DEPARTMENT OF COMMERCE

International Trade Administration


Certain Corrosion-Resistant Steel Products From India, Italy, the People’s Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the “Department”) and the International Trade Commission (the “ITC”), the Department is issuing antidumping duty orders on certain corrosion-resistant steel products from India, Italy, the People’s Republic of China (“PRC”), the Republic of Korea (“Korea”), and Taiwan. In addition, the Department is amending its final determinations of sales at less-than-fair-value (“LTFV”) from India and Taiwan, as a result of ministerial errors.


FOR FURTHER INFORMATION CONTACT: Julia Hancock or Susan Pulonbar at (202) 482–1394 and (202) 482–4031, respectively (Italy), Kabir Archuleta at (202) 482–2593 (India); Elfi Blum or Lingjun Wang (Korea) at (202) 482–0197 or (202) 482–2316, respectively; Nancy Decker or Andrew Huston at (202) 482–0196 or (202) 482–4261, respectively (PRC); or Shahna Lee or Paul Stolz at (202) 482–4386 and (202) 482–4474, respectively (Taiwan). AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the “Act”), and 19 CFR 351.210(c), on June 2, 2016, the Department published its affirmative final determinations in the LTFV investigations of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan.1 On July 15, 2016, the ITC notified the Department of its affirmative determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of the LTFV imports of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan, and its determination that critical circumstances do not exist with respect to imports of subject merchandise from India, Korea, the PRC, and Taiwan that are subject to the Department’s affirmative critical circumstances findings.2

Scope of the Orders

The products covered by these orders are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (e.g., in successively superimposed layers, spirally oscillating, etc.). The products covered also include products not in coils (e.g., in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (e.g., in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, i.e., products which have been “worked after rolling” (e.g., products which have been beveled or rounded at the edges). For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (e.g., the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these orders are products in which:

(1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight; and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

- 2.50 percent of manganese, or
- 3.30 percent of silicon, or
- 1.50 percent of copper, or
- 1.50 percent of aluminum, or
- 1.25 percent of chromium, or
- 0.30 percent of cobalt, or
- 0.40 percent of lead, or
- 2.00 percent of nickel, or
- 0.30 percent of tungsten (also called wolfram), or
- 0.80 percent of molybdenum, or
- 0.10 percent of niobium (also called columbium), or
- 0.30 percent of vanadium, or
- 0.30 percent of zirconium

Unless specifically excluded, products are included in this scope regardless of levels of boron and titanium.

For example, specifically included in this scope are vacuum degassed, fully stabilized (commonly referred to as...
interstitial-free (IF) steels and high strength low alloy (HSLA) steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium and/or niobium added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum.

Furthermore, this scope also includes Advanced High Strength Steels (AHSS) and Ultra High Strength Steels (UHSS), both of which are considered high tensile strength and high elongation steels.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the orders if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description, and in which the chemistry quantities do not exceed any one of the noted element levels listed above, are within the scope of these orders unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of these orders:

- Flat-rolled steel products either platted or coated with tin, lead, chromium, chromium oxides, both tin and lead (“terne plate”), or both chromium and chromium oxides (“tin free steel”), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 351.224(e), the Department is amending the Final Determination'' (July 15, 2016).
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant flat-rolled steel products less than 4.75 mm in composite thickness that consist of a flat-rolled steel product clad on both sides with stainless steel in a 20%-60%-20% ratio.

The products subject to the orders may also enter under the following HTSUS item numbers:

- 7210.70.6090, 7210.90.6000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000.

The products subject to the orders may also enter under the following HTSUS item numbers:

- 7210.70.6090, 7210.90.6000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000.

The products subject to the orders may also enter under the following HTSUS item numbers:

- 7210.70.6090, 7210.90.6000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000.

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- 7210.70.6090, 7210.90.6000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000.

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- 7210.70.6090, 7210.90.6000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000.
United States is materially injured by reason of imports of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan and that critical circumstances do not exist with respect to imports of subject merchandise from Italy, Korea, the PRC, and Taiwan that are subject to the Department’s affirmative critical circumstances findings. Therefore, in accordance with section 735(c)(2) of the Act, the Department is issuing these antidumping duty orders. Because the ITC determined that imports of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan are materially injuring a U.S. industry, unliquidated entries of such merchandise from India, Italy, Korea, the PRC, and Taiwan, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (“CBP”) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan. Antidumping duties will be assessed on unliquidated entries of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan entered, or withdrawn from warehouse, for consumption on or after January 4, 2016, the date of publication of the preliminary determinations, but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC’s final injury determination as further described below.

**Suspension of Liquidation**

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct CBP to continue to suspend liquidation on all relevant entries of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan. These instructions suspending liquidation will remain in effect until further notice.

The Department will also instruct CBP to require cash deposits equal to the amounts as indicated below, which are adjusted for certain countervailable subsidies, where appropriate, as described below. Accordingly, effective on the date of publication of the ITC’s final affirmative injury determinations, CBP will require, at the same time as importers would normally deposit estimated duties on this subject merchandise, a cash deposit equal to the cash deposit rates listed below. The relevant all-others rates apply to all producers or exporters not specifically listed. For the purpose of determining cash deposit rates, the estimated weighted-average dumping margins for imports of subject merchandise from India, Italy, Korea, and the PRC have been adjusted, as appropriate, for export subsidies found in the final determinations of the companion countervailing duty investigations of this merchandise imported from India, Italy, Korea, and the PRC. Because the Department determined that countervailable subsidies were not provided to producers and exporters of certain corrosion-resistant steel products from Taiwan, we did not adjust the weighted-average dumping margin for export subsidies. In the case of determining cash deposit rates for subject merchandise from the PRC, estimated weighted-average dumping margins were also adjusted, where appropriate, for estimated domestic subsidy pass-through.

**Provisional Measures**

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of exporters that account for a significant proportion of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan, the Department extended the four-month period to six months in each case. In the underlying investigations, the Department published the preliminary determinations on January 4, 2016. Therefore, the extended period, entries of on or after the date of publication of the preliminary determination, ended on July 2, 2016. Furthermore, section 737(b) of the Act states that definitive duties are to begin on the date of publication of the ITC’s final injury determination.

Therefore, in accordance with section 733(d) of the Act and our practice, the Department will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of certain corrosion-resistant steel products from India, Italy, Korea, the PRC, and Taiwan, entered or withdrawn from warehouse, for consumption after July 3, 2016, the date on which the provisional measures expired, until and through the day preceding the date of publication of the ITC’s final injury determinations in the Federal Register.

**Critical Circumstances**

With regard to the ITC’s negative critical circumstances determination on imports of subject merchandise from Korea, the PRC, and Taiwan, the Department will instruct CBP to lift suspension and to refund any cash deposits made to secure the payment of estimated antidumping duties with respect to entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after October 6, 2015 (i.e., 90 days prior to the date of publication of the preliminary determinations), but before January 4, 2016, (i.e., the date of publication of the preliminary determinations). With regard to the ITC’s negative critical circumstances determination on imports of subject merchandise from Italy, the Department will instruct CBP to lift suspension and to refund any cash deposits made to secure payment of estimated antidumping duties with respect to entries of subject merchandise.
entered, or withdrawn from warehouse, for consumption by one respondent on or after March 4, 2016 (i.e., 90 days prior to the date of publication of the final determination for Italy), but before June 2, 2016, (i.e., the date of publication of the final determination for Italy). 20

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<tr>
<th>Exporter or producer</th>
<th>Weighted-average dumping margin (percent)</th>
<th>Cash deposit rate (percent)</th>
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<td>India:</td>
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<td>JSW; 22</td>
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<td>Uttam Galva: 23</td>
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<td>Uttam Galva Steel Limited</td>
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<td>Atlantis International Services Company Ltd</td>
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<td>Uttam Galva Steels, Netherlands, B.V</td>
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<td>Uttam Galva Steels (BVI) Limited</td>
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<td>Korea:</td>
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<td>Dongkuk Steel Mill Co., Ltd./Union Steel Manufacturing Co., Ltd</td>
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<td>PRC:</td>
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<td>Yieh Phui (China) Technomaterial Co., Ltd</td>
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<td>Jiangyin Zongcheng Steel Co. Ltd</td>
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<td>PRC-Wide Entity</td>
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<td>Prosperity Tieh Enterprise Co., Ltd, Yieh Phui Enterprise Co., Ltd, and Synn Industrial Co., Ltd 25</td>
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This notice constitutes the antidumping duty orders with respect to certain corrosion-resistant steel products from India, Italy, the PRC, Korea and Taiwan pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at http://enforcement.trade.gov/stats/iastats1.html.

These orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: July 18, 2016.

Paul Piquado,
Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2016–17557 Filed 7–22–16; 8:45 am]
BILLING CODE 3510–DS–P

20 In the Italy Final, the Department found that critical circumstances existed for Marcegaglia S.p.A. Because we calculated a de minimis preliminary dumping margin for Marcegaglia S.p.A., we did not instruct CBP to collect cash deposits until 90 days before the Italy Final.

21 See India Ministerial Error Memo for a complete discussion regarding the change to JSW’s weighted-average dumping margin and cash deposit rate.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).


Title: West Coast Permit Family of Forms—Southwest.

OMB Control Number: 0648–0204.

Form Number(s): None.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 1705.

Average Hours per Response: HMS permit applications, 30 minutes; HMS permit renewal applications, 3 minutes; CPS renewal applications, 15 minutes; CPS transfers, 30 minutes; photo requirement, 30 minutes; exempted fishing permits, 1 hour; appeals, 2 hours.

Burden Hours: 94.

Needs and Uses: This request is for a revision and extension to the existing reporting requirements approved under OMB Control Number 0648–0204, West Coast Region Family of Forms. The West Coast Region (WCR) Permits Office administrators permits required for persons to participate in Federally-

24 The Department found that Marcegaglia S.p.A.’s weighted-average dumping margin and cash deposit rate should also be applied to Marcegaglia Carbon Steel. See Italy Final and accompanying Issues and Decision Memorandum at Comment 2.

25 The Department found Yieh Phui Enterprise Co., Ltd., Synn Industrial Co., Ltd., and Prosperity Tieh Enterprise Co., Ltd., to be affiliated and treated them as a single entity. See Taiwan Final, 81 FR at 35314.