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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-489-850]

**Aluminum Extrusions From the Republic of Türkiye: Amended Preliminary Determination of the Less-Than-Fair-Value Investigation**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) is amending its preliminary affirmative determination in the less-than-fair-value (LTFV) investigation of aluminum extrusions from the Republic of Türkiye (Türkiye) to correct for significant ministerial errors. The period of investigation is October 1, 2022, through September 30, 2023.

**DATES:** Applicable June 5, 2024.

**FOR FURTHER INFORMATION CONTACT:** Taylor Hatley, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4886.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 7, 2024, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of aluminum extrusions from Türkiye.<sup>1</sup> On May 7 and 9, 2024, respectively, mandatory respondents, Erdoganlar Aluminyum San. ve Tic. A.S. (Erdoganlar) and Sistem Aluminyum Sanayi ve Ticaret A.S. (Sistem) timely alleged that Commerce made significant ministerial errors in calculating their estimated weighted-average dumping margins.<sup>2</sup>

**Scope of the Investigation**

The products covered by this investigation are aluminum extrusions from Türkiye. For a complete description of the scope of this investigation, see the *Preliminary Determination*.<sup>3</sup>

**Legal Framework**

A ministerial error is defined as including “errors in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which {Commerce} considers ministerial.”<sup>4</sup> A ministerial error is considered to be “significant” if its correction, either singly or in combination with other errors, would result in: (1) a change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in

the preliminary determination; or (2) a difference between a weighted-average dumping margin of zero (or *de minimis*) and a weighted-average dumping margin of greater than *de minimis* or vice versa.<sup>5</sup> Pursuant to 19 CFR 351.224(e), Commerce “will analyze any comments received and, if appropriate, correct any significant ministerial error by amending the preliminary determination.”

**Analysis of Significant Ministerial Errors**

In the *Preliminary Determination*, Commerce made significant ministerial errors within the meaning of section 735(e) of the Act and 19 CFR 351.224(f) and (g)(1) in calculating the estimated weighted-average dumping margins for Erdoganlar and Sistem. Accordingly, pursuant to 19 CFR 351.224(e), Commerce is amending its *Preliminary Determination* to correct for these significant ministerial errors by revising the rates for Erdoganlar, Sistem, the companies assigned a rate based on adverse facts available (AFA),<sup>6</sup> and all other producers and/or exporters.<sup>7</sup> For a detailed discussion of the alleged ministerial errors, as well as Commerce’s analysis, see the Ministerial Error Memorandum.<sup>8</sup>

**Amended Preliminary Determination**

As a result of correcting these significant ministerial errors, Commerce determines the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Erdoganlar Aluminyum San. ve Tic. A.S .....	10.11	9.91
Sistem Aluminyum Sanayi ve Ticaret A.S .....	19.86	19.86
Alkor Aluminyum Enerji Insaat Sanayi ve Ticaret Anonim Sirketi .....	* 48.43	37.26
Astas Aluminyum San ve Tic A.S .....	* 48.43	37.26
Ayde Aluminyum LTD. STI .....	* 48.43	37.26
Burak Aluminyum San .....	* 48.43	37.26
P.M.S. Aluminyum Sanayi ve Ticaret A.S .....	* 48.43	37.26
Tuna Aluminium Ltd .....	* 48.43	37.26
Uluson Aluminum .....	* 48.43	37.26
All Others .....	12.98	12.78

\* Rates based on AFA.

<sup>1</sup> See *Aluminum Extrusions from the Republic of Türkiye: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 89 FR 38046 (May 7, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Erdoganlar’s Letter, “Erdoganlar Aluminyum San. ve Tic. A.S.’s Allegation of Significant Ministerial Error,” dated May 7, 2024;

see also Sistem’s Letter, “Sistem Aluminyum Sanayi ve Ticaret A.S.’ Ministerial Error Allegations,” dated May 9, 2024.

<sup>3</sup> See *Preliminary Determination*, 89 FR at 38049-52.

<sup>4</sup> See section 735(e) of the Tariff Act of 1930, as amended (the Act); see also 19 CFR 351.224(f).

<sup>5</sup> See 19 CFR 351.224(g).

<sup>6</sup> See Memorandum, “Less-Than-Fair-Value Investigation of Aluminum Extrusions from the

Republic of Türkiye: Allegations of Ministerial Errors in the Preliminary Determination,” dated concurrently with this notice (Ministerial Error Memorandum), at 4.

<sup>7</sup> See *Preliminary Determination*, 89 FR at 38047 (“{The all-others rate} shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated”).

<sup>8</sup> See Ministerial Error Memorandum.

**Disclosure**

We intend to disclose the calculations performed for this amended preliminary determination to parties within five days after public announcement or, if there is no public announcement, within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b).

**Amended Cash Deposits and Suspension of Liquidation**

The collection of cash deposits and suspension of liquidation will be revised according to the rates calculated in this amended preliminary determination, in accordance with section 733(d) of the Act. Because the amended rates for Erdoganlar, Sistem, the companies assigned rates based on AFA, and all other producers and/or exporters result in decreased cash deposit rates, they will be effective retroactively to May 7, 2024, the date of publication of the *Preliminary Determination*. We will also instruct U.S. Customs and Border Protection to issue instructions for requesting a refund of the difference between the amount of cash deposits paid as a result of the application of the *Preliminary Determination* rates and the amount due as a result of the amended preliminary determination rates.

**U.S. International Trade Commission Notification**

In accordance with section 733(f) of the Act, we will notify the U.S. International Trade Commission of our amended preliminary determination.

**Notification to Interested Parties**

This amended preliminary determination is issued and published pursuant to sections 733(d) and 777(i) of the Act and 19 CFR 351.224(e).

Dated: May 30, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-523-810]

**Polyethylene Terephthalate Resin From the Sultanate of Oman: Preliminary Results of Antidumping Duty Administrative Review; 2022-2023**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that OCTAL SAOC FZC (OCTAL), the sole respondent subject to this administrative review of the antidumping duty (AD) order on polyethylene terephthalate resin (PET resin) from the Sultanate of Oman (Oman), did not make sales of subject merchandise at less than normal value (NV) during the period of review (POR) May 1, 2022, through April 30, 2023. Interested parties are invited to comment on the preliminary results of this administrative review.

**DATES:** Applicable June 5, 2024.

**FOR FURTHER INFORMATION CONTACT:** Jeff Pedersen or Jonathan Hill, 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) 482-2769 and (202) 482-3518, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

Based on timely requests for review, in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act), on July 6, 2023, Commerce initiated an administrative review of the AD order on PET resin from the Oman with respect to OCTAL covering the POR.<sup>1</sup> On January 24, 2024, Commerce extended the deadline for these preliminary results to May 30, 2024.<sup>2</sup>

For a complete description of the events that followed the initiation of this review, see the accompanying Preliminary Decision Memorandum.<sup>3</sup> A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 44262, 44267 (July 12, 2023) (*Initiation*); see also *Certain Polyethylene Terephthalate Resin from Canada, the People's Republic of China, India, and the Sultanate of Oman: Amended Final Affirmative Antidumping Determination (Sultanate of Oman) and Antidumping Duty Orders*, 81 FR 27979 (May 6, 2016) (*Order*). While Commerce initiated this administrative review with respect to OCTAL and OCTAL Inc., OCTAL Inc. is OCTAL's affiliated U.S. importer, and as such, Commerce should not have included OCTAL Inc. in the *Initiation*. See OCTAL's Letter, "Section A Response of OCTAL SAOC-FZC," dated September 5, 2023, at 8.

<sup>2</sup> See Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review," dated January 24, 2024.

<sup>3</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the 2022-2023 Administrative Review of the Antidumping Duty Order on Polyethylene Terephthalate Resin from the Sultanate of Oman," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

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 the *Order* is PET resin having an intrinsic viscosity of at least 0.70, but not more than 0.88, deciliters per gram. The merchandise subject to the *Order* is properly classified under subheadings 3907.60.00.30, 3907.61.0000, 3907.61.0010, 3907.61.0050, 3907.69.0000, 3907.69.0010, and 3907.69.0050 of the Harmonized Tariff Schedule of the United States (HTSUS).<sup>4</sup> Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise covered by the *Order* is dispositive. For a full description of the scope of the *Order*, see Preliminary Decision Memorandum.

**Methodology**

Commerce is conducting this review in accordance with section 751 (a)(1)(B) of the Act. We calculated export and constructed export prices and NV in accordance with sections 772 and 773 of the Act, respectively. For a full description of the methodology underlying our preliminary results of review, see the Preliminary Decision Memorandum.

**Preliminary Results of Review**

We are assigning the following weighted-average dumping margin to the company listed below for the period May 1, 2022, through April 30, 2023:

Producer/exporter	Weighted-average dumping margin (percent)
OCTAL SAOC FZC .....	0.00

**Disclosure**

Commerce intends to disclose its calculations for the preliminary results of review to parties to the proceeding within five days of any public announcement or, if there is no public

<sup>4</sup> Commerce added HTSUS subheadings 3907.61.0000, 3907.69.0000, 3907.61.0010, 3907.61.0050, 3907.69.0010, and 3907.69.0050 to the scope after issuing the *Order*. See *Polyethylene Terephthalate Resin from the Sultanate of Oman: Final Results of Antidumping Duty Administrative Review; 2020-2021*, 87 FR 75594 (December 9, 2022).