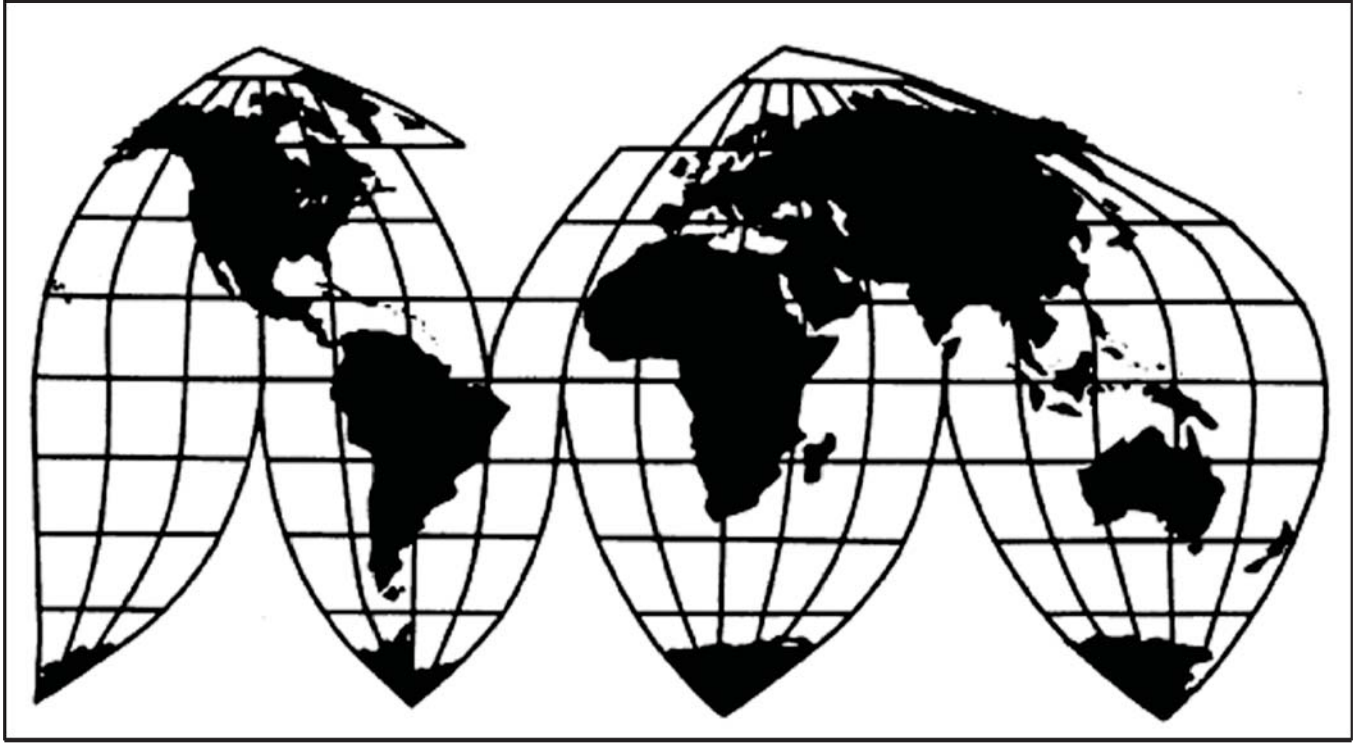
Stainless Steel Plate From Belgium, South Africa, and Taiwan

Investigation Nos. 701-TA-379 and 731-TA-788, 792, and 793 (Third Review)

Publication 4658 **December 2016**

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

COMMISSIONERS

Irving A. Williamson, Chairman
David S. Johanson, Vice Chairman
Dean A. Pinkert
Meredith M. Broadbent
F. Scott Kieff
Rhonda K. Schmidtlein

Catherine DeFilippo
Director of Operations

Staff assigned

Amelia Shister, Investigator
Gerald Houck, Industry Analyst
Cindy Cohen, Economist
Mary Jane Alves, Attorney
Jane Dempsey, Attorney
Mary Messer, Supervisory Investigator

Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

U.S. International Trade Commission

Washington, DC 20436
www.usitc.gov

Stainless Steel Plate From Belgium, South Africa, and Taiwan

Investigation Nos. 701-TA-379 and 731-TA-788, 792, and 793 (Third Review)

Publication 4658 **December 2016**

CONTENTS

Page

CONTENTS

Page

Appendixes

Note.—Information that would reveal confidential operations of individual concerns may not be published and therefore has been deleted. Such deletions are indicated by asterisks.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-379 and 731-TA-788, 792, and 793 (Third Review)

Stainless Steel Plate from Belgium, South Africa, and Taiwan

DETERMINATIONS

On the basis of the record[1] developed in the subject five-year reviews, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty orders on stainless steel plate from Belgium, South Africa, and Taiwan and revocation of the countervailing duty order on stainless steel plate from South Africa would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on July 1, 2016 (81 F.R. 43245) and determined on October 4, 2016 that it would conduct expedited reviews (81 F.R. 73421, October 25, 2016).

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

Views of the Commission

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended ("the Tariff Act"), that revocation of the antidumping duty orders on stainless steel plate in coils ("stainless steel plate") from Belgium, South Africa and Taiwan and revocation of the countervailing duty order on stainless steel plate from South Africa would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

In March 1998, Armco, Inc. ("Armco"), J&L Specialty Steel, Inc. ("J&L"), Lukens, Inc. ("Lukens"), North American Stainless ("NAS"), and the United Steelworkers of America, AFL-CIO/CLC filed antidumping duty petitions covering imports of stainless steel plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan and countervailing duty petitions covering imports of stainless steel plate from Belgium, Italy, Korea, and South Africa.[1] Allegheny Ludlum Corporation ("Allegheny Ludlum") and Washington Steel subsequently joined the petitions.[2] In May 1999, the Commission issued its final determinations.[3] It found two domestic like products, hot-rolled stainless steel plate and cold-rolled stainless steel plate, and two corresponding domestic industries.[4] It determined that the domestic industry producing hot-rolled stainless steel plate was materially injured by reason of cumulated imports of the hot-rolled product from Belgium, Canada, Italy, Korea, South Africa, and Taiwan.[5] It further determined that cold-rolled stainless steel plate imports from Italy, Korea, South Africa, and Taiwan were negligible and that the domestic industry producing cold-rolled stainless steel plate was not materially injured or threatened with material injury by reason of cumulated imports of the cold-rolled product from Belgium and Canada.[6] The Department of Commerce ("Commerce") subsequently issued antidumping duty orders covering hot-rolled stainless steel plate imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan and countervailing duty orders covering imports of the hot-rolled product from Belgium, Italy, and South Africa.[7]

---

[1] Confidential Report ("CR") at I-20, Public Report ("PR") at I-15.

[2] CR at I-20, PR at I-15.

[3] *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, Inv. Nos. 701-TA-376, 377, and 379 and 731-TA-788-793 (Final), USITC Pub. 3188 (May 1999) ("Original Determinations").

[4] Original Determinations, USITC Pub. 3188 at 4-7.

[5] Original Determinations, USITC Pub. 3188 at 3-7, 13-22. Commissioners Bragg and Koplan found one domestic like product consisting of all stainless steel plate and determined that an industry in the United States was materially injured by reason of imports of stainless steel plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan. *See id*. at 29-31 (Dissenting Views).

[6] Original Determinations, USITC Pub. 3188 at 8-9, 23-27.

[7] *Certain Stainless Steel Plate in Coils from Belgium, Canada, Italy, the Republic of Korea, South Africa, and Taiwan*, 64 Fed. Reg. 27756 (May 21, 1999) (antidumping duty orders); *Stainless Steel Plate in Coils from Belgium, Italy and South Africa*, 64 Fed. Reg. 25288 (May 11, 1999) (notice of countervailing

(*continued*...)

Petitioners and respondents each appealed the Commission's determinations to the U.S. Court of International Trade.[8] Respondents challenged the Commission's affirmative determinations, arguing that the Commission erred by not including stainless steel sheet and strip in a domestic like product.[9] Petitioners challenged the Commission's negative determinations with respect to imports of cold-rolled stainless steel plate from Belgium and Canada, contending that the Commission erred in finding cold-rolled stainless steel plate and hot-rolled stainless steel plate to be separate domestic like products. Petitioners further argued that the Commission's volume, price, and impact analysis concerning cold-rolled stainless steel plate from Belgium and Canada was not supported by substantial evidence.[10] In two separate decisions, the Court of International Trade sustained the Commission's determinations.[11]

Petitioners appealed the Court of International Trade's judgment to the U.S. Court of Appeals for the Federal Circuit. The Federal Circuit vacated the Court of International Trade's judgment, finding that the Commission's injury analysis was not supported by substantial evidence or otherwise in accordance with law.[12] Subsequently, the Court of International Trade issued a remand decision instructing the Commission to make determinations not inconsistent with the Federal Circuit's decision.

On remand, the Commission defined a single domestic like product that was coextensive with the scope, consisting of all stainless steel plate, and determined that an industry in the United States was materially injured by reason of subject imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan.[13] The Court of International Trade affirmed the Commission's remand determinations[14] and Commerce amended the scope of the antidumping and countervailing duty orders to include cold-rolled stainless steel plate.[15]

(…*continued*)
duty orders). Commerce published a negative final countervailing duty determination with respect to stainless steel plate from Korea. *Stainless Steel Plate in Coils from the Republic of Korea*, 64 Fed. Reg. 15530 (March 31, 1999) (final negative countervailing duty determ.).

[8] *Acciai Speciali Terni v. United States*, 118 F. Supp. 2d 1298 (Ct. Int'l Trade 2000); *Allegheny Ludlum Corp. v. United States*, 24 CIT 858 (2000).

[9] *Acciai Speciali Terni*, 118 F. Supp. 2d at 1301-02.

[10] *Allegheny Ludlum*, 24 CIT at 858.

[11] *Acciai Speciali Terni*, 118 F. Supp. 2d at 1308-14; *Allegheny Ludlum*, 24 CIT at 860-92.

[12] *Allegheny Ludlum Corp. v. United States*, 287 F.3d 1365 (Fed. Cir. 2002).

[13] *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, Inv. Nos. 701-TA-376, 377, and 379 and 731-TA-788-793 (Final) (Remand), USITC Pub. 3541 at 1 (Sept. 2002) ("Remand Determinations"). The Commission's remand determinations adopted the original determinations' dissenting views, which found that there was a single domestic like product consisting of all stainless steel plate and that the domestic industry was materially injured by reason of subject imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan. *See id.*

[14] *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, 68 Fed. Reg. 8925 (Feb. 26, 2003) (notice of final court decision affirming remand determinations).

[15] *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, 68 Fed. Reg. 11520 (March 11, 2003) (notice of amended antidumping duty orders); *Certain Stainless Steel*
(*continued*...)

In April 2004, the Commission determined in its first full five-year reviews of the antidumping and countervailing duty orders that revocation of the antidumping duty orders on stainless steel plate from Belgium, Italy, Korea, South Africa, and Taiwan and the countervailing duty orders on stainless steel plate from Belgium, Italy, and South Africa would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[16] The Commission determined that revocation of the antidumping duty order on stainless steel plate from Canada would not be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time.[17] In July 2005, Commerce published its notice of continuation of the antidumping duty orders covering stainless steel plate from Belgium, Italy, Korea, South Africa, and Taiwan, and the countervailing duty orders covering stainless steel plate from Italy, South Africa, and Belgium.[18]

In its second full five-year reviews of the outstanding orders, the Commission determined that revocation of the antidumping duty orders on stainless steel plate from Belgium, Korea, South Africa, and Taiwan and the countervailing duty order on stainless steel plate from South Africa would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[19] It also determined

---

(…*continued*)
Plate from Belgium, Italy, and South Africa, 68 Fed. Reg. 11524 (March 11, 2003) (notice of amended countervailing duty orders).

[16] *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, Inv. Nos. 701-TA-376, 377, and 379 and 731-TA-788-793 (Review), USITC Pub. 3784 at 19-30 (June 2005) ("First Five-Year Reviews"). Commissioners Hillman, Okun, and Pearson found that material injury would not likely continue or recur within a reasonably foreseeable time if the orders on subject imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan were revoked. *See id.* at 35-56 (Dissenting Views).

[17] First Five-Year Reviews, USITC Pub. 3784 at 31. Commissioners Koplan and Lane found that revocation of the antidumping duty order on subject imports from Canada would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See id.* at 33-34 (Dissenting Views).

[18] *Certain Stainless Steel Plate in Coils from Belgium, Italy, South Korea, South Africa, and Taiwan,* 70 Fed. Reg. 41202 (July 18, 2005) (continuation of the antidumping and countervailing duty orders). In March 2006, Commerce revoked the countervailing duty order covering imports of stainless steel plate from Italy pursuant to a changed circumstances review. *Stainless Steel Plate in Coils from Italy*, 71 Fed. Reg. 15380 (March 28, 2006) (final results of countervailing duty changed circumstances review and revocation of countervailing duty order). In May 2011, Commerce, finding that revocation of the countervailing duty order covering imports of stainless steel plate from Belgium would not likely lead to continuation or recurrence of a countervailable subsidy, revoked the countervailing duty order covering these imports. *Stainless Steel Plate in Coils from Belgium*, 76 Fed. Reg. 25666 (May 5, 2011) (final results of full sunset review and revocation of the countervailing duty order).

[19] *Stainless Steel Plate from Belgium, Italy, Korea, South Africa, and Taiwan*, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review), USITC Pub. 4248 at 36 (Aug. 2011) ("Second Five-Year Reviews"). Commissioners Okun and Pearson found that revocation of the antidumping and countervailing duty orders on subject imports from Belgium, Korea, South Africa, and Taiwan would not

(*continued*...)

that revocation of the antidumping duty order on subject imports from Italy would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[20] In August 2011, Commerce published its notice of continuation of the antidumping duty orders covering stainless steel plate from Belgium, Korea, South Africa, and Taiwan, and the countervailing duty order covering stainless steel plate from South Africa.[21]

The Commission instituted these third five-year reviews on July 1, 2016.[22] The Commission received a joint response to the notice of institution from Allegheny Ludlum, NAS, and Outokumpu Stainless USA, LLC ("Outokumpu"). The Commission did not receive any responses from subject producers or exporters of stainless steel plate in Belgium, South Africa, and Taiwan or any U.S. importers of subject merchandise. The Commission found the domestic interested party group response to be adequate and the respondent interested party group response for each order to be inadequate and did not find any other circumstances that would warrant conducting full reviews. It therefore determined that it would conduct expedited reviews.[23] On November 1, 2016, the domestic producers filed comments with the Commission pursuant to 19 C.F.R. § 207.62(d).[24]

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the "domestic like product" and the "industry."[25] The Tariff Act defines "domestic like

(…*continued*)
be likely to lead to the continuation or recurrence of material injury within a reasonably foreseeable time. *See id.* at 55-70 (Dissenting Views).

[20] Second Five-Year Reviews, USITC Pub. 4248 at 40. Commissioner Lane found that revocation of the antidumping duty order on subject imports from Italy would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See id.* at 51-53 (Separate Views).

[21] *Stainless Steel Plate in Coils from Belgium, the Republic of Korea, South Africa, and Taiwan*, 76 Fed. Reg. 53882 (Aug. 30, 2011) (continuation of antidumping and countervailing duty orders). In November 2011, Commerce revoked the antidumping duty order covering imports of stainless steel plate from Korea after it had initiated an investigation pursuant to section 129 of the Uruguay Round Agreements Act and calculated a zero percent dumping margin for the mandatory respondent, which resulted in a zero percent all-others rate. *Stainless Steel Plate in Coils from the Republic of Korea*, 76 Fed. Reg. 74771 (Dec. 1, 2011) (notice of implementation of determination under section 129 of the URAA and revocation of the antidumping duty order).

[22] *Stainless Steel Plate from Belgium, South Africa, and Taiwan*, 81 Fed. Reg. 43245 (July 1, 2015).

[23] *Stainless Steel Plate from Belgium, South Africa, and Taiwan*, 81 Fed. Reg. 73420 (Oct. 25, 2016).

[24] Domestic Producers' Final Comments (Nov. 1, 2016) ("Domestic Producers' Comments").

[25] 19 U.S.C. § 1677(4)(A).

product" as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle."[26] The Commission's practice in five-year reviews is to examine the domestic like product definition from the original investigation and consider whether the record indicates any reason to revisit the prior findings.[27]

Commerce has defined the scope of the orders in these five-year reviews as follows:

> Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject plate products are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness, in coils, and annealed or otherwise heat treated and pickled or otherwise descaled. The subject plate may also be further processed (*e.g.*, cold-rolled, polished, etc.) provided that it maintains the specified dimensions of plate following such processing. Excluded from the scope of the orders are the following: (1) Plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled, (3) sheet and strip, and (4) flat bars.[28]

Key physical attributes of stainless steel plate within the scope of the orders are corrosion resistance, heat resistance, and ease of maintenance. It is used in the fabrication of storage tanks, process vessels, and other equipment used in the chemical, dairy, restaurant, pulp and paper, and pharmaceutical industries (among others) when one or more of these physical characteristics is required. The same industries also use stainless steel plate in the fabrication of tubing when corrosion resistance, heat resistance, or ease of maintenance is needed in the particular tubing application.[29]

---

[26] 19 U.S.C. § 1677(10); *see*, *e.g., Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Department of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int'l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996); *Torrington Co. v. United States*, 747 F. Supp. 744, 748-49 (Ct. Int'l Trade 1990), *aff'd*, 938 F.2d 1278 (Fed. Cir. 1991); *see also* S. Rep. No. 249, 96th Cong., 1st Sess. 90-91 (1979).

[27] *See*, *e.g.*, *Internal Combustion Industrial Forklift Trucks from Japan*, Inv. No. 731-TA-377 (Second Review), USITC Pub. 3831 at 8-9 (Dec. 2005); *Crawfish Tail Meat from China*, Inv. No. 731-TA-752 (Review), USITC Pub. 3614 at 4 (July 2003); *Steel Concrete Reinforcing Bar from Turkey*, Inv. No. 731-TA-745 (Review), USITC Pub. 3577 at 4 (Feb. 2003).

[28] *Stainless Steel Plate in Coils from Belgium, South Africa, and* Taiwan, 81 Fed. Reg. 78774 (Nov. 9, 2016) (final results of expedited sunset review of antidumping duty orders); *Stainless Steel Plate in Coils from South Africa*, 81 Fed. Reg. 78115 (Nov. 7, 2016) (final results of expedited sunset review of the countervailing duty order).

[29] CR at I-10, PR at I-8.

In the original investigations, the Commission initially found two separate like products consisting of hot-rolled stainless steel plate and cold-rolled stainless steel plate.[30] On remand, however, the Commission found a single domestic like product. It observed that hot-rolled and cold-rolled stainless steel plate shared similar physical characteristics, chemical composition, and dimensions and also shared common channels of distribution and production processes. It further observed that the two products were used in most of the same corrosion-resistant applications and were substitutable for one another without further grinding and polishing. Because there was no clear dividing line between hot-rolled and cold-rolled stainless steel plate, the Commission defined the domestic like product as all stainless steel plate, which was coextensive with the scope.[31]

In the first five-year reviews, the Commission observed that the evidence regarding the factors the Commission examines in its domestic like product analysis did not require it to revisit the definition that it had reached on remand during the original investigations. Accordingly, for the reasons stated in the original remand determinations, the Commission continued to define a single domestic like product consisting of all stainless steel plate, which was coextensive with Commerce's scope.[32]

In the second five-year reviews, the domestic interested parties stated that they agreed with the domestic like product definition that the Commission reached in its remand determinations and first reviews while respondent interested parties made no arguments.[33] Observing that the record in the second reviews indicated no changes with respect to the product characteristics and that no party had requested that it adopt a different definition, the Commission again defined a single domestic like product corresponding to the scope.[34]

There is no new information obtained during these expedited reviews that suggests any reason to revisit the Commission's domestic like product definition from its remand determinations and the prior reviews.[35] The domestic producers state that the Commission should continue to find a single domestic like product that is coextensive with the scope, consisting of all stainless steel plate.[36] Accordingly, we continue to define a single domestic like product that is coextensive with the scope of the orders under review, consisting of all stainless steel plate.

B. Domestic Industry

Section 771(4)(A) of the Tariff Act defines the relevant industry as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of

---

[30] Original Determinations, USITC Pub. 3188 at 7.

[31] Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[32] First Five-Year Reviews, USITC Pub. 3784 at 6.

[33] Second Five-Year Reviews, USITC Pub. 4248 at 7.

[34] Second Five-Year Reviews, USITC Pub. 4248 at 8.

[35] *See generally* CR at I-6-19, PR at I-4-14.

[36] Domestic Producers' Response at 19 (Aug. 1, 2016) ("Domestic Producers' Response").

the product."[37] In defining the domestic industry, the Commission's general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market. The related parties provision of the statute allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise or which are themselves importers.[38] Exclusion of such a producer is within the Commission's discretion based upon the facts presented in each investigation.[39]

In the original investigations, the Commission, after initially defining two domestic industries consisting of domestic producers of hot-rolled stainless steel plate and domestic producers of cold-rolled stainless steel plate, found on remand a single domestic industry comprised of all domestic producers of stainless steel plate.[40] The Commission recognized that one domestic producer was a related party, but determined that appropriate circumstances did not exist to exclude it from the domestic industry.[41] In the first and second five-year reviews, the Commission again defined the domestic industry as all domestic producers of stainless steel plate.[42]

---

[37] 19 U.S.C. § 1677(4)(A). The definitions in 19 U.S.C. § 1677 are applicable to the entire subtitle containing the antidumping and countervailing duty laws, including 19 U.S.C. §§ 1675 and 1675a. *See* 19 U.S.C. § 1677.

[38] *See Torrington Co v. United States*, 790 F. Supp. 1161, 1168 (Ct. Int'l Trade 1992), *aff'd without opinion*, 991 F.2d 809 (Fed. Cir. 1993); *Sandvik AB v. United States*, 721 F. Supp. 1322, 1331-32 (Ct. Int'l Trade 1989), *aff'd mem.,* 904 F.2d 46 (Fed. Cir. 1990); *Empire Plow Co. v. United States*, 675 F. Supp. 1348, 1352 (Ct. Int'l Trade 1987).

[39] The primary factors the Commission has examined in deciding whether appropriate circumstances exist to exclude a related party include the following:

(1) the percentage of domestic production attributable to the importing producer;

(2) the reason the U.S. producer has decided to import the product subject to investigation (whether the firm benefits from the LTFV sales or subsidies or whether the firm must import in order to enable it to continue production and compete in the U.S. market);

(3) whether inclusion or exclusion of the related party will skew the data for the rest of the industry;

(4) the ratio of import shipments to U.S. production for the imported product; and

(5) whether the primary interest of the importing producer lies in domestic production or importation. *Changzhou Trina Solar Energy Co. v. USITC*, 100 F. Supp.3d 1314, 1326-31 (Ct. Int'l Trade 2015); *see also Torrington Co. v. United States*, 790 F. Supp. at 1168.

[40] Original Determinations, USITC Pub. 3188 at 8; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[41] Original Determinations, USITC Pub. 3188 at 8 n.39. The Commission identified *** to be a related party by virtue of its importation of subject merchandise. It found, however, that the ratio of ***'s subject imports to its domestic production *** indicated that its interest lay principally in domestic production. Confidential Original Determinations (EDIS Doc. 589784) at 11 n.39.

[42] First Five-Year Reviews, USITC Pub. 3784 at 7; Second Five-Year Reviews, USITC Pub. 4248 at 8. In the second five-year reviews, the Commission found that although NAS shared the same parent company, Acerinox S.A. ("Acerinox"), as Columbus Stainless Inc. ("Columbus Stainless"), a South African producer of stainless steel plate, NAS was not a related party within the meaning of 19 U.S.C.

(*continued*...)

There is a related party issue in these reviews concerning domestic producer NAS.[43] NAS shares the same parent company, Acerinox, S.A. ("Acerinox"), as Columbus Stainless Inc. ("Columbus Stainless"), the sole producer of stainless steel plate in South Africa. For purposes of our analysis in these reviews, we assume *arguendo* that NAS and Columbus Stainless are under common control.[44] Official U.S. import statistics indicate small amounts of stainless steel plate from South Africa were imported into the United States in each full year during 2011-15 (the "period of review").[45] The record thus indicates that Columbus Stainless exported stainless steel plate to the United States during the period of review. Therefore, we assume *arguendo* that NAS is a related party.[46]

Based on the record and the lack of any contrary party arguments, however, we find that appropriate circumstances do not exist to warrant excluding NAS from the domestic industry. NAS was the largest domestic producer of stainless steel plate, accounting for *** percent of reported domestic production of stainless steel plate in 2015.[47] NAS ***.[48] NAS's principal interest appears to be in domestic production. In 2015, its production was *** short tons.[49] By contrast, subject imports from South Africa never exceeded 401 short tons in any year during the period of review.[50]

Accordingly, we define the domestic industry to include all U.S. producers of the domestic like product.

III. Cumulation

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Tariff Act provides as follows:

> the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other

---

(…*continued*)
§ 1677(4)(B)(ii) because neither Columbus Stainless nor NAS *** and ***. Additionally, ***. Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 10 n.35.

[43] The domestic producers do not make any arguments whether appropriate circumstances exist to exclude NAS from the domestic industry as a related party. Domestic Producers' Response at 16.

[44] CR/PR at Table I-5; CR at I-40, PR at I-30. Acerinox holds a 76 percent share in Columbus Stainless. *See id.* The record does not contain information of the type in the second reviews elaborating upon the current relationship among NAS, Acerinox, and Columbus Stainless.

[45] CR/PR at Table I-7.

[46] See 19 U.S.C. § 1677(4)(B)(ii)(III).

[47] CR/PR at Table I-5.

[48] CR/PR at Table I-5; Domestic Producers' Response at 2 n.2.

[49] Domestic Producers' Response at Ex. 6; CR/PR at appendix B.

[50] CR/PR at Table I-7.

> and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.[51]

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Tariff Act.[52] The Commission may exercise its discretion to cumulate, however, only if the reviews are initiated on the same day, the Commission determines that the subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

B. Cumulation in the Prior Investigations and Reviews

In the original investigations, the Commission cumulated imports of stainless steel plate from all subject countries, including Belgium, South Africa, and Taiwan.[53] It found a reasonable overlap in competition among subject imports from these countries and between subject imports and the domestic like product.[54]

In the first and second five-year reviews, the Commission did not find that imports from Belgium, South Africa, or Taiwan would be likely to have no discernible adverse impact on the domestic industry in the event of revocation.[55] It found a likely reasonable overlap of competition among imports from these subject countries and between subject imports and the domestic like product, and it did not find any likely differences in the conditions of competition

[51] 19 U.S.C. § 1675a(a)(7).

[52] 19 U.S.C. § 1677(7)(G)(i); *see also*, *e.g.*, *Nucor Corp. v. United States*, 601 F.3d 1291, 1293 (Fed. Cir. 2010) (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); *Allegheny Ludlum Corp. v. United States*, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews); *Nucor Corp. v. United States*, 569 F. Supp. 2d 1328, 1337-38 (Ct. Int'l Trade 2008).

[53] Original Determinations, USITC Pub. 3188 at 10-12; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views). The Commission also cumulated imports from Canada, Italy, and Korea, but those imports are no longer subject to orders. *See id.*

[54] Original Determinations, USITC Pub. 3188 at 10-12; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[55] First Five-Year Reviews, USITC Pub. 3784 at 9-16; Second Five-Year Reviews, USITC Pub. 4248 at 10-13.

among these three subject sources of stainless steel plate.[56] On that basis, the Commission cumulated subject imports from Belgium, South Africa, and Taiwan.[57]

C. Analysis

In these reviews, the statutory threshold for cumulation is satisfied as all reviews were initiated on the same day: July 1, 2016.[58] In addition, we consider the following issues in deciding whether to exercise our discretion to cumulate the subject imports: (1) whether imports from either of the subject countries are precluded from cumulation because they are likely to have no discernible adverse impact on the domestic industry; (2) whether there is a likelihood of a reasonable overlap of competition among subject imports and the domestic like product; and (3) whether subject imports are likely to compete in the U.S. market under different conditions of competition.[59]

1. Likely Discernible Adverse Impact

The statute precludes cumulation if the Commission finds that subject imports from a country are likely to have no discernible adverse impact on the domestic industry.[60] Neither the statute nor the Uruguay Round Agreements Act ("URAA") Statement of Administrative Action ("SAA") provides specific guidance on what factors the Commission is to consider in determining that imports "are likely to have no discernible adverse impact" on the domestic industry.[61] With respect to this provision, the Commission generally considers the likely volume of subject imports and the likely impact of those imports on the domestic industry within a reasonably foreseeable time if the orders were to be revoked. Our analysis for each of the subject countries takes into account, among other things, the nature of the product and the behavior of subject imports in the original investigations.

---

[56] First Five-Year Reviews, USITC Pub. 3784 at 17-19; Second Five-Year Reviews, USITC Pub. 4248 at 13-19.

[57] First Five-Year Reviews, USITC Pub. 3784 at 19; Second Five-Year Reviews, USITC Pub. 4248 at 19. In the first five-year reviews, the Commission also cumulated imports from Italy and Korea, which were then subject to orders. First Five-Year Reviews, USITC Pub. 3784 at 19. In the second five-year reviews, the Commission also cumulated imports from Korea, which were subject to an antidumping duty order. Second Five-Year Reviews, USITC Pub. 4248 at 19.

[58] *Stainless Steel Plate from Belgium, South Africa, and Taiwan*, 81 Fed. Reg. 43245 (July 1, 2016).

[59] The domestic producers did not directly address cumulation issues in either their response to the notice of institution or their comments. Their arguments on likely volume and likely price effects did, however, proceed on the assumption that the Commission would engage in a cumulative analysis. Domestic Producers' Response at 4-13; Domestic Producers' Comments at 6-18.

[60] 19 U.S.C. § 1675a(a)(7).

[61] SAA, H.R. Rep. No. 103-316, vol. I at 887 (1994).

Based on the record in these reviews, we do not find that subject imports from Belgium, South Africa, or Taiwan would likely have no discernible adverse impact on the domestic industry in the event of revocation.

Belgium. In the original investigations, the volume of U.S. shipments of subject imports from Belgium increased overall from 1995 to 1998; it was *** short tons in 1995, *** short tons in 1996, *** short tons in 1997, and *** short tons in 1998.[62] Their share of apparent U.S. consumption, based on value, was *** percent in 1995, *** percent in 1996, *** percent in 1997, and *** percent in 1998.[63]

In the first five-year reviews, the Commission observed that subject imports from Belgium had a continued presence in the U.S. market; the quantity of U.S. shipments of subject imports from Belgium initially declined from *** short tons in 2000 to *** short tons in 2001 and then *** increased to *** short tons in 2004.[64] The Commission found that U&A Belgium ("U&A"), the sole producer of stainless steel plate in Belgium, increased its capacity from *** short tons in 1998 to *** short tons in 2004.[65] The Commission further found that U&A was export oriented and that the U.S. market, with its large size, steady demand, and higher prices, was an attractive market.[66] Given these factors and the vulnerability of the domestic industry, the Commission did not find that subject imports from Belgium would be likely to have no discernible adverse impact if the order were revoked.[67]

In the second five-year reviews, the Commission observed that the volume of subject imports from Belgium generally declined since the prior reviews and was lower in 2010 than in 1997.[68] It found that Aperam Stainless Belgium ("Aperam")[69] produced substantial quantities of stainless steel plate,[70] had substantial excess capacity,[71] and continued to export outside its home market.[72] Based on the quantities of subject imports from Belgium during the original

---

[62] First Five-Year Reviews, USITC Pub. 3784 at 9; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 12.

[63] First Five-Year Reviews, USITC Pub. 3784 at 9-10; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 12.

[64] First Five-Year Reviews, USITC Pub. 3784 at 10; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 13.

[65] First Five-Year Reviews, USITC Pub. 3784 at 10; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 13.

[66] First Five-Year Reviews, USITC Pub. 3784 at 10-11; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 14-15.

[67] First Five-Year Reviews, USITC Pub. 3784 at 11; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 15.

[68] Second Five-Year Reviews, USITC Pub. 4248 at 10-11.

[69] In 2006, Mittal acquired U&A Belgium's ("U&A") parent company, Arcelor Group, forming ArcelorMittal. In January 2011, ArcelorMittal spun off its stainless steel business into Aperam Stainless. CR at I-40, PR at I-30.

[70] Second Five-Year Reviews, USITC Pub. 4248 at 11.

[71] Second Five-Year Reviews, USITC Pub. 4248 at 11 n.56.

[72] Second Five-Year Reviews, USITC Pub. 4248 at 11. Aperam's home market shipments accounted for *** percent of its total shipments in 2010 while export shipments accounted for ***

(*continued*...)

investigations, the export orientation of the Belgian industry, and the Belgian producer's substantial production and excess capacity, the Commission determined that subject imports from Belgium were not likely to have no discernible adverse impact if the order were revoked.[73]

In the current reviews, Aperam continues to be the sole producer of subject merchandise in Belgium.[74] The domestic producers observe that in its 2015 Annual Report, Aperam states that it is "one of the largest global producers of stainless steel by production capacity," and that its products are "sold to customers on three continents in over 40 countries, including customers in the aerospace, automotive, catering, construction, household appliance and electrical engineering, industrial processes, and oil & gas industries."[75] The domestic producers further observe that Aperam recently received 50 million euro in funding from the European Investment Bank to finance its research and development programs and to upgrade its facilities.[76] The domestic producers contend that Aperam has a continued interest and the ability to sell increasing volumes of stainless steel plate to the U.S. market in the event of revocation as evidenced by the fact that it maintains a marketing/distribution office in the United States.[77] Global Trade Atlas ("GTA") data indicate that Belgium was the world's largest exporter of stainless steel plate in 2012 and the second largest exporter in 2011, 2013, 2014, and 2015, with exports ranging from 316,051 short tons to 394,430 short tons.[78]

In light of the foregoing, we do not find that subject imports from Belgium would likely have no discernible impact on the domestic industry if the antidumping duty order covering these imports were revoked.

South Africa. In the original investigations, the volume of U.S. shipments of subject imports from South Africa increased overall from 1995 to 1998; it was *** short tons in 1995, *** short tons in 1996, *** short tons in 1997, and *** short tons in 1998.[79] These imports' share of apparent U.S. consumption, by value, increased from *** percent in 1995 to *** percent in 1996 before decreasing to *** percent in 1997.[80]

In the first five-year reviews, the Commission observed that the volume of subject imports from South Africa decreased following the imposition of the orders; in 2004, the volume of U.S. shipments of subject imports from South Africa was *** short tons.[81] Columbus

---

(…*continued*)
percent of its total shipments that year. Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 14 n.53.

[73] Second Five-Year Reviews, USITC Pub. 4248 at 13.

[74] CR at I-39-40, PR at I-30.

[75] Domestic Producers' Response at 8, Ex. 2.

[76] Domestic Producers' Response at 8-9, Ex. 2.

[77] Domestic Producers' Response at 8-9, Ex. 2.

[78] CR/PR at Table I-10.

[79] First Five-Year Reviews, USITC Pub. 3784 at 14; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 20-21.

[80] First Five-Year Reviews, USITC Pub. 3784 at 15; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 21.

[81] First Five-Year Reviews, USITC Pub. 3784 at 15; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 21.

Stainless, the sole producer of stainless steel plate in South Africa, had not provided information with respect to its production capacity, but the Commission observed that Columbus Stainless reported its melt capacity to be *** short tons in 2004.[82] Additionally, the Commission found that Columbus Stainless was export oriented and that the U.S. market, with its large size, steady demand, and higher prices, was an attractive market.[83] Given these factors and the vulnerability of the domestic industry, the Commission did not find that subject imports from South Africa would be likely to have no discernible adverse impact if the orders were revoked.[84]

In the second five-year reviews, the Commission observed that the volume of subject imports from South Africa was lower in 2010 than in 1997.[85] It found that Columbus Stainless produced substantial quantities of stainless steel plate,[86] had substantial capacity,[87] and continued to export outside its home market.[88] Based on the quantities of subject imports from South Africa during the original investigations, the export orientation of the South African industry, and the South African producer's substantial production and capacity, the Commission determined that subject imports from South Africa were not likely to have no discernible adverse impact if the orders were revoked.[89]

In the current reviews, Columbus Stainless continues to be the sole producer of subject merchandise in South Africa.[90] The domestic producers report that Columbus Stainless has a production capacity of *** short tons and that export shipments currently account for 75 percent of its total shipments.[91] According to information contained on Columbus Stainless' website, the company exports its products "through a well-developed network of agents and group sales outlets in Europe, the Americas, and the Middle East and the Far East." [92] GTA data indicate that South Africa was the world's sixth-largest exporter of stainless steel plate in 2012, the seventh-largest exporter in 2013, the eighth-largest exporter in 2015, and the ninth-largest exporter in 2011 and 2014, with exports ranging from 32,517 short tons to 56,266 short tons.[93]

---

[82] First Five-Year Reviews, USITC Pub. 3784 at 15; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 21-22.

[83] First Five-Year Reviews, USITC Pub. 3784 at 15-16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 22.

[84] First Five-Year Reviews, USITC Pub. 3784 at 11; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 15.

[85] Second Five-Year Reviews, USITC Pub. 4248 at 10-11.

[86] Second Five-Year Reviews, USITC Pub. 4248 at 11.

[87] Second Five-Year Reviews, USITC Pub. 4248 at 11 n.56.

[88] Second Five-Year Reviews, USITC Pub. 4248 at 11. Columbus Stainless' home market shipments accounted for *** percent of the company's total sales. It had a "well-developed" sales network for its exports in Europe, the Americas, the Middle East, and the Far East. Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 14 n.53.

[89] Second Five-Year Reviews, USITC Pub. 4248 at 13.

[90] CR at I-40-41, PR at I-30.

[91] Domestic Producers' Response at 9, Ex. 4.

[92] Domestic Producers' Response at 9, Ex. 4.

[93] CR/PR at Table I-10.

In light of the foregoing, we do not find that subject imports from South Africa would likely have no discernible impact on the domestic industry if the antidumping duty and countervailing duty orders covering these imports were revoked.

Taiwan. In the original investigations, the volume of U.S. shipments of subject imports from Taiwan increased from *** short tons in 1995 to *** short tons in 1996, *** short tons in 1997, and *** short tons in 1998.[94] While the percentage of the Taiwanese producers' shipments to their home market decreased, the percentage of their shipments exported to the United States increased from *** percent in 1995 to *** percent in 1997.[95]

In the first five-year reviews, the Commission observed that the volume of subject imports from Taiwan was low; in 2004, the volume of U.S. shipments of subject imports from Taiwan was *** short tons.[96] Available public data indicated that production in Taiwan grew from less than 1.2 million metric tons in 1999 to more than 1.5 million metric tons in 2003.[97] The Commission found that the U.S. market, with its large size, steady demand, and higher prices, provided an impetus for producers in Taiwan to increase their sales to the U.S. market.[98] Based on these subject producers' trade patterns in the original investigations and the vulnerability of the domestic industry, the Commission did not find that subject imports from Taiwan would be likely to have no discernible adverse impact if the order were revoked.[99]

In the second five-year reviews, the Commission observed that the volume of subject imports from Taiwan was lower in 2010 than in 1997.[100] It further observed that there were four subject producers in Taiwan: Chien Shing Stainless Steel Co., Ltd ("Chien Shing"); Tang Eng Iron Works Co., Ltd. ("Tang Eng"); Tung Mung Development Co., Ltd. ("Tung Mung"); and YUSCO.[101] Although none of the subject producers provided data, the Commission found that production of stainless steel plate in Taiwan and the capacity of the subject producers were substantial; it observed that YUSCO alone reportedly had the largest integrated stainless steel mill in Southeast Asia with a melting capacity of 1 million metric tons, hot-rolling capacity of 900,000 metric tons, and cold-rolling capacity of 650,000 metric tons.[102] The Commission

[94] First Five-Year Reviews, USITC Pub. 3784 at 16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 22.

[95] First Five-Year Reviews, USITC Pub. 3784 at 16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 23.

[96] First Five-Year Reviews, USITC Pub. 3784 at 16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 22.

[97] First Five-Year Reviews, USITC Pub. 3784 at 16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 23. The Commission had not received questionnaire responses from any producer of stainless steel plate in Taiwan. *See id.*

[98] First Five-Year Reviews, USITC Pub. 3784 at 16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 23-24.

[99] First Five-Year Reviews, USITC Pub. 3784 at 16; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 24.

[100] Second Five-Year Reviews, USITC Pub. 4248 at 10-11.

[101] Second Five-Year Reviews, USITC Pub. 4248 at 11 n.53.

[102] Second Five-Year Reviews, USITC Pub. 4248 at 11-12 n.55, 13 n.56.

further found that the industry in Taiwan continued to export stainless steel plate.[103] Based on the quantities of subject imports from Taiwan during the original investigations, the export orientation of the Taiwanese industry, and the Taiwanese producers' substantial production and capacity, the Commission determined that subject imports from Taiwan were not likely to have no discernible adverse impact if the order were revoked.[104]

In the current reviews, the domestic producers report that Chien Shing, Tang Eng, Tung Mung, and YUSCO continue to produce stainless steel plate in Taiwan.[105] Although GTA data do not identify Taiwan as one of the ten largest export sources in the world for stainless steel plate during 2011-15,[106] the domestic producers contend that the Taiwanese producers have substantial capacity to produce stainless steel plate and are export oriented.[107] In support, they rely on information indicating that (1) Chien Shing has an annual production capacity of 150,000 short tons, is "principally engaged in the processing and distributing of cold-rolled stainless steel coils," and "distributes its products in domestic and overseas markets;" (2) Tang Eng has an annual production capacity of 300,000 short tons and produces hot-rolled and cold-rolled stainless steel for domestic markets as well as export markets in Southeast Asia, China, Australia, Japan, and the United States; (3) Tung Mung "manufactures stainless steel coils" including "cold-rolled stainless steels of both 200 and 300 series but also those of the 400 series;" and (4) YUSCO has an annual production capacity of 900,000 metric tons, is the "largest integrated stainless steel mill in Southeast Asia," produces the full line of stainless steel plate products, and concentrates its sales on export markets.[108]

In light of the foregoing, we do not find that subject imports from Taiwan would likely have no discernible impact on the domestic industry if the antidumping duty order covering these imports were revoked.

2. Likely Reasonable Overlap of Competition

The Commission generally has considered four factors intended to provide a framework for determining whether subject imports compete with each other and with the domestic like product.[109] Only a "reasonable overlap" of competition is required.[110] In five-year reviews, the

[103] Second Five-Year Reviews, USITC Pub. 4248 at 11 n.53.

[104] Second Five-Year Reviews, USITC Pub. 4248 at 13.

[105] Domestic Producers' Response at 10-11, Ex. 5.

[106] CR/PR at Table I-10.

[107] Domestic Producers' Response at 10.

[108] Domestic Producers' Response at 10, Ex. 5.

[109] The four factors generally considered by the Commission in assessing whether imports compete with each other and with the domestic like product are as follows: (1) the degree of fungibility between subject imports from different countries and between subject imports and the domestic like product, including consideration of specific customer requirements and other quality-related questions; (2) the presence of sales or offers to sell in the same geographical markets of imports from different countries and the domestic like product; (3) the existence of common or similar channels of distribution for subject imports from different countries and the domestic like product; and (4) whether subject

(*continued*...)

relevant inquiry is whether there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.[111]

Fungibility. In the original investigations, the Commission observed that stainless steel plate from domestic and foreign sources was produced to standard industry specifications and found that imports from all subject countries were fungible with both the domestic like product and with each other.[112] In the first and second five-year reviews, the Commission, again observing that stainless steel plate from domestic and foreign sources conformed to standard industry specifications, continued to find that the domestic like product and subject imports were substitutable products.[113] In the second reviews, the Commission observed that while domestic producers, importers, and purchasers had somewhat different perceptions of the interchangeability of stainless steel plate from different sources, this information supported finding a reasonable competitive overlap.[114] There is no new information in these current reviews to indicate that the considerations that led the Commission in prior proceedings to find the domestic like product fungible with subject imports from Belgium, South Africa, and Taiwan have changed.[115]

Channels of Distribution. In the original investigations, the Commission observed that domestically produced stainless steel plate and imports from all subject countries, including Belgium, South Africa, and Taiwan, were sold primarily to service centers/distributors, which in turn sold product to end users.[116] The Commission therefore found an overlap in the channels of distribution between subject imports and the domestic like product.[117] In the first five-year

---

(…*continued*)
imports are simultaneously present in the market with one another and the domestic like product. *See, e.g., Wieland Werke, AG v. United States*, 718 F. Supp. 50 (Ct. Int'l Trade 1989).

[110] *See Mukand Ltd. v. United States*, 937 F. Supp. 910, 916 (Ct. Int'l Trade 1996); *Wieland Werke,* 718 F. Supp. at 52 ("Completely overlapping markets are not required."); *United States Steel Group v. United States,* 873 F. Supp. 673, 685 (Ct. Int'l Trade 1994), *aff'd*, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. *See, e.g*., *Live Cattle from Canada and Mexico*, Inv. Nos. 701-TA-386 and 731-TA-812-13 (Preliminary), USITC Pub. 3155 at 15 (Feb. 1999), *aff'd sub nom, Ranchers-Cattlemen Action Legal Foundation v. United States*, 74 F. Supp. 2d 1353 (Ct. Int'l Trade 1999); *Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan*, Inv. Nos. 731-TA-761-62 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

[111] *See generally*, *Chefline Corp. v. United States*, 219 F. Supp. 2d 1313, 1314 (Ct. Int'l Trade 2002).

[112] Original Determinations, USITC Pub. 3188 at 10-11; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[113] First Five-Year Reviews, USITC Pub. 3784 at 18; Second Five-Year Reviews, USITC Pub. 4248 at 13-15.

[114] Second Five-Year Reviews, USITC Pub. 4248 at 13-14.

[115] CR at I-38, PR at I-29.

[116] Original Determinations, USITC Pub. 3188 at 12; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[117] Original Determinations, USITC Pub. 3188 at 12; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

reviews, the Commission continued to find that the domestic like product and imports from all subject countries were primarily sold to service centers/distributors, which then generally sold to end users.[118] In the second five-year reviews, the Commission found that the limited available data continued to show an overlap in distribution channels.[119] There is no new information in these reviews to indicate that there have been any significant changes with respect to the channels of distribution.

Geographic Overlap. In the original investigations, the Commission found that the domestic producers sold their products on a nationwide basis. It further found that imports from all subject countries, including Belgium, South Africa, and Taiwan, were sold to regions covering the vast majority of the United States. The Commission therefore concluded that subject imports and the domestic like product competed in the same geographic markets.[120] In the first and second five-year reviews, the Commission found nothing on the record of those reviews indicating that the Commission's findings from the original investigations concerning geographic overlap would likely change upon revocation.[121] Similarly, there is no new information in these reviews to indicate that the Commission's findings regarding geographic overlap from the original investigations would be different upon revocation.[122]

Simultaneous Presence in Market. In the original investigations, the Commission found that imports from each subject country and the domestic like product were simultaneously present in the U.S. market throughout the period of investigation.[123] In the first and second five-year reviews, the Commission found that no evidence indicated, and no arguments were made, that subject imports would not have a simultaneous market presence sufficient to establish the likelihood of a reasonable overlap of competition in the event of revocation.[124] There is no new information in these reviews to indicate that this has changed.[125]

Conclusion. The record of these expedited reviews contains very limited information concerning the characteristics of subject imports in the U.S. market during the period of review. The record contains no information suggesting a change in the considerations that led the

---

[118] First Five-Year Reviews, USITC Pub. 3784 at 18.

[119] Second Five-Year Reviews, USITC Pub. 4248 at 15.

[120] Original Determinations, USITC Pub. 3188 at 12; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[121] First Five-Year Reviews, USITC Pub. 3784 at 19; Second Five-Year Reviews, USITC Pub. 4248 at 15.

[122] During the period of review, imports from all three subject countries entered the United States at ports in the Northeast or Southeast. CR at I-39, PR at I-29.

[123] Original Determinations, USITC Pub. 3188 at 12; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[124] First Five-Year Reviews, USITC Pub. 3784 at 19; Second Five-Year Reviews, USITC Pub. 4248 at 15.

[125] CR at I-39, PR at I-29. Subject imports from Belgium were present in every month of 2011-15. Subject imports from South Africa were present in one month during 2011, one month in 2012, three months in 2013, and two months in 2014. There were no subject imports from South Africa in 2015. Subject imports from Taiwan were present in one month in 2013, one month in 2014, and one month in 2015. There were no subject imports from Taiwan in 2011 and 2012. *See id.*

Commission in the prior two reviews to conclude that there would be a likely reasonable overlap of competition among imports from different subject sources and between imports from each subject source and the domestic like product upon revocation. In light of this, and the absence of any contrary arguments, we find a likely reasonable overlap of competition among subject imports from Belgium, South Africa, and Taiwan and between the domestic like product and cumulated subject imports.

3. Other Likely Conditions of Competition

In determining whether to exercise our discretion to cumulate the subject imports, we assess whether subject imports from the subject countries would compete under similar or different conditions in the U.S. market if the orders under review were revoked. The record in these reviews does not indicate that there would likely be any significant difference in the conditions of competition among subject imports upon revocation. Accordingly, we exercise our discretion to cumulate subject imports from Belgium, South Africa, and Taiwan.

IV. Revocation of the Antidumping and Countervailing Duty Orders Would Likely Lead to Continuation or Recurrence of Material Injury within a Reasonably Foreseeable Time

A. Legal Standards

In a five-year review conducted under section 751(c) of the Tariff Act, Commerce will revoke an antidumping or countervailing duty order unless: (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order "would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time."[126] The SAA states that "under the likelihood standard, the Commission will engage in a counterfactual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports."[127] Thus, the likelihood standard is prospective in nature.[128] The U.S. Court of International Trade has found that

[126] 19 U.S.C. § 1675a(a).

[127] SAA, H.R. Rep. 103-316, vol. I at 883-84 (1994). The SAA states that "{t}he likelihood of injury standard applies regardless of the nature of the Commission's original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed." *Id*. at 883.

[128] While the SAA states that "a separate determination regarding current material injury is not necessary," it indicates that "the Commission may consider relevant factors such as current and likely continued depressed shipment levels and current and likely continued {sic} prices for the domestic like product in the U.S. market in making its determination of the likelihood of continuation or recurrence of material injury if the order is revoked." SAA at 884.

"likely," as used in the five-year review provisions of the Tariff Act, means "probable," and the Commission applies that standard in five-year reviews.[129]

The statute states that "the Commission shall consider that the effects of revocation or termination may not be imminent, but may manifest themselves only over a longer period of time."[130] According to the SAA, a "'reasonably foreseeable time' will vary from case-to-case, but normally will exceed the 'imminent' timeframe applicable in a threat of injury analysis in original investigations."[131]

Although the standard in a five-year review is not the same as the standard applied in an original investigation, it contains some of the same fundamental elements. The statute provides that the Commission is to "consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the orders are revoked or the suspended investigation is terminated."[132] It directs the Commission to take into account its prior injury determination, whether any improvement in the state of the industry is related to the order or the suspension agreement under review, whether the industry is vulnerable to material injury if the orders are revoked or a suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).[133] The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission's determination.[134]

In evaluating the likely volume of imports of subject merchandise if the orders under review are revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether the likely volume of imports would be significant either in absolute terms or relative to production or consumption in the United States.[135] In doing so, the Commission

---

[129] *See NMB Singapore Ltd. v. United States*, 288 F. Supp. 2d 1306, 1352 (Ct. Int'l Trade 2003) ("'likely' means probable within the context of 19 U.S.C. § 1675(c) and 19 U.S.C. § 1675a(a)"), *aff'd mem.*, 140 Fed. Appx. 268 (Fed. Cir. 2005); *Nippon Steel Corp. v. United States*, 26 CIT 1416, 1419 (2002) (same); *Usinor Industeel, S.A. v. United States*, 26 CIT 1402, 1404 nn.3, 6 (2002) ("more likely than not" standard is "consistent with the court's opinion;" "the court has not interpreted 'likely' to imply any particular degree of 'certainty'"); *Indorama Chemicals (Thailand) Ltd. v. United States*, 26 CIT 1059, 1070 (2002) ("standard is based on a likelihood of continuation or recurrence of injury, not a certainty"); *Usinor v. United States*, 26 CIT 767, 794 (2002) ("'likely' is tantamount to 'probable,' not merely 'possible'").

[130] 19 U.S.C. § 1675a(a)(5).

[131] SAA at 887. Among the factors that the Commission should consider in this regard are "the fungibility or differentiation within the product in question, the level of substitutability between the imported and domestic products, the channels of distribution used, the methods of contracting (such as spot sales or long-term contracts), and lead times for delivery of goods, as well as other factors that may only manifest themselves in the longer term, such as planned investment and the shifting of production facilities." *Id*.

[132] 19 U.S.C. § 1675a(a)(1).

[133] 19 U.S.C. § 1675a(a)(1). Commerce has made no duty absorption findings with respect to the orders under review. CR at I-25, PR at I-19.

[134] 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

[135] 19 U.S.C. § 1675a(a)(2).

must consider "all relevant economic factors," including four enumerated factors: (1) any likely increase in production capacity or existing unused production capacity in the exporting country; (2) existing inventories of the subject merchandise, or likely increases in inventories; (3) the existence of barriers to the importation of the subject merchandise into countries other than the United States; and (4) the potential for product shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products.[136]

In evaluating the likely price effects of subject imports if the orders under review are revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether there is likely to be significant underselling by the subject imports as compared to the domestic like product and whether the subject imports are likely to enter the United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.[137]

In evaluating the likely impact of imports of subject merchandise if the orders under review are revoked and/or a suspended investigation is terminated, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.[138] All relevant economic factors are to be considered within the context of the business cycle and the conditions of competition that are distinctive to the industry. As instructed by the statute, we have considered the extent to which any improvement in the state of the domestic industry is related to the orders under review and whether the industry is vulnerable to material injury upon revocation.[139]

As stated above, the Commission received no responses to the notice of institution from stainless steel plate producers in Belgium, South Africa, and Taiwan. The record, therefore, contains limited new information with respect to the industries in these subject countries. Accordingly, for our determinations, we rely as appropriate on the facts available from the original investigations and first and second reviews, data submitted in the response to the notice of institution, and other public data.

---

[136] 19 U.S.C. § 1675a(a)(2)(A-D).

[137] *See* 19 U.S.C. § 1675a(a)(3). The SAA states that "{c}onsistent with its practice in investigations, in considering the likely price effects of imports in the event of revocation and termination, the Commission may rely on circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices." SAA at 886.

[138] 19 U.S.C. § 1675a(a)(4).

[139] The SAA states that in assessing whether the domestic industry is vulnerable to injury if the order is revoked, the Commission "considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the domestic industry, they may also demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports." SAA at 885.

B. Conditions of Competition and the Business Cycle

In evaluating the likely impact of the subject imports on the domestic industry if an order is revoked, the statute directs the Commission to consider all relevant economic factors "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[140] The following conditions of competition inform our determinations.

Demand Conditions. In the first five-year reviews,[141] the Commission found that U.S. demand for stainless steel plate depended on the level of demand for downstream products such as process tanks, vats, hoppers, other manufacturing equipment, tubular goods, containers, barrels, valves, fittings, railcars, and storage tanks. The Commission observed that apparent U.S. consumption increased irregularly from 123,209 short tons in 1998 to *** short tons in 2004, an overall increase of *** percent.[142]

In the second five-year reviews, the Commission found that the drivers of U.S. demand for stainless steel plate and end uses of the product remained the same as in the first reviews. During the second period of review, apparent U.S. consumption initially increased from 2005 to 2006, but declined in 2008 and 2009 due to the economic downturn. Apparent U.S. consumption began to recover in 2010, but remained at a level that was 12.5 percent lower than in 2005.[143]

In these reviews, the domestic producers state that U.S. demand for stainless steel plate continues to be dependent upon the demand for its end use products.[144] Apparent U.S. consumption of stainless steel plate was higher in 2015, at *** short tons, than in 2010, the end of the second review period, when it was 107,512 short tons.[145] Domestic producers state that demand increased since 2010 in light of growth in the automotive and construction markets.[146]

Supply Conditions. In the first five-year reviews, the domestic industry's market share ranged from a low of *** percent in 2004 to a high of 93.3 percent in 2001.[147] Cumulated

---

[140] 19 U.S.C. § 1675a(a)(4).

[141] Neither the original determinations nor the remand determinations contained any discussion regarding the conditions of competition.

[142] First Five-Year Reviews, USITC Pub. at 3785 at 23; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 33.

[143] Second Five-Year Reviews, USITC Pub. 4248 at 25. In 2010, apparent U.S. consumption was 107,512 short tons. *See id.*

[144] Domestic Producers' Comments at 5-6. Purchasers' responses concerning changes in end uses varied. One purchaser, ***, reported that there have been no changes in the end uses and applications of stainless steel plate in the U.S. market since 2011 and that it did not anticipate any changes within a reasonably foreseeable time. The other responding purchaser, ***, reported, however, that the end uses and applications of stainless steel plate have continuously changed since 2011 and would continue to do so in the future. CR/PR at D-5.

[145] CR/PR at Table I-9. Apparent U.S. consumption in 2015, however, was lower than that in 1997, the end of the original period of investigation, and in 2004, the end of the first period of review. *See id.*

[146] Domestic Producers' Comments at 5-6.

[147] First Five-Year Reviews, USITC Pub. at 3785 at 26; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 33.

imports from subject countries, including Belgium, South Africa, and Taiwan, decreased their market share from *** percent in 1998 to *** percent in 2004, while nonsubject imports increased their market share from *** percent in 1998 to *** percent in 2004.[148]

The Commission also found that the composition of the domestic industry changed since the original investigations.[149] Specifically, Armco was acquired by AK Steel, J&L's stainless steel plate operations were acquired by wholly-owned subsidiaries of Allegheny Ludlum, and NAS became the largest domestic producer of stainless steel plate.[150]

In the second five-year reviews, the Commission observed that the domestic industry, which consisted of AK Steel, Allegheny Ludlum, and NAS, satisfied the bulk of U.S. demand during the period of review.[151] On an annual basis, the domestic industry supplied between *** percent and *** percent of apparent U.S. consumption during the period of review; in 2010, its share of apparent U.S. consumption was *** percent.[152] Cumulated imports from subject countries, including Belgium, South Africa, and Taiwan, decreased their market share from *** percent in 2005 to *** percent in 2010.[153] Nonsubject imports constituted between *** percent and *** percent of apparent U.S. consumption during the period of review; in 2010, their share of apparent U.S. consumption was *** percent.[154] The leading nonsubject sources of stainless steel plate were Germany and Sweden.[155]

In these reviews, NAS, Allegheny Ludlum, and AK Steel continued to produce and supply stainless steel plate to the U.S. market. Additionally, Outokumpu emerged as a new domestic producer of stainless steel plate in 2012.[156] The domestic industry accounted for the largest share of apparent U.S. consumption by quantity in 2015, with an *** percent share, which was higher than its share in 2010, which was *** percent.[157] Nonsubject imports accounted for the next largest share of apparent U.S. consumption in 2015, with a *** percent share, which was lower than their share in 2010, which was *** percent.[158] Subject imports from Belgium, South

[148] First Five-Year Reviews, USITC Pub. at 3785 at 26; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 34. In the first five-year reviews, the Commission also cumulated imports from Italy and Korea, which were then subject to orders. First Five-Year Reviews, USITC Pub. 3784 at 19.

[149] First Five-Year Reviews, USITC Pub. 3784 at 23.

[150] First Five-Year Reviews, USITC Pub. 3784 at 23.

[151] Second Five-Year Reviews, USITC Pub. 4248 at 26.

[152] Second Five-Year Reviews, USITC Pub. 4248 at 26; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 36.

[153] Second Five-Year Reviews, USITC Pub. 4248 at 26; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 37. In the second five-year reviews, the Commission also cumulated imports from Korea, which were then subject to an antidumping duty order. Second Five-Year Reviews, USITC Pub. 4248 at 19.

[154] Second Five-Year Reviews, USITC Pub. 4248 at 26; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 37-38.

[155] Second Five-Year Reviews, USITC Pub. 4248 at 26.

[156] CR at I-5, -27, PR at I-4, -20; Domestic Producers' Response at 18-19.

[157] CR/PR at Table I-9.

[158] CR/PR at Table I-9; Second Five-Year Reviews, USITC Pub. 4248 at 26; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 37-38.

Africa, and Taiwan, on a cumulated basis, accounted for *** percent of apparent U.S. consumption in 2015, which was slightly lower than their share in 2010, which was *** percent.[159]

Substitutability. In the first five-year reviews, the Commission found that stainless steel plate was sold on the basis of price regardless of the country of origin.[160] In the second five-year reviews, the Commission found that there was a moderate to high degree of substitutability between subject imports from each source and the domestic like product, and that price was an important factor in purchasing decisions.[161]

The information available in these expedited reviews contains nothing to indicate that the substitutability between domestically produced stainless steel plate and subject imports, regardless of source, or the importance of price has changed since the prior reviews. Accordingly, we again find that subject imports and the domestic like product are moderately to highly interchangeable, and that price is an important factor in purchasing decisions.

C. Likely Volume of Subject Imports

The Original Investigations. In the original investigations, the Commission found that the volume of cumulated subject imports was significant.[162] The volume of cumulated subject imports more than doubled over the period of investigation, increasing from *** short tons in 1995 to *** short tons in 1996 and *** short tons in 1997.[163] The Commission found that cumulated subject imports increased by more than apparent U.S. consumption over the period and that the market share of cumulated subject imports consequently rose from *** percent in 1995 to *** percent in 1996 and *** percent in 1997.[164]

The First Reviews. In the first five-year reviews, the Commission found that as a result of the orders, the volume of cumulated subject imports decreased from *** short tons in 1999 to *** short tons in 2004; the market share held by cumulated subject imports decreased from

[159] CR/PR at Table I-9; Second Five-Year Reviews, USITC Pub. 4248 at 26; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 37.

[160] First Five-Year Reviews, USITC Pub. 3784 at 23.

[161] Second Five-Year Reviews, USITC Pub. 4248 at 39.

[162] Original Determinations, USITC Pub. 3188 at 15; Confidential Original Determinations (EDIS Doc. 589784) at 23; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views). In the original investigations, the Commission cumulated imports from Belgium, Canada, Italy, South Africa, and Taiwan.

[163] Original Determinations, USITC Pub. 3188 at 15; Confidential Original Determinations (EDIS Doc. 589784) at 23; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[164] Original Determinations, USITC Pub. 3188 at 15; Confidential Original Determinations (EDIS Doc. 589784) at 24; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

*** percent in 1999 to *** percent in 2004.[165] The Commission further found that although the data were limited, the available record evidence indicated that producers in the subject countries had unused capacity, were export oriented, and had the ability to shift exports with relative ease.[166] In addition, the Commission found that the attractiveness of the U.S. market, with its large size, steady demand, and high prices, provided an incentive for subject producers to shift exports to the United States in the event of revocation of the orders.[167] The Commission concluded that the likely volume of subject imports, both in absolute terms and relative to consumption and production in the United States, would be significant absent the restraining effects of the orders.[168]

The Second Reviews. In the second five-year reviews, the Commission found that, although the volume of cumulated subject imports decreased from *** short tons in 2005 to *** short tons in 2010 and their market share decreased from *** percent in 2005 to *** percent in 2010, subject producers demonstrated an ongoing interest in serving the United States and continued to maintain relationships with U.S. customers.[169] The Commission further found that subject producers possessed significant excess capacity, were export oriented, and faced constraints in their home and other export markets.[170] Consequently, the Commission concluded that revocation of the orders would likely result in a significant increase in the volume of cumulated subject imports.[171]

The Current Reviews. In the current reviews, the available information indicates that the orders have continued to restrain the volume of subject imports from Belgium, South Africa, and Taiwan. The volume of cumulated subject imports was 3,585 short tons in 2011, 3,148 short tons in 2012, 4,003 short tons in 2013, 5,794 short tons in 2014, and 2,174 short tons in 2015.[172] Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2015.[173]

In the event of revocation of the orders, the volume of cumulated subject imports would likely increase to significant levels. The record contains only limited data concerning the stainless steel plate industries in the subject countries because no producer or exporter of

---

[165] First Five-Year Reviews, USITC Pub. at 3785 at 24-25; Confidential First Five-Year Reviews (EDIS Doc. 589787) at 36. In the first reviews, the Commission cumulated subject imports from Belgium, Italy, Korea, South Africa, and Taiwan.

[166] First Five-Year Reviews, USITC Pub. 3784 at 24-27.

[167] First Five-Year Reviews, USITC Pub. 3784 at 26-27.

[168] First Five-Year Reviews, USITC Pub. 3784 at 27.

[169] Second Five-Year Reviews, USITC Pub. 4248 at 28-29; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 40-41. In the second reviews, the Commission cumulated subject imports from Belgium, Korea, South Africa, and Taiwan.

[170] Second Five-Year Reviews, USITC Pub. 4248 at 30-31.

[171] Second Five-Year Reviews, USITC Pub. 4248 at 31.

[172] CR/PR at Table I-7. The volume of cumulated imports from these sources was *** short tons in 1997, *** short tons in 2004, and *** short tons in 2010. CR/PR at Table I-8.

[173] CR/PR at Table I-9. The market share held by subject imports from Belgium, South Africa, and Taiwan, on a cumulated basis, was *** percent in 1997, *** percent in 2004, and *** percent in 2010. *See id.*

subject merchandise participated in these expedited reviews. Information submitted by the domestic producers indicates that subject producers in Belgium, South Africa, and Taiwan possess substantial capacity[174] and GTA data show that the subject producers continue to export significant volumes of stainless steel plate.[175] Additionally, the most recent information available, which is from the prior reviews, indicates that the subject producers possess excess capacity and have the ability to shift exports with relative ease.[176] Consequently, the subject industries have the ability to rapidly increase exports of subject merchandise to the United States.

The United States also remains an attractive market to the stainless steel plate industries in the subject countries. The subject industries have demonstrated an ongoing interest in serving the United States throughout the current review period.[177] Indeed, subject imports were present in the U.S. market in each year of the period of review despite the antidumping and countervailing duty orders.[178] Moreover, in 2010, Russia imposed antidumping duties on imports of certain flat-rolled steel, including stainless steel plate, from South Africa and Taiwan, providing an additional incentive for subject producers in both countries to target the U.S. market upon revocation of the orders.[179]

---

[174] Domestic Producers' Comments at 9-12; Domestic Producers' Response at 7-11, Exs. 2, 4-5. In its 2015 Annual Report, Aperam, the sole producer in Belgium, states that it is "one of the largest global producers of stainless steel by production capacity" with an "annual production capacity of 2.5 million tonnes." Domestic Producers' Response at Ex. 2. Additionally, recent information indicates that Columbus Stainless, the sole producer in South Africa, maintains production capacity of *** short tons per year. *See id.* at Ex. 4. Recent information also indicates that YUSCO, the largest of four known producers in Taiwan, has an annual capacity of 900,000 metric tons; Chien Shing, a Taiwanese producer engaged principally in producing cold-rolled steel, has an annual stainless steel cold-rolling capacity of 150,000 short tons; and Tang Eng, a Taiwanese producer of both hot-rolled and cold-rolled stainless steel, has an annual capacity of 300,000 short tons. *See id.* at Ex. 5. Total apparent U.S. consumption was *** short tons in 2015. CR/PR at Table I-9.

[175] GTA data show that Belgium and South Africa were two of the largest global exporters of stainless steel plate during the period of review. CR/PR at Table I-10. In 2015, Belgium's export volume was *** apparent U.S. consumption and South Africa's export volume was nearly *** of apparent U.S. consumption that year. CR/PR at Tables I-9-10. The GTA data further show that Taiwan's exports of merchandise classified under HTS subheadings 7219.11, 7219.12, 7219.31, and 7220.11, which included stainless steel plate as well as other stainless flat products, ranged from 17,806 short tons to 35,764 short tons during the period of review. Domestic Producers' Response at Ex. 3.

[176] First Five-Year Reviews, USITC Pub. 3784 at 26; Second Five-Year Reviews, USITC Pub. 4248 at 30.

[177] Domestic Producers' Comments at 13; Domestic Producers' Response at Exs. 2, 4-5. Aperam maintains a marketing/distribution office in Norristown, Pennsylvania to service the U.S. market and Columbus Stainless employs a sales force responsible for promoting sales in the North American market. Domestic Producers' Response at Exs. 2, 4. Additionally, Tang Eng states on its website that it exports product to third-country markets including the United States. *See id.* at Ex. 5.

[178] CR/PR at Table I-7.

[179] CR at I-41, PR at I-31.

Accordingly, based on the information available regarding the subject producers' substantial production capacity and excess capacity, significant production, and export orientation, and the attractiveness of the U.S. market, we conclude that the volume of cumulated subject imports, both in absolute terms and relative to U.S. consumption, would likely be significant should the orders be revoked.[180]

D. Likely Price Effects

The Original Investigations. In the original investigations, the Commission found that stainless steel plate was a commodity product that was sold on the basis of price regardless of country of origin.[181] It further found that there was mixed underselling and overselling of the domestic like product by cumulated subject imports during the period of investigation, which was to be expected in a commodity market characterized by intense price competition. The Commission found the pattern of underselling, in conjunction with the increased volume of subject imports, constituted significant underselling.[182] The Commission also determined based upon several factors, including the parallel decline in prices for the domestic like product and subject imports as subject imports displaced nonsubject imports and gained market share, and evidence of underselling and lost sales and revenues, that subject imports depressed prices for the domestic like product to a significant degree.[183]

The First Reviews. In the first five-year reviews, the Commission found that even with the orders in place, the price comparison data, albeit limited due to the substantial reduction in the volume of subject imports after imposition of the orders, demonstrated significant underselling of the domestic like product.[184] The Commission further found that the record indicated that stainless steel plate remained interchangeable and that price continued to be an important factor in purchasing decisions.[185] It therefore reasoned that if the orders were revoked, significant volumes of subject imports would likely significantly undersell the domestic like product to gain market share and would likely have significant depressing or suppressing effects on the prices of the domestic like product within a reasonably foreseeable time.[186]

The Second Reviews. In the second five-year reviews, the Commission again found that stainless steel plate was a commodity product and that price was an important factor in purchasing decisions. It relied on its prior determinations in which it found underselling to be

---

[180] No data are available that address existing inventories of subject merchandise, or the potential for product-shifting if the production facilities in the subject countries that are currently being used to produce other products can be used to produce stainless steel plate.

[181] Original Determinations, USITC Pub. 3188 at 17; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[182] Original Determinations, USITC Pub. 3188 at 19; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[183] Original Determinations, USITC Pub. 3188 at 19-20; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[184] First Five-Year Reviews, USITC Pub. 3784 at 28.

[185] First Five-Year Reviews, USITC Pub. 3784 at 28.

[186] First Five-Year Reviews, USITC Pub. 3784 at 28.

significant in determining that there would likely be significant adverse price effects in the event of revocation of the orders.[187] Specifically, it determined that if the orders were revoked, significant volumes of subject imports would significantly undersell the domestic like product to gain market share, thereby depressing and suppressing domestic like product prices to a significant degree.[188]

The Current Reviews. As discussed above, we continue to find that subject imports from Belgium, South Africa, and Taiwan are substitutable for each other and for stainless steel plate produced in the United States and that price is an important factor in purchasing decisions. The record does not contain current pricing comparisons due to the expedited nature of these reviews. Based on the available information, we find that if the orders under review were revoked, significant volumes of cumulated subject imports would likely significantly undersell the domestic like product to gain market share as they did in the original investigations. Because price is important to purchasing decisions and cumulated subject imports and the domestic like product are interchangeable, the presence of significant quantities of cumulated subject imports that would likely enter the United States in the event of revocation and that would likely undersell the domestically produced product would force domestic producers to cut prices, forego price increases, or risk losing market share. In light of these considerations, we conclude that absent the discipline of the orders, cumulated subject imports would also cause the domestic industry to lose market share and/or significantly depress or suppress prices for the domestic like product, thereby having adverse price effects.

E. Likely Impact

The Original Investigations. In the original investigations, the Commission found that despite rising apparent U.S. consumption and increasing domestic industry shipments, production, and employment, the domestic industry's net sales values declined due to large price declines that occurred during the period of investigation.[189] Additionally, the industry's profitability suffered, which negatively affected its ability to invest in process improvements and expanded product lines.[190] The Commission thus concluded that cumulated subject imports had a significant adverse impact on the domestic industry.[191]

The First Reviews. In the first five-year reviews, the Commission observed that since the original investigations, the domestic industry had improved its efficiency and productivity through consolidation and restructuring. The Commission found that notwithstanding these improvements and the imposition of the orders, the domestic industry's condition deteriorated

[187] Second Five-Year Reviews, USITC Pub. 4248 at 32-33.

[188] Second Five-Year Reviews, USITC Pub. 4248 at 33.

[189] Original Determinations, USITC Pub. 3188 at 20-21; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[190] Original Determinations, USITC Pub. 3188 at 21; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

[191] Original Determinations, USITC Pub. 3188 at 22; Remand Determinations, USITC Pub. 3541 at 1 n.4 (adopting original Dissenting Views).

after 2000.[192] The Commission further found that although the industry's performance was stronger in 2004 due to a sharp rise in prices, raw material costs were also very high at the end of the period of review and were forecasted to remain at elevated levels. Moreover, the profits the domestic industry obtained in 2004 had not offset the losses it had sustained in the prior three years.[193] Consequently, the Commission determined that the domestic industry was vulnerable to the continuation or recurrence of material injury.[194] The Commission further determined that revocation of the orders would likely lead to significant increases in the volume of cumulated subject imports at prices that would undersell the domestic like product and would likely enter the United States at prices that would have a depressing and suppressing effect on prices for the domestic like product.[195] In turn, these declines would have a significant adverse impact on the domestic industry's production, shipments, sales, and revenue, which in turn would have a direct adverse impact on the industry's profitability and ability to raise capital and make and maintain necessary capital investments.[196] The Commission thus concluded that if the orders were revoked, cumulated subject imports would likely have a significant impact on the domestic industry within a reasonably foreseeable time.[197]

The Second Reviews. In the second five-year reviews, the Commission found that the domestic industry's condition was improved compared to the prior proceedings.[198] Specifically, the Commission found that from 2005 to 2007, the domestic industry's financial performance was robust, reflecting the competitiveness of its operations, and that although it worsened considerably during the economic downturn in 2008 and 2009, the domestic industry's performance rebounded in 2010.[199] Moreover, the domestic industry's investments in new and improved capacity during the period of review reflected its optimism over its future prospects in the market.[200] Consequently, the Commission determined that the domestic industry was not vulnerable to the continuation or recurrence of material injury within the reasonably foreseeable future.[201] In light of the likely significant volume and price effects of cumulated subject imports, however, the Commission concluded that in the event of revocation of the orders, cumulated subject imports would likely lead to the continuation or recurrence of material injury to the domestic industry.[202]

The Current Reviews. Because these are expedited reviews, we have only limited information with respect to the domestic industry's financial performance.[203] The limited

[192] First Five-Year Reviews, USITC Pub. 3784 at 29.
[193] First Five-Year Reviews, USITC Pub. 3784 at 30.
[194] First Five-Year Reviews, USITC Pub. 3784 at 30.
[195] First Five-Year Reviews, USITC Pub. 3784 at 30.
[196] First Five-Year Reviews, USITC Pub. 3784 at 30.
[197] First Five-Year Reviews, USITC Pub. 3784 at 30.
[198] Second Five-Year Reviews, USITC Pub. 4248 at 33-34.
[199] Second Five-Year Reviews, USITC Pub. 4248 at 35.
[200] Second Five-Year Reviews, USITC Pub. 4248 at 35.
[201] Second Five-Year Reviews, USITC Pub. 4248 at 35.
[202] Second Five-Year Reviews, USITC Pub. 4248 at 36.
[203] CR/PR at Table I-6.

record is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the orders.[204]

The information on the record indicates that in 2015, the domestic industry's capacity was *** short tons, its production was *** short tons, its U.S. shipments were *** short tons, and its capacity utilization was *** percent.[205] The industry's net sales were $*** that year. The industry experienced an *** and its ratio of operating income to net sales was *** percent.[206]

Based on the information available in these reviews, we find that revocation of the orders would likely lead to a significant increase in the volume of cumulated subject imports and that these imports would likely undersell and/or significantly depress or suppress U.S. prices of domestically produced stainless steel plate. We find that the intensified subject import competition that would likely occur after revocation of the orders would likely have a significant impact on the domestic industry. The domestic industry would likely lose market share to subject imports and/or experience lower prices due to competition from subject imports, which would adversely impact its production, shipments, sales, and revenue. These reductions would likely have a direct adverse impact on the industry's profitability and employment levels, as well as its ability to raise capital and make and maintain necessary capital investments.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports, so as not to attribute injury from other factors to the subject imports. Nonsubject imports' market share was lower in 2015, at *** percent, than in 2010, at *** percent.[207] Moreover, there is no indication or argument on this record that the presence of nonsubject imports would prevent cumulated subject imports from re-entering the U.S. market in significant quantities upon revocation of the orders. Given the substitutability of stainless steel plate from different sources and the fact that the domestic industry is currently the largest supplier to the U.S. market, any increase in cumulated subject import market share would likely come, at least in substantial proportion, at the expense of the domestic industry. In light of these considerations, we find that subject imports of stainless steel plate from Belgium, South Africa, and Taiwan would likely cause adverse effects on the domestic industry that are distinct from those of nonsubject imports in the event of revocation.

Accordingly, we conclude that if the orders were revoked, cumulated subject imports would likely have a significant impact on the domestic industry within a reasonably foreseeable time.

---

[204] Commissioner Pinkert finds that the domestic industry producing stainless steel plate is vulnerable given the decrease in its total net sales value, unit sales value, and *** from 2010 to 2015. CR/PR at Table I-6.

[205] CR/PR at Table I-6. The domestic industry's capacity was *** greater than it was in 1997, 2004, or 2010, and its capacity utilization was *** lower. Its production was *** higher than that reported in 2010, and lower than that reported in 1997 or 2004. *Id*.

[206] CR/PR at Table I-6. By contrast, the domestic industry operated *** in 2004 and 2010, and had an operating ratio of *** in 1997. *Id*.

[207] CR/PR at Table I-9; Second Five-Year Reviews, USITC Pub. 4248 at 26; Confidential Second Five-Year Reviews (EDIS Doc. 589793) at 37-38.

V. Conclusion

For the above reasons, we determine that that revocation of the antidumping duty orders on stainless steel plate from Belgium, South Africa, and Taiwan and revocation of the countervailing duty order on stainless steel plate from South Africa would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

INFORMATION OBTAINED IN THESE REVIEWS

BACKGROUND

On July 1, 2016, the U.S. International Trade Commission ("Commission") gave notice, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"),[1] that it had instituted reviews to determine whether revocation of the countervailing duty order on imports of stainless steel plate in coils ("stainless steel plate") from South Africa and the antidumping duty orders on imports of stainless steel plate from Belgium, South Africa, and Taiwan would likely lead to the continuation or recurrence of material injury to a domestic industry.[2] All interested parties were requested to respond to this notice by submitting certain information requested by the Commission.[3] [4] The following tabulation presents information relating to the background and schedule of this proceeding:

Effective or statutory date	Action
July 1, 2016	Notice of initiation and institution by Commerce and Commission
October 4, 2016	Commission vote on adequacy
October 31, 2016	Commerce results of its expedited reviews
December 22, 2016	Commission deadline to complete expedited reviews

[1] 19 U.S.C. 1675(c).

[2] *Stainless Steel Plate from Belgium, South Africa, and Taiwan Institution of Five-Year Reviews*, 81 FR 43245, July 1, 2016. In accordance with section 751(c) of the Act, the U.S. Department of Commerce ("Commerce") published a notice of initiation of five-year reviews of the subject antidumping and countervailing duty orders concurrently with the Commission's notice of institution. *Initiation of Five-Year ("Sunset") Review*, 81 FR 43185, July 1, 2016. Pertinent *Federal Register* notices are referenced in app. A, and may be found at the Commission's website (www.usitc.gov).

[3] As part of their response to the notice of institution, interested parties were requested to provide company-specific information. That information is presented in app. B. Summary data compiled in prior proceedings is presented in app. C.

[4] Interested parties were also requested to provide a list of three to five leading purchasers in the U.S. market for the subject merchandise. Presented in app. D are the responses received from purchaser surveys transmitted to the purchasers identified in the adequacy phase of these reviews.

RESPONSES TO THE COMMISSION'S NOTICE OF INSTITUTION

Individual responses

The Commission received one submission in response to its notice of institution in the subject reviews. It was filed on behalf of Allegheny Ludlum, LLC d/b/a ATI Flat Rolled Products ("Allegheny Ludlum"), North American Stainless ("NAS"), and Outokumpu Stainless USA, LLC ("Outokumpu"), domestic producers of stainless steel plate (collectively referred to herein as "domestic interested parties").

A complete response to the Commission's notice of institution requires that the responding interested party submit to the Commission all of the information listed in the notice. Responding firms are given an opportunity to remedy and explain any deficiencies in their responses. A summary of the number of responses and an estimate of coverage is shown in table I-1.

Table I-1

Stainless steel plate: Summary of responses to the Commission's notice of institution

Type of interested party	Completed responses	
	Number	Coverage
Domestic:		
U.S. producer	3	***%[1]
Respondent:		
U.S. importer	0	([2])
Foreign producer/exporter	0	([3])

[1] The coverage figure presented, as provided by the domestic interested parties in their response, represents the firms' aggregate share of total U.S. production of stainless steel plate during 2015.

[2] The Commission did not receive any responses from U.S. importers.

[3] The Commission did not receive any responses from foreign producers/exporters.

Party comments on adequacy

The Commission received one submission from parties commenting on the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. This submission was filed on behalf of domestic producers Allegheny Ludlum, NAS, and Outokumpu. The domestic interested parties argue that the Commission should conclude that the response of the domestic industry to the Commission's notice of institution is adequate. However, in the absence of responses from foreign producers/exporters or U.S. importers of stainless steel plate from Belgium, South Africa, or Taiwan, the domestic interested parties argue that the Commission should determine that the respondent interested party group responses are inadequate, and they request that the Commission conduct expedited reviews of all orders.[5]

[5] *Domestic Industry's Comments on Adequacy of Responses*, September 12, 2016, pp. 1-3.

RECENT DEVELOPMENTS IN THE INDUSTRY

Since the Commission's second five-year reviews completed in August 2011, the following developments have occurred in the U.S. industry producing stainless steel plate in coils:

Allegheny Technologies Inc. ("ATI")

In January 2015, ATI commissioned its new $1.2 billion hot-rolling and processing facility in Brackenridge, Pennsylvania and announced that it planned to shut down its legacy hot strip mills in Brackenridge and in Houston, Pennsylvania.[6]

In May 2015, ATI announced that a defective component of its new hot-rolling and processing facility was preventing the company from realizing the full benefit of expected cost reductions from the new equipment and forced the company to bring back into operation the legacy hot strip mill at Brackenridge for some products.[7] Repair of the defective part was completed in September 2015.[8]

In August 2015, after failing to reach agreement with the United Steelworkers union following expiration of their labor contract on June 30, 2015, ATI issued lockout notices to its Union-represented employees at 12 facilities, including those manufacturing stainless steel plate in coils.[9] The lockout continued until March 13, 2016.[10] During the lockout, ATI continued production using salaried and non-union staff, supplemented by temporary workers.

In December 2015, ATI announced that it would temporarily idle its stainless steel melting and finishing facilities in Midland, Pennsylvania.[11] Those facilities remain idle as of August 2016.

Thyssen-Krupp Stainless USA ("TK")

TK began production of stainless steel sheet and strip at its newly constructed plant in Calvert, Alabama in October 2010, with the start-up of one of its three cold-rolling mills, using hot-rolled stainless steel feedstock produced at its mills in Europe.[12] TK began production on its hot-rolling mill in 2012 using stainless steel slab produced at its mills in Europe. TK started up its

---

[6] "ATI set to idle old hot mills in 1st qtr.," *American Metal Market*, January 20, 2015.

[7] "Defective shear crimps ATI's new rolling mill," *American Metal Market*, May 20, 2015.

[8] "ATI completes crop shear repairs," *American Metal Market*, October 1, 2015.

[9] "ATI locks out 2,200 workers as talks fail," *American Metal Market*, August 14, 2015.

[10] "ATI union staff heading back to work," *American Metal Market*, March 4, 2016.

[11] "ATI to temporarily idle two Pa. plants, GOES operations," *American Metal Market*, December 10, 2015.

[12] "ThyssenKrupp's Ala. Stainless mill starts output in nervous market," *American Metal Market*, October 7, 2010.

stainless steel melting facility in December 2012, allowing it to produce stainless steel plate in coils from steel melted and hot-rolled at its Calvert, Alabama plant.[13]

Outokumpu Stainless USA

On December 28, 2012, a merger was completed between ThyssenKrupp AG's stainless steel division, Inoxum, which was the parent of TK, and Outokumpu Oyj, a stainless steel producing firm headquartered in Finland. TK's stainless steel melting and finishing operations in Calvert, Alabama were merged into Outokumpu Stainless USA ("Outokumpu"). The hot-rolling facility in Calvert remained part of ThyssenKrupp.[14] Stainless steel slab produced by Outokumpu continued to be rolled on the TK hot strip mill.

AM/NS Calvert

On February 26, 2014, the hot strip mill and related facilities in Calvert, Alabama were sold by ThyssenKrupp to a joint venture of ArcelorMittal SA and Nippon Steel & Sumitomo Metal Corp.[15] The new joint venture, AM/NS Calvert, converts Outokumpu stainless steel slab into hot-rolled steel on the hot strip mill and returns the hot-rolled coils to Outokumpu.

THE PRODUCT

Commerce's scope

In defining the scope of imported merchandise in the scope of these reviews, Commerce has explained that:

> *Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject plate products are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness, in coils, and annealed or otherwise heat treated and pickled or otherwise descaled. The subject plate may also be further processed (e.g., cold-rolled, polished, etc.) provided that it maintains the specified dimensions of plate following such processing. Excluded from the scope of the orders are the following: (1) Plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled, (3) sheet and strip, and (4) flat bars.*[16]

---

[13] "ThyssenKrupp Stainless fires up melt shop," *American Metal Market*, December 10, 2012.

[14] "Outokumpu-Inoxum merger closes early," *American Metal Market*, December 14, 2012.

[15] "ArcelorMittal, TK close deal for Calvert facility," *American Metal Market*, February 26, 2014.

[16] *Continuation of Antidumping and Countervailing Duty Orders: Stainless Steel Plate in Coils From Belgium, the Republic of Korea, South Africa, and Taiwan*, 76 FR 53882, August 30, 2011.

Description and uses[17]

Description

The stainless steel plate subject to these reviews is a flat-rolled stainless steel product, 254 mm (10 inches) or greater in width, 4.75 mm (0.1875 inch) or greater in thickness, that is annealed or otherwise heat-treated and pickled (subjected to an acid rinse to remove surface scale) or otherwise descaled, and rolled into a coil. The subject plate may also be further processed (e.g., cold-rolled, polished, etc.) provided that it maintains the specified dimensions of plate following such processing. Excluded from the scope of the reviews are the following: (1) plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled,[18] (3) sheet and strip,[19] and (4) flat bars.[20]

Plate normally is sold either in coil form or as flat, rectangular shapes. While the capabilities of each producing mill are unique, plate can be manufactured in coils as wide as 96 inches and as thick as 0.5 inches, and is also sold in rectangular shapes flattened and cut to length from coils in the same range of thicknesses and widths as in coils. Flat plate is also available wider than 96 inches and/or thicker than 0.5 inches as product produced on a plate mill and never coiled. Neither the product cut from coils (sometimes called cut-to-length ("CTL") plate) nor the product of plate mills (sometimes called plate mill plate ("PMP") or discrete plate) is subject to these reviews.

Stainless steel is a low carbon steel which contains 10.5 percent or more chromium by weight. The addition of chromium gives the steel its corrosion-resisting properties. Other alloying elements can be added to impart various characteristics, but all stainless steels contain chromium at a minimum.[21]

There are over 100 different stainless steel alloys, each with its own characteristics. Moreover, there are several stainless steel classification systems. These include broad groupings by metallurgical structure, more specific alloy numbering systems such as the American Iron and Steel Institute ("AISI") classification system using the 200, 300, and 400

---

[17] Unless otherwise noted, this information is based on *Stainless Steel Plate from Belgium, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review)*, USITC Publication 4248, August 2011, pp. I-22 through I-24.

[18] Hot-rolled black band ("HRB"), the intermediate stainless flat-rolled product produced after stainless steel slab is rolled but before the rolled material is annealed and pickled, is not within the product scope. *See* "Hot rolling the slabs" section later in this report.

[19] Sheet and strip are flat-rolled products that are produced by similar methods as plate and share many of the characteristics of plate. Sheet is product that is under 4.75 mm in thickness and 600 mm (24 inches) and greater in width. Strip is product that is under 4.75 mm in thickness and under 600 mm in width.

[20] Flat bars are 4.75 mm (0.1875 inch) or greater in thickness and may equal or exceed 254 mm (10 inches) in width. Flat bars are rolled with grooved rolls on a bar mill with, accordingly, edges that do not need trimming.

[21] Other alloying elements can include nickel, molybdenum, and manganese, among others.

series numbers which correspond to metallurgical structure, as well as the Universal Numbering System used for all commercial metals and alloys. The broad metallurgical groupings are austenitic, ferritic, martensitic, precipitation-hardening, and duplex (table I-2).[22] The precipitation-hardening and duplex types are less widely used than the others. Each alloying element imparts certain characteristics to the steel (table I-3).

[22] The terms austenitic, ferritic, martensitic, and duplex refer to the crystallographic structure of the alloy, while precipitation-hardenable refers to a particular type of annealing. ASM International, ASM Specialty Handbook: Stainless Steels, 1994, pp. 5-8.

Table I-2
Stainless steel plate: Characteristics by type of steel

Type	Qualities	Typical applications
AISI grade 200 series	• Austenitic metallurgical structure • Primary alloying elements are chromium, nickel, and manganese • Non-magnetic • Cannot be heat treated • Excellent formability AISI grades 201, 202, 203, 204, and 205	- Structural applications
AISI grade 300 series	• Austenitic metallurgical structure • Primary alloying elements are chromium (15-30 percent) and nickel (6-20 percent) • Excellent corrosion resistance • Cannot be heat treated but can be hardened by "cold working" • Non-magnetic • Good high and low temperature mechanical properties • Can be polished to a bright mirror finish AISI grades 304 and 316 are the major grades	- Chemical processing equipment - Food processing equipment - Oil refining equipment - Paper industry digesters, evaporators & handling equipment
AISI grade 400 series ("Non-hardenable")	• Ferritic metallurgical structure • Primary alloying element is chromium • Does not contain nickel • Good corrosion resistance • Magnetic • Limited temperature use • Can be polished AISI grades 409 and 430 are the most common	- Bank vaults - Combustion chambers - Tanks
AISI grade 400 series ("Hardenable")	• Martensitic metallurgical structure • Chromium as the principal alloying element • Carbon content of about 0.15 percent • Adequate corrosion resistance • Hardenable by heat treatment • Magnetic • Somewhat limited temperature use AISI grades 410, 420, and 440 are the most common	- Press plates - Coal chutes - Oil burner parts
Precipitation-hardening metallurgical structure	• Primary alloying elements are chromium and nickel • Hardened by special heat treatment to great strength	- Petro-chemical equipment
Duplex metallurgical structure	• When heat-treated, metallurgical structure is about half austenitic and half ferritic • Superior to the austenitic steels in resistance to chloride stress corrosion cracking, excellent pitting and crevice corrosion resistance	- Pipelines - Pressure shafting

Source: Specialty Steel Industry of North America, "Stainless Steel Overview: Applications," http://www.ssina.com/overview/learn.html, retrieved June 15, 2011, and "Stainless Steel Overview: Alloy Classifications," http://www.ssina.com/overview/alloy.html, retrieved June 15, 2011.

Table I-3
Stainless steel plate: Properties imparted by common alloying elements

Alloying element	Properties imparted
Chromium	- Resists rust
Nickel	- Increases ductility - Increases toughness - Increases corrosion resistance to acids - Creates non-magnetic structure
Molybdenum	- Increases pitting and crevice corrosion resistance - Increase resistance to chlorides
Manganese	- Substitutes for nickel in the AISI 200 grade series
Source: Specialty Steel Industry of North America, "Stainless Steel Overview: Alloying Elements Summary," http://www.ssina.com/overview/alloyelements_summary.html, retrieved April 19, 2011.	

Applications

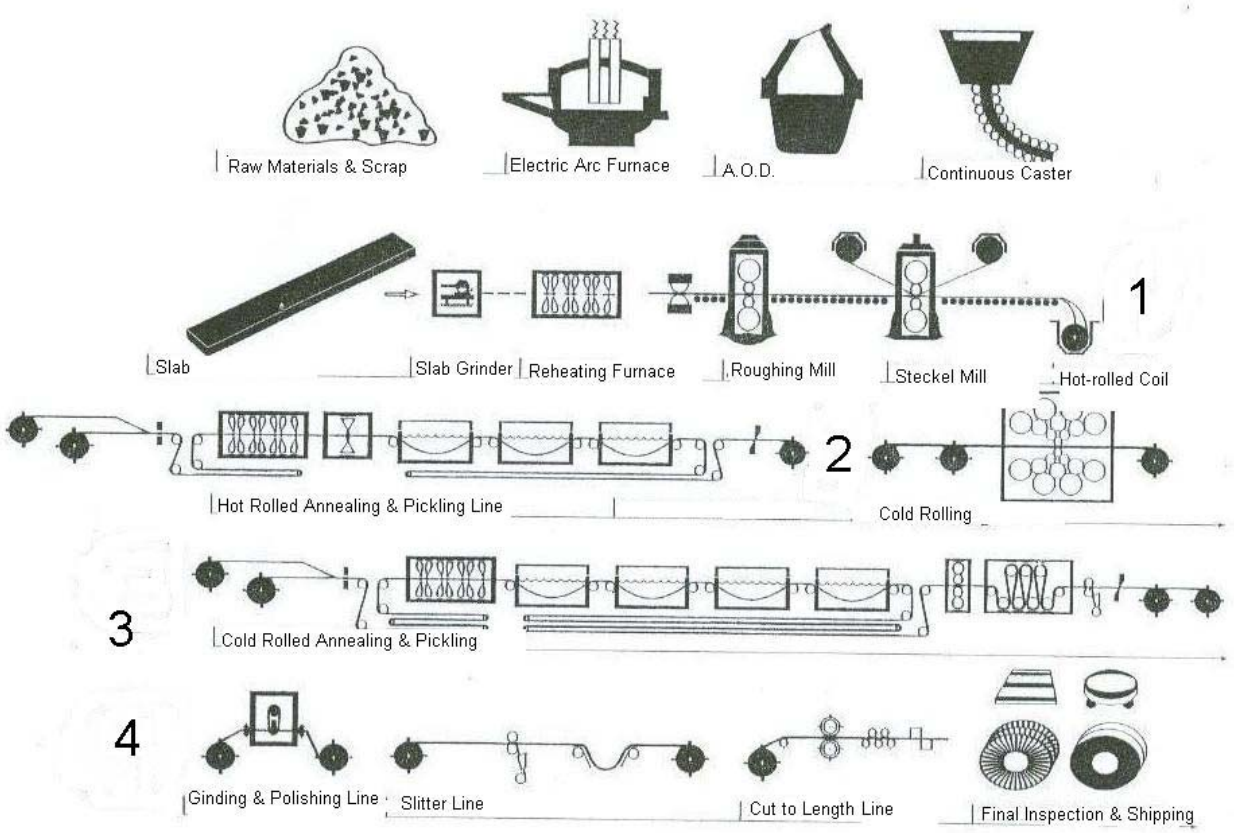
Stainless steel plate is used for the fabrication of storage tanks, process vessels, and equipment in the chemical, dairy, restaurant, pulp and paper, pharmaceutical, and other industries where the corrosion resistance, heat resistance, or ease of maintenance of stainless steel is needed. Another major market for the product is for the production of stainless steel tubing for use in the same industries mentioned above. Tubing manufacturers would normally have the ability to feed the material directly into a tube-making machine where it would be formed into a round tube, welded, and cut to length as a tube. For smaller diameter tubes, the subject product would first be split into a number of individual coils of the required width. This slitting might be done by the tubing manufacturer or by a warehouse or service center.

Manufacturing process[23]

The basic steps in stainless steel plate production are: (1) stainless steel production; (2) the casting of slabs, a semifinished flat-rolled product; (3) hot-rolling the slabs; and, if specified, (4) cold-rolling the hot-rolled products; and, if specified, (5) finishing (figure I-1).

[23] Unless otherwise noted, this information is based on *Stainless Steel Plate from Belgium, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review)*, USITC Publication 4248, August 2011, pp. I-26 through I-32.

Figure I-1
Stainless steel plate: Production process



1. Stainless steel coil at this point is not yet annealed and pickled. The coil at this point is hot-rolled black band and is not within the product scope.
2. After the stainless steel is hot-rolled annealed and pickled it is within the product scope. The product at this stage is also known as white band. Stainless steel coiled plate can be sold at this point, be moved to finishing operations such as slitting, or cutting to length, or continue in the process to cold rolling. The production process, up to this point, is similar for stainless steel coiled plate and stainless steel sheet and strip in coil form. The only difference between the two products is the thickness of the steel on the coil. Typically, processing for stainless steel coiled plate ends here.
3. If bright annealing is required, it takes place at this stage instead of the usual pickling and annealing. With bright annealing the pickling step is eliminated.
4. If desired, the coil can undergo finishing operations. Note that if the coil is cut to length, it is no longer within the product scope.

Source: NAS, *Flat Products Brochure*, p. 14, http://www.northamericanstainless.com/wp-content/themes/northamericanstainless/pdf/NAS_Flat_Products_Brochure.pdf, retrieved June 15, 2011, used by permission and modified by Commission staff.

Stainless Steel Production

Mills produce stainless steel by melting raw material—usually selected stainless (or other types of) steel scrap and various ferroalloys (of chromium, nickel, and molybdenum) in an electric arc furnace. The resultant liquid steel is tapped into a furnace ladle and transferred to an argon-oxygen decarburization ("AOD") vessel for further refinement (also known as secondary steelmaking) in which oxygen, mixed with argon, is blown through the molten steel, to eliminate impurities.[24] An alternate method of removing impurities from molten stainless steel is to use vacuum oxygen decarburization ("VOD"), in which the molten metal is placed in a vacuum while oxygen is bubbled through it. The molten metal's chemistry is tested frequently at this stage with the results used to calculate the exact amount of ferroalloys to be added in order to produce steel with specific properties according to end-use applications. Care is taken at this stage to ensure that only the least costly raw materials are used, and in the minimum quantity necessary to meet the specification. This is particularly important in the production of stainless steel because the alloying elements nickel, molybdenum, and chromium, as well as the steel scrap, account for most of the total cost.[25] Once the desired chemical composition is achieved, the molten stainless steel is transferred in a preheated transfer ladle to a continuous slab caster for solidification into slabs, the thick semifinished products from which flat-rolled products are rolled.

Slab Casting

The molten stainless steel is poured into a tundish (reservoir) which controls the flow into the top of the mold of the continuous casting machine. Solid surfaces form as the molten stainless steel passes through and out the bottom of the mold, and the slab solidifies as it slowly descends through the caster. The resulting slabs are 5 to 8 inches thick and up to 100 inches wide, depending on mill capability and the flat-rolled product that will be produced from the slab. The continuous slab is cut into lengths of up to about 35 feet for further processing. The length is limited by the mill's reheating and/or rolling capability. The slab is then inspected and conditioned by grinding the surface to remove scale and defects, in preparation for rolling in coil form on the hot-strip mill. Before it enters the rolling mill, the slab is reheated, usually in a gas-fired reheating furnace to a rolling temperature of 2,250-2,300 degrees Fahrenheit. After reaching the appropriate temperature, the slab exits the furnace and enters the hot-strip mill.

Hot Rolling the Slabs

For a mill designed primarily to produce stainless steel, the roughing mill is generally a reversing mill in which the slabs are rolled to a thickness of about one inch in a succession of

---

[24] AK Steel claims to have the largest AOD unit in the world, with a capacity of 175 tons, at its Butler, Pennsylvania facility.

[25] ***.

rolling passes. The finishing mill is either a reversing mill of the Steckel type, that is equipped to coil the stainless steel bands after each pass in order to conserve space and temperature, or a continuous mill made up of a series of individual rolling stands with the bands passing continuously through the stands in one direction only.[26] Finally, the bands continue on to a coiler, where they are wrapped into coils. At this point the product is called hot-rolled black ("HRB") band due to the layer of dark-colored oxide that forms on the steel's surface when it is exposed to oxygen at high temperatures.

Annealing

Rolling the steel creates internal stresses and makes the steel harder. Annealing, a form of heat treatment, relieves the stresses and softens the steel. After cooling down from the hot-rolling process, the black band is uncoiled and passed through a continuous furnace in which it is heated to annealing temperatures, which are about 2,000 degrees Fahrenheit depending on the stainless steel grade, and then quickly cooled. The heat treatment creates a dark colored oxide scale on the surface of the steel. The band next passes through a grit-blasting machine in which the scale from the hot mill and the annealing furnace is broken up by using small particles of steel grit thrown at high speed by centrifugal wheels.

Pickling

The next process the band undergoes is pickling, an acid wash which removes the dark oxide scale and surface defects, and imparts corrosion resistance. The band passes through pickling tanks that contain acid to descale the steel, followed by a water rinse. Annealing and pickling are usually performed on a continuous process line, although they can be performed in separate units. The product at this point is considered white coil or white band, or hot-rolled annealed and pickled ("HRAP") coil or HRAP band. Most stainless steel coiled plate is sold at this stage.[27]

Cold Rolling

A small proportion of stainless steel plate is produced and sold as cold-rolled product.[28] Cold-rolled stainless steel coiled plate is manufactured by transferring HRAP coil to a cold-

[26] Because the slabs are fed into the mill at an elevated temperature, the mill is known as a "hot-strip mill."

[27] The production process for stainless steel plate is the same as that of stainless steel sheet and strip through the hot rolling process.

[28] During the second five-year reviews, no U.S. producer reported production of cold-rolled stainless steel coiled plate. Of reporting foreign producers in the second five-year reviews, cold-rolled plate accounted for *** percent of annual production of stainless steel coiled plate in Belgium; *** percent of annual stainless steel plate production in Italy; and *** percent of annual production in Korea.

rolling mill to reduce the product's thickness. The desired thickness of the end product will influence how many passes through the cold-rolling mill may be required to achieve the necessary reduction. As it does during hot rolling, the material hardens after a certain amount of cold rolling. Further cold rolling becomes difficult at this point so annealing (to soften the material) and pickling several times may be necessary to achieve the desired final thickness. The final product is cold-rolled, annealed, and pickled coil.[29] If specified, after cold rolling the coil may be bright annealed.[30] In bright annealing, the steel is uncoiled and passed through a special furnace that heats the steel in an oxygen-free reducing atmosphere. Bright annealing does not create an oxide scale on the coil and so the pickling step is unnecessary. This type of annealing produces a mirror-like appearance and is often used when a highly reflective surface is desired. Cold-rolled stainless steel plate has a smoother finish with greater freedom from surface imperfections than hot-rolled plate and is used for a limited number of specialized applications such as containers and tanks for food processing, beer brewing, and dairies where smooth surfaces that can be easily cleaned are essential.

Finishing

Stainless steel coiled plate may undergo additional finishing operations. For example, once the hot-rolled anneal and pickle (and, if required, cold-rolled anneal and pickle) step is complete, the steel may undergo a temper roll (skin pass) to improve surface condition. However, this step does not involve any further reduction of the material's thickness. A finish may also be applied to the product. As shown in table I-4, stainless steel coiled plate is available in a number of standard finishes. Special finishes, including "rolled-on" embossing, etching, special surface mechanical treatment to provide, for example, perforations, electromechanical coloring and plating can also be performed. Although not a "standard industry finish," some producers offer a bright annealed finish; see discussion of bright annealing in the previous cold rolling section.

[29] Either HRAP plate or cold-rolled annealed and pickled plate may be further finished in a temper mill or cold-rolling mill with a very light cold-rolling pass, known as a temper pass or skin pass. The purpose of the temper or skin pass is to provide a required surface finish and/or to improve the flatness of the coiled product. Such a temper or skin pass does not create the need for another annealing step and does not change the classification of hot-rolled plate to cold-rolled plate.

[30] Bright annealing is performed by U.S. producers, such as AK Steel and Allegheny Ludlum.

Table I-4
Stainless steel plate: Production stages/finishes

Production stage and finish	Description
Hot-rolled ("HRB")	Scale not removed. Not heat treated. Plates not recommended for final use in this condition.
Hot-rolled and annealed	Scale not removed. Use of plates in this condition is generally confined to heat-resisting applications. Scale impairs corrosion resistance.
Hot-rolled, annealed, pickled ("HRAP")	Condition and finish commonly preferred for corrosion-resisting and most heat-resisting applications.
Hot-rolled, annealed, pickled and temper passed	Smoother finish for specialized applications.
Hot-rolled, annealed, pickled, cold-rolled, annealed pickled, optionally temper passed	Smooth finish with greater freedom from surface imperfections than the above.
Hot-rolled, annealed, pickled, polished	Polished finishes such as: Polished bright surface with reasonable reflectivity, although it contains visible "grit lines" which prevent mirror reflection Dull satin finish with less reflectivity than the above-mentioned finish Highly reflective surface finish but still maintains some light "grit" lines Reflective finish with a mirror-like reflectivity

Source: Specialty Steel Industry of North America, "Why Stainless Steel," http://www.ssina.com/download_a_file/why.pdf, retrieved June 15, 2011.

Stainless steel coiled plate may also be cut to length. Cut-to-length plate produced from coiled plate is made by putting the coil into a cut-to-length line which unrolls the coil, levels and then cuts it to desired length. Cut-to-length plate is not within the product scope of these reviews. The primary purchasers of stainless steel coiled plate are major distributors, pipe producers, and tank manufacturers. Distributors reportedly prefer to inventory coiled plate because they have the equipment to cut the coil into any desired length by the end user. Pipe and tank manufacturers reportedly prefer coiled plate that they can cut to length and weld.

U.S. tariff treatment

Based upon the scope set forth by Commerce, the merchandise subject to these reviews is imported under the following statistical reporting numbers of the Harmonized Tariff Schedule ("HTS"): 7219.11.0030, 7219.11.0060, 7219.12.0006, 7219.12.0021, 7219.12.0026, 7219.12.0051, 7219.12.0056, 7219.12.0066, 7219.12.0071, 7219.12.0081, 7219.31.0010, 7219.90.0010, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.11.0000, 7220.20.1010, 7220.20.1015, 7220.20.1060, 7220.20.1080, 7220.20.6005, 7220.20.6010, 7220.20.6015, 7220.20.6060, 7220.20.6080, 7220.90.0010, 7220.90.0015, 7220.90.0060, and 7220.90.0080. Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border protection.

U.S. normal trade relations tariffs on stainless steel coiled plate ranged as high as 11.6 percent *ad valorem* in 1994. Tariffs were eliminated in annual stages following the Uruguay Round of multilateral tariff negotiations, beginning in 1995, and general duty rates ranged between 4.0 percent and 8.1 percent in 1997, the last year for which data were collected during the original investigations. The general duty rates on these provisions have been free since 2004.

The definition of the domestic like product and domestic industry

The domestic like product is defined as the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the subject merchandise.

In its original determinations after remand and subsequent full first and second five-year review determinations, the Commission ultimately defined a single domestic like product consisting of hot-rolled and cold-rolled stainless steel coiled plate, coextensive with Commerce's scope,[31] and a single domestic industry comprised of U.S. producers of the domestic like product.[32] While the Commission majority in the original determinations defined two separate domestic like products (*i.e.*, hot-rolled stainless steel coiled plate and cold-rolled stainless steel coiled plate) and two separate domestic industries comprised of U.S. producers of the corresponding domestic like products, two Commissioners dissented, finding instead one domestic like product and one domestic industry.[33] On remand, after a change in the Commission's composition, the Commission majority found a single domestic like product consisting of both hot- and cold-rolled stainless steel coiled plate and a single domestic industry comprised of U.S. producers of the domestic like product.

In its notice of institution for these current third five-year reviews, the Commission solicited comments from interested parties regarding the appropriate domestic like product and domestic industry. According to their response to the notice of institution, the domestic producers agree with the Commission's definitions.[34]

---

[31] The subject stainless steel coiled plate are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness.

[32] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-376, 377 and 379 (Final) and 731-TA-788-793 (Final) (Remand)*, USITC Publication 3541, September 2002; and *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-376, 377 and 379 and 731-TA-788-793 (Review)*, USITC Publication 3784, June 2005, pp. 4-6; and *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review)*, USITC Publication 4248, August 2011, pp. 3-5; see generally *Allegheny Ludlum v. United States*, 287 F. 3d 1365 (Fed. Circ. 2002).

[33] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-376, 377 and 379 (Final) and 731-TA-788-793 (Final)*, USITC Publication 3188, May 1999, p. 7.

[34] *Domestic Interested Parties' Response to the Notice of Institution,* August 1, 2016, p. 20.

THE ORIGINAL INVESTIGATIONS AND SUBSEQUENT REVIEWS

The original investigations

The original investigations resulted from petitions filed on March 31, 1998 with Commerce and the Commission alleging that an industry in the United States was materially injured and threatened with material injury by reason of less than-fair-value ("LTFV") imports of stainless steel coiled plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan and subsidized imports of such merchandise from Belgium, Italy, Korea, and South Africa.[35] On March 31, 1999, Commerce published final affirmative dumping determinations with respect to imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan and affirmative subsidy determinations for imports from Belgium, Italy, and South Africa.[36] The Commission issued final affirmative injury determinations on May 3, 1999, for stainless steel coiled plate excluding cold-rolled stainless steel coiled plate.[37] Accordingly, Commerce published antidumping duty orders

---

[35] The petitions were filed by Armco, Inc. ("Armco"), Pittsburgh, Pennsylvania; J&L Specialty Steel, Inc. ("J&L"), Pittsburgh, Pennsylvania; Lukens, Inc. ("Lukens"), Coatesville, Pennsylvania; North American Stainless ("NAS"), Ghent, Kentucky; and the United Steelworkers of America, AFL-CIO/CLC ("USWA"). J&L, however, was not a petitioner in either of the investigations involving Belgium; NAS was not a petitioner in the antidumping investigation involving Italy or in any of the subsidy investigations; and the United Steelworkers was not a petitioner in the antidumping investigation involving Canada. Allegheny Ludlum Corporation ("Allegheny Ludlum"), Brackenridge, Pennsylvania, and Washington Steel, Washington, Pennsylvania, joined as petitioners on August 20, 1998.

[36] Commerce published a negative final countervailing duty determination with respect to stainless steel coiled plate from Korea. *Final Negative Countervailing Duty Determination: Stainless Steel Plate in Coils From the Republic of Korea*, 64 FR 15530, March 31, 1999.

[37] The Commission, by majority vote, found two domestic like products during its original investigations, i.e., hot-rolled stainless steel coiled plate and cold-rolled stainless steel coiled plate. The Commission issued affirmative determinations with respect to dumped imports of hot-rolled stainless steel coiled plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan and with respect to subsidized imports of such merchandise from Belgium, Italy, and South Africa. It issued negative determinations with respect to dumped imports of cold-rolled stainless steel coiled plate from Belgium and Canada and with respect to subsidized imports of such merchandise from Belgium. It further found imports of dumped and subsidized cold-rolled stainless steel coiled plate from Italy, Korea, South Africa, and Taiwan to be negligible and terminated those investigations. *Investigation Nos. 701-TA-376, 377, and 379 and 731-TA-788-793 (Final); Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, 64 FR 25515, May 12, 1999.

Respondents appealed the Commission majority's affirmative determinations as to hot-rolled stainless steel coiled plate on the basis that the domestic like product definition should have included stainless steel sheet and strip. The U.S. Court of International Trade ("CIT") rejected the challenge and affirmed the Commission's like product determination. *Acciai Speciali Terni v. United States*, 118 F. Supp.2d 1298 (Ct. Int'l Trade 2000).

The domestic industry also appealed the Commission's negative determinations with respect to imports of cold-rolled stainless steel coiled plate from Belgium and Canada. (No party challenged the

(*continued*...)

for imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan and countervailing duty orders for imports from Belgium, Italy, and South Africa on May 21, 1999 and May 11, 1999, respectively, which excluded the cold-rolled product.[38] On February 26, 2003, the Commission gave notice of a final court decision affirming its final affirmative material injury determinations, made pursuant to court remand, in the antidumping and countervailing duty investigations of stainless steel coiled plate from the subject countries[39] and, on March 11, 2003, Commerce published notices amending the scope of its antidumping and countervailing duty orders to remove the original language that excluded cold-rolled stainless steel coiled plate.[40]

(…*continued*)
Commission's negligibility findings regarding imports of cold-rolled stainless steel coiled plate from Italy, Korea, South Africa, and Taiwan. The appeal, however, included a challenge to the Commission's domestic like product definition, upon which its negligibility findings were based). On August 28, 2000, the CIT affirmed the Commission's determinations but, on April 19, 2002, the U.S. Court of Appeals for the Federal Circuit ("Federal Circuit") vacated the lower court ruling, finding that the Commission's volume and impact findings with respect to cold-rolled stainless steel coiled plate were not in accordance with law and that its price effects findings for cold-rolled stainless steel coiled plate were unsupported by substantial evidence. *Allegheny Ludlum v. United States*, 287 F. 3d 1365 (Fed. Cir. 2002). On June 18, 2002, in accordance with the Federal Circuit's decision, the CIT vacated its earlier decision and remanded to the Commission its final negative determinations with respect to cold-rolled stainless steel coiled plate. *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan; Notice and Scheduling of Remand Proceedings*, 67 FR 45147, July 8, 2002 and *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan; Amended Notice and Scheduling of Remand Proceedings*, 67 FR 50897, August 6, 2002.

On September 27, 2002, the Commission filed its remand determination with the CIT in which the Commission majority defined a single domestic like product, stainless steel coiled plate, and determined that an industry in the United States was materially injured by reason of imports of dumped and/or subsidized imports of stainless steel coiled plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan. The CIT affirmed the Commission's remand determination. *Allegheny Ludlum v. United States*, Ct. No. 99-06-00361 Slip Op. 02-147 (Dec. 12, 2002).

[38] The excluded cold-rolled product was defined as merchandise that meets the physical characteristics for stainless steel coiled plate but that has undergone a cold-reduction process reducing the thickness of the steel by 25 percent or more, and has been annealed and pickled following cold reduction.

[39] *Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan; Notice of Final Court Decision Affirming Remand Determinations*, 68 FR 8925, February 26, 2003.

[40] *Notice of Amended Antidumping Duty Orders; Certain Stainless Steel Plate in Coils From Belgium, Canada, Italy, the Republic of Korea, South Africa, and Taiwan*, 68 FR 11520, March 11, 2003; *Notice of Amended Countervailing Duty Orders; Certain Stainless Steel Plate in Coils From Belgium, Italy, and South Africa*, 68 FR 11524, March 11, 2003.

The first five-year reviews

In June 2005, the Commission completed full first five-year reviews of the subject orders and determined that revocation of the countervailing duty orders on stainless steel coiled plate from Belgium, Italy, and South Africa and the antidumping duty orders on stainless steel coiled plate from Belgium, Italy, Korea, South Africa, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. The Commission also determined that revocation of the antidumping duty order on stainless steel coiled plate from Canada would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[41] Following affirmative determinations in the first five-year reviews by Commerce and the Commission,[42] Commerce issued a notice of continuing of the antidumping duty orders on stainless steel coiled plate from Belgium, Italy, Korea, South Africa, and Taiwan, and the countervailing duty orders on stainless steel coiled plate from Italy,[43] South Africa, and Belgium, effective July 18, 2005.[44] Following the Commission's negative determination, Commerce revoked the antidumping duty order with respect to imports from Canada.[45]

The second five-year reviews

On August 9, 2011, the Commission completed its full second five-year reviews of the countervailing duty order on imports of stainless steel plate from South Africa[46] and the

---

[41] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-376, 377, and 379 and 731-TA-788-793 (Review)*, USITC Publication 3784, June 2005, p. 1.

[42] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, 70 FR 38710, July 5, 2005.

[43] In 2006, Commerce revoked the countervailing duty order with respect to imports from Italy pursuant to a changed circumstances review. Allegheny Ludlum Corporation and AK Steel Corporation requested the changed circumstances review on the basis that they were no longer interested in maintaining the countervailing order or in the imposition of countervailing duties on the subject merchandise. *Stainless Steel Plate in Coils from Italy: Final Results of Countervailing Duty Changed Circumstances Review and Revocation of Countervailing Duty Order, in Whole*, 71 FR 15380, March 28, 2006.

[44] *Continuation of Antidumping Duty Orders on Certain Stainless Steel Plate in Coils From Belgium, Italy, South Korea, South Africa, and Taiwan, and the Countervailing Duty Orders on Certain Stainless Steel Plate in Coils From Belgium, Italy, and South Africa*, 70 FR 41202, July 18, 2005.

[45] *Revocation of Antidumping Duty Order; Certain Stainless Steel Plate in Coils From Canada*, 70 FR 41207, July 18, 2005.

[46] On May 5, 2011, Commerce found that revocation of the countervailing duty order on imports from Belgium would not likely lead to continuation or recurrence of a countervailable subsidy. Therefore, Commerce revoked the countervailing duty order (76 FR 25666). Accordingly, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), the Commission terminated the subject review.

antidumping duty orders on imports of stainless steel plate from Belgium, Italy, Korea, South Africa, and Taiwan. The Commission determined that revocation of the countervailing duty order on stainless steel plate from South Africa and the antidumping duty orders on stainless steel plate from Belgium, Korea,[47] South Africa, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. The Commission also determined that revocation of the antidumping duty order on imports of stainless steel plate from Italy would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[48] Commerce issued notices continuing the antidumping duty orders on imports from Belgium, South Africa and Taiwan and the countervailing duty order on imports from South Africa, and it revoked the antidumping duty on imports from Italy.[49]

PRIOR RELATED INVESTIGATIONS

In May 1973, the Commission determined that an industry in the United States was being injured due to imports of stainless steel plate (including but not limited to hot-rolled and cold-rolled plate in coils) from Sweden sold at less than fair value. On June 8, 1973, the U.S. Department of the Treasury issued an antidumping finding on stainless steel plate from Sweden. Following several requests for a changed circumstance review,[50] in August 1998, the Commission instituted a five-year review concerning the antidumping duty finding on stainless steel plate from Sweden. Following a full review, in July 1999 the Commission determined that revocation of the order would not be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time.[51]

---

[47] On November 16, 2011, the Office of the U.S. Trade Representative instructed Commerce to implement its determination under section 129 of the Uruguay Round Agreements Act regarding the antidumping duty investigation of stainless steel plate from Korea. Commerce's investigation resulted in no antidumping duty margin for the mandatory respondent, Pohang lron & Steel Co., Ltd. As a result, the All-Others rate also decreased to zero and Commerce revoked the antidumping duty order on imports of stainless steel plate from Korea. *Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act And Revocation of the Antidumping Duty Order on Stainless Steel Plate in Coils from the Republic of Korea and Partial Revocation of the Antidumping Duty Order on Stainless Steel Sheet and Strip in Coils From the Republic of Korea*, 76 FR 74771, December 1, 2011.

[48] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011.

[49] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan,* 76 FR 50495, August 15, 2011.

[50] The Commission denied two requests, then instituted, but subsequently suspended, a changed circumstance review. 50 FR 43613, October 28, 1995; 52 FR 24541, July 1, 1987; and 58 FR 35044, June 30, 1993.

[51] *Stainless Steel Plate from Sweden, Inv. No. AA1921-114 (Review)*, USITC Publication 3204, July 1999.

In June 1983, the Commission determined that an industry in the United States was being materially injured due to subsidized imports of stainless steel plate (including but not limited to stainless steel coiled plate) from the United Kingdom.[52] On June 23, 1983, Commerce issued a countervailing duty order on stainless steel plate from the United Kingdom. On August 14, 1986, however, Commerce revoked the countervailing duty order, having determined that domestic interested parties were no longer interested in continuation of the order.[53]

The Commission has also conducted two safeguard investigations with respect to stainless steel and alloy tool steel, as follows: Inv. No. TA-201-5 in 1976 (USITC Publication 756) and Inv. No. TA-201-48 in 1983 (USITC Publication 1377).[54]

ACTIONS AT COMMERCE

Commerce has not revoked the orders on stainless steel plate from the countries subject to these third five-year reviews with respect to any individual firms. Commerce has not issued any duty absorption or anti-circumvention findings with respect to stainless steel plate from the subject countries. Additionally, there have not been any critical circumstances or changed circumstances reviews conducted since the second five-year review continuation orders.

Scope rulings

On December 2, 2008, at the request of Ugine & ALZ Belgium NV, Commerce ruled that stainless steel products with an actual thickness of less than 4/25 mm, regardless of nominal thickness, are within the scope of the antidumping and countervailing duty orders.[55]

Current five-year reviews

Commerce is conducting expedited reviews on antidumping duty orders with respect to stainless steel plate in coils from Belgium, South Africa, and Taiwan and the countervailing duty order on imports from South Africa and intends to issue the final results of these reviews based on the facts available not later than October 31, 2016.[56]

---

[52] *Stainless Steel Sheet and Strip from the Federal Republic of Germany and France and Stainless Steel Sheet and Strip and Plate from the United Kingdom, Inv. Nos. 701-TA-195-196 and 731-TA-92 and 95*, USITC Publication 1391, June 1983.

[53] 48 FR 28690, June 23, 1983; and 51 FR 29144, August 14, 1986.

[54] The 1976 investigation resulted in a 3-year voluntary restraint agreement (June 14, 1976-June 13, 1979) and the 1983 investigation resulted in a 4-year relief period of quotas and tariffs. In addition, the Commission conducted a probable economic effects study in 1977 with respect to stainless steel and alloy tool steel (Inv. No. TA-203-3; USITC Publication 838).

[55] *Notice of Scope Rulings*, 74 FR 14522, March 31, 2009.

[56] Edward Yang, letter to Catherine DeFilippo, August 22, 2016.

THE INDUSTRY IN THE UNITED STATES

U.S. producers

At the time of the original investigations, there were six domestic producers in the United States: Allegheny Ludlum; Armco (now AK Steel); Avesta Sheffield NAD, Inc. (later known as Avesta Polarit) ("Avesta"); J&L; NAS; and Washington Steel. All but one of the six firms (i.e., ***) were petitioners. The five petitioning firms accounted for *** percent of U.S. stainless steel coiled plate production in 1997.

The industry was in the midst of restructuring and consolidation during the original investigations and first five-year reviews. At the time of the Commission's determinations in the first five-year reviews in June 2005 and second five-year reviews in August 2011, three domestic producers of stainless steel plate were in operation – AK Steel, Allegheny Ludlum, and NAS. The domestic interested parties participating in these third five-year reviews identified the same three currently operating domestic producers in their response to the Commission's notice of institution in addition to a new U.S. producer that began production during the current review period, Outokumpu Stainless USA, LLC.[57] The Commission received data in response to its notice of institution in these current five-year reviews from three companies (Allegheny Ludlum, NAS, and Outokumpu), which are believed to represent *** of stainless steel plate production in the United States. Presented in table I-5 is a list of current domestic producers of stainless steel plate and each company's position on the continuation of the orders, production locations, related and/or affiliated firms, and share of reported production of stainless steel plate in 2015.

[57] ThyssenKrupp AG of Essen, Germany developed a facility in Calvert, Alabama which became operational in July 2010. Thyssenkrupp sold its global stainless steel division, Inoxum, including the Calvert facility to Outokumpu in December 2012. *Domestic Interested Parties Response to Notice of Institution*, August 1, 2016, pp. 18-19.

Table I-5
Stainless steel plate: U.S. producers, positions on the orders, U.S. production locations, related and/or affiliated firms, and shares of 2015 reported U.S. production

Firm	Mill location(s)	Parent company	Position on orders	Share of production (*percent)*
Allegheny Ludlum	Brackenridge, PA	Allegheny Technologies Incorporated[1]	***	***
NAS	Ghent, KY	Acerinox, S.A. (Spain)[2]	***	***
Outokumpu	Calvert, AL	---	***	***

[1] Allegheny Technologies Incorporated is traded on the New York Stock Exchange under the ticker symbol "ATI."
[2] Acerinox, S.A. holds a 76-percent share in Columbus Stainless (Pty) Inc. ("Columbus Stainless") (South Africa), a foreign producer of the subject merchandise.

Note.–Because of rounding, shares may not total to 100.0 percent.

Source: Compiled from data submitted in response to Commission questionnaires.

As indicated in the table I-5, U.S. producer NAS is related to foreign producers of stainless steel plate. NAS is owned by Acerinox, S.A., a Spanish specialty steel producer, which holds a 76-percent share in Columbus Stainless, a South African producer of the subject merchandise. Although NAS and Columbus Stainless have common ownership, ***. Moreover, they reported in those reviews that "***."[58]

Definition of the domestic industry and related party issues

The domestic industry is defined as the U.S. producers as a whole of the domestic like product, or those producers whose collective output of the domestic like product constitutes a major proportion of the total domestic production of the product. As indicated above, in its original determinations after remand and its full first and second five-year review determinations, the Commission defined the domestic industry as all producers of certain stainless steel plate in coils. In the full second five-year reviews, the Commission noted that the record indicated that domestic producer NAS was affiliated with Columbus Stainless, a South African producer of stainless steel plate, through common ownership by Acerinox, S.A ("Acerinox"), but determined that NAS was not a related party within the meaning of 19 U.S.C. § 1677(4)(B)(ii).[59] Domestic interested parties report that NAS is still related to Columbus Stainless. They report that none of the domestic producers *** imported subject merchandise

[58] *Stainless Steel Plate from Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review*), Staff Report, INV-JJ-068, June 30, 2011, pp. I-34-I-35.
[59] *Stainless Steel Plate from Belgium, Italy, Korea, South Africa, and Taiwan*, *Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011, p. 8.

since the last reviews.[60] They do not argue that appropriate circumstances exist to exclude any producer from the domestic industry as a related party.

U.S. producers' trade and financial data

The Commission asked domestic interested parties to provide trade and financial data in their response to the notice of institution in these current third five-year reviews.[61] Table I-6 presents a compilation of the data submitted from all responding U.S. producers for 2015, as well as trade and financial data submitted by U.S. producers for the final annual periods examined in the original investigations (1997) and prior two five-year reviews (2004 and 2010).

Table I-6
Stainless steel plate: Trade and financial data submitted by U.S. producers, 1997, 2004, 2010, and 2015

Item	1997	2004	2010	2015
Capacity (short tons)	237,700	***	***	***
Production (short tons)	129,434	***	***	***
Capacity utilization (percent)	54.5	***	***	***
U.S. shipments:[1]				
Quantity (short tons)	114,911	***	***	***
Value ($1,000)	199,302	***	***	***
Unit value (dollars per short ton)	1,734	***	***	***
Net sales ($1,000)	117,414	***	***	***
COGS ($1,000)	194,643	***	***	***
COGS/net sales (percent)	95.9	***	***	***
Gross profit or (loss) ($1,000)	8,381	***	***	***
SG&A expenses (loss) ($1,000)	9,522	***	***	***
Operating income/(loss) ($1,000)	(1,141)	***	***	***
Operating income (loss)/net sales (percent)	(0.6)	***	***	***

[1] Domestic producers reported ***.

Source: The data presented for 1997, 2004, and 2010 accounted for 100 percent of stainless steel plate production in the United States in each of those annual periods. See app. C. The data presented for 2015 are compiled using data submitted by domestic interested parties, which accounted for *** percent of U.S. production in 2015. *Domestic Interested Parties' Response to the Notice of Institution*, August 1, 2016, exh. 6.

[60] *Domestic Interested Parteis' Response to the Notice of Institution,* August 1, 2016, p. 16.
[61] Individual company trade and financial data are presented in app. B.

U.S. IMPORTS AND APPARENT CONSUMPTION

U.S. importers

In the original investigations, the Commission received importer questionnaire responses from 16 firms that accounted for the vast majority of U.S. imports from the countries that were the subject of the investigations, i.e., Belgium, Canada, Italy, Korea, South Africa, and Taiwan.[62] In the full first five-year reviews, U.S. import data were based on the responses to the Commission importers' questionnaires (for Belgium, Italy, Korea, and nonsubject sources) and on official Commerce statistics (for Canada, South Africa, and Taiwan).[63] In the full second five-year reviews, the Commission received usable questionnaire responses from seven firms, which accounted for virtually all of the stainless steel plate imports from the subject countries, other than South Africa and Taiwan, and virtually all of the stainless steel plate imports from all other countries. Due to incomplete data, official Commerce statistics were used for subject imports from South Africa and Taiwan.[64]

In their response to the Commission's notice of institution in these third five-year reviews, domestic producers provided a list of 60 known and currently operating U.S. importers of stainless steel coiled plate from Belgium, South Africa, and Taiwan.[65]

U.S. imports

In its original investigations, the Commission found that the volume of subject imports and the increase in that volume were significant, both in absolute terms and relative to consumption and production in the United States. During the original investigations, imports from each of the original subject countries increased overall, with U.S. shipments of subject imports from Belgium increasing from *** short tons in 1995 to *** short tons in 1996, then decreasing to *** short tons in 1997. U.S. shipments of subject imports from Italy increased from *** short tons in 1995 to *** short tons in 1997. In the case of subject imports from Korea, U.S. shipments increased from *** short tons in 1995 to *** short tons in 1997. U.S. shipments of subject imports from South Africa increased from *** short tons in 1995 to *** short tons in 1996, and decreased to *** short tons in 1997. U.S. shipments of subject imports from Taiwan increased from *** short tons in 1995 to *** short tons in 1996, and then to *** short tons in 1997.[66]

---

[62] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-376, 377 and 379 and 731-TA-788-793 (Final)*, USITC Publication 3188, May 1999, p. IV-1.

[63] *Certain Stainless Steel Plate From Belgium, Canada, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-376, 377 and 379 and 731-TA-788-793 (Review),* USITC Publication 3784, June 2005, p. I-10.

[64] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review)*, USITC Publication 4248, August 2011, p. IV-1.

[65] *Domestic Interested Parties Response to Notice of Institution*, August 1, 2016, exh. 7.

[66] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Inv. Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review)*, USITC Publication 4248, August 2011, p. 10.

During the full first five-year reviews, the Commission found that, with the exception of Belgium, U.S. imports of stainless steel plate from subject sources fell sharply after the imposition of the antidumping and countervailing duty orders in May 1999. The overall quantity of subject imports relative to total imports declined each year from 1998 to 2004. Conversely, stainless steel plate imports from nonsubject sources (in particular, from ***) increased during the first review period, except for a slight dip from 2000 to 2001.[67] During the full second five-year reviews, the Commission found that unit values of subject imports increased between 2005 and 2008, decreased by *** percent in 2009, then recovered in 2010, ending above 2005 levels. There were *** subject imports from Italy and Korea during 2005-10, while subject imports from South Africa and Taiwan fluctuated, generally at relatively low levels. Total stainless steel coiled plate imports from subject and nonsubject countries fluctuated throughout the period, ending *** percent below 2005 levels. Nonsubject countries had the largest share of imports, in terms of quantity and value.[68]

Table I-7 presents the quantity, value, and unit value for imports from Belgium, South Africa, and Taiwan, as well as the other top sources of U.S. imports (shown in descending order of 2015 imports by quantity as compiled from official Commerce import statistics). Though substantially lower in quantity than during 2011-15, stainless steel coiled plate from Belgium maintains a presence in the U.S. market, with unit values below the average for total imports in each year between 2011 and 2015, and in most instances below the unit values for the other individual leading sources of import supply.

[67] *Investigation Nos. 701-TA-376, 377, and 379 and 731-TA-788-793 (Review): Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan – Staff Report, INV-CC-058*, April 27, 2005, p. IV-1.

[68] *Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review): Stainless Steel Plate from Belgium, Italy, Korea, South Africa, and Taiwan – Staff Report, INV-JJ-068*, June 30, 2011, p. IV-2.

Table I-7
Stainless steel plate: U.S. imports, 2011-15

Item	2011	2012	2013	2014	2015
	Quantity (short tons)				
Belgium	3,575	3,119	3,581	5,680	2,169
South Africa	7	28	401	95	3
Taiwan	3	1	21	19	2
Subtotal, subject	3,585	3,148	4,003	5,794	2,174
Italy	20,841	57,857	14,876	357	219
Sweden	11,871	15,213	12,241	12,561	9,011
Germany	47,840	2,871	390	532	74
China	7,445	11,944	5,585	2,164	1,063
Finland	783	2,431	17,969	852	180
India	570	1,274	1,320	360	271
Japan	1,238	1,355	104	43	243
All other imports (nonsubject)	900	1,295	2,021	753	1,723
Subtotal, nonsubject	91,489	94,239	54,506	17,621	12,784
Total imports	95,073	97,387	58,509	23,414	14,957
	Landed, duty-paid value ($1,000)				
Belgium	13,702	10,018	9,940	17,300	5,732
South Africa	30	124	649	152	15
Taiwan	18	4	44	50	6
Subtotal, subject	13,750	10,145	10,633	17,502	5,754
Italy	61,560	161,917	23,649	1,090	583
Sweden	55,285	56,370	42,580	49,596	33,019
Germany	166,160	8,108	1,696	1,487	238
China	25,581	34,820	12,174	5,046	2,744
Finland	3,007	7,747	45,798	2,618	448
India	2,568	3,750	3,830	1,190	872
Japan	4,796	4,952	725	219	1,091
All other imports (nonsubject)	3,313	4,264	3,788	2,522	4,363
Subtotal, nonsubject	322,267	281,927	134,239	63,769	43,359
Total imports	336,017	292,073	144,872	81,271	49,113

Table continued on following page.

Table I-7--Continued
Stainless steel plate: U.S. imports, 2011-15

Item	2011	2012	2013	2014	2015
	Unit value (dollars per short ton)				
Belgium	3,833	3,212	2,775	3,046	2,643
South Africa	4,493	4,431	1,618	1,608	5,820
Taiwan	6,000	4,000	2,095	2,632	3,000
Subtotal, subject	3,836	3,223	2,656	3,021	2,648
Italy	2,954	2,799	1,590	3,053	2,662
Sweden	4,657	3,705	3,478	3,948	3,664
Germany	3,473	2,824	4,349	2,795	3,216
China	3,436	2,915	2,180	2,332	2,581
Finland	3,840	3,187	2,549	3,073	2,489
India	4,505	2,943	2,902	3,306	3,218
Japan	3,874	3,655	6,971	5,093	4,490
All other imports (nonsubject)	3,681	3,293	1,874	3,349	2,532
Subtotal, nonsubject	3,523	2,992	2,463	3,619	3,392
Total imports	3,534	2,999	2,476	3,471	3,284

Note.--Because of rounding, figure may not add to total shown.

Source: Official statistics of Commerce for HTS statistical reporting numbers 7219.11.0030, 7219.11.0060, 7219.12.0006, 7219.12.0021, 7219.12.0026, 7219.12.0051, 7219.12.0066, 7219.12.0071, 7219.12.0081, 7219.31.0010, and 7220.11.0000.

Apparent U.S. consumption and market shares

Table I-8 presents data on U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, while table I-9 presents data on U.S. market shares.

Table I-8
Stainless steel plate: U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, 1997, 2004, 2010, and 2015

Item	1997	2004	2010	2015
	Quantity (short tons)			
U.S. producers' U.S. shipments	115,003	***	***	***
U.S. imports from—				
Belgium	***	***	***	2,169
South Africa	***	***	69	3
Taiwan	***	***	3	2
Subtotal, subject	***	***	***	2,174
All other[1]	***	***	***	12,784
Total imports	27,401	***	***	14,957
Apparent U.S. consumption	142,405	***	107,512	***
	Value (1,000 dollars)			
U.S. producers' U.S. shipments	199,474	***	***	***
U.S. imports from—				
Belgium	***	***	***	5,732
South Africa	***	***	125	15
Taiwan	***	***	11	6
Subtotal, subject	***	***	***	5,753
All other[1]	***	***	***	43,359
Total imports	47,196	***	***	49,113
Apparent U.S. consumption	246,670	***	346,755	***

[1] "All other" includes Italy and Korea, which were subject countries during the original investigations and first and second five-year reviews. "All other" also includes Canada, which was a subject country during the original investigations and first five-year reviews.

Source: The U.S. producers' U.S. shipment data presented for 1997, 2004, and 2010 were provided by firms that accounted for 100 percent of stainless steel plate production in the United States in each of those annual periods. *See app. C.* The U.S. producers' U.S. shipment data presented for 2015 are compiled using data submitted by domestic interested parties, which accounted for *** percent of U.S. production in 2015. *Domestic Interested Parties' Response to the Notice of Institution*, August 1, 2016, exh. 6. Import data presented for 1997 are from questionnaire responses submitted in the original investigations, which accounted for the vast majority of U.S. imports from the countries that were the subject of those investigations, i.e., Belgium, Canada, Italy, Korea, South Africa, and Taiwan. Import data presented for 2004 are from the Commission's first five-year reviews and are based on the responses to Commission importers' questionnaires (for Belgium, Italy, Korea, and nonsubject sources) and on official Commerce statistics (for Canada, South Africa, and Taiwan). Import data presented for 2010 are from the second five-year reviews and are based on the questionnaire responses of seven firms that accounted for virtually all of the stainless steel plate imports from the subject countries, other than South Africa and Taiwan, and virtually all of the stainless steel plate imports from all other countries. Official Commerce statistics were used to compile 2010 data for subject imports from South Africa and Taiwan. For the year 2015, U.S. imports are compiled using official Commerce statistics under HTS reporting numbers 7219.11.0030, 7219.11.0060, 7219.12.0006, 7219.12.0021, 7219.12.0026, 7219.12.0051, 7219.12.0066, 7219.12.0071, 7219.12.0081, 7219.31.0010, and 7220.11.0000.

Table I-9
Stainless steel plate: Apparent U.S. consumption and U.S. market shares, 1997, 2004, 2010, and 2015

Item	1997	2004	2010	2015
	Quantity (short tons)			
Apparent U.S. consumption	143,405	***	***	***
	Value (1,000 dollars)			
Apparent U.S. consumption	246,670	***	***	***
	Share of consumption based on quantity (percent)			
U.S. producer's share	80.8	***	***	***
U.S. imports from--				
Belgium	***	***	***	***
South Africa	***	***	0.1	***
Taiwan	***	***	0.0	***
Subtotal, subject	***	***	***	***
All other sources[1]	***	***	***	***
Total imports	19.2	***	***	***
	Share of consumption based on value (percent)			
U.S. producer's share	80.9	***	***	***
U.S. imports from--				
Belgium	***	***	***	***
South Africa	***	***	0.0	***
Taiwan	***	***	0.0	***
Subtotal, subject	***	***	***	***
All other sources[1]	***	***	***	***
Total imports	19.1	***	***	***

[1] "All other" includes Italy and Korea, which were subject countries during the original investigations and first and second five-year reviews. "All other" also includes Canada, which was a subject country during the original investigations and first five-year reviews.

Source: The U.S. producers' U.S. shipment data presented for 1997, 2004, and 2010 were provided by firms that accounted for 100 percent of stainless steel plate production in the United States in each of those annual periods. *See app. C.* The U.S. producers' U.S. shipment data presented for 2015 are compiled using data submitted by domestic interested parties, which accounted for *** percent of U.S. production in 2015. *Domestic Interested Parties' Response to the Notice of Institution*, August 1, 2016, exh. 6. Import data presented for 1997 are from questionnaire responses submitted in the original investigations, which accounted for the vast majority of U.S. imports from the countries that were the subject of those investigations, i.e., Belgium, Canada, Italy, Korea, South Africa, and Taiwan. Import data presented for 2004 are from the Commission's first five-year reviews and are based on the responses to Commission importers' questionnaires (for Belgium, Italy, Korea, and nonsubject sources) and on official Commerce statistics (for Canada, South Africa, and Taiwan). Import data presented for 2010 are from the second five-year reviews and are based on the questionnaire responses of seven firms that accounted for virtually all of the stainless steel plate imports from the subject countries, other than South Africa and Taiwan, and virtually all of the stainless steel plate imports from all other countries. Official Commerce statistics were used to compile 2010 data for subject imports from South Africa and Taiwan. For the year 2015, U.S. imports are compiled using official Commerce statistics under HTS reporting numbers 7219.11.0030, 7219.11.0060, 7219.12.0006, 7219.12.0021, 7219.12.0026, 7219.12.0051, 7219.12.0066, 7219.12.0071, 7219.12.0081, 7219.31.0010, and 7220.11.0000.

CUMULATION CONSIDERATIONS

In assessing whether imports should be cumulated, the Commission determines whether U.S. imports from the subject countries are likely to compete with each other and with the domestic like product and has generally considered four factors: (1) fungibility, (2) presence of sales or offers to sell in the same geographical markets, (3) common or similar channels of distribution, and (4) simultaneous presence in the market. Additional information concerning geographical markets and simultaneous presence in the market is presented below.[69]

Fungibility

In the original investigations and subsequent remand and five-year reviews, the Commission found a moderate to high degree of substitutability between U.S.-produced stainless steel plate and stainless steel plate imported from subject countries. As in previous reviews, responding purchasers reported on the interchangeability among imports from each subject country and between these subject imports and the domestic like product.[70] A single purchaser, ***, noted an increase in foreign competition from nonsubject countries and anticipates a continued rise in competition.[71]

Geographic markets

During 2011-15, the top Customs district for imports from Belgium was Philadelphia, Pennsylvania and the top Customs district for imports from South Africa and Taiwan was Baltimore, Maryland.

Presence in the market

Imports from Belgium were present in every month of the period during 2011-15. Imports from South Africa were relatively more sporadic and/or in relatively low volumes during 2011-15, with the exception of the final quarter of 2013.[72] Imports from Taiwan were present in less than half of the months in each year between 2011 and 2015.[73]

---

[69] In addition, available information concerning subject country producers and the global market is presented in the next section of this report.

[70] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011, p. 13.

[71] See app. D.

[72] U.S. imports from South Africa were present in 1 month during 2011, 1 month in 2012, 3 months in 2013, and 2 months in 2014. There were no imports from South Africa in 2015.

[73] U.S. imports from Taiwan were present in 1 month in 2013, 1 month in 2014, and 1 month in 2015. There were no imports from Taiwan in 2011 and 2012.

THE INDUSTRY IN BELGIUM

Aperam Stainless Belgium ("Aperam") is the sole known producer of subject merchandise in Belgium. The company produces only stainless flat-rolled products and does not manufacture carbon or other nonstainless steel products.[74] During the original investigations, it operated as ALZ Belgium. ALZ Belgium began in 1961 as a joint venture with Allegheny Ludlum. ALZ Belgium's parent company, Arbed, was subsequently acquired by the Arcelor Group, which then created a new unit that combined Ugine S.A., a French stainless steel producer, with ALZ Belgium. The former company ALZ Belgium changed its name to U&A Belgium on December 31, 2001. Arcelor was acquired by Mittal in 2006, forming ArcelorMittal. In January 2011, ArcelorMittal's stainless steel business was spun off as Aperam Stainless ("Aperam"), a newly created company.[75] Although the Commission did not receive any responses to the notice of institution from foreign producers or exporters in these current five-year reviews, the domestic interested parties reported in their response that Aperam is currently the only Belgian producer.[76]

THE INDUSTRY IN SOUTH AFRICA

Columbus Stainless ("Columbus") is the only known producer of stainless steel coiled plate in South Africa. As noted earlier, the firm is related to NAS, a domestic manufacturer, through common ownership by the Acerinox Group. During the first reviews, the company reported that since "***." In the original investigations and first reviews, Columbus provided the Commission with a questionnaire response. In the second reviews, Columbus did not provide the Commission with a questionnaire response.[77] The Commission did not receive any responses to the notice of institution from foreign producers or exporters. The domestic interested parties reported in their response that Columbus is currently the only South African producer of stainless steel plate.[78]

THE INDUSTRY IN TAIWAN

Petitioners in the original investigations identified several stainless steel plate manufacturers in Taiwan, three of which provided questionnaire responses to the Commission. One firm, YUSCO, was believed to account for the major portion of Taiwan production and exports of the subject merchandise. YUSCO was founded in December 1988. It is reportedly the

---

[74] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011, p. IV-8.

[75] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788,790-793 (Second Review)*, USITC Publication 4248, August 2011, p. IV-8.

[76] *Domestic Interested Parties Response to Notice of Institution*, August 1, 2016, pp. 8-9, exh. 2.

[77] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011, p. IV-12.

[78] *Domestic Interested Parties Response to Notice of Institution*, August 1, 2016, p.9, exh. 4.

largest integrated stainless steel mill in Southeast Asia, with melting capacity of 1 million metric tons; hot-rolling capacity of 900,000 metric tons; and cold-rolling capacity of 650,000 metric tons. YUSCO, along with Tang Eng and Tung Mung, provided data during the original investigations. During the subsequent reviews, no producer from Taiwan responded to the Commission's questionnaire.[79] The Commission did not receive any responses to the notice of institution from foreign producers or exporters. The domestic interested parties reported in their response that there are currently four producers of stainless steel plate in Taiwan.[80]

ANTIDUMPING OR COUNTERVAILING DUTY ORDERS IN THIRD-COUNTRY MARKETS

In late 2010, Russia imposed antidumping duties on certain flat-rolled steel (including subject merchandise) exported from South Africa and Taiwan. There are no known barriers to exports from Belgium.[81] The domestic interested parties did not identify in their response to the Commission's notice of institution in these current five-year reviews any antidumping or countervailing duty measures regarding stainless steel plate in coils in place in third-country markets.

THE GLOBAL MARKET

Table I-10 presents the largest sources of global exports of stainless steel plate in coils during 2011-15.

[79] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011, p. IV-14.

[80] *Domestic Interested Parties Response to Notice of Institution*, August 1, 2016, p. 10-11, exh. 5.

[81] *Stainless Steel Plate From Belgium, Italy, Korea, South Africa, and Taiwan, Investigation Nos. 701-TA-379 and 731-TA-788, 790-793 (Second Review),* USITC Publication 4248, August 2011, p. 59.

Table I-10

Stainless steel plate: Global exports by major sources, 2011-15

Item	2011	2012	2013	2014	2015
	Quantity (short tons)				
China	327,192	303,538	418,960	574,589	467,279
Belgium	316,051	316,207	325,855	366,171	394,430
Finland	116,667	147,523	150,724	170,462	170,127
Korea	65,526	115,664	108,895	151,406	141,857
Sweden	103,925	81,598	61,956	77,400	127,439
Spain	40,747	44,600	39,529	66,909	75,511
Netherlands	48,103	45,282	32,909	57,181	59,614
South Africa	32,517	56,266	47,939	39,059	48,285
India	20,522	36,570	66,050	39,197	44,844
Japan	50,506	43,078	36,899	36,594	36,767
All other	335,859	339,327	258,350	237,114	191,290
Total	1,407,109	1,486,576	1,511,167	1,779,488	1,720,675
	Value ($1,000 dollars)				
China	910,705	715,818	861,625	1,212,491	788,021
Belgium	998,891	799,354	762,133	877,109	734,061
Finland	411,041	432,081	417,235	435,132	305,486
Korea	161,061	236,230	195,527	262,573	202,349
Sweden	438,356	315,189	228,435	278,402	291,428
Spain	131,170	124,195	102,700	164,633	157,627
Netherlands	170,084	134,715	90,045	146,594	130,784
South Africa	108,521	146,860	108,242	83,575	81,867
India	70,007	92,595	147,713	89,753	89,614
Japan	159,441	113,888	81,725	84,811	71,637
All other	878,754	720,199	555,999	496,205	359,573
Total	4,438,030	3,831,125	3,551,380	4,131,278	3,212,448

Table continued on following page.

Table I-10--Continued

Stainless steel plate: Global exports by major sources, 2011-15

Item	2011	2012	2013	2014	2015
	Unit value (dollars per short ton)				
China	2,783	2,358	2,057	2,110	1,686
Belgium	3,161	2,528	2,339	2,395	1,861
Finland	3,523	2,929	2,768	2,553	1,796
Korea	2,458	2,042	1,796	1,734	1,426
Sweden	4,218	3,863	3,687	3,597	2,287
Spain	3,219	2,785	2,598	2,461	2,087
Netherlands	3,536	2,975	2,736	2,564	2,194
South Africa	3,337	2,610	2,258	2,140	1,696
India	3,411	2,532	2,236	2,290	1,998
Japan	3,157	2,644	2,215	2,318	1,948
All other	3,080	2,431	2,511	2,475	2,327
Total	3,154	2,577	2,350	2,322	1,867
	Share of quantity (percent)				
China	23.3	20.4	27.7	32.3	27.2
Belgium	22.5	21.3	21.6	20.6	22.9
Finland	8.3	9.9	10.0	9.6	9.9
Korea	4.7	7.8	7.2	8.5	8.2
Sweden	7.4	5.5	4.1	4.3	7.4
Spain	2.9	3.0	2.6	3.8	4.4
Netherlands	3.4	3.0	2.2	3.2	3.5
South Africa	2.3	3.8	3.2	2.2	2.8
India	1.5	2.5	4.4	2.2	2.6
Japan	3.6	2.9	2.4	2.1	2.1
All other	20.3	19.9	14.7	11.3	9.0
Total	100.0	100.0	100.0	100.0	100.0

Note.--Because of rounding, figures may not add to total shown.

Source: Global Trade Information Services, Inc., Global Trade Atlas, HTS reporting numbers 7219.11.0030, 7219.11.0060, 7219.12.0006, 7219.12.0021, 7219.12.0026, 7219.12.0051, 7219.12.0066, 7219.12.0071, 7219.12.0081, 7219.31.0010, and 7220.11.0000.

APPENDIX A

FEDERAL REGISTER NOTICES

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, *Federal Register* notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
81 FR 43245 July 1, 2016	*Stainless Steel Plate From Belgium, South Africa, and Taiwan Institution of Five-Year Reviews*	https://www.gpo.gov/fdsys/pkg/FR-2016-07-01/pdf/2016-15375.pdf
81 FR 43185 July 1, 2016	*Initiation of Five-Year (''Sunset'') Review*	https://www.gpo.gov/fdsys/pkg/FR-2016-07-01/pdf/2016-15722.pdf

APPENDIX B

COMPANY-SPECIFIC DATA

RESPONSE CHECKLIST FOR U.S. PRODUCERS

* * * * * * *

APPENDIX C

SUMMARY DATA COMPILED IN PRIOR PROCEEDINGS

Table I-1
Stainless steel coiled plate: Comparative data from the original investigations and the first and second reviews, 1995-2010
(*Quantity in short tons, value in 1,000 dollars, shares/ratios in percent*)

Item	1995	1996	1997	1998	1999	2000	2001
U.S. consumption quantity:							
Amount	127,569	119,654	142,405	123,209	120,328	109,457	101,037
U.S. producers' share[1]	81.2	74.8	80.8	80.5	89.0	88.9	93.3
U.S. importers' share:[1]							
Belgium	***	***	***	***	***	***	***
Italy	***	***	***	***	***	***	***
Korea	***	***	***	***	***	***	***
South Africa	***	***	***	***	0.3	0.0	0.0
Taiwan	***	***	***	4.1	0.3	0.1	0.2
Subtotal	***	***	***	15.7	7.7	6.1	3.0
Canada	***	***	***	1.7	0.3	0.5	***
All other sources	***	***	***	***	***	***	***
Subtotal	***	***	***	***	***	***	***
Total imports	18.8	25.2	19.2	19.5	11.0	11.1	6.7
U.S. shipments of imports from:[2]							
Belgium:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$***	$***	$***	$***	$***	$***	$***
Italy:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$***	$***	$***	$***	$***	$***	$***
Korea:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$***	$***	$***	$***	$***	$***	***
South Africa:							
Quantity	***	***	***	***	341	22	46
Value	***	***	***	***	354	32	84
Unit value	$***	$***	$***	$***	$1,038	$1,484	$1,816

Table I-1--*Continued*

2002	2003	2004	2005	2006	2007	2008	2009	2010
118,633	***	***	122,928	188,868	143,887	84,758	85,046	107,512
89.3	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
0.0	***	***	0.3	0.7	0.8	0.0	0.0	0.1
0.1	***	***	0.3	0.1	0.1	0.0	0.0	0.0
***	***	***	***	***	***	***	***	***
***	***	***	([3])	([3])	([3])	([3])	([3])	([3])
***	***	***	***	***	***	***	***	***
***	***	***	([3])	([3])	([3])	([3])	([3])	([3])
10.7	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
$***	$***	$***	$***	$***	$***	$***	$***	$***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
31	***	***	341	1,320	1,176	34	2	69
30	***	***	922	2,357	2,783	102	14	125
$976	***	$***	$2,707	$1,786	$2,367	$2,986	$6,544	$1,812

Table I-1--*Continued*
Stainless steel coiled plate: Comparative data from the original investigations and the first and second reviews, 1995-2010
(*Quantity in short tons, value in 1,000 dollars*, *shares/ratios in percent*)

Item	1995	1996	1997	1998	1999	2000	2001
Taiwan:							
Quantity	***	***	***	5,004	307	84	210
Value	***	***	***	6,292	413	135	274
Unit value	$***	$***	$***	$1,257	$1,345	$1,597	$1,304
Subtotal:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$***	$***	$***	$***	$***	$***	$***
Canada:							
Quantity	***	***	***	2,123	374	595	***
Value	***	***	***	3,049	522	1,271	***
Unit value	$***	$***	$***	$1,437	$1,397	$2,137	$***
All other sources:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$***	$***	$***	$***	$***	$***	$***
Subtotal:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$***	$***	$***	$***	$***	$***	$***
Total:							
Quantity	24,041	30,121	27,402	24,035	13,268	12,134	6,818
Value	53,142	63,442	47,196	35,628	18,142	24,145	10,987
Unit value	$2,210	$2,106	$1,722	$1,482	$1,367	$1,990	$1,611

Table I-1--*Continued*

2002	2003	2004	2005	2006	2007	2008	2009	2010
103	***	***	373	96	101	18	0	3
152	***	***	967	269	454	87	0	11
$1,471	***	$***	$2,595	$2,804	$4,520	$4,756	(3)	$4,015
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
$***	$***	$***	$***	$***	$***	$***	$***	$***
***	***	***	(3)	(3)	(3)	(3)	(3)	(3)
***	***	***	(3)	(3)	(3)	(3)	(3)	(3)
$***	$***	$***	(3)	(3)	(3)	(3)	(3)	(3)
***	***	***	(3)	(3)	(3)	(3)	(3)	(3)
***	***	***	(3)	(3)	(3)	(3)	(3)	(3)
$***	$***	$***	(3)	(3)	(3)	(3)	(3)	(3)
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
$***	$***	$***	$***	$***	$***	$***	$***	$***
12,686	***	***	***	***	***	***	***	***
20,301	***	***	***	***	***	***	***	***
$1,600	$***	$***	$***	$***	$***	$***	$***	$***

Table I-1--*Continued*
Stainless steel coiled plate: Comparative data from the original investigations and the first and second reviews, 1995-2010

(***Quantity in short tons, value in 1,000 dollars, shares/ratios in percent***)

Item	1995	1996	1997	1998	1999	2000	2001
U.S. producers':							
Capacity quantity	183,637	204,851	237,704	223,917	213,000	213,222	277,609
Production quantity	107,922	91,879	129,526	83,208	110,406	98,229	96,316
Capacity utilization[1]	58.8	44.9	54.5	37.2	51.8	46.1	34.7
U.S. shipments:							
Quantity	103,528	89,533	115,003	99,174	107,060	97,323	94,219
Value	246,543	176,449	199,474	149,244	152,867	185,409	131,828
Unit value	$2,383	$1,971	$1,735	$1,505	$1,428	$1,905	$1,399
Export shipments:							
Quantity	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***
Unit value	$2,269	$1,840	$1,694	$***	$***	$***	$***
Ending inventory quantity	25,813	30,082	38,411	***	***	***	***
Inventory/total shipments[1]	***	***	***	***	***	***	***
Production workers	218	198	236	211	227	258	229
Hours worked (*1,000*)	450	406	490	417	490	541	470
Wages paid	8,986	8,260	10,142	10,219	12,835	14,390	12,777
Hourly wages	$19.97	$20.34	$20.70	$24.53	$26.19	$26.59	$27.20
Productivity (*tons per 1,000 hours*)	239.8	226.3	264.3	199.7	225.3	181.5	205.0
Net sales:							
Quantity	104,831	94,591	117,509	89,954	110,083	99,247	96,289
Value	249,726	185,684	203,203	133,149	156,868	188,749	134,518
Unit Value	$2,382	$1,963	$1,729	$1,480	$1,425	$1,902	$1,397
Cost of goods sold	193,460	171,087	194,843	127,291	141,825	158,585	***
Gross profit or (loss)	56,266	14,597	8,360	5,858	15,043	30,164	(2,367)
Operating income or (loss)	47,383	6,633	(1,114)	(1,417)	6,054	21,464	(10,664)
Unit cost of goods sold	$1,845	$1,809	$1,658	$1,415	$1,288	$1,598	$***
Unit operating income or (loss)	$452	$70	$(10)	$(16)	$55	$216	$(111)
Cost of goods sold/sales (%)[1]	77.5	92.1	95.9	95.6	90.4	84.0	***
Operating income or(loss)/sales[1]	19.0	3.6	(0.6)	(1.1)	3.9	11.4	(7.9)

[1] Reported data are in percent.
[2] Official Commerce statistics used for South Africa and Taiwan 2005-10.
[3] Not applicable.

Source: Compiled from data submitted in response to Commission questionnaires and from official import statistics from Commerce (South Africa and Taiwan, 2005-10). Data for 1995-2004 are compiled from *Staff Report on Certain Stainless Steel Plate from Belgium, Canada, Italy, Korea, South Africa, and Taiwan*, *Investigations Nos. 701-TA-376, 377 & 379 and 731-TA-788-793 (Review)*, Memorandum INV-CC-058, April 27, 2005, Appendix C, table C-1.

Table I-1--*Continued*

2002	2003	2004	2005	2006	2007	2008	2009	2010
270,404	***	***	***	***	***	***	***	***
115,707	***	***	***	***	***	***	***	***
42.8	***	***	***	***	***	***	***	***
105,947	***	***	***	***	***	***	***	***
145,979	***	***	***	***	***	***	***	***
$1,378	$***	$***	$***	$***	$***	$***	$***	$***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
$***	$***	$***	$***	$***	$***	$***	$***	$***
***	***	***	***	***	***	***	***	***
***	***	***	***	***	***	***	***	***
221	***	***	***	***	***	***	***	***
463	***	***	***	***	***	***	***	***
12,876	***	***	***	***	***	***	***	***
$27.82	$***	$***	$***	$***	$***	$***	$***	$***
250.0	***	***	***	***	***	***	***	***
113,050	***	***	***	***	***	***	***	***
154,313	***	***	***	***	***	***	***	***
$1,365	$***	$***	$***	$***	$***	$***	$***	$***
***	***	***	***	***	***	***	***	***
(28,205)	***	***	***	***	***	***	***	***
(34,955)	***	***	***	***	***	***	***	***
$***	$***	$***	$***	$***	$***	$***	$***	$***
$(309)	$***	$***	$***	$***	$***	$***	$***	$***
***	***	***	***	***	***	***	***	***
(22.7)	***	***	***	***	***	***	***	***

APPENDIX D

PURCHASER QUESTIONNAIRE RESPONSES

As part of their response to the notice of institution, interested parties were asked to provide a list of three to five leading purchasers in the U.S. market for the domestic like product. One response was received from domestic interested parties and they named the following three firms as the top purchasers of stainless steel plate: [***]. Purchaser questionnaires were sent to these three firms and two firms ([***]) provided responses which are presented below.[1]

1. a.) Have any changes occurred in technology; production methods; or development efforts to produce stainless steel plate that affected the availability of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in technology; production methods; or development efforts to produce stainless steel plate that will affect the availability of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	No.	No.
[***]	Outokumpu started up a new mill in 2012 in Calvert, AL. ATI idled there DRAP line in 2015 in Pennsylvania.	Only minor changes in technologies as Outokumpu makes improvements to their new mill.

2. a.) Have any changes occurred in the ability to increase production of stainless steel plate (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production) that affected the availability of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in the ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production) that will affect the availability of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	No.	No.
[***]	Outokumpu mill startup of their new mill in 2012 in Calvert, AL will increase production and therefore product availability.	Outokumpu mill startup of their new mill in 2012 in Calvert, AL will increase production and therefore product availability. It is also possible that ATI could re-start their DRAP line should demand improve.

[1] [***]. Email from [***] to USITC staff, Aug. 5, 2016.

3. a.) Have any changes occurred in factors related to the ability to shift supply of stainless steel plate among different national markets (including barriers to importation in foreign markets or changes in market demand abroad) that affected the availability of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad) that will affect the availability of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	No.	No.
[***]	No.	No.

4. a.) Have there been any changes in the end uses and applications of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in the end uses and applications of stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	The end users that we sell are continuously changing their usage on stainless steel plate.	I cannot completely anticipate the shifts in the future, but I am confident there will be changes of the end uses for stainless steel plate.
[***]	No.	No.

5. a.) Have there been any changes in the existence and availability of substitute products for stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in the existence and availability of substitute products for stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	No.	No.
[***]	No.	No.

6. a.) Have there been any changes in the level of competition between stainless steel plate produced in the United States, stainless steel plate produced in Belgium, South Africa, and/or Taiwan, and such merchandise from other countries in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in the level of competition between stainless steel plate produced in the United States, stainless steel plate produced in Belgium, South Africa, and/or Taiwan, and such merchandise from other countries in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	There was an increase in foreign competition (outside of Belgium, South Africa and Taiwan. Plate offers from China and India have increased in the past several years.	I foresee a continued rise in competition for stainless steel plate from other foreign sources. This will be immediate and continue into the near future.
[***]	No.	No.

7. a.) Have there been any changes in the business cycle for stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan since 2011?

   b.) Do you anticipate any changes in the business cycle for stainless steel plate in the U.S. market or in the market for stainless steel plate in Belgium, South Africa, and/or Taiwan within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
[***]	2014 saw a significant rise is the usage of stainless steel plate as rising prices led to an increase in demand. 2015 saw the complete opposite business market. Falling prices caused a depression in the usage of stainless steel plate. The price, and thus usage, has rebounded somewhat in 2016.	The business cycle of stainless steel plate in continuously changing, although I do think the market will remain relatively flat for the remainder of 2016 and into 2017.
[***]	No.	No.