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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-570-919]**

**Electrolytic Manganese Dioxide from the People's Republic of China: Final Results of the Expedited Second Sunset Review of the Antidumping Duty Order**

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

**SUMMARY:** The Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on electrolytic manganese dioxide (EMD) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping, at the level indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** Applicable [**INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER***].

**FOR FURTHER INFORMATION CONTACT:** Thomas Hanna, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0835.

**SUPPLEMENTARY INFORMATION:**

Background

After publication of the notice of initiation of this sunset review of the AD order on EMD from China,<sup>1</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act) Borman

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<sup>1</sup> See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 65968 (December 2, 2019); see also *Antidumping Duty Order: Electrolytic Manganese Dioxide from the People's Republic of China*, 73 FR 58537 (October 7, 2008) (*Order*).

Specialty Materials (Borman) and Prince Specialty Products LLC (Prince) (collectively, domestic interested parties) filed with Commerce a timely and complete notice of intent to participate in the sunset review,<sup>2</sup> and a timely and adequate substantive response.<sup>3</sup> Commerce did not receive a substantive response from any respondent interested party. As a result, pursuant to section 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 *Order*.<sup>4</sup>

### Scope of the *Order*

The merchandise covered by the *Order* includes all manganese dioxide (MnO<sub>2</sub>) that has been manufactured in an electrolysis process, whether in powder, chip, or plate form. Excluded from the scope are natural manganese dioxide (NMD) and chemical manganese dioxide (CMD). The merchandise subject to the *Order* is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2820.10.00.00. While the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the *Order* is dispositive.<sup>5</sup>

### Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping in the event of revocation of the *Order* and the magnitude of the dumping margins likely to prevail if the *Order* were to be revoked, is provided

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<sup>2</sup> See Domestic Interested Parties' Letter, "Electrolytic Manganese Dioxide from the People's Republic of China: Notice of Intent to Participate," dated December 17, 2019.

<sup>3</sup> See Domestic Interested Parties' Letter, "Electrolytic Manganese Dioxide from the People's Republic of China: Substantive Response to Notice of Initiation of Five-Year (Sunset) Review of the Antidumping Duty Order," dated January 2, 2020 (Substantive Response).

<sup>4</sup> For a complete description of the background of this sunset review of the *Order*, see Memorandum, "Issues and Decision Memorandum for the Expedited Second Sunset Review of the Antidumping Duty Order on Electrolytic Manganese Dioxide from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>5</sup> For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice.<sup>6</sup>

A list of the topics discussed in the Issues and Decision Memorandum is attached as an Appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and to all parties in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed on the Internet at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

#### Final Results of Sunset Review

Pursuant to sections 751(c)(1), 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to 149.92 percent.

#### Administrative Protective Orders

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials, or conversion to judicial protective, orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

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

Notification to Interested Parties

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218 and 19 CFR 351.221(c)(5)(ii).

Dated: March 16, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary*

*for Enforcement and Compliance.*

## **Appendix**

### **List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the Order
- IV. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
  - 1. Likelihood of Continuation or Recurrence of Dumping
  - 2. Magnitude of the Margin of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

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