

of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of its order. *Reasons:* Unique features of this instrument include its arbitrary excitation angle, large frequency, force, displacement range and spectral output purity. It is also unique in that it included the ability to rotate to varying degrees.

Docket Number: 11-017. *Applicant:* University of Chicago Argonne, LLC, Lemont, IL 60439. *Instrument:* Electron Guns for Caribu EBIS Charge Breeder. *Manufacturer:* Budker Institute of Nuclear Physics, Russia. *Intended Use:* See notice at 76 FR 11200, March 1, 2011. *Comments:* None received. *Decision:* Approved. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of its order. *Reasons:* The main requirement to the EBIS charge breeder is its high efficiency and long maintenance free operational period.

Dated: April 8, 2011.

Gregory W. Campbell,

*Director, Subsidies Enforcement Office,
Import Administration.*

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-580-818]

Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Extension of Time Limit for Preliminary Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

DATES: Effective Date: April 14, 2011.

FOR FURTHER INFORMATION CONTACT: Gayle Longest, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-3338.

SUPPLEMENTARY INFORMATION:

Background

On August 17, 1993, the Department published in the **Federal Register** the countervailing duty order on corrosion-

resistant carbon steel flat products (CORE) from Korea. *See Countervailing Duty Orders and Amendments of Final Affirmative Countervailing Duty Determinations: Certain Steel Products from Korea*, 58 FR 43752 (August 17, 1993). On August 2, 2010, the Department published a notice of "Opportunity to Request Administrative Review" of this countervailing duty order. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 75 FR 45094 (August 2, 2010). In accordance with 19 CFR 351.221(c)(1)(i), we published a notice of initiation of the administrative review on September 29, 2010, for the January 1, 2009, through December 31, 2009, period of review (POR). *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 75 FR 60076 (September 29, 2010). The preliminary results for this review are currently due no later than May 3, 2011.

Extension of Time Limits for Preliminary Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested and the final results of review within 120 days after the date on which the preliminary results are published. If it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

Because the Department will require additional time to review and analyze supplemental information expected from the Government of Korea and the respondent, Hyundai HYSCO Ltd., and may issue further supplemental questionnaires, it is not practicable to complete this review by the original deadline (*i.e.*, May 3, 2011). Therefore, the Department is extending the time limit for completion of the preliminary results by 120 days to not later than August 31, 2011, in accordance with section 751(a)(3)(A) of the Act.

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

Dated: April 8, 2011.

Gary Taverman,

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

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-843]

Certain Lined Paper Products From India: Amended Final Determination of Sales at Less Than Fair Value

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On December 13, 2010, the United States Court of Appeals for the Federal Circuit ("CAFC") affirmed the United States Court of International Trade's ("CIT's") decision sustaining the Department of Commerce's ("the Department's") redetermination on remand of the final results of the antidumping duty investigation on certain lined paper products ("CLPP") from India. *See Association of American School Paper Suppliers v. United States*, Court No. 2010-1219 (CAFC December 13, 2010) (CAFC Rule 36 affirmation); *see also Association of American School Paper Suppliers v. United States*, Consol. Court No. 06-00395, Slip Op. 09-136 (CIT December 10, 2009) ("AASPS, Slip. Op. 09-136").¹ This case arises out of the Department's final determination of sales at less than fair value ("LTFV") in the antidumping duty investigation of CLPP from India.² As there is now a final and conclusive court decision in this action, the Department is amending the *Final Determination and Antidumping Duty Order*.³

FOR FURTHER INFORMATION CONTACT:

Christopher Hargett, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

¹ This action includes Court No. 06-00395 and Court No. 06-00399.

² *See Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India*, 71 FR 45012 (August 8, 2006) ("Final Determination").

³ *Notice of Amended Final Determination of Sales at Less Than Fair Value: Certain Lined Paper Products from the People's Republic of China; Notice of Antidumping Duty Orders: Certain Lined Paper Products from India, Indonesia and the People's Republic of China; and Notice of Countervailing Duty Orders: Certain Lined Paper Products from India and Indonesia*, 71 FR 56949 (September 28, 2006) ("Antidumping Duty Order").

Avenue, NW., Washington, DC 20230; telephone: (202) 482-4161.

SUPPLEMENTARY INFORMATION:

Background

On August 8, 2006, the Department published the final determination of sales at LTFV in the antidumping duty investigation of CLPP from India for the period of investigation (“POI”) of July 1, 2004, through June 30, 2005. See *Final Determination*. The Association of American School Paper Suppliers⁴ (“AASPS”) and Kejriwal Paper Limited (“Kejriwal”) filed lawsuits challenging the *Final Determination*.

In its November 17, 2008 opinion,⁵ the CIT partially remanded the *Final Determination*. Specifically, the CIT ordered the Department to further explain (1) how the general and administrative (“G&A”) expense ratio reasonably identifies and fairly allocates G&A expenses in light of the evidence on the record; and (2) how its G&A expense ratio is consistent with its treatment of Kejriwal’s financial expense ratio.

In accordance with the CIT’s remand order in AASPS, Slip Op. 08–122, the Department filed its redetermination on remand of the *Final Determination*

(“Remand Final Determination”) on March 16, 2009. In its redetermination, the Department provided further explanation on its calculation methodology, and also determined that certain additional expenses should be attributed directly to Kejriwal’s newsprint operations.

On December 10, 2009, the CIT sustained the Department’s redetermination on remand of the final results of the antidumping duty investigation on CLPP from India.⁶ By sustaining the remand results, the CIT affirmed all of the issues in which the Department was challenged, including the Department’s explanation of how the G&A expense ratio it calculated (1) reasonably identifies and fairly allocates G&A expenses in light of the evidence on the record, and (2) is consistent with the Department’s treatment of Kejriwal’s financial expense ratio.

Pursuant to the Department’s redetermination, Kejriwal’s G&A expense ratio changed.⁷ As a result of the change to Kejriwal’s G&A expense ratio, Kejriwal’s calculated margin for the POI has changed from 3.91 percent in the *Final Determination* to 3.06 percent in the redetermination issued on March 16, 2009.

Consistent with the decision in the CAFC in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department published in the **Federal Register** a notice of a court decision that is not “in harmony” with the Department’s final determination.⁸ In this notice, the Department stated that we would amend our final determination of this investigation to reflect the recalculation of the margin for Kejriwal upon a final and conclusive court decision in this action.

Kejriwal appealed the CIT’s decision affirming the Department’s remand results. On December 13, 2010, the CAFC affirmed the CIT’s decision under CAFC Rule 36, which allows the Court to enter judgment of affirmance without a written opinion. The period for appeal expired on March 14, 2011. Accordingly, the Department is amending its *Final Determination* and *Antidumping Duty Order*.

Amendment to Final Determination and Antidumping Duty Order

Because there is now a final and conclusive court decision in this proceeding, the revised dumping margin for Kejriwal in the *Final Determination* is as follows:

Manufacturer/exporter	Original final margin (percent)	Amended final margin (percent)
Kejriwal Paper Limited	3.91	3.06

On April 14, 2009, the Department issued the final results of the first administrative review covering Kejriwal and the period April 17, 2006, to August 31, 2007. See *Certain Lined Paper Products from India: Notice of Final Results of the First Antidumping Duty Administrative Review*; 74 FR 17149 (April 14, 2009). Therefore, in accordance with section 19 CFR 351.212(b), the Department will issue liquidation instructions to U.S. Customs and Border Protection (“CBP”) 15 days after publication of this amended final determination in the **Federal Register**. Specifically, the Department will instruct CBP to assess antidumping

duties, as appropriate, for merchandise produced and/or exported by Kejriwal entered, or withdrawn from warehouse, for consumption in the United States during the periods April 17, 2006, to August 31, 2007, September 1, 2007, to August 31, 2008, September 1, 2008, to August 31, 2009, and September 1, 2009, to August 31, 2010.⁹

This notice is issued and published in accordance with sections 735(d) and 777(i) of the Tariff Act of 1930, as amended.

April 8, 2011.
Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.
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⁴ The Association consists of MeadWestvaco Corporation, Norcom, Inc., and Top Flight, Inc.

⁵ See *Association of American School Paper Suppliers v. United States*, Consol. Court No. 06–00395, Slip Op. 08–122 (CIT November 17, 2008) (“AASPS, Slip Op. 08–122”).

⁶ See AASPS, Slip Op. 09–136.

⁷ Due to the proprietary nature of Kejriwal’s G&A expenses, see the Department’s proprietary calculation memorandum, titled “Remand for the Antidumping Investigation of Certain Lined Paper Products from India,” dated March 13, 2009, for further discussion.

⁸ See *Certain Lined Paper Products from India: Notice of Court Decision not in Harmony with Final Determination of Sales at Less Than Fair Value*, 74 FR 68779 (December 29, 2009) (“*Timken Notice*”).

⁹ See *Certain Lined Paper Products from India: Notice of Final Results of the First Antidumping Duty Administrative Review*, 74 FR 17149 (April 14, 2009); *Certain Lined Paper Products from India: Notice of Final Results of Antidumping Duty Administrative Review*, 75 FR 7563 (February 22, 2010); *Certain Lined Paper Products From India: Notice of Final Results of Antidumping Duty Administrative Review and Partial Rescission of*

Antidumping Duty Administrative Review, 76 FR 10876 (February 28, 2011); and *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 75 FR 66349 (October 28, 2010), respectively. Kejriwal was not reviewed in the 07–08, 08–09, and 09–10 administrative reviews of CLPP from India. See also Memo from Christopher Hargett through Melissa Skinner to the File, dated April 08, 2011, entitled “*Certain Lined Paper Products from India: Kejriwal Liquidation Instructions (4/17/2006–8/31/2010)*” for a detailed discussion on liquidations for Kejriwal.