



DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-839]

Steel Propane Cylinders from Thailand: Preliminary Results of Antidumping Duty

Administrative Review; 2021-2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that Sahamitr Pressure Container Plc. (also known as Sahamitr Pressure Container Public Company Limited) (SMPC) made sales of steel propane cylinders from Thailand at less than normal value (NV) during the period of review (POR), August 1, 2021, through July 31, 2022. We invite interested parties to comment on these preliminary results.

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

FOR FURTHER INFORMATION CONTACT: Samuel Brummitt, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-7851.

SUPPLEMENTARY INFORMATION:

Background

On August 15, 2019, Commerce published in the *Federal Register* the antidumping duty order on steel propane cylinders from Thailand.¹ On August 2, 2022, Commerce published in the *Federal Register* a notice of opportunity to request an administrative review of the *Order*.²

¹ See *Steel Propane Cylinders from the People's Republic of China and Thailand: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Orders*, 84 FR 41703 (August 15, 2019) (*Order*).

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List*, 87 FR 47187 (August 2, 2022).

On October 11, 2022, based on timely requests for review and in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the *Order*.³ Pursuant to section 751(a)(3)(A) of the Act, Commerce extended the deadline for the preliminary results until August 31, 2023.⁴

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.⁵ A list of the topics included in the Preliminary Decision Memorandum is included as the appendix to this notice. The Preliminary 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 <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the *Order*

The merchandise covered by this *Order* is steel propane cylinders from Thailand. For a complete description of the scope of the *Order*, *see* the Preliminary Decision Memorandum.⁶

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price was calculated in accordance with section 772 of the Act. NV was calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Preliminary Results of the Review

³ *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 61278, 61284 (October 11, 2022); *see also Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List*, 87 FR 47187, 47188 (August 2, 2022).

⁴ *See* Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review," dated April 3, 2023.

⁵ *See* Memorandum, "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Steel Propane Cylinders from Thailand; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

⁶ *See* Preliminary Decision Memorandum at "Scope of the *Order*."

We preliminarily determine that the following estimated weighted-average dumping margin exists for the period August 1, 2021, through July 31, 2022:

Exporter/Producer	Weighted-Average Dumping Margin (percent)
Sahamitr Pressure Container Plc.	2.12

Disclosure and Public Comment

We intend to disclose the calculations used for these preliminary results to interested parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs not later than seven days after the date on which the verification report is issued in this administrative review.⁷ Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.⁸ Parties who submit case briefs or rebuttal briefs in this review are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.⁹ Executive summaries should be limited to five pages total, including footnotes. All briefs must be filed electronically using ACCESS.¹⁰

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance, within 30 days after the date of publication of this notice in the *Federal Register*. Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) whether any participant is a foreign national; and (4) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised by each party in their respective case and rebuttal briefs. If a request for a hearing is made, Commerce will announce the date and time of

⁷ See 19 CFR 351.309(c)(1)(ii).

⁸ See 19 CFR 351.309(d); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

⁹ See 19 CFR 351.309(c)(2) and (d)(2).

¹⁰ See, generally, 19 CFR 351.303.

the hearing. Parties should confirm by telephone the date and time of the hearing two days before the scheduled hearing date.

Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹¹ An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the due date.

We intend to issue the final results of this administrative review, including the results of our analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless extended, pursuant to section 751(a)(3)(A) of the Act.

Verification

On January 18, 2023, Worthington Industries (the petitioner) requested that Commerce conduct verification of SMPC's responses.¹² Accordingly, as provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in determining its final results.

Assessment Rates

Upon issuance of the final results of this review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. If the weighted-average dumping margin for SMPC (*i.e.*, the sole individually-examined respondent in this review) is not zero or *de minimis* (*i.e.*, greater than or equal to 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* antidumping duty assessment rates on the basis of the ratio of the total amount of dumping calculated for the examined sales made during the POR to each importer and the total entered value of those same sales, in accordance with 19 CFR 351.212(b)(1). If SMPC has not reported entered values, we will calculate a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by

¹¹ See *Temporary Rule*, 85 FR at 41363-41364.

¹² See Petitioner's Letter, "Steel Propane Cylinders from Thailand – Petitioner's Request for Verification," dated January 18, 2023.

the total quantity associated with those transactions. To determine whether an importer-specific, per-unit assessment rate is *de minimis*, in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. Where either SMPC's weighted average dumping margin is zero or *de minimis*, or an importer-specific assessment *ad valorem* rate is zero or *de minimis*, we intend to instruct CBP to liquidate appropriate entries without regard to antidumping duties.¹³ The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review where applicable.

For entries of subject merchandise during the POR produced by SMPC for which the producer did not know its merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate (*i.e.*, 10.77 percent)¹⁴ if there is no rate for the intermediate company(ies) involved in the transaction.¹⁵

We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for SMPC will be equal to the weighted-average dumping margin established in the final results of this administrative review, except if the rate is less than 0.50

¹³ See 19 CFR 351.106(c)(2); see also *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

¹⁴ See *Order*, 84 FR at 41704.

¹⁵ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or in the less-than-fair-value investigation (LTFV) but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be the all-others rate of 10.77 percent, the rate established in the LTFV investigation of this proceeding.¹⁶ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 doubled antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h)(2) and 19 CFR 351.221(b)(4).

Dated: August 30, 2023.

Lisa W. Wang,
Assistant Secretary
for Enforcement and Compliance

¹⁶ See Order, 84 FR at 41704.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

[FR Doc. 2023-19202 Filed: 9/5/2023 8:45 am; Publication Date: 9/6/2023]