and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.13

Commerce intends to issue the final results of this administrative review, including the results of its analysis raised in any written briefs, not later than 120 days after the publication of these preliminary results in the Federal Register, unless otherwise extended.14

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.


Christian Marsh,
Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Discussion of the Methodology
A. Normal Value Comparisons
   1. Determination of Comparison Method
   2. Results of the Differential Pricing Analysis
   B. Product Comparisons
   C. Export Price and Constructed Export Price
   D. Normal Value
      1. Particular Market Situation
      2. Home Market Viability and Selection of Comparison Market
      3. Affiliated Party Transactions and Arm’s-Length Test
      4. Level of Trade
      5. Cost of Production Analysis
      6. Calculation of NV Based on Comparison Market Prices
      7. Calculation of NV Based on CV
   E. Currency Conversion
   V. Recommendation

DEPARTMENT OF COMMERCE
International Trade Administration
[533–877, A–570–064]

Stainless Steel Flanges From India and the People’s Republic of China: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations

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


FOR FURTHER INFORMATION CONTACT: Courtney Canales at (202) 482–4997 (India) and Ian Hamilton at (202) 482–4796 (the People’s Republic of China (China)), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On September 5, 2017, the Department of Commerce (Commerce) initiated less-than-fair-value (LTFV) investigations of imports of stainless steel flanges from India and China.1 Currently, the preliminary determinations are due no later than January 23, 2018.

Postponement of Preliminary Determinations

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) The petitioners2 submit a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioners must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On December 18, 2017, the petitioners submitted a timely request that Commerce postpone the preliminary determinations in these LTFV investigations.3 The petitioners stated that they request postponement “in order to ensure that (Commerce) has sufficient time to review all questionnaire responses and request clarification and/or additional information as necessary, so that the preliminary determinations will reflect the most accurate results possible.”4

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determinations by 50 days (i.e., 190 days after the date on which these investigations were initiated). As a result, Commerce will issue its preliminary determinations no later than March 14, 2018. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of publication of the preliminary determinations, unless postponed at a later date.

This notice is issued and published pursuant to section 735(c)(2) of the Act and 19 CFR 351.205(f)(1).


Christian Marsh,
Deputy Assistant Secretary for Enforcement and Compliance.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XF897

Endangered and Threatened Species; Recovery Plans

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.


2 The petitioners are the Coalition of American Flange Producers and its individual members, Core Pipe Products, Inc. and Massa Flange Corporation.
The Plan lays out a recovery strategy to address the threats based on the best available science, identifies site-specific management actions, and provides recovery actions within the Plan that aim to restore passage and habitat, reduce mortality and poaching, address threats in the areas of contaminants, predation, and sediment loading, and forecast sDPS habitat and distribution changes with climate change. Most of the recovery efforts focus on the Sacramento River and Delta Estuary environments, as threats in spawning and rearing habitats were considered the greatest impediments to recovery. To better inform the recovery process, the Plan further characterizes research priorities in these areas as well as in the areas of competition for habitat, altered prey base, non-native species, oil and chemical spills, and disease.

The Plan is not regulatory, but presents guidance for use by agencies and interested parties to assist in the recovery of sDPS green sturgeon. The Plan identifies substantive actions needed to achieve recovery by assessing the species’ population abundance, distribution, and diversity and addressing the threats to the species. When determining recovery actions, the Plan prioritized actions that address the most important threats, improve understanding of whether a particular threat is limiting recovery, and improve our understanding of, and ability to manage, that threat. The actions in the Plan include research, management, monitoring, and outreach efforts, because a comprehensive approach to green sturgeon recovery is likely to have greater success than focusing on any one type of action.

We expect the Plan to inform section 7 consultations with Federal agencies under the ESA and to support other ESA decisions, such as considering permits under section 10. We have already begun implementation of several actions and research priorities as described in the plan, such as partnering with the California Department of Fish and Wildlife to reduce poaching and stranding of green sturgeon and improve knowledge of the impacts of fisheries bycatch. After public comment and the adoption of the Final Recovery Plan, we will continue to implement actions in the plan for which we have authority, encourage other Federal and state agencies to implement recovery actions for which they have responsibility and authority, and work cooperatively with them on the implementation of those actions.

The total time and cost to recovery are difficult to predict. The Plan outlines 19 recovery actions, as well as 17 research, eight monitoring, and two education and outreach priorities. An estimated
cost is provided for an initial 20-year period. Projections of when certain actions could occur are provided based on five year increments. Assuming all recovery actions are implemented, the cost of the first 20 years of recovery is approximately $236 million. Given a generation time for sDPS green sturgeon of approximately 22 years, a substantial increase in adult abundance in response to habitat-based recovery actions may not be observed for 66–88 years.

Additional funds will thus likely be needed to monitor adult abundance after the first 20 years, with a total added projected cost of $25–40 million.

Many of the most costly recovery actions (e.g., barrier removal, increased enforcement, addressing entrainments at diversions) have multi-species benefits and may be covered under recovery efforts for other species. For example, the recovery plan for ESA-listed Central Valley salmonids (NMFS 2014b) includes recovery actions designed to improve watershed-wide processes that will likely benefit sDPS green sturgeon by restoring natural ecosystem functions. Specific actions to improve delta habitat, remove barriers, and reduce entrainment could aid in the recovery of sDPS green sturgeon and reduce the recovery plan cost by $17 million.

We are unable to quantify the economic benefits of sDPS green sturgeon recovery actions, but full recovery or delisting will provide multiple benefits to the ecosystem and economy. Delisting of the sDPS will enhance fishing opportunities by lifting fisheries restrictions aimed at reducing direct or incidental sDPS mortality. The ESA regulatory burden will also be eased for fisheries, water resource, industrial, and commercial activities. Accomplishing the habitat restoration measures will also result in more functional ecosystems that support other economic activities and contribute to delisting of other species.

References Cited

The complete citations for the references used in this document can be obtained by contacting NMFS (see ADDRESSES and FOR FURTHER INFORMATION CONTACT) or online at: http://www.westcoast.fisheries.noaa.gov/protection_species/green_sturgeon/green_sturgeon_pg.html.

Authority: 16 U.S.C. 1531 et seq.