

including Section 400.13, to the Board's standard 2,000-acre activation limit for the zone, and to a five-year ASF sunset provision for magnet sites that would terminate authority for Sites 2, 3, 4 and 5 if not activated by August 31, 2019.

Signed at Washington, DC, this 29th day of August 2014.

Paul Piquado,

Assistant Secretary of Commerce for Enforcement and Compliance, Alternate Chairman, Foreign-Trade Zones Board.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 140814669-4669-01]

Notice of Foreign Availability Assessment: Anisotropic Plasma Dry Etching Equipment

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Notice of Initiation of a Foreign Availability Assessment and Request for Comments.

SUMMARY: This notice is to announce that the Bureau of Industry and Security (BIS) is initiating a foreign availability assessment pursuant to section 5(f) of the Export Administration Act of 1979, as amended (EAA). BIS's Office of Technology Evaluation (OTE) will oversee the assessment of the foreign availability in China of anisotropic plasma dry etching equipment. BIS is also seeking public comments on the foreign availability of this equipment in China.

DATES: Comments must be received by September 23, 2014.

ADDRESSES: You may submit comments by any of the following methods:

- Email: EtchComments@bis.doc.gov. Include the phrase "Plasma Dry Etch FA Study" in the subject line;
- On paper to Orestes Theocharides, Office of Technology Evaluation, Bureau of Industry and Security, U.S. Department of Commerce, Room 1093, 1401 Constitution Avenue NW., Washington, DC 20230, or his email at orestes.theocharides@bis.doc.gov. Include the phrase "Plasma Dry Etch FA Study"; or
- Fax to (202) 482-5361. Include the phrase "Plasma Dry Etch FA Study".

FOR FURTHER INFORMATION CONTACT:

Gerard Horner, Director, Office of Technology Evaluation, Bureau of Industry and Security, Department of Commerce, Washington, DC 20230, Telephone: (202) 482-2078; email: gerard.horner@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 5(f) of the Export Administration Act of 1979, as amended (EAA), authorizes the Secretary of Commerce to conduct foreign availability assessments to examine and reevaluate the effectiveness of U.S. dual-use export controls on certain items that are controlled for national security reasons under the Export Administration Regulations (EAR). The Bureau of Industry and Security (BIS) has been delegated the responsibility of conducting these assessments and compiling a final report for the Secretary's review and consideration when issuing a final foreign availability determination. Part 768 of the EAR sets forth the procedures related to foreign availability assessments. BIS is publishing this notice to announce the initiation of an assessment and to request public comments on certain aspects of the item under review.

Foreign Availability Assessment

On behalf of the Secretary, BIS has initiated an assessment in response to a foreign availability claim received from the Semiconductor Equipment and Materials International (SEMI) industry association. The SEMI claim asserts the foreign availability of anisotropic plasma dry etching equipment in China from Chinese sources. The etching equipment in China is allegedly designed or optimized to produce critical dimensions of 65 nm or less; and within-wafer non-uniformity equal to or less than 10% 3 σ measured with an edge exclusion of 2 mm or less.

Items with these capabilities are currently controlled in the U.S. for national security reasons under Export Control Commodity Classification Number (ECCN) 3B001.c on the Commerce Control List (Supplement No. 1 to Part 774 of the EAR). U.S. controls do not allow this item to be exported to China without a license. This type of semiconductor etching equipment is used in the production process of a variety of dual-use semiconductor devices such as flash memories, microwave monolithic integrated circuits, transistors, and analog-to-digital-converters. These devices are suitable for use in a variety of both civil and military applications that include different types of radars, point-to-point radio communications, microprocessors, cellular infrastructure, and satellite communications.

The SEMI claim asserts that anisotropic plasma dry etch equipment of comparable quality to those subject to control under 3B001.c are available-in-

fact from Chinese sources in sufficient quantities to render the U.S. export control of the etch equipment ineffective.

BIS has reviewed the SEMI claim and determined that it has sufficient evidence to assess whether or not foreign availability of this etch equipment from Chinese sources exists. Therefore, BIS is initiating a foreign availability assessment of anisotropic plasma dry etching equipment designed or optimized to produce critical dimensions of 65 nm or less; and within-wafer non-uniformity equal to or less than 10% 3 σ measured with an edge exclusion of 2 mm or less. Upon completion of the assessment, BIS will submit its findings to the Secretary of Commerce, who in turn will issue a final determination for the Department. The final determination will be published in the *Federal Register*.

Request for Comments

To assist in assessing the foreign availability, described above, of this anisotropic plasma dry etch equipment, BIS is seeking public comments and submissions that relate to the following information:

- Product names and model designations of anisotropic plasma dry etch equipment that are made in China and that are comparable to the U.S. anisotropic plasma dry etch equipment designed or optimized to produce critical dimensions of 65 nm or less; and within-wafer non-uniformity equal to or less than 10% 3 σ measured with an edge exclusion of 2 mm or less. (U.S. dry etch equipment);
- names and locations of Chinese companies that produce and export indigenously-produced anisotropic plasma dry etch equipment comparable to U.S. dry etch equipment;
- Chinese production quantities, sales, and/or exports of anisotropic plasma dry etch equipment comparable to U.S. dry etch equipment;
- data on U.S. imports of Chinese anisotropic plasma dry etch equipment comparable to U.S. dry etch equipment, and/or testing and analysis of such dry etch equipment;
- estimates of the economic impact on U.S. companies of the export controls on the U.S. dry etch equipment.

Any tangible evidence to support the above information would also be useful to BIS in its conduct of this assessment. Examples of other useful evidence are found in Supplement No. 1 to Part 768 of the EAR.

Submission of Comments

All comments may be submitted by any of the methods indicated in this

notice. All comments must be in writing (either submitted by email or on paper).

BIS encourages interested persons who wish to comment to do so at the earliest possible time. The period for submission of comments will close on September 23, 2014. BIS will consider all comments received before the close of the comment period. Comments received after the close of the comment period will be considered if possible, but their consideration cannot be assured.

BIS will accept comments or information accompanied by a request that part or all of the material be treated confidentially because of its proprietary nature. The information for which confidential treatment is requested must be submitted to BIS separately from non-confidential information. Each page containing company confidential information must be marked "Confidential Information." Please be careful to mark only that information that is legitimately company confidential, trade secret, proprietary, or financial information with the "confidential information" designation. BIS will seek to protect such information to the extent permitted by law. If submitted information fails to meet the standards for confidential treatment, BIS will immediately return the information to the submitter.

Information submitted in response to this notice, and not deemed confidential, will be a matter of public record and will be available for public inspection and copying. Comments received in response to this notice will be displayed on BIS's Freedom of Information Act (FOIA) Web site at <http://efoia.bis.doc.gov/>.

Dated: August 28, 2014.

Matthew Borman,
Deputy Assistant Secretary for Export Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-891]

Hand Trucks and Certain Parts Thereof From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2012-2013

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

DATES: *Effective Date:* September 8, 2014.

SUMMARY: The Department of Commerce (the Department) is currently conducting an administrative review of the antidumping duty order on hand trucks and certain parts thereof (hand trucks) from the People's Republic of China (PRC).¹ The period of review (POR) is December 1, 2012, through November 30, 2013. This administrative review covers three exporters of the subject merchandise: New-Tec Integration (Xiamen) Co., Ltd.'s (New-Tec); Yangjiang Shunhe Industrial Co. (Shunhe); and Full Merit Enterprise Limited (Full Merit).

We preliminarily determine that New-Tec's weighted-average dumping margin is zero. We are not making a determination of no shipments with respect to Shunhe (*see* "No Shipment Certifications," *infra*). In addition, we are not rescinding this review with respect to Full Merit at this time (*see* "Intent Not to Rescind in Part," *infra*). We invite interested parties to comment on these preliminary results.

FOR FURTHER INFORMATION CONTACT: Scott Hoefke, or Davina Friedmann, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4947 or (202) 482-0698, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the order consists of hand trucks manufactured from any material, whether assembled or unassembled, complete or incomplete, suitable for any use, and certain parts thereof, namely the vertical frame, the handling area and the projecting edges or toe plate, and any combination thereof. They are typically imported under heading 8716.80.50.10 of the Harmonized Tariff Schedule of the United States (HTSUS), although they may also be imported under heading 8716.80.50.90 and 8716.90.50.60. Although the HTSUS subheadings are provided for convenience and customs purposes, the written product description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum, dated concurrently with and hereby adopted by this notice.²

¹ *See Notice of Antidumping Duty Order: Hand Trucks and Certain Parts Thereof From the People's Republic of China*, 69 FR 70122 (December 2, 2004).

² *See* "Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative

No Shipments Certification

On April 10, 2014, we received an entry of appearance and certification of no shipments from Shunhe. Also on April 10, 2014, the Department sent an inquiry to U.S. Customs and Border Protection (CBP) to determine whether CBP entry data is consistent with the no shipments certification from Shunhe. The Department received no information contrary to Shunhe's claim of no shipments. Since Shunhe was part of the PRC-wide entity at the outset of this administrative review, and continues to be part of the PRC-wide entity in this administrative review, we are not making a determination of no shipments with respect to Shunhe for the preliminary results of the instant administrative review.

Intent Not To Rescind Review in Part

We have received a timely request for withdrawal of the administrative review request for Full Merit and there is no other review request outstanding for that company. For a company named in the *Initiation Notice*³ for which a review request has been withdrawn (in this case, Full Merit), but which has not previously received separate rate status, the Department's practice is to refrain from rescinding the review with respect to that company at this time. While Full Merit's request for review was timely withdrawn, Full Merit remains part of the PRC-wide entity. Although the PRC-wide entity is not under review for these preliminary results, the possibility exists that the PRC-wide entity may be reviewed for the final results of this administrative review.⁴ Therefore, we

Review of Hand Trucks and Certain Parts Thereof from the People's Republic of China; 2012-2013" from Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated August 28, 2014 (Preliminary Decision Memorandum), issued concurrently with and hereby adopted by this notice.

³ *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 79 FR 6147 (February 3, 2014) (*Initiation Notice*).

⁴ On November 4, 2013, the Department announced a change in practice for all antidumping administrative reviews for which the notice of opportunity to request an administrative review is published on or after December 4, 2014. *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Proceedings*, 78 FR 65963 (November 4, 2013). The opportunity to request this review published on December 3, 2013; therefore, the changes to the Department's practice are not applicable to this review. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 78 FR 72636 (December 3, 2013).