: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-602-814, C-403-807]

Silicon Metal from Australia and Norway: Countervailing Duty Orders

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing countervailing duty (CVD) orders on silicon metal from Australia and Norway.

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

FOR FURTHER INFORMATION CONTACT: Kyle Clahane at (202) 482-5449 (Australia) or Stefan Smith at (202) 482-4342 (Norway), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 705(d) and 777(i) of the Tariff Act of 1930, as amended (the Act), on June 30, 2026, Commerce published in the *Federal Register* its affirmative final determinations in the CVD investigations of silicon metal from Australia and Norway.[1] On August 14, 2026, the ITC notified Commerce of its final affirmative determinations, pursuant to sections 705(b)(1)(A)(i) and 705(d) of the Act, that an industry in the United States is materially injured by reason of subsidized imports of silicon metal from Australia and Norway.[2]

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[1] *See Silicon Metal from Australia: Final Affirmative Countervailing Duty Determination*, 91 FR 39598 (June 30, 2026); *see also Silicon Metal from Norway: Final Affirmative Countervailing Duty Determination*, 91 FR 39601 (June 30, 2026).
[2] *See* ITC's Letter, "Notification of ITC Final Determinations," dated August 14, 2026.

Scope of the Orders

The product covered by these orders is silicon metal from Australia and Norway. For a complete description of the scope of these orders, *see* the appendix to this notice.

CVD Orders

Based on the above-referenced affirmative final determinations by the ITC that an industry in the United States is materially injured by reason of subsidized imports of silicon metal from Australia and Norway,[3] and in accordance with sections 705(c)(2) and 706 of the Act, Commerce is issuing these CVD orders. Because the ITC determined that imports of silicon metal from Australia and Norway are materially injuring a U.S. industry, unliquidated entries of such merchandise from Australia and Norway entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, countervailing duties on unliquidated entries of silicon metal from Australia and Norway. With the exception of entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final affirmative injury determinations, as further described below, countervailing duties will be assessed on unliquidated entries of silicon metal from Australia and Norway entered, or withdrawn from warehouse, for consumption on or after September 26, 2025, the date of publication of the *Preliminary Determinations* in the *Federal Register*.[4]

Suspension of Liquidation and Cash Deposits

In accordance with section 706 of the Act, Commerce will direct CBP to reinstitute the suspension of liquidation of silicon metal from Australia and Norway, effective on the date of

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[3] *Id.*
[4] *See Silicon Metal from Australia: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination,* 90 FR 46390 (September 26, 2025); and *Silicon Metal from Norway: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination,* 90 FR 46386 (September 26, 2025) (collectively, *Preliminary Determinations*).

publication of the ITC's notice of final determinations in the *Federal Register*, and to assess, upon further instruction by Commerce pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates for the subject merchandise. On or after the date of publication of the ITC's final injury determinations in the *Federal Register*, CBP must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the rates noted below. These instructions suspending liquidation will remain in effect until further notice.

Estimated Countervailable Subsidy Rates

The estimated countervailable subsidy rates are as follows, the all-others rate applies to all producers or exporters not specifically listed below.

Company	**Subsidy Rate (percent *ad valorem*)**
Australia	
Simcoa Operations Pty, Ltd[5]	32.57
All Others	32.57
Norway	
Elkem ASA [6]	17.27
All Others	17.27

Provisional Measures

[5] Commerce found the following companies to be cross-owned with Simcoa: Silicon Metal Company of Australia Pty Ltd.; Simcoa Mines Pty Ltd.; and Microsilica Pty Ltd.

[6] Commerce found the following companies to be cross-owned with Elkem: Elkem Carbon AS; Elkem International AS; and Elkem Silicon Product Development AS.

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. In the underlying investigations, Commerce published the *Preliminary Determinations* on September 26, 2025.[7] Therefore, entries of silicon metal from Australia and Norway made on or after January 24, 2026, and prior to the date of publication of the ITC's final determinations in the *Federal Register*, are not subject to the assessment of countervailing duties due to Commerce's discontinuation of the suspension of liquidation.

In accordance with section 703(d) of the Act, Commerce instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, certain unliquidated entries of silicon metal from Australia and Norway entered, or withdrawn from warehouse, for consumption on or after January 24, 2026, the date on which the provisional CVD measures expired, until and through the day preceding the date of publication of the ITC's final injury determinations in the *Federal Register*. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC final injury determinations in the *Federal Register*.

<u>Establishment of the Annual Inquiry Service List</u>

On September 20, 2021, Commerce published the *Final Rule* in the *Federal Register*.[8] On September 27, 2021, Commerce also published the *Procedural Guidance* in the *Federal Register*.[9] The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.[10]

[7] *See Preliminary Determinations.*
[8] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).
[9] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).
[10] *Id.*

In accordance with the Procedural Guidance, for orders published in the *Federal Register* after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at https://access.trade.gov, within five business days of publication of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called "AISL-Annual Inquiry Service List."[11]

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance,* the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website.

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, "after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed

[11] This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the *Federal Register* also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the *Federal Register* in January, the relevant segment and SSI combination will appear in ACCESS as "AISL-January Anniversary." Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

on the annual inquiry service list in the years that follow."[12] Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the CVD orders with respect to silicon metal from Australia and Norway, pursuant to section 706(a) of the Act. Interested parties can find a list of CVD orders currently in effect at https://www.trade.gov/data-visualization/adcvd-proceedings.

These CVD orders are published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: August 17, 2026.

Christopher Abbott,
Deputy Assistant Secretary
for Policy and Negotiations,
performing the non-exclusive functions and duties
of the Assistant Secretary for Enforcement and Compliance.

[12] *See Final Rule*, 86 FR at 52335.

Appendix

Scope of the Orders

The scope of these orders cover all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of these orders.

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

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