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MEMORANDUM TO: James Maeder
Senior Director
AD/CVD Operations, Office I

THROUGH: Mino Hatten
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AD/CVD Operations, Office I

FROM: Dmitry Vladimirov
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SUBJECT: 2014-2015 Antidumping Duty Administrative Review of
Silicomanganese from Ukraine; Rescission of Administrative
Review

Summary

On November 17, 2015, the Department of Commerce (the Department) issued a memorandum notifying interested parties of its intent to rescind this administrative review because the record evidence indicated that there were no suspended entries of silicomanganese from Ukraine during the period of review (POR), August 1, 2014, through July 31, 2015. We invited parties to comment on this memorandum. After analyzing those comments, we continue to recommend finding that it is appropriate to rescind this administrative review.

Background

On August 3, 2015, we published a notice of opportunity to request an administrative review of the antidumping duty order on silicomanganese from Ukraine covering the POR.¹ On September 3, 2015, we received an untimely-filed request² for an administrative review from two Ukrainian producers and/or exporters of silicomanganese, JSC Zaporizhya Ferroalloy Plant (ZFP) and JSC Nikopol Ferroalloy Plant (NFP) (collectively, Ukrainian producers), covering the period September 1, 2014, through August 31, 2015.³ In their request, the Ukrainian producers stated that their request for review was based on their understanding that the anniversary month for the

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 80 FR 45952 (August 3, 2015) (*August 2015 Opportunity Notice*).

² The Ukrainian producers' September 3, 2015, request for an administrative review was untimely filed under 19 CFR 351.213(b) and 19 CFR 351.302(d) because we did not receive it *during* the anniversary month of August 2015, as required by the regulations and specified in the *August 2015 Opportunity Notice*.

³ See Letter from ZFP and NFP to Secretary of Commerce, dated September 3, 2015.



order was September, not August. On September 21, 2015, we received comments from a domestic interested party, Eramet Marietta, Inc. (Eramet), objecting to initiation of the administrative review, and placing on the record U.S. import statistics and stating that there were no subject merchandise imports from Ukraine during the period of review.⁴ No party has provided information to contradict Eramet's information that there were no entries of subject merchandise from Ukraine during the POR.

On September 10, 2015, the Department informed the Ukrainian producers that it would accept their untimely request for review to ensure that the confusion claimed by ZFP and NFP regarding the correct anniversary month did not disadvantage any parties, even though the Department "established that the anniversary month for this order is August" in the opportunity notice published in the *Federal Register*.⁵ On October 6, 2015, the Department initiated the administrative review of the antidumping duty order on silicomanganese from Ukraine with respect to ZFP and NFP for the POR, August 1, 2014, through July 31, 2015.⁶

In accordance with our practice, we requested information from U.S. Customs and Border Protection (CBP) concerning imports of subject merchandise from these companies during the POR. We received the requested CBP information, which showed that neither ZFP nor NFP had suspended entries of the subject merchandise during the POR (*i.e.*, August 1, 2014, through July 31, 2015). On October 6, 2015, we documented this finding and invited comments from interested parties regarding this CBP query result.⁷

On October 19, 2015, we received comments from the domestic interested parties Eramet and Felman Production, LLC (collectively, U.S. producers).⁸ On October 20, 2015, we received comments from ZFP and NFP.⁹ ZFP's and NFP's October 20, 2015, submission contained documentation establishing that each company made a sale and an entry of subject merchandise in August 2015. On October 23, 2015, the U.S. producers provided comments rebutting the Ukrainian producers' October 20, 2015, submission¹⁰ and, subsequently, on October 29, 2015, the Ukrainian producers provided comments in response to the U.S. producers' October 23, 2015, rebuttal comments.¹¹

⁴ See Letter from Eramet to the Secretary of Commerce, "Silicomanganese from Ukraine: Response to Untimely Administrative Review Request and Clarification of the Period of Review" September 21, 2015.

⁵ See the Department's letter to ZFP and NFP, signed September 10, 2015 (citing *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 80 FR 45952 (August 3, 2015)).

⁶ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 80 FR 60356 (October 6, 2015).

⁷ See Memorandum to the File, "Silicomanganese from Ukraine – U.S. Customs and Border Protection (CBP) Data" dated October 6, 2015.

⁸ See Letter from U.S. producers to Secretary of Commerce, "Silicomanganese from Ukraine: Comments on CBP Data Inquiry" dated October 19, 2015.

⁹ See Letter from ZFP and NFP to Secretary of Commerce, "Silicomanganese from Ukraine: Comments on CBP Data" dated October 20, 2015, and Letter from ZFP and NFP to Secretary of Commerce, "Silicomanganese from Ukraine: Amended Exhibits to Comments on CBP Data" dated October 22, 2015.

¹⁰ See Letter from U.S. producers to Secretary of Commerce, "Silicomanganese from Ukraine: Rebuttal to the Ukrainian Producers' Comments on CBP Data" dated October 23, 2015.

¹¹ See Letter from ZFP and NFP to Secretary of Commerce, "Silicomanganese from Ukraine: Response Concerning CBP Data" dated October 29, 2015.

After consideration of the comments from interested parties, we found that there is no evidence on the record that there were entries of subject merchandise from Ukraine into the United States during the POR. On November 17, 2015, the Department placed a memorandum on the record notifying interested parties of its intent to rescind the 2014-2015 administrative review of silicomanganese from Ukraine¹² and invited comments. In the Intent to Rescind Memorandum, the Department rejected the arguments from the Ukrainian producers that the Department provided defective or inadequate notice concerning the correct anniversary month of the AD order on silicomanganese from Ukraine, and found no basis to alter the POR to capture the entries made after the POR by the Ukrainian producers.¹³

On November 24, 2015, we received comments from ZFP and NFP.¹⁴ On November 30, 2015, we received rebuttal comments from the U.S. producers.¹⁵ The arguments raised by the interested parties are addressed below.

Comments from Interested Parties

The Ukrainian producers contest our statement in the Intent to Rescind Memorandum that “the Department has neither the discretion nor authority to consider any month but August as the anniversary month.” The Ukrainian producers contend that the *Preamble*¹⁶ expressly states that “the Secretary has the discretion to use some other period {of review}.”¹⁷ They assert that “the courts have repeatedly emphasized the flexibility of {the Department’s} regulations {under 19 CFR 351.213(d)(3) and 19 CFR 351.213(e)(1)}, which permits the Department to adjust the period of review { } and to choose between the dates of sale, export, and entry to select transactions for review.”¹⁸ Indeed, the Ukrainian producers contend, the *September 2012 Opportunity Notice*¹⁹ presents evidence for this authority and discretion to adjust the review period. Thus, the Ukrainian producers argue, it is inaccurate that the Department never contemplated exercising its discretion to adjust the POR in the past; moreover, it is immaterial whether the Department has, in fact, exercised its regulatory authority, so long as the Department

¹² See Memorandum to James Maeder, Senior Director for AD/CVD Operations, Office I, “2014-2015 Antidumping Duty Administrative Review of Silicomanganese from Ukraine; Intent to Rescind Administrative Review” dated November 17, 2015 (Intent to Rescind Memorandum).

¹³ See *id.*

¹⁴ See Letter from ZFP and NFP to Secretary of Commerce, “Silicomanganese from Ukraine: Comments Regarding Intent to Rescind Administrative Review,” dated November 24, 2015 (Ukrainian Producers Comments).

¹⁵ See Letter from U.S. producers to Secretary of Commerce, “Silicomanganese from Ukraine: Rebuttal to Comments on the Department’s Intent to Rescind the Administrative Review” dated November 30, 2015 (U.S. Producers Comments).

¹⁶ See *Antidumping Duties, Countervailing Duties*, 62 FR 27296 (May 19, 1997) (Final Rule) (*Preamble*).

¹⁷ See Ukrainian Producers Comments at 1-2 (referring to *Preamble*, 62 FR at 27317).

¹⁸ *Id.*, at 2 (citing *Watanabe Group v. United States*, 34 C.I.T. 1545, 1548 (CIT 2010) (*Watanabe*) (“Because the regulation offers three alternatives for selection of sales - entry, export, or sale - Commerce has the discretion to choose entries, exports, or sales in determining whether sales activity occurred during the POR.”)

¹⁹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 77 FR 53863, 53864, FN.2 (September 4, 2012) (*September 2012 Opportunity Notice*) (where we explicitly clarified that August is the correct anniversary month for antidumping duty order on silicomanganese from Ukraine; we also stated that, “{B}ecause we have previously treated this order as an order with an anniversary month in September, we are also including it in this year’s September opportunity notice so as not to disadvantage any parties. In the future, however, we intend to include this order in the August opportunity notice.”).

actually has such authority and discretion. Furthermore, the Ukrainian producers contend, the “meandering” history of the Department’s notifications to the Ukrainian producers regarding the anniversary month provides sufficient grounds for the Department to exercise its discretion. The Ukrainian producers assert that the fact that the Department conveyed to the Ukrainian producers in 2010 that the anniversary month to request a review of the order was September entitled them to rely on this direct form of communication from the Department, rather than on a footnote in a *September 2012 Opportunity Notice*.

The Ukrainian producers take issue with the Department’s statement in the Intent to Rescind Memorandum that the *Federal Register* notices from 2012 onward provided notice that the Department would designate August as the anniversary month in 2015. The Ukrainian producers argue that the only official communication received by the Ukrainian producers prior to 2015 indicated that September was the anniversary month; moreover, the Ukrainian government officials met with the Department in April 2015 but were not informed that the review period had changed concerning silicomanganese from Ukraine. The Ukrainian producers argue that they “had no reason to question the Department’s authoritative representation, and they had no occasion to examine intervening notices prior to their transactions.”²⁰ The Ukrainian producers contend that the Department may not rely on publication in the *Federal Register* to provide adequate notice when circumstances indicate otherwise.²¹

The Ukrainian producers argue that, in the case of silicomanganese from Ukraine, the Department has repeatedly confused the appropriate anniversary month, communicated inaccurate information to the Ukrainian producers, and acknowledged this failure by publishing a second opportunity notice this year in September 2015. The Ukrainian producers assert that this situation is analogous to the defective “constructive” notice that the court rejected in *Diamond Sawblades*²² (where, the Ukrainian producers assert, the Department argued in vain that it could make a publication in the *Federal Register* retroactive to an earlier date for the purpose of collecting antidumping duties). The Ukrainian producers contend that “the Department’s reasoning in this instance is similarly flawed, because no one may be charged with knowledge of a fact that has yet to take place – in this case the publication of a *Federal Register* notice in August 2015 as it relates to sales decisions made earlier by Ukrainian exporters.”²³

Lastly, the Ukrainian producers argue that this inadequate notice deprives them of their right to a timely and meaningful review of their August 2015 entries. The Ukrainian producers contend that waiting another year to initiate a review of their sales, and a lengthy administrative and possible judicial process afterwards, denies them their due process, because there would be no resolution until long after the sales were made. Accordingly, the Ukrainian producers urge the Department to reconsider its position and initiate an administrative review with the proper review period concluding on August 31, 2015.

²⁰ See Ukrainian producers’ Comments at 3.

²¹ *Id.*, at 3-4 (citing *United States v. Chrysler Corp.*, 158 F.3d 1350, 1355-56 (D.C. Cir. 1998)).

²² *Id.*, at 4 (citing *Diamond Sawblades Mfrs.’ Coal. v. U.S. Dep’t of Commerce*, 11 F. Supp. 3d 1303, 1315-16 (CIT 2014) (*Diamond Sawblades*)).

²³ *Id.*

The U.S. producers argue that nothing in the Ukrainian producers' comments amounts to a rationale requiring a change to the Department's intent to rescind this administrative review. As provided for in the Department's Intent to Rescind Memorandum, the rescission of this administrative review is fully supported by the statute, court precedent, the Department's regulations, and its established practice.

First, the U.S. producers address the Ukrainian producers' challenge to the Department's argument that the Department has no discretion or authority to consider any month other than the month of the publication of an AD order as the anniversary month of the order. The U.S. producers argue that, given that the AD order on silicomanganese from Ukraine was published in August, the Department correctly explained in the Intent to Rescind Memorandum that the statute and Court precedent *require* it to treat August as the anniversary month of this order - the Ukrainian producers cited no legal authority to overcome this premise. The U.S. producers contend that, where the lawful anniversary month is August, in order to conduct the review, the Department's well-established practice, confirmed by the Court of Appeals for the Federal Circuit (CAFC), is to require an entry of the subject merchandise within the twelve-month period preceding the anniversary month.²⁴ The U.S. producers contend that the Ukrainian producers do not dispute the Department's legal reasoning or demonstrate why the controlling precedent is inapplicable or erroneous.

The U.S. producers note that the only basis for the Ukrainian producers' conclusion that the Department erred in asserting a lack of discretion or authority to consider any month but August as the anniversary month is a citation to the Department's discretion under the regulations to adjust which sales it examines during the period of review. The U.S. producers argue that the discretion under the regulations to determine which sales to examine in an administrative review is a different matter than the determination of whether there is a lawful basis for conducting an administrative review - the Ukrainian producers failed to demonstrate how the regulation can overcome the statute's plain language.

The U.S. producers argue that, even if the Department's discretion under the regulations extended to altering the POR, it would be an abuse of discretion to do so here. The U.S. producers assert that the Ukrainian producers advance the claim of "fairness" as a support for treatment that is disparate from how every other party participating in the Department's antidumping and countervailing duty proceedings is treated. Specifically, the U.S. producers take issue with the Ukrainian producers' statement that "the Department has repeatedly confused the appropriate anniversary month, communicated inaccurate information to the Ukrainian producers, and acknowledged this failure by publishing a second opportunity notice this year in September 2015."²⁵ First, the U.S. producers contend, the Department published in the *Federal Register* five opportunity notices establishing the correct POR; second, there is no claim that the Ukrainian producers relied upon a communication from the Department that an entry of subject merchandise at the end of August 2015 would be subject to an administrative review initiated this calendar year covering the August 2014 through July 2015 POR; third, the order on

²⁴ See U.S. producers' Comments at 2-3 (citing *Allegheny Ludlum Corp. v. United States*, 346 F. 3d 1368, 1372 (CAFC 2003)).

²⁵ *Id.*, (citing Ukrainian producers' Comments at 4).

silicomanganese from Ukraine was not included in the *September 2015 Opportunity Notice*.²⁶ The U.S. producers assert that binding appellate court precedent establishes that publication in the *Federal Register* constitutes “constructive and actual” notice.²⁷ The U.S. producers continue that there was no deficiency of notice in this case and the Ukrainian producers should not be provided more rights than other parties who read the *Federal Register* when participating in the Department’s proceedings.

The U.S. producers assert that the Department should reject the Ukrainian producers’ contention that they were not afforded procedural due process – the Department accepted an untimely request for administrative review, over the U.S. producers’ objections, and the Department has also offered the Ukrainian producers multiple opportunities to provide factual information and comment. In sum, U.S. producers observe, the Department explained why, under the antidumping duty statute, it is not able to conduct an administrative review; the Department also explained how the Ukrainian producers had adequate notice of the period of review. Because there are no entries of silicomanganese from Ukraine during the August 1, 2014, through July 31, 2015, POR, the U.S. producers urge the Department to follow through on its stated intent and rescind the administrative review.

Analysis

We find that the Ukrainian producers have not identified in their submissions a basis for the Department to alter the established POR. The Ukrainian producers had no suspended entries of subject merchandise during the POR. Moreover, Eramet has placed on the record uncontested evidence that there were no entries of subject merchandise from Ukraine during the POR. Therefore, the Department is rescinding this administrative review.

Section 751(a)(1) of the Act states that, “[A]t least once during each 12-month period beginning on the anniversary of the *date of publication* of...an antidumping duty order under this title...the administering authority, if a request for such a review has been received...shall review, and determine...the amount of any antidumping duty....”²⁸ The regulations at 19 CFR 351.213(b)(1)-(3) explain that each year during the anniversary month of the *publication* of an antidumping duty order, interested parties may request in writing that the Secretary conduct an administrative review under section 751(a)(1) of the Act.²⁹

As we documented in the Intent to Rescind Memorandum, there were 5 opportunity notices published in the *Federal Register* between 2012 and 2015 that listed silicomanganese from Ukraine as an order with an August anniversary month and, accordingly, a POR from August 1 through July 31.³⁰ Further, as we stated in the Intent to Rescind Memorandum, the courts have

²⁶ *Id.*, at 4 (citing *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 80 FR 52741 (September 1, 2015) (*September 2015 Opportunity Notice*)).

²⁷ *Id.*, (citing *Pam, S.p.A. v. United States*, 463 F.3d 1345 (CAFC 2006) and *Kelley v. Secretary, U.S. Dep’t of Labor*, 812 F.2d 1378 (CAFC 1987)).

²⁸ See Section 751(a)(1) of the Act (emphasis added).

²⁹ See 19 CFR 351.213(b)(1)-(3) (emphasis added).

³⁰ See Intent to Rescind Memorandum at 5-6. Most recently, as concerns the review period in question, the Department published in the *Federal Register*, a notice that the POR is August 1, 2014 to July 31, 2015. See *August 2015 Opportunity Notice*, 80 FR at 45953.

held that publication in the *Federal Register* constitutes “constructive and actual” public notice of the review.³¹ Accordingly, the 2012 opportunity notice, and every opportunity notice since, has operated to place all interested parties, including all the Ukrainian producers and exporters, on notice with respect to the correct anniversary month of the antidumping duty order on silicomanganese from Ukraine and the corresponding POR. Moreover, as explained in the Intent to Rescind Memorandum, the courts have observed that the Department has consistently interpreted the phrase “date of publication” to be the date that the order is actually published in the *Federal Register* and not a different “effective date,” and that the Department does not possess discretion to disregard the date of publication for some other date.³² As we stated in the Intent to Rescind Memorandum, the unambiguous statutory language, the Department’s regulations and practice, and the Department’s opportunity notices published in the *Federal Register* all support that the Department provided adequate notice.³³ Thus, under these circumstances, the Department is unable to consider any month but August as the anniversary month of the order, and continues to find no basis to alter the POR.

Notwithstanding, relying on the language in the *Preamble*, the Ukrainian producers argue that the unfair treatment caused by the “meandering history of the Department’s notifications” regarding the anniversary month provide sufficient grounds for the Department in this case to exercise its discretion to alter the POR. We disagree. The relevant discussion in the *Preamble* is as follows:

Extension of review period: One commenter suggested that if the Department has the authority to defer the initiation of an administrative review, it follows that it has the authority to begin an administrative review early, or to extend the period of a particular review beyond one year. This commenter stated that in certain industries where prices change rapidly, it is important to have duty deposit rates that are as current as possible. The commenter suggested a revision to proposed § 351.213(e)(1) that would permit the Secretary to extend the period of an administrative review, for good cause shown, up to the date on which questionnaire responses are due.

We believe that the regulation, as drafted, is sufficiently flexible to address these concerns **in extraordinary circumstances**. Section 351.213(e)(1)(i) states that the period of review “normally” will be linked to the anniversary month of the order. The use of “normally” indicates that the Secretary has the discretion to use some other period in appropriate circumstances, **but the Department will exercise this discretion only in very unusual circumstances**.³⁴

The instant case does not involve the “extraordinary” or “very unusual” circumstances contemplated in the *Preamble*. Rather, as the Department has demonstrated, the Ukrainian producers have been on notice for a number of years that the anniversary month is August and that the POR runs from August 1 to July 31. The opportunity notice for this period of review

³¹ See Intent to Rescind Memorandum at 6 (citing *Pam, S.p.A. v. United States*, 463 F.3d 1345, 1349 (Fed. Cir. 2006)).

³² *Id.*, at 5 (citing *Diamond Sawblades Mfrs. Coal. v. United States*, 11 F. Supp. 3d 1303, 1311-12 (CIT 2014)).

³³ *Id.*, at 6.

³⁴ See *Preamble*, 62 FR at 27317 (emphasis added).

listed August as the anniversary month and August 1, 2014, to July 31, 2015 as the POR. The Ukrainian producers, therefore, have not identified “extraordinary circumstances” that justify the use of some other period. Further, the Ukrainian producers’ reliance on *Watanabe*, for the proposition that the Department has the discretion, under 19 CFR 351.213(d)(3) and 19 CFR 351.213(e)(1) to adjust the POR, is misplaced. In contrast to the instant case, *Watanabe* centered on the proper universe of sales to examine during the POR and, although the Department determined it appropriate to capture pre-POR sales, the merchandise in question entered the United States for consumption during the POR.³⁵ Therefore, we agree with the U.S. producers that the discretion under the regulations to determine which sales to examine during the POR is a separate matter for consideration only once it has been established that there were sales, exports, or entries during the POR, which is not the case here. Moreover, as we stated in the Intent to Rescind Memorandum, the Ukrainian producers have not cited, nor is the Department aware of, any precedent where the Department actually conducted an administrative review with a POR that did not reflect the “12 months immediately preceding the most recent anniversary month,” as required by 19 CFR 351.213(e)(1)(i).³⁶ Accordingly, as explained above and in the Intent to Rescind Memorandum, the Department has provided sufficient notice to interested parties of the appropriate POR and explained its basis for rescinding this review.

As we detailed in the Intent to Rescind Memorandum, the record shows that neither ZFP nor NFP had sales or entries of subject merchandise during the POR. For an administrative review to be conducted there must be a reviewable, suspended entry to be liquidated at the newly calculated assessment rate.³⁷ In this instance, the record shows that there were no entries of subject merchandise from Ukraine made during the POR, and, thus, there were no suspended entries for the companies subject to this review upon which to assess duties. Accordingly, we recommend rescinding the 2014-2015 administrative review of silicomanganese from Ukraine. The Department’s practice of rescinding annual reviews when there are no reviewable entries of subject merchandise during the POR³⁸ has been upheld by the CAFC in *Allegheny Ludlum*.³⁹

As detailed in the Intent to Rescind Memorandum, the Department’s September 10, 2015, letter to counsel for ZFP and NFP exclusively pertained to the Department’s authority to exercise its

³⁵ See *Watanabe*, 34 C.I.T., at 1548 (“Here, the commercial invoice shows that the subject merchandise was exported just before the POR began and plaintiff does not dispute that entry occurred during the POR. Because the regulation offers three alternatives for selection of sales—entry, export, or sale—Commerce has the discretion to choose entries, exports, or sales in determining whether sales activity occurred during the POR.”).

³⁶ See Intent to Rescind Memorandum at 6.

³⁷ See section 751(a)(2)(A) of the Act (stating that an administrative review determines the normal value, export price or constructed export price, and dumping margin of an “entry”); 19 CFR 351.212(b)(1) (At the end of the administrative review, the suspended entries are liquidated at the assessment rate computed for the review period).

³⁸ See e.g., *Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation: Notice of Rescission of Antidumping Duty Administrative Review*, 77 FR 65532 (October 29, 2012); *Certain Frozen Warmwater Shrimp From Brazil: Notice of Rescission of Antidumping Duty Administrative Review*, 77 FR 32498 (June 1, 2012); *Certain Hot-Rolled Carbon Steel Flat Products from India: Final Results of Antidumping Duty Administrative Review*, 76 FR 42679 (July 19, 2011), and accompanying Issues and Decision Memorandum at Comment 1; *Certain Cut-to-Length Carbon-Quality Steel Plate Products from Italy: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 71 FR 39299, 39302 (July 12, 2006); and *Certain Steel Concrete Reinforcing Bars From Turkey; Preliminary Results of Antidumping Duty Administrative Review*, 67 FR 21634, 21635 (May 1, 2002), unchanged in *Certain Steel Concrete Reinforcing Bars From Turkey; Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 67 FR 66110 (Oct. 30, 2002).

³⁹ See *Allegheny Ludlum Corp. v. United States*, 346 F. 3d 1368, 1373 (Federal Circuit 2003) (*Allegheny Ludlum*).

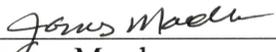
discretion to accept an untimely request for a review. The Department did not in its letter contemplate altering the POR. Moreover, the rationale set forth in the letter was specific to the untimely review request.

Finally, neither ZFP nor NFP has been denied its access to an administrative review of suspended entries of subject merchandise in August 2015. These entries fall within the period of review from August 1, 2015 through July 31, 2016. Either ZFP or NFP may request an administrative review during the August 2016 anniversary month in order for the Department to examine these entries and to calculate an assessment rate for such entries.

Recommendation:

Based on the foregoing, we recommend rescinding the 2014-2015 administrative review of silicomanganese from Ukraine.

Agree Disagree



James Maeder
Senior Director
AD/CVD Operations, Office I

4/7/16

(Date)