

request must be made in a separate, standalone submission; under limited circumstances Commerce will grant untimely-filed requests for the extension of time limits. Parties should review *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013), available at <http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>, prior to submitting extension requests or factual information in this investigation.

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.³⁵ Parties must use the certification formats provided in 19 CFR 351.303(g).³⁶ Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Instructions for filing such applications may be found on the Commerce website at <http://enforcement.trade.gov/apo>. Parties wishing to participate in this investigation should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing a letter of appearance). Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information until further notice.³⁷

This notice is issued and published pursuant to sections 702 and 777(i) of the Act and 19 CFR 351.203(c).

Dated: July 28, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigations

The merchandise covered by the scope of these investigations is seamless carbon and alloy steel (other than stainless steel) pipes and redraw hollows, less than or equal to 16 inches (406.4 mm) in nominal outside diameter, regardless of wall-thickness,

manufacturing process (e.g., hot-finished or cold-drawn), end finish (e.g., plain end, beveled end, upset end, threaded, or threaded and coupled), or surface finish (e.g., bare, lacquered or coated). Redraw hollows are any unfinished carbon or alloy steel (other than stainless steel) pipe or “hollow profiles” suitable for cold finishing operations, such as cold drawing, to meet the American Society for Testing and Materials (ASTM) or American Petroleum Institute (API) specifications referenced below, or comparable specifications. Specifically included within the scope are seamless carbon and alloy steel (other than stainless steel) standard, line, and pressure pipes produced to the ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, ASTM A-1024, and the API 5L specifications, or comparable specifications, and meeting the physical parameters described above, regardless of application, with the exception of the exclusions discussed below.

Specifically excluded from the scope of the investigations are: (1) All pipes meeting aerospace, hydraulic, and bearing tubing specifications, including pipe produced to the ASTM A-822 standard; (2) all pipes meeting the chemical requirements of ASTM A-335, whether finished or unfinished; and (3) unattached couplings. Also excluded from the scope of the investigations are all mechanical, boiler, condenser and heat exchange tubing, except when such products conform to the dimensional requirements, i.e., outside diameter and wall thickness, of ASTM A-53, ASTM A-106 or API 5L specifications.

Subject seamless standard, line, and pressure pipe are normally entered under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7304.19.1020, 7304.19.1030, 7304.19.1045, 7304.19.1060, 7304.19.5020, 7304.19.5050, 7304.31.6050, 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.39.0028, 7304.39.0032, 7304.39.0036, 7304.39.0040, 7304.39.0044, 7304.39.0048, 7304.39.0052, 7304.39.0056, 7304.39.0062, 7304.39.0068, 7304.39.0072, 7304.51.5005, 7304.51.5060, 7304.59.6000, 7304.59.8010, 7304.59.8015, 7304.59.8020, 7304.59.8025, 7304.59.8030, 7304.59.8035, 7304.59.8040, 7304.59.8045, 7304.59.8050, 7304.59.8055, 7304.59.8060, 7304.59.8065, and 7304.59.8070. The HTSUS subheadings and specifications are provided for convenience and customs purposes; the written description of the scope is dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-932]

Certain Steel Threaded Rod From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results of Administrative Review and Notice of Amended Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On July 22, 2020, the United States Court of International Trade (CIT) sustained the final results of redetermination pertaining to the fourth administrative review of the antidumping duty order on certain steel threaded rod (steel threaded rod) from the People's Republic of China (China) covering the period of review (POR) April 1, 2012 through March 31, 2013. The Department of Commerce (Commerce) is notifying the public that the CIT's final judgment in this case is not in harmony with the final results of the administrative review and that Commerce is amending the final results with respect to the dumping margin calculated for Jiaxing Brother Fastener Co., Ltd. (a/k/a Jiaxing Brother Standard Parts, Co., Ltd.), IFI & Morgan Ltd., and RMB Fasteners Ltd. (collectively, the RMB/IFI Group).

DATES: Applicable August 1, 2020.

FOR FURTHER INFORMATION CONTACT: Jerry Huang, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4047.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 2014, Commerce published its *Final Results* in the 2012-2013 administrative review of steel threaded rod from China.¹ During the review, Commerce selected Thailand as the primary surrogate country, finding that data from Thailand provided the best available information on the record to value the RMB/IFI Group's reported factors of production (FOPs). Commerce also relied on a “Doing Business 2014: Thailand” report from the World Bank

¹ See *Certain Steel Threaded Rod from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012-2013*, 79 FR 71743 (December 3, 2014) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

³⁵ See section 782(b) of the Act.

³⁶ See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*); see also frequently asked questions regarding the *Final Rule*, available at http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.

³⁷ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

to derive the RMB/IFI Group's brokerage and handling (B&H) costs.

The RMB/IFI Group challenged several aspects of the *Final Results*, including Commerce's surrogate value (SV) calculation for B&H costs. In *Jiaxing Brother I*,² the CIT sustained all other challenged determinations, but remanded the *Final Results* to Commerce to reconsider the calculation of the B&H SV, finding Commerce's calculation unsupported by substantial evidence. In the First Remand Redetermination, Commerce revised the numerator of the B&H SV calculation downward to account for expenses associated with obtaining letters of credit. However, Commerce continued to rely on 10,000 kilograms (kgs)—which is the container weight assumption underlying the World Bank survey data—as the denominator for the SV calculation, explaining that the use of the 10,000 kg figure has been adopted as the standard methodology across many cases. Commerce also noted that using this figure avoids mixing different sources of data in the calculation of the B&H SV, which would yield distorted results.³

On February 3, 2020, the CIT issued *Jiaxing Brother II*.⁴ The Court sustained Commerce's determination to adjust the numerator of the B&H SV calculation in order to take into account the cost of acquiring letters of credit.⁵ With respect to the denominator, the CIT acknowledged Commerce's preference to use a single source for the B&H calculation and Commerce's past practice in this regard. However, it held that Commerce must further explain why using the weight of 10,000 kg as the denominator is reasonable and supported by substantial evidence in light of the RMB/IFI Group's information indicating that B&H costs were not based on the specific weight of a container.⁶

In its Second Remand Redetermination, consistent with *Jiaxing Brother II*, Commerce provided additional explanation regarding the selection of the 10,000 kg denominator.⁷

² See *Jiaxing Brother Fastener Co., Ltd. et al. v. United States*, 380 F. Supp. 3d 1343 (CIT 2019) (*Jiaxing Brother I*).

³ See Final Results of Redetermination Pursuant to *Jiaxing Brother Fastener Co., Ltd. (a/k/a Jiaxing Brother Standard Part Co., Ltd.), IFI & Morgan Ltd., and RMB Fasteners Ltd. v. United States*, Court No. 14–00316, Slip Op. 19–55 (CIT May 9, 2019), dated August 27, 2019 (First Remand Redetermination).

⁴ See *Jiaxing Brother Fastener Co., Ltd. et al. v. United States*, 425 F. Supp. 3d 1338 (CIT 2020) (*Jiaxing Brother II*).

⁵ *Id.*, 425 F. Supp. 3d at 1351.

⁶ *Id.*, 425 F. Supp. 3d at 1348–51.

⁷ See Final Results of Redetermination Pursuant to *Jiaxing Brother Fastener Co., Ltd. et al. v. United*

Commerce compared the 10,000 kg figure assumed in the World Bank report to the alternatives proposed by the RMB/IFI Group (*i.e.*, the purported average weight of the RMB/IFI Group's shipments or the maximum theoretical weight of a container) as well as to other information contained on the administrative record. Based on this analysis, Commerce found that the 10,000 kg figure continues to be the best data available on the record.⁸ On July 22, 2020, the Court sustained Commerce's determination to use the weight of 10,000 kg as the denominator for the SV calculation.⁹

Due to the removal of expenses associated with obtaining letters of credit in the B&H SV calculation, we have revised the RMB/IFI Group's weighted-average margin. The RMB/IFI Group's weighted-average margin decreased to 46.78 percent from the 47.62 percent margin calculated in the *Final Results*.¹⁰

Timken Notice

In its decision in *Timken*,¹¹ as clarified by *Diamond Sawblades*,¹² the Court of Appeals for the Federal Circuit held that, pursuant to section 516A of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT's July 22, 2020 judgment sustaining the Second Remand Redetermination constitutes a final decision of the Court that is not in harmony with Commerce's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court decision, Commerce is amending the *Final Results* with respect to the RMB/IFI Group. The revised weighted-average dumping margin for the RMB/IFI Group for the period April 1, 2012 through March 31, 2013 is as follows:

States, Court No. 14–00316, Slip Op. 20–13 (CIT February 3, 2020), dated April 17, 2020 (Second Remand Redetermination).

⁸ *Id.*

⁹ See *Jiaxing Brother Fastener Co., Ltd. et al. v. United States*, Court No. 14–00316, Slip Op. 20–102 (CIT July 22, 2020) at 13.

¹⁰ See First Remand Redetermination at 29.

¹¹ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹² See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Exporter	Weighted-average margin (percent)
RMB/IFI Group	46.78

Assessment Instructions

In the event the CIT's ruling is not appealed or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise exported by the RMB/IFI Group in accordance with 19 CFR 351.212(b)(1). Commerce will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate calculated is not zero or *de minimis*. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis*,¹³ we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to Commerce's assessment practice, for entries that were not reported in the U.S. sales data submitted by the RMB/IFI Group during this review, Commerce will instruct CBP to liquidate such entries at the China-wide entity rate.¹⁴

Cash Deposit Requirements

The cash deposit rate calculated for the RMB/IFI Group in the 2012–2013 administrative review has been superseded by a cash deposit rate calculated in an intervening administrative review of the antidumping duty order on steel threaded rod from China.¹⁵ Thus, we will not alter the RMB/IFI Group's cash deposit rate.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e), 751(a)(1), and 777(i)(1) of the Act.

¹³ See 19 CFR 351.106(c)(2).

¹⁴ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

¹⁵ See *Certain Steel Threaded Rod from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2015–2016*, 82 FR 51611 (November 7, 2017).

Dated: July 28, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-851-804, A-580-909, A-821-826, A-823-819]

Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From the Czech Republic, the Republic of Korea, the Russian Federation, and Ukraine: Initiation of Less-Than-Fair-Value Investigations

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

DATES: Applicable July 28, 2020.

FOR FURTHER INFORMATION CONTACT: Allison Hollander at (202) 482-2805 (the Czech Republic); Joshua DeMoss at (202) 482-3362 (the Republic of Korea (Korea)); Kathryn Turlo at (202) 482-3870 (the Russian Federation (Russia)); Zachary Shaykin at (202) 482-2638 (Ukraine); AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petitions

On July 8, 2020, the Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of seamless carbon and alloy steel standard, line, and pressure pipe (seamless pipe) from the Czech Republic, Korea, Russia, and Ukraine filed in proper form on behalf of the Vallourec Star, LP (the petitioner), a domestic producer of seamless pipe.¹ The Petitions were accompanied by a countervailing duty (CVD) petitions concerning imports of seamless pipe from Korea and Russia.²

On July 13 and 17, 2020, Commerce requested supplemental information pertaining to certain aspects of the Petitions in separate supplemental questionnaires.³ The petitioner filed

¹ See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties: Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the Czech Republic, the Republic of Korea, Russia, and Ukraine," dated July 8, 2020 (the Petitions).

² *Id.*

³ See Commerce's Letters, "Petitions for the Imposition of Antidumping Duties on Imports of

responses to the supplemental questionnaires on July 15 and 21, 2020.⁴

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of seamless pipe from the Czech Republic, Korea, Russia, and Ukraine are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the seamless pipe industry in the United States. Consistent with section 732(b)(1) of the Act, the Petitions are accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petitions on behalf of the domestic industry, because the petitioner is an interested party, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support for the initiation of the requested LTFV investigations.⁵

Periods of Investigation

Because the Petitions were filed on July 8, 2020, the periods of investigation (POI) for these LTFV investigations is July 1, 2019 through June 30, 2020, pursuant to 19 CFR 351.204(b)(1).⁶

Scope of the Investigations

The products covered by these investigations are seamless pipe from the Czech Republic, Korea, Russia, and Ukraine. For a full description of the scope of these investigations, *see* the appendix to this notice.

Comments on the Scope of the Investigations

On July 13, 2020, Commerce requested further information from the petitioner regarding the proposed scope

Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the Czech Republic, the Republic of Korea, Russia, and Ukraine and Countervailing Duties on Imports from the Republic of Korea and Russia: Supplemental Questions," dated July 13, 2020 (General Issues Supplemental); and Country-Specific Supplemental Questionnaires: Czech Republic Supplemental, Korea Supplemental, Russia Supplemental, and Ukraine Supplemental, dated July 13, 2020 and Korea Second Supplemental, dated July 17, 2020.

⁴ See Petitioner's Country-Specific Supplemental Responses, dated July 15, 2020; Korea Second Supplemental Response, dated July 21, 2020; *see also* Petitioner's Letter, "Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the Czech Republic, the Republic of Korea, Russia, and Ukraine: Response to General Issues Questionnaire," dated July 15, 2020 (General Issues Supplemental).

⁵ See *infra*, section on "Determination of Industry Support for the Petitions."

⁶ See 19 CFR 351.204(b)(1).

to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.⁷ On July 15, 2020, the petitioner revised the scope.⁸ The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, scope).⁹ Commerce will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information,¹⁰ all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that all interested parties submit such comments by 5:00 p.m. Eastern Time (ET) on August 17, 2020, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on August 27, 2020, which is ten calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of these investigations be submitted during this period. However, if a party subsequently finds that additional factual information pertaining to the scope of these investigations may be relevant, the party may contact Commerce and request permission to submit the additional information. All such submissions must be filed on the records of each of the concurrent AD and CVD investigations.

Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.¹¹ An

⁷ See General Issues Supplemental.

⁸ See General Issues Supplement at 4 and Exhibit 3.

⁹ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

¹⁰ See 19 CFR 351.102(b)(21) (defining "factual information").

¹¹ See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); *see also* *Enforcement and Compliance: Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on help using