



UNITED STATES DEPARTMENT OF COMMERCE  
International Trade Administration  
Washington, D.C. 20230

C-570-991  
Sunset Review  
**Public Document**  
E&C/OV: NJ

January 28, 2020

**MEMORANDUM TO:** Jeffrey I. Kessler  
Assistant Secretary  
for Enforcement and Compliance

**FROM:** James Maeder  
Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations

**SUBJECT:** Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Countervailing Duty Order on Chlorinated Isocyanurates from the People's Republic of China

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## I. SUMMARY

We have analyzed the substantive response of the domestic interested parties in this first sunset review of the countervailing duty (CVD) order on chlorinated isocyanurates from the People's Republic of China (China).<sup>1</sup> We did not receive a substantive response from the government of China (GOC) nor from any other interested party. Accordingly, we conducted an expedited (120-day) sunset review pursuant to section 751(c)(3)(B) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.218(e)(1)(ii)(C)(2). We recommend that you approve the positions described in the "Discussion of the Issues" section of this memorandum. Below is the complete list of issues for which we received a substantive response:

1. Likelihood of continuation or recurrence of a countervailable subsidy
2. Net countervailable subsidy likely to prevail
3. Nature of the subsidy

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<sup>1</sup> See *Chlorinated Isocyanurates from the People's Republic of China: Countervailing Duty Order*, 79 FR 67424 (November 13, 2014) (*Order*).



## II. BACKGROUND

On October 1, 2019, the Department of Commerce (Commerce) published the notice of initiation of the first sunset review of the CVD order on chlorinated isocyanurates from China, in accordance with section 751(c) of the Act.<sup>2</sup> Subsequently, Commerce received notice of intent to participate from Bio-Lab, Inc., Clearon Corp., and Occidental Chemical Corporation (the domestic interested parties).<sup>3</sup> The notice was timely filed within the deadline specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as producers of chlorinated isocyanurates.

On October 31, 2019, Commerce received a substantive response from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce did not receive any notice of intent to participate from the GOC, nor from any Chinese producers or exporters of the merchandise covered by the Order.

On November 22, 2019, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.<sup>5</sup> As a result, pursuant to 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the CVD order on chlorinated isocyanurates from China.

## III. SCOPE OF THE ORDER

The products covered by the order are chlorinated isocyanurates. Chlorinated isocyanurates are derivatives of cyanuric acid, described as chlorinated s-triazine triones. There are three primary chemical compositions of chlorinated isocyanurates: (1) Trichloroisocyanuric acid (TCCA) ( $\text{Cl}_3(\text{NCO})_3$ ), (2) sodium dichloroisocyanurate (dihydrate) ( $\text{NaCl}_2(\text{NCO})_3 \times 2\text{H}_2\text{O}$ ), and (3) sodium dichloroisocyanurate (anhydrous) ( $\text{NaCl}_2(\text{NCO})_3$ ). Chlorinated isocyanurates are available in powder, granular and solid (*e.g.*, tablet or stick) forms.

Chlorinated isocyanurates are currently classifiable under subheadings 2933.69.6015, 2933.69.6021, 2933.69.6050, 3808.50.4000, 3808.94.5000, and 3808.99.9500 of the Harmonized Tariff Schedule of the United States (HTSUS). The tariff classification 2933.69.6015 covers sodium dichloroisocyanurates (anhydrous and dihydrate forms) and trichloroisocyanuric acid. The tariff classifications 2933.69.6021 and 2933.69.6050 represent basket categories that include chlorinated isocyanurates and other compounds including an unfused triazine ring. The tariff classifications 3808.50.4000, 3808.94.5000 and 3808.99.9500 cover disinfectants that include

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<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 52067 (October 1, 2019).

<sup>3</sup> See Domestic Interested Parties' Letter, "Chlorinated Isocyanurates from the People's Republic of China: Substantive Response to Notice of Initiation of Five-Year (Sunset) Review of the Countervailing Duty Order," dated October 31, 2019 (Substantive Response).

<sup>4</sup> *Id.*

<sup>5</sup> See Commerce's Letter, "Sunset Reviews Initiated on October 1, 2019," dated November 22, 2019.

chlorinated isocyanurates. The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this order is dispositive.

#### IV. HISTORY OF THE ORDER

On September 22, 2014, Commerce published its final affirmative CVD determination in the investigation of chlorinated isocyanurates from China.<sup>6</sup> On November 13, 2014, we published the *Order*,<sup>7</sup> which contained the estimated net countervailable subsidy rates shown below:

<b>Manufacturer/Producer/Exporter</b>	<b>Net Countervailable Subsidy Rate (percent)</b>
Hebei Jiheng Chemicals Co., Ltd. (Jiheng)	20.06
Juancheng Kangtai Chemical Co., Ltd. (Kangtai)	1.55
All Others	10.81

As explained in the IDM, we determined that the following programs provided countervailable benefits to Jiheng in the original investigation:

1. Grants for Export Credit Insurance
2. Special Fund for Energy Saving Technology Reform
3. Export Seller's Credit
4. Corporate Income Tax Law Article 33: Reduction of Taxable Income for the Revenue Derived from the Manufacture of Products that Are in Line with State Industrial Policy and Involve Synergistic Utilization of Resources
5. Grants under the Haixing County Science and Technology Research & Development Plan Project
6. Special National Bond Fund for Energy Conservation and Waste Recycling Projects
7. Value-Added Tax (VAT) Rebate for Comprehensive Utilization of Resources
8. Enterprise Income Tax Reduction for High and New Technology Enterprises
9. Electricity for Less Than Adequate Remuneration (LTAR)

We found the following programs countervailable for Kangtai:

1. Shandong Industrial Structure Adjustment Entrusted Loan
2. Electricity for LTAR

We determined the following program not to be countervailable:

1. Urea for LTAR

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<sup>6</sup> See *Chlorinated Isocyanurates From the People's Republic of China: Final Affirmative Countervailing Duty Determination*, 2012, 79 FR 56560 (September 22, 2014) and accompanying Issues and Decision Memorandum (IDM).

<sup>7</sup> See *Order*, 79 FR at 67425.

We determined that the following programs did not confer a benefit, or were not used by Jiheng or Kangtai, during the period of investigation:

1. Grants for the Application of Patent
2. Export Buyer's Credit
3. Export Credit Insurance from Sinosure
4. Land and Land Usage for Foreign Invested Enterprises (FIEs) in National Economic and Technological Zones at Preferential Rates
5. "Two Free/Three Half" Program for FIEs
6. Income Tax Benefits for FIEs Based on Geographic Location
7. VAT and Tariff Exemptions for FIEs and Certain Domestic Enterprises Using Imported Equipment in Encouraged Industries
8. VAT refunds for FIEs on purchases of Chinese-made equipment
9. Preferential direct tax treatment on purchases of domestically produced equipment for FIEs
10. Policy Loans under the Chlor-alkali Industry Second Five Year Plan
11. Stamp Tax exemption on share transfers under Non-Tradable Share Reform
12. State Key Technology Renovation Project Fund
13. Shareholder loans (debt forgiveness)
14. Discounted Loans for Export-Oriented Enterprises
15. VAT rebate on domestically produced equipment
16. VAT exemption on imports by encouraged industries
17. Preferential lending for industrial readjustment
18. Preferential loans provided by China ExIm "Going-out" for Outbound Investments
19. Foreign Trade Development Fund
20. "Famous Brands" program
21. Preferential policies to attract foreign investment in Jiangsu Province
22. Outline of light industry restructuring and revitalization plan in Jiangsu Province
23. Jiangsu province grants for legal fees in foreign trade remedy proceedings
24. Shandong Province: grants to enterprises exporting key product
25. Grants for export credit insurance
26. The Clean Production Technology Fund
27. Income Tax Credits on Purchases of Domestically Produced Equipment by Domestically Owned Companies

Since the issuance of the CVD order, three administrative reviews have been completed and one is ongoing. The first administrative review covered the period February 4, 2014 through December 31, 2014.<sup>8</sup> Heze Huayi Chemical Co., Ltd. (Heze Huayi) and Jiheng received countervailable subsidies during the period of review (POR). In addition to receiving benefits from certain programs countervailed in the investigation, each mandatory respondent self-reported receiving numerous grants. Heze Huayi reported receiving benefits from the following grant programs: Basic Construction Cost of National Debt Special Fund in 2006; Special Fund for Constructional Adjustment of Key Products in 2007; Financial Special Subsidy Fund and Local Supporting Fund for Prevention and Control of Water Pollution; Project in "Three Rivers and Three Lakes" (Environmental Protection Part); and State Subsidy on Evaluation Award Fund

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<sup>8</sup> See *Chlorinated Isocyanurates From the People's Republic of China: Final Results of Countervailing Duty Administrative Review, and Partial Rescission of Countervailing Duty Administrative Review; 2014*, 82 FR 27466 (June 15, 2017).

for Prevention and Control of Water Pollution (Comprehensive Improvement Project of Water Environment) in Regions of “Three Rivers and Three Lakes” and the Songhua River in 2011 (0.55 percent *ad valorem*, combined). Jiheng reported receiving benefits from the following grant programs: Rebate for Land Use Fee; Model Enterprise Fund; Count Magistrate Awards; International Market Development Funds; Science and Technology Fund; Technological Innovation Funds; Boiler Improvement Fund; and Awards for Star Enterprises 2014 (1.52 percent *ad valorem* combined).<sup>9</sup> Additionally, we applied .87 percent *ad valorem* for the Export Buyer’s Credit program to the respondents’ subsidy rates.<sup>10</sup>

The second administrative review covered the period January 1, 2015 through December 31, 2015.<sup>11</sup> Heze Huayi and Kangtai received countervailable benefits during the POR. In addition to receiving benefits from certain programs countervailed in the investigation, Heze Huayi self-reported receiving several grants: Market Development Fund for Middle-and-Small Sized Enterprise; Award for Conquering Dangerous Chemicals; and South Four Lakes Ecological Environment Protection Fund (0.75 percent *ad valorem* combined).<sup>12</sup> Additionally, we applied .87 percent *ad valorem* for the Export Buyer’s Credit program to the respondents’ subsidy rates.<sup>13</sup>

The third administrative review covered the period January 1, 2016 through December 31, 2016.<sup>14</sup> Heze Huayi and Kangtai received countervailable benefits during the POR. In addition to receiving benefits from certain programs countervailed in the investigation, Heze Huayi self-reported receiving the following grants: Market Development Fund for Middle-and-Small Sized Enterprise; and 2015 Municipal Foreign Trade Development Fund (0.09 percent *ad valorem*, combined). Kangtai reported receiving the following grants: Market Development Fund for Middle-and-Small Sized Enterprise; Enterprise Technology Center of Shandong Province (0.17 percent *ad valorem*, combined).

The ongoing administrative review covers the period from January 1, 2017 through December 31, 2017.<sup>15</sup> Commerce has not made any scope rulings, circumvention determinations, or changed circumstances determinations concerning the *Order*. Additionally, Commerce has not made any determinations regarding duty absorption.

## V. LEGAL FRAMEWORK

In accordance with section 751(c)(1) of the Act, Commerce conducted this sunset review to determine whether revocation of the *Order* would likely lead to continuation or recurrence of a countervailable subsidy. Section 752(b) of the Act provides that, in making this determination,

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<sup>9</sup> See Memorandum, “Decision Memorandum for Final Results and Partial Rescission of Review of Countervailing Duty Administrative Review: Chlorinated Isocyanurates from the People’s Republic of China,” dated June 9, 2017.

<sup>10</sup> *Id.* at 6-7.

<sup>11</sup> See *Chlorinated Isocyanurates From the People’s Republic of China: Final Results of Countervailing Duty Administrative Review; 2015*, 83 FR 26954 (June 11, 2018).

<sup>12</sup> See Memorandum, “Decision Memorandum for Final Results and Partial Rescission of Review of Countervailing Duty Administrative Review: Chlorinated Isocyanurates from the People’s Republic of China,” dated June 5, 2018.

<sup>13</sup> *Id.* at 6.

<sup>14</sup> See *Chlorinated Isocyanurates From the People’s Republic of China: Final Results of Countervailing Duty Administrative Review; 2016*, 84 FR 37627 (August 1, 2019).

<sup>15</sup> See *Chlorinated Isocyanurates From the People’s Republic of China: Preliminary Results of the Countervailing Duty Administrative Review; 2017*, 85 FR 2701 (January 16, 2020).

Commerce shall consider: (1) the net countervailable subsidy determined in the investigation and any subsequent reviews; and (2) whether any changes in the programs which gave rise to the net countervailable subsidy have occurred that are likely to affect the net countervailable subsidy.

Pursuant to section 752(b)(3) of the Act, Commerce shall provide the ITC with the net countervailable subsidy likely to prevail if the order were revoked. In addition, consistent with section 752(a)(6) of the Act, Commerce shall provide the ITC with information concerning the nature of the subsidy and whether it is a subsidy described in Article 3 or Article 6.1 of the 1994 World Trade Organization Agreement on Subsidies and Countervailing Measures (SCM).

## **VI. DISCUSSION OF THE ISSUES**

Below we address the comments of the interested parties.

### **1. Likelihood of Continuation or Recurrence of a Countervailable Subsidy**

#### *Domestic Interested Parties' Comments*

- Commerce found that respondents benefitted from numerous countervailable programs in the original investigation, and it has made no findings in the subsequent administrative reviews that any of the programs has been terminated.<sup>16</sup>
- Continuation of a program is highly probative of the likelihood of continuation or recurrence of countervailable subsidies.<sup>17</sup> Accordingly, revocation of the *Order* would likely lead to the continuation or recurrence of countervailable subsidization of chlorinated isocyanurates from China.<sup>18</sup>
- Furthermore, the *Order* has had the intended effect on U.S. imports of chlorinated isocyanurates from China, with U.S. import volumes declining substantially each year since the imposition of the *Order* in 2014.<sup>19</sup>
- For these reasons, Commerce should maintain the CVD order on chlorinated isocyanurates from China.

#### **Commerce's Position:**

In determining the likelihood of continuation or recurrence of a countervailable subsidy, section 752(b)(1) of the Act directs Commerce to consider the net countervailable subsidy determined in the investigation and subsequent reviews and whether there have been any changes in a program found to be countervailable that are likely to affect that net countervailable subsidy. According to the Statement of Administrative Action accompanying the Uruguay Round Agreements Act

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<sup>16</sup> See Substantive Response, at 12-13.

<sup>17</sup> *Id.* at 10.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at 14.

(SAA), Commerce will “consider the net countervailable subsidies in effect after the issuance of an order and whether the relevant subsidy programs have been continued, modified, or eliminated.”<sup>20</sup> The SAA further states that continuation of a program will be highly probative of the likelihood of continuation or recurrence of countervailable subsidies.<sup>21</sup> The continued existence of programs that have not been used, and have not been terminated without residual benefits or replaced, is also probative of the likelihood of continuation or recurrence of a countervailable subsidy.<sup>22</sup> Where a subsidy program is found to exist, Commerce normally will determine that revocation of the CVD order is likely to lead to continuation or recurrence of a countervailable subsidy regardless of the level of subsidization.<sup>23</sup>

Consistent with prior determinations, two conditions must be met in order for a subsidy program not to be included in determining the likelihood of continued or recurring subsidization: (1) the program must be terminated; and (2) any benefit stream must be fully allocated.<sup>24</sup> In order to determine whether a program has been terminated, we will consider the legal method by which the government eliminated the program and whether the government is likely to reinstate the program.<sup>25</sup> Commerce normally expects a program to be terminated by means of the same legal mechanism used to institute it.<sup>26</sup> Where a subsidy is not bestowed pursuant to a statute, regulation or decree, Commerce may find no likelihood of continued or recurring subsidization if the subsidy in question was a one-time, company-specific occurrence and was not granted as part of a broader, government program.<sup>27</sup>

In the underlying investigation, we found that 10 subsidy programs were countervailable. No party submitted evidence to demonstrate that these countervailable programs have expired or been terminated, and there is no information on the record of this proceeding indicating any changes to the programs found countervailable during the investigation and the administrative reviews. Absent argument or evidence to the contrary, we find that these programs continue to exist and are used. Therefore, we determine that there is a likelihood of continuation or recurrence of countervailable subsidies.

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<sup>20</sup> See Statement of Administrative Action Accompanying the Uruguay Round Agreements Act (SAA), H.R. Doc. 103-316, vol 1 (1994) at 888.

<sup>21</sup> *Id.*

<sup>22</sup> See, e.g., *Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products from Brazil: Final Results of Full Sunset Review of Countervailing Duty Order*, 75 FR 75455 (December 3, 2010), and accompanying IDM at Comment 1.

<sup>23</sup> *Id.*

<sup>24</sup> See *Certain Pasta from Italy: Final Results of the Expedited Fourth Sunset Review of the Countervailing Duty Order*, 83 FR 62839 (December 6, 2019) and accompanying IDM at 11; *Preliminary Results of Full Sunset Review: Certain Corrosion-Resistant Carbon Steel Flat Products from France*, 71 FR 30875 (May 31, 2006) and accompanying Preliminary Decision Memorandum at 5-7, unchanged in *Corrosion-Resistant Carbon Steel Flat Products from France: Final Results of Full Sunset Review*, 71 FR 58584 (October 4, 2006).

<sup>25</sup> See, e.g., *Fresh and Chilled Atlantic Salmon From Norway: Final Results of Full Third Sunset Review of Countervailing Duty Order*, 76 FR 70411 (November 14, 2011) and accompanying IDM at Comment 1.

<sup>26</sup> See, e.g., *Final Affirmative Countervailing Duty Determination: Certain Hot-Rolled Carbon Steel Flat Products from India*, 66 FR 49635 (September 28, 2001) and accompanying IDM at Comment 7.

<sup>27</sup> See, e.g., *Stainless Steel Plate in Coils from Belgium: Final Results of Full Sunset Review and Revocation of the Countervailing Duty Order*, 76 FR 25666 (May 5, 2011) and accompanying IDM at Comment 1.

Because the continuation of these subsidy programs is highly probative of the likelihood of the continuation or recurrence of countervailable subsidies, we determine that revocation of the *Order* would likely lead to continuation or recurrence of countervailable subsidies.

## 2. Net Countervailable Subsidy Rates that Are Likely to Prevail

### *Domestic Interested Parties' Comments*

- Commerce should follow the instructions set forth in the SAA and its *Policy Bulletin* which state that it should, in most cases, begin by selecting the subsidy rate established in the original investigation because it “is the only calculated rate that reflects the behavior of exporters and foreign governments without the discipline of an order in place.”<sup>28</sup>
- Commerce should make certain adjustments to the net countervailable subsidy rates determined in the original investigation based on findings in administrative reviews.

### **Commerce's Position:**

Consistent with the SAA and legislative history, Commerce normally will provide to the ITC the net countervailable subsidy rates that were determined in the investigation as these are the rates likely to prevail if the order is revoked because these are the only calculated rates that reflect the behavior of exporters and foreign governments without the discipline of the order in place.<sup>29</sup> Section 752(b)(1)(B) of the Act provides, however, that Commerce also will consider “whether any change in the program which gave rise to the net countervailable subsidy determination in the investigation has occurred that is likely to affect the net countervailable subsidy” rate. Therefore, although the SAA provides that Commerce normally will select a rate from the investigation, this rate may not be the most appropriate if the rate was derived from countervailable subsidy programs found in subsequent reviews to be terminated, there has been a program-wide change, or the rate does not include a program or programs found to be countervailable in subsequent reviews.<sup>30</sup>

In this sunset review, Commerce determined the company-specific countervailable subsidy rates likely to prevail based on the rates assigned in the investigation, adjusted to reflect the programs that Commerce found to be countervailable in the subsequent administrative reviews.<sup>31</sup> Therefore, consistent with Commerce's established practice for adjusting the company-specific rates in sunset reviews when warranted by findings in the intervening administrative reviews,<sup>32</sup>

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<sup>28</sup> See Substantive Response at 12 (citing SAA at 890; and *Policies Regarding the Conduct of Five-year (“Sunset”) Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871, 18875 (April 16, 1998) (*Policy Bulletin*)).

<sup>29</sup> See SAA at 890; see also H.R. Rep. No. 103-826 (1994) at 64.

<sup>30</sup> See, e.g., *Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Final Results of Expedited Second Sunset Review*, 75 FR 62101 (October 7, 2010), and accompanying IDM at Comment 2.

<sup>31</sup> See Attachment.

<sup>32</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order*, 83 FR 10431 (March 9, 2018) and accompanying IDM at 10.

we added the appropriate rates from the additional subsidy programs countervailed in the administrative reviews to the net countervailable subsidy rates determined in the investigation.<sup>33</sup> The adjusted countervailable subsidy rates, which Commerce determines are likely to prevail upon revocation of the order, are provided in the “Final Results of Review” section of this memorandum.

### 3. Nature of the Subsidies

Consistent with section 752(a)(6) of the Act, Commerce is providing the following information to the ITC concerning the nature of the subsidy, and whether the subsidy is a subsidy as described in Article 3 or Article 6.1 of the SCM. We note that Article 6.1 of the SCM expired effective January 1, 2000.

Commerce received no comments from the GOC or other interested parties regarding the nature of the subsidy programs determined to be countervailable in the investigation or administrative reviews. Therefore, consistent with Commerce’s findings in the underlying investigation and reviews, we determine that the following programs are prohibited subsidies, *e.g.*, export contingent subsidies, within the meaning of Article 3.1 of the SCM.

#### Grants for Export Credit Insurance

This program is a grant from the Henghsui Finance Bureau which provides a subsidy for 30 percent of the insurance premium if an exporting company’s exports are valued at less than five million U.S. dollars (USD), and 20 percent for exports valued above 5 million USD.

#### Export Sellers’s Credit

The purpose of this program is to support the export of Chinese products and improve their competitiveness in the international market, through preferential financing.

The programs listed below do not fall within the meaning of Article 3.1 of the SCM, but they could be subsidies described in Article 6.1 of the SCM, if the amount of the subsidy exceeds five percent, as measured in accordance with Annex IV of the SCM. The subsidies could also fall within the meaning of Article 6.1 if they constitute debt forgiveness, grants to cover debt repayment, or subsidies to cover operating losses sustained by an industry or enterprise. However, there is insufficient information on the record of this review for Commerce to make such a determination. Nevertheless, we are providing the ITC with the following program descriptions.

#### Special Fund for Energy Saving Technology Reform

The GOC provides grants to companies for renovations which improve energy efficiency in order to popularize energy saving technology and equipment and improve energy efficiency, *i.e.*, reduce the amount of coal consumption.

#### Corporate Income Tax Law Article 33: Reduction of Taxable Income for the Revenue Derived from the Manufacture of Products that Are in Line with State Industrial Policy and Involve Synergistic Utilization of Resources

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<sup>33</sup> See Attachment.

This program provides tax benefits to companies producing and selling products that are in line with state industrial policy and involving synergistic utilization of resources.

Grants under the Haixing County Science and Technology Research & Development Plan Project

This program provides funding to companies engaged in research and development work.

Special National Bond Fund for Energy Conservation and Waste Recycling Projects

This program provides funding to companies investing in a technological renovation project encouraged by the state, approved by the Development and Reform Commission, and included in the *State Key Technical Renovation Programs Plan*.

VAT Tax Rebate for Comprehensive Utilization of Resources

This program provides a VAT tax rebate to companies which sell energy by-products.

Shandong Industrial Structure Adjustment Entrusted Loan

This program was promulgated by the government of Shandong province to provide preferential financing to assist manufacturing companies in certain key industries.

Enterprise Income Tax Reduction for High and New Technology Enterprises

Under this program a firm's tax rate is reduced to a rate of 15 percent, from the standard 25 percent rate, if the enterprise is recognized as a High or New Technology Enterprise.

Electricity for LTAR

The GOC provides electricity for LTAR.

## VII. FINAL RESULTS OF REVIEW

As a result of this sunset review, Commerce determines that revocation of the *Order* would likely lead to a continuation or recurrence of a countervailable subsidy at the rates listed below:

<b>Producer/Exporter</b>	<b>Net Countervailable Subsidy Rate (percent)</b>
Hebei Jiheng Chemicals Co., Ltd.	22.45
Juancheng Kangtai Chemical Co., Ltd.	2.59
All Others	10.81

**VIII. RECOMMENDATION**

Based on our analysis of the substantive response received, we recommend adopting the above positions. If this recommendation is accepted, we will publish the final results of this sunset review in the *Federal Register* and notify the ITC of our findings.

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Agree

\_\_\_\_\_  
Disagree

1/28/2020

**X**



Signed by: JEFFREY KESSLER

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Jeffrey I. Kessler  
Assistant Secretary  
for Enforcement and Compliance

## ATTACHMENT I

Segment	Jiheng	Kangtai
Order	20.06	1.55
AR 1	2.39	0
AR 2	0	0.87
AR 3	0	0.17
Total	22.45	2.59