rate was determined based on assigning the Yieh Phui/Prosperity/Synn entity's rate as the all-others rate.<sup>15</sup> As noted above, the Yieh Phui/Prosperity/Synn's amended weighted-average dumping margin is now 3.66 percent. Therefore, for purposes of this amended *Final Determination*, Commerce will instruct CBP that the all-others rate is to be amended to 3.66 percent.<sup>16</sup> Accordingly, the revised weighted-average dumping margin for the collapsed Yieh Phui/Prosperity/Synn entity and for all-others is as follows:

Producer	Weighted-average dumping margin (percent)
Prosperity Tieh Enterprise Co., Ltd., Yieh Phui Enterprise Co., Ltd., and Synn Industrial Co., Ltd .....	3.66
All-Others .....	3.66

### Cash Deposit Requirements

Since the *Final Determination*, Commerce has established a new cash deposit rate for Prosperity and Yieh Phui/Synn.<sup>17</sup> Therefore, this amended final determination does not change the

<sup>1</sup> *Certain Corrosion-Resistant Steel Products from Taiwan: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part*, 81 FR 35313 (June 2, 2016), and accompanying Issues and Decision Memorandum (IDM) (*Final Determination*), as amended by *Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders*, 81 FR 48390 (July 25, 2016) (*Amended Final Determination and Order*).

<sup>2</sup> See *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-5, at 2, 31-32 (CIT January 23, 2018) (*Prosperity Tieh I*).

<sup>3</sup> *Id.* at 6-15.

<sup>4</sup> *Id.* at 15-20.

<sup>5</sup> *Id.* at 20-31.

<sup>6</sup> *Id.* at 28.

<sup>7</sup> *Id.* at 30-31.

<sup>8</sup> See Final Results of Redetermination Pursuant to *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138; Slip Op. 18-5, dated May 23, 2018 (Final Results Redetermination).

<sup>9</sup> *Id.* at 31.

<sup>10</sup> See *Prosperity Tieh Enterprise Co., Ltd. et al. v. United States*, Consol. Court No. 16-00138, Slip Op. 18-175 (CIT December 20, 2018) (*Prosperity II*) (this opinion was made public on February 11, 2019).

<sup>11</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>12</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>13</sup> See sections 516A(c) and (e) of the Act.

<sup>14</sup> See *Amended Final Determination and Order*, 81 FR at 48391; *Final Determination*, 81 FR at 35314.

<sup>15</sup> See *Final Determination*, 81 FR at 35314.

<sup>16</sup> See *United States Steel Corp. v. United States*, Slip Op. 18-139, at 8 (CIT October 17, 2018).

<sup>17</sup> See *Certain Corrosion-Resistant Steel Products from Taiwan: Final Results of Antidumping Administrative Review; 2016-2017*, 83 FR 64527 (December 17, 2018) (*First Administrative Review Final Results*). As a result of this administrative review, Commerce continued to treat Yieh Phui and Synn as a single entity and determined that Prosperity should no longer be collapsed with Yieh Phui and Synn.

later-established cash deposit rates for those producers and/or exporters. For all other producers and/or exporters, except for companies that subsequently received their own rates in the first administrative review,<sup>18</sup> Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection, adjusting the cash deposit rate for all other producers and/or exporters to 3.66 percent, effective December 30, 2018.

Lastly, we note that, at this time, Commerce remains enjoined by Court order from liquidating entries that were produced and/or exported by Prosperity and imported by Prosperity Tieh USA, that were the subject of the *First Administrative Review Final Results*, and that were entered, or withdrawn from warehouse, on or after June 2, 2016, up to and including June 30, 2017. 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(e), 751(a)(1), and 777(i)(1) of the Act.

Dated: February 19, 2019.

Gary Taverman,

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2019-03240 Filed 2-25-19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-868]

#### Large Residential Washers From the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) determines that LG Electronics, Inc. (LGE), a producer/exporter of large residential washers from the Republic of Korea (Korea), did not make sales at prices below normal value during the February 1, 2017, through January 31, 2018, period of review (POR).

DATES: Applicable February 26, 2019.

FOR FURTHER INFORMATION CONTACT: David Goldberger, 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) 482-4136.

SUPPLEMENTARY INFORMATION: On November 5, 2018, Commerce published the *Preliminary Results* and invited comments from interested parties.<sup>1</sup> No interested party submitted comments. Commerce conducted this administrative review in accordance with sections 751(a)(1) and (2) of the Tariff Act of 1930, as amended (the Act). Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 28, 2019.<sup>2</sup> If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final results of this review is now April 15, 2019.

#### Scope of the Order

The products covered by the order are all large residential washers and certain subassemblies thereof from Korea. The products are currently classifiable under subheadings 8450.20.0040 and 8450.20.0080 of the Harmonized Tariff System of the United States (HTSUS). Products subject to this order may also enter under HTSUS subheadings 8450.11.0040, 8450.11.0080, 8450.90.2000, and 8450.90.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this scope is dispositive.<sup>3</sup>

#### Changes Since the Preliminary Results

As no parties submitted comments on the *Preliminary Results*, we made no changes in the final results of this review.

#### Final Results of the Review

As a result of this review, Commerce determines that a weighted-average dumping margin of 0.00 percent exists for LGE for the period February 1, 2017, through January 31, 2018.

<sup>1</sup> See *Large Residential Washers From the Republic of Korea: Preliminary Results of the Antidumping Duty Administrative Review; 2017–2018*, 83 FR 55346 (November 5, 2018) (*Preliminary Results*).

<sup>2</sup> See Memorandum, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

<sup>3</sup> For a full description of the scope of the order, see Memorandum, "Decision Memorandum for the Preliminary Results of the 2017–2018 Administrative Review of the Antidumping Duty Order on Large Residential Washers from the Republic of Korea," dated October 29, 2018.

#### Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Commerce intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of this administrative review.

Because we calculated a zero margin for LGE in the final results of this review, we intend to instruct CBP to liquidate without regard to antidumping duties all shipments of subject merchandise manufactured and exported by LGE, entered or withdrawn from warehouse, for consumption, during the POR. In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by LGE for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>4</sup>

#### 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, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for merchandise produced and/or exported by LGE will be zero; (2) for previously reviewed or investigated companies not covered by this review, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (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, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 11.80 percent, the all-others rate established in the LTFV investigation.<sup>5</sup> These

<sup>4</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) for a full discussion of this practice.

<sup>5</sup> See *Large Residential Washers from Mexico and the Republic of Korea: Antidumping Duty Orders*, 78 FR 11148 (February 15, 2013).

<sup>18</sup> *Id.*, at 64528.