



BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-009]

Calcium Hypochlorite from the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

SUMMARY: The Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order would be likely to lead to the continuation or recurrence of a countervailable subsidy at the levels indicated in the “Final Results of Review” section of this notice.

DATES: Applicable [Insert date of publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Rachel Greenberg, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0652.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 2015, Commerce published in the *Federal Register* the CVD order on calcium hypochlorite from the People's Republic of China (China).<sup>1</sup> On December 2, 2019, Commerce published the notice of initiation of the first sunset review of the CVD order on calcium hypochlorite from China, pursuant to section 751(c) of the Tariff Act of 1930, as

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<sup>1</sup> See *Calcium Hypochlorite from the People's Republic of China: Countervailing Duty Order*, 80 FR 5082 (January 30, 2015).

amended (the Act).<sup>2</sup> On January 2, 2019, Commerce received a timely filed notice of intent to participate from Innovative Water Care, LLC dba Sigura (IWC) within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> IWC claimed interested party status under section 771(9)(C) of the Act, as a manufacturer of a domestic like product in the United States.

Commerce received an adequate substantive response to the notice of initiation from IWC within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> We received no substantive responses from any other interested parties, including the Government of China, nor was a hearing requested. On December 23, 2019, Commerce notified the U.S. International Trade Commission 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)(B)-(C), Commerce conducted an expedited (120-day) sunset review of the CVD order on calcium hypochlorite from China.

#### Scope of the Order

The product covered by this order is calcium hypochlorite, regardless of form (*e.g.*, powder, tablet (compressed), crystalline (granular), or in liquid solution), whether or not blended with other materials, containing at least 10 percent available chlorine measured by actual weight. The scope also includes bleaching powder and hemibasic calcium hypochlorite.

Calcium hypochlorite has the general chemical formulation  $\text{Ca}(\text{OCl})_2$ , but may also be sold in a more dilute form as bleaching powder with the chemical formulation,  $\text{Ca}(\text{OCl})_2 \cdot \text{CaCl}_2 \cdot \text{Ca}(\text{OH})_2 \cdot 2\text{H}_2\text{O}$  or hemibasic calcium hypochlorite with the chemical formula

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<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 65968 (December 2, 2019).

<sup>3</sup> See IWC's Letter, "Countervailing Duty Order on Calcium Hypochlorite from the People's Republic of China: Notice of Intent to Participate," December 17, 2019.

<sup>4</sup> See IWC's Letter, "Countervailing Duty Order on Calcium Hypochlorite from the People's Republic of China: Substantive Response to Notice of Initiation," dated January 2, 2020.

<sup>5</sup> See Commerce's Letter, "Sunset Reviews Initiated on December 2, 2019," dated December 23, 2019.

of  $2\text{Ca}(\text{OCl})_2 \cdot \text{Ca}(\text{OH})_2$  or  $\text{Ca}(\text{OCl})_2 \cdot 0.5\text{Ca}(\text{OH})_2$ . Calcium hypochlorite has a Chemical Abstract Service (CAS) registry number of 7778-54-3, and a U.S. Environmental Protection Agency (EPA) Pesticide Code (PC) Number of 014701. The subject calcium hypochlorite has an International Maritime Dangerous Goods (IMDG) code of Class 5.1 UN 1748, 2880, or 2208 or Class 5.1/8 UN 3485, 3486, or 3487.

Calcium hypochlorite is currently classifiable under the subheading 2828.10.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). The subheading covers commercial calcium hypochlorite and other calcium hypochlorite. When tableted or blended with other materials, calcium hypochlorite may be entered under other tariff classifications, such as 3808.94.5000 and 3808.99.9500, which cover disinfectants and similar products. While the HTSUS subheadings, the CAS registry number, the U.S. EPA PC number, and the IMDG codes are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

#### Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum,<sup>6</sup> which is hereby adopted by this notice. The issues discussed in the Issues and Decision Memorandum are the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the order were revoked. 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>,

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<sup>6</sup> See Memorandum "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Countervailing Duty Order on Calcium Hypochlorite from the People's Republic of China," dated concurrently with this notice (Issues and Decision Memorandum).

and to all 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 directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the CVD order on calcium hypochlorite from China would be likely to lead to the continuation or recurrence of a countervailable subsidy at the rates listed below:

<b>Producer/Exporter</b>	<b>Net Subsidy Rate (percent)</b>
Hubei Dinglong Chemical Co. Ltd.	65.85
W&W Marketing Corporation	65.85
Tianjin Jinbin International Trade Co., Ltd.	65.85
All Others	65.85

Administrative Protective Order (APO)

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

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act and 19 CFR 351.218. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until May 19, 2020, unless extended.<sup>7</sup>

Dated: March 31, 2020.

Jeffrey I. Kessler,  
Assistant Secretary  
for Enforcement and Compliance.

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<sup>7</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020).

## 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 a countervailable subsidy
    - 2. Net countervailable subsidy rates that are likely to prevail
    - 3. Nature of the subsidies
  - VII. Final Results of Review
  - VIII. Recommendation
- [FR Doc. 2020-07297 Filed: 4/6/2020 8:45 am; Publication Date: 4/7/2020]