Certain Cut-to-Length Carbon Steel Plate From the People’s Republic of China: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order

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

SUMMARY: As a result of this expedited sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on certain cut-to-length carbon steel plate from the People’s Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the level indicated in the “Final Results of Sunset Review” section of this notice.

DATES: Applicable March 8, 2021.


SUPPLEMENTARY INFORMATION:

Background

After publication of the notice of initiation of this sunset review of the AD order on certain cut-to-length carbon steel plate from China,1 pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act), the domestic interested parties, consisting of ArcelorMittal USA LLC (AMUSA), JSW Steel (USA) Inc. (JSW), Nucor Corporation (Nucor), and SSAB Enterprises LLC (SSAB) (collectively, the domestic interested parties) filed with Commerce timely and complete notices of intent to participate in the sunset review.2 Also, AMUSA, Nucor, and SSAB timely filed an adequate substantive response with Commerce.3 Commerce did not receive a substantive response from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(i)(C)(2), Commerce conducted an expedited (120-day) sunset review of the Order.4

Scope of the Order

The products covered by the Order is certain cut-to-length carbon steel plate from China. Included in this description is hot-rolled iron and non-alloy steel universal mill plates (i.e., flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters (mm) but not exceeding 1250 mm and of a thickness of not less than 4 mm, not in coils and without lubricant applied to the flat surfaces of the can stock to facilitate its movement through machines used in the manufacture of beverage cans. Aluminum can stock is properly classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7066.12.3045 and 7066.12.3055.

1 See Initiation of Five-Year (Sunset) Reviews, 85 FR 69585 (November 3, 2020); see also Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate from the People’s Republic of China: Termination of Suspension Agreement and Notice of Antidumping Duty Order, 68 FR 60081 (October 21, 2003) (Order); Final Determination of Sales at Less than Fair Value: Certain Cut-to-Length Carbon Steel Plate from the People’s Republic of China, 62 FR 9026 (February 13, 1997); and Amended Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from the People’s Republic of China, 63 FR 1821 (January 12, 1998).


4 For a complete description of the background of this sunset review of the Order, see Memorandum, “Issues and Decision Memorandum for the Expedited Fourth Sunset Review of the Antidumping Duty Order on Certain Cut-to-Length Carbon Steel Plate from the People’s Republic of China,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).
Decision Memorandum are identical in content.

Final Results of Sunset Review

Pursuant to sections 751(c)(1), 752(c)(1) and (3) of the Act, Commerce determines that revocation of the Order would likely lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail are weighted-average dumping margins up to 128.59 percent.

Administrative Protective Orders

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials, or the conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218 and 19 CFR 351.221(c)(5)(ii).

Dated: March 2, 2021.

Christian Marsh,
Acting Assistant Secretary for Enforcement and Compliance.

Appendix—Sections in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. History of the Order
V. Legal Framework
VI. Discussion of the Issues
1. Likelihood of Continuation or Recurrence of Dumping
2. Magnitude of the Margin of Dumping Likely To Prevail
VII. Final Results of Sunset Review
VIII. Recommendation

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SUPPLEMENTARY INFORMATION:

Background

On October 15, 2020, Commerce published in the Federal Register its preliminary affirmative determination in the LTFV investigation of aluminum sheet from Bahrain, in which we also postponed the final determination until March 1, 2021.1 We invited interested parties to comment on the Preliminary Determination. A summary of the events that occurred since Commerce published the Preliminary Determination, may be found in the Issues and Decision Memorandum.2

Scope of the Investigation

The products covered by this investigation are aluminum sheet from Bahrain. For a complete description of the scope of this investigation, see Appendix I. Scope Comments

During the course of this investigation, Commerce received scope

1 See Common Alloy Aluminum Sheet from Bahrain: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures, 85 FR 65372 (October 15, 2020) (Preliminary Determination), and accompanying Preliminary Decision Memorandum.