

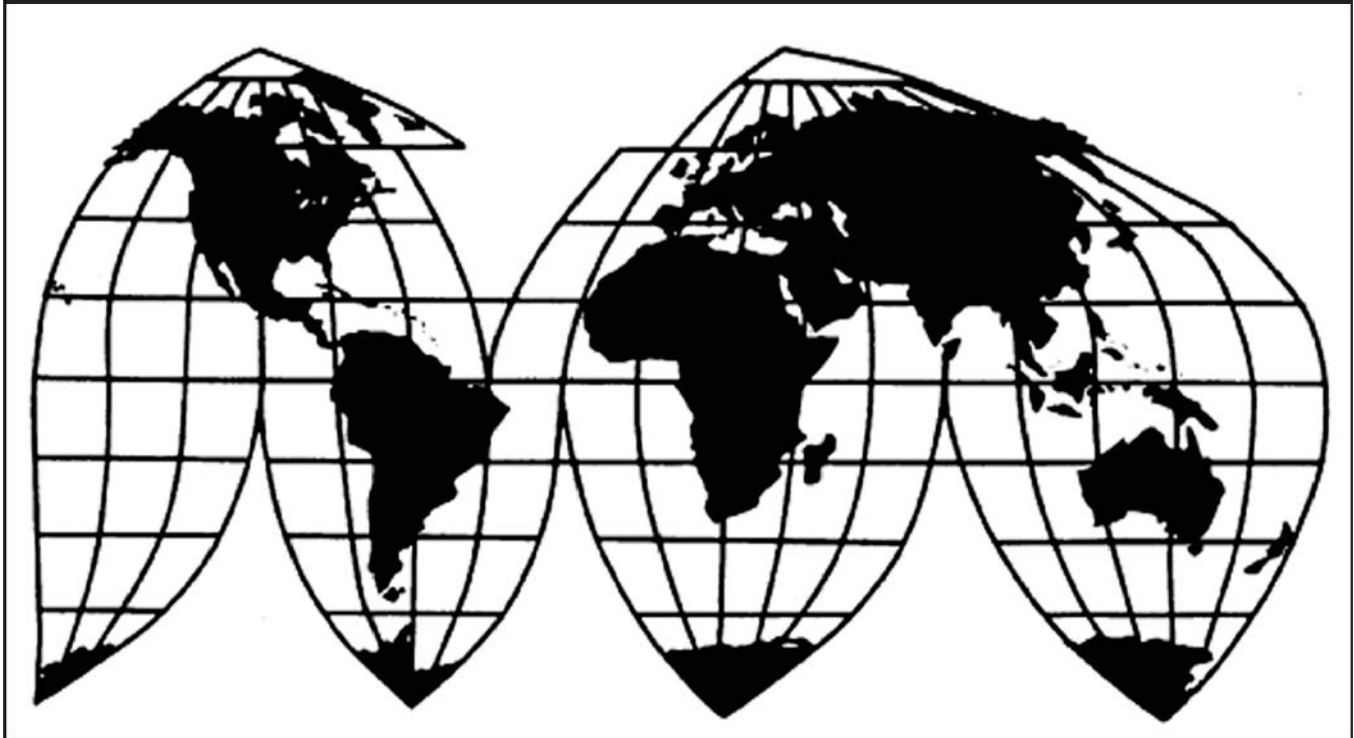
# **Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan**

Investigation Nos. 701-TA-561 and 731-TA-1317-1318, 1321-1325,  
and 1327 (Final)

**Publication 4691**

**May 2017**

**U.S. International Trade Commission**



Washington, DC 20436

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Karen Taylor, Industry Analyst

Craig Thomsen, Economist

Tana von Kessler, Economist

Jennifer Brinckhaus, Accountant

Russell Duncan, Senior Statistician

Darlene Smith, Statistical Assistant

Heng Loke, Attorney

Peter Sultan, Attorney

Douglas Corkran, Supervisory Investigator

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

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Washington, DC 20436  
*www.usitc.gov*

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## UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-561 and 731-TA-1317-1318, 1321-1325, and 1327 (Final)

Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium,  
France, Germany, Italy, Japan, Korea, and Taiwan

### DETERMINATION

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that an industry in the United States is materially injured by reason of imports of carbon and alloy steel cut-to-length plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan, provided for in subheadings 7208.40.30, 7208.51.00, 7208.52.00, 7211.13.00, 7211.14.00, 7225.40.11, 7225.40.30, 7226.20.00, and 7226.91.50 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”) and imports of the subject merchandise subsidized by the government of Korea.<sup>2</sup>

### BACKGROUND

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted these investigations effective April 8, 2016, following receipt of petitions filed with the Commission and Commerce by ArcelorMittal USA LLC (Chicago, Illinois), Nucor Corporation (Charlotte, North Carolina), and SSAB Enterprises, LLC (Lisle, Illinois). The Commission scheduled the final phase of the investigations following notification of preliminary determinations by Commerce that imports of carbon and alloy steel cut-to-length plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission’s investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of October 12, 2016 (81 F.R. 70440). The hearing was held in Washington, DC, on November 30, 2016, and all persons who requested the opportunity were permitted to appear in person or by counsel.

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<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> The Commission also finds that imports subject to Commerce’s affirmative critical circumstances determination are not likely to undermine seriously the remedial effect of the antidumping duty order on Austria, Belgium or Italy.





## VIEWS OF THE COMMISSION

Based on the record in these investigations, we find that an industry in the United States is materially injured by reason of imports of certain carbon and alloy steel cut-to-length plate (“CTL plate”) from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan that are sold in the United States at less than fair value and imports of CTL plate that are subsidized by the government of Korea. We also find that critical circumstances do not exist with respect to the imports from Austria, Belgium, and Italy for which the Department of Commerce (“Commerce”) made affirmative critical circumstances determinations.

### I. Background

These investigations and the accompanying investigations of CTL plate from Brazil, China, South Africa, and Turkey arose out of petitions that ArcelorMittal USA LLC, Nucor Corporation, and SSAB Enterprises, LLC (collectively “Petitioners”) filed on April 8, 2016. Petitioners and French and German Respondents (Aktiengesellschaft der Dillinger Hüttenwerke; Dillinger France, S.A.; Dillinger America Inc.; Salzgitter AG; Salzgitter Mannesmann International USA, Inc.; Salzgitter Mannesmann International GmbH; Universal Steel America Inc.; thyssenkrupp Steel Europe AG; thyssenkrupp Steel North America, Inc.; Berg Steel Pipe Corp.; and Friedr. Lohmann GmbH) filed final comments with respect to these investigations.<sup>1</sup>

Although the investigations of CTL plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey were filed on the same day, the investigation schedules became staggered into three stages when Commerce: (i) extended the deadline for making preliminary determinations in all investigations, except those concerning CTL plate from Brazil, South Africa, and Turkey, thereby requiring the Commission to make final determinations in those investigations in January 2017; and then (ii) extended the deadline for making final determinations in the remaining investigations, except those concerning CTL plate from China, thereby requiring the Commission to make earlier final determinations (March 2017) in the antidumping and countervailing duty investigations concerning CTL plate from China than in the other remaining investigations. The Commission made affirmative determinations on the basis of cumulated imports from all subject countries in its investigations of CTL plate from Brazil, South Africa, and Turkey,<sup>2</sup> and in its investigations of CTL plate from China.<sup>3</sup>

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<sup>1</sup> Additional participants in these investigations are listed in *Carbon and Alloy Steel Cut-to-Length Plate from Brazil, South Africa, and Turkey*, Inv. Nos. 731-TA-1319, 1326, and 1328 (Final), USITC Pub. 4664 at 2-3 (Jan. 2017) (“*CTL Plate Final I*”). That listing inadvertently omitted Daido Steel Co., Ltd. (“Daido”), a producer and exporter of the subject merchandise in Japan that participated actively in the final phase investigations. Daido was a member of the Tool Steel Respondents group and submitted final comments itself.

<sup>2</sup> *CTL Plate Final I*, USITC Pub. 4664.

<sup>3</sup> *Carbon and Alloy Steel Cut-to-Length Plate from China*, Inv. Nos. 701-TA-560 and 731-TA-1320 (Final), USITC Pub. 4675 (Mar. 2017).

The Commission's record in all the CTL plate final phase investigations closed on December 22, 2016, except with respect to the final antidumping and countervailing duty determinations by Commerce in the subject investigations other than those involving subject imports from Brazil, South Africa, and Turkey (the "remaining investigations");<sup>4</sup> and the final comments of the parties with respect to the remaining investigations.

## II. Material Injury by Reason of Subject Imports

Under section 771(7)(G)(iii) of the Tariff Act of 1930, as amended ("the Act"), we are required to make our material injury determinations in the instant investigations on the basis of the same record as that in the investigations regarding imports from Brazil, South Africa, and Turkey, except to the extent discussed above.<sup>5</sup> Therefore, in these investigations, we adopt the findings and analyses in our determination and views regarding subject imports from Brazil, South Africa, and Turkey with respect to the issues of domestic like product, domestic industry, cumulation,<sup>6</sup> and material injury by reason of cumulated subject imports.

Accordingly, we determine that the domestic industry producing CTL plate is materially injured by reason of subject imports from Austria, Belgium, France, Germany, Italy, Japan,

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<sup>4</sup> See 19 U.S.C. § 1677(7)(G)(iii); 82 Fed. Reg. 8507 (Jan. 26, 2017); 82 Fed. Reg. 8510 (Jan. 26, 2017). These materials are summarized in the supplemental Commission report. Memorandum INV-PP-055 (Apr. 24, 2017).

<sup>5</sup> 19 U.S.C. § 1677(7)(G)(iii).

<sup>6</sup> French and German Respondents argue that subject imports from France and Germany should not be cumulated with other subject imports because subject imports from France and Germany do not compete and are not fungible with other subject imports and the domestic like product, and that subject imports from France and Germany have a unique channel of distribution. They also argue that Commerce's final determinations show that there was little or no dumping with respect to line pipe plate, the product that accounted for most subject imports from France and Germany. See French and German Respondents' Final Comments at 1-5.

In staggered investigations, the Commission makes its cumulation assessment based on the record compiled in the first final investigations. The record for the trailing investigation may be supplemented by Commerce's final determinations made subsequent to the first final investigation as well as the party comments addressing "the significance of {Commerce's} final determination." 19 U.S.C. § 1677(7)(G)(iii). In the investigations on Brazil, South Africa and Turkey, the first final investigations, the Commission cumulated all subject imports. It found that imports from each subject country are fungible with the domestic like product and each other, and that all subject imports and the domestic like product are sold in similar channels of distribution, and similar geographic markets, and have been simultaneously present in the U.S. market. See *generally CTL Plate Final I*, USITC Pub. 4664 at 23-29. Because subject imports from France and Germany in these investigations are the same as those in the lead investigations, there is no basis for us to revisit our cumulation decision in the first final investigations, which specifically rebutted French and German Respondents' arguments concerning fungibility and channels of distribution. See *id.* at 25-28. We observe that the Commission does not have a practice of considering differences in dumping margins as a factor in ascertaining whether there is a reasonable overlap of competition, and French and German Respondents' arguments do not indicate why this consideration is pertinent to such an analysis.

Korea, and Taiwan that Commerce determined were sold in the U.S. market at less than fair value, and we also determine that the domestic industry producing CTL plate is materially injured by reason of subject imports that are subsidized by the government of Korea.<sup>7</sup>

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<sup>7</sup> Pursuant to Section 771(24) of the Tariff Act, imports from a subject country of merchandise corresponding to a domestic like product that account for less than 3 percent of all such merchandise imported into the United States during the most recent 12 months for which data are available preceding the filing of the petition shall be deemed negligible. 19 U.S.C. §§ 1671b(a), 1673b(a), 1677(24)(A)(i), 1677(24)(B); *see also* 15 C.F.R. § 2013.1 (developing countries for purposes of 19 U.S.C. § 1677(36)). The statute further provides that subject imports from a single country which comprise less than 3 percent of total such imports of the product may not be considered negligible if there are several countries subject to investigation with negligible imports and the sum of such imports from all those countries collectively accounts for more than 7 percent of the volume of all such merchandise imported into the United States. 19 U.S.C. § 1677(24)(A)(ii). In the case of countervailing duty investigations involving developing countries (as designated by the United States Trade Representative), the statute indicates that the negligibility limits are 4 percent and 9 percent, rather than 3 percent and 7 percent. 19 U.S.C. § 1677(24)(B).

During the 12-month period prior to the filing of the petition, April 2015 through March 2016, the percentage share of the quantity of total imports accounted by subject imports from France (13.4 percent), Germany (16.4 percent), Italy (3.05 percent), Japan (4.9 percent), and Korea (subject) (\*\*\*) percent) were each above the 3 percent individual subject country statutory negligibility threshold applicable to the antidumping and countervailing duty investigations. Memorandum INV-OO-119 at Table IV-4. Accordingly, we find that the subject imports from France, Germany, Italy, Japan, and Korea are not negligible.

During the 12-month period prior to the filing of the petition, the percentage share of the quantity of total imports accounted by subject imports from Austria (1.1 percent), Belgium (1.1 percent), and Taiwan (1.6 percent) was each below the 3 percent individual subject country statutory negligibility threshold applicable to antidumping duty investigations. There are six countries for which CTL plate investigations were simultaneously initiated for which imports were below the 3 percent individual subject country statutory negligibility threshold applicable to antidumping duty investigations. The other three countries are Brazil (2.5 percent), South Africa (1.6 percent), and Turkey (1.3 percent), and the aggregate percentage of imports from these six sources during the 12-month negligibility period was 9.2 percent. Memorandum INV-OO-119 at Table IV-4. Because this exceeds the 7 percent statutory threshold pertinent to aggregated imports from individually negligible sources, we find that subject imports are not negligible for purposes of the antidumping duty investigations on CTL plate from Austria, Belgium, and Taiwan.

The statute additionally instructs the Commission to consider the “magnitude of the dumping margin” in an antidumping proceeding as part of its consideration of the impact of imports. 19 U.S.C. § 1677(7)(C)(iii)(V). In its final determinations, Commerce found antidumping duty margins of 53.72 percent for imports from Austria, 5.40 percent to 51.78 percent for imports from Belgium, 8.62 percent to 148.02 percent for imports from France, 5.38 percent to 22.90 percent for imports from Germany, 6.08 percent to 22.19 percent for imports from Italy, 14.79 percent to 48.67 percent for imports from Japan, 7.39 percent for imports from Korea, and 3.62 percent to 6.95 percent for imports from Taiwan. *Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 Fed. Reg. 16366, 16367 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Final Determination of (continued...)*

### III. Critical Circumstances

#### a. Legal Standards and Party Arguments

In its final antidumping and countervailing duty determinations concerning CTL plate from Austria, Belgium, and Italy, Commerce found that critical circumstances exist with respect to certain subject producers/exporters. Because we have determined that the domestic industry is materially injured by reason of subject imports from each of these countries, we must further determine "whether the imports subject to the affirmative {Commerce critical circumstances} determination ... are likely to undermine seriously the remedial effect of the antidumping {and/or countervailing duty} order{s} to be issued."<sup>8</sup> The Uruguay Round Agreements Act Statement of Administrative Action ("SAA") indicates that the Commission is to determine "whether, by massively increasing imports prior to the effective date of relief, the importers have seriously undermined the remedial effect of the order" and specifically "whether the surge in imports prior to the suspension of liquidation, rather than the failure to provide retroactive relief, is likely to seriously undermine the remedial effect of the order."<sup>9</sup> The legislative history for the critical circumstances provision indicates that the provision was designed "to deter exporters whose merchandise is subject to an investigation from circumventing the intent of the law by increasing their exports to the United States during the period between initiation of an investigation and a preliminary determination by {Commerce}."<sup>10</sup> An affirmative critical circumstances determination by the Commission, in conjunction with an affirmative determination of material injury by reason of subject imports, would normally result in the retroactive imposition of duties for those imports subject to the

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*Sales at Less Than Fair Value and Final Determination of Critical Circumstances, In Part*, 82 Fed. Reg. 16378, 16379 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-To-Length Plate From France: Final Determination of Sales at Less Than Fair Value*, 92 Fed. Reg. 16363, 16364 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-to-Length Plate From the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value*, 82 Fed. Reg. 16360, 16361 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-to-Length Plate From Italy: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 Fed. Reg. 16345, 16346 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-to-Length Plate From Japan: Final Determination of Sales at Less Than Fair Value*, 82 Fed. Reg. 16349, 16360 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Final Determination of Sales at Less Than Fair Value and Final Negative Critical Circumstances Determination*, 82 Fed. Reg. 16369, 16370 (Apr. 4, 2017); *Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Final Determination of Sales at Less Than Fair value and Final Negative Determination of Critical Circumstances*, 82 Fed. Reg. 16372, 16373 (Apr. 4, 2017). Our consideration of these margins, as well as those for the other subject countries whose imports we have cumulated, is described in *CTL Plate Final I*, USITC Pub.4664 at 41 n.192.

<sup>8</sup> 19 U.S.C. §§ 1671d(b)(4)(A)(ii), 1673d(b)(4)(A)(ii).

<sup>9</sup> SAA, H.R. Rep. No. 103-316, vol. 1 (1994) at 877.

<sup>10</sup> *ICC Industries, Inc. v United States*, 812 F.2d 694, 700 (Fed. Cir. 1987), quoting H.R. Rep. No. 96-317 at 63 (1979), *aff'g* 632 F. Supp. 36 (Ct. Int'l Trade 1986). See 19 U.S.C. §§ 1671b(e)(2), 1673b(e)(2).

affirmative Commerce critical circumstances determination for a period 90 days prior to the suspension of liquidation.

The statute provides that, in making this determination, the Commission shall consider, among other factors it considers relevant,

- (I) the timing and the volume of the imports,
- (II) a rapid increase in inventories of the imports, and
- (III) any other circumstances indicating that the remedial effect of the {order} will be seriously undermined.<sup>11</sup>

In considering the timing and volume of subject imports, the Commission's practice is to consider import quantities prior to the filing of the petition with those subsequent to the filing of the petition using monthly statistics on the record regarding those firms for which Commerce has made an affirmative critical circumstances determination.<sup>12</sup>

## **b. Analysis**

### **1. Choice of Time Period**

We first consider the appropriate period for comparison of pre-petition and post-petition levels of subject imports from Australia, Belgium, and Italy. The Commission is not required to analyze the same period that Commerce examined.<sup>13</sup> Unless the industry under investigation involves seasonality or the Commission decides that circumstances warrant otherwise,<sup>14</sup> the Commission generally compares six months of data gathered from the periods immediately preceding and following the petition's filing.<sup>15</sup>

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<sup>11</sup> 19 U.S.C. §§ 1671d(b)(4)(A)(ii), 1673d(b)(4)(A)(ii).

<sup>12</sup> See *Lined Paper School Supplies from China, India, and Indonesia*, Inv. Nos. 701-TA-442-43, 731-TA-1095-97, USITC Pub. 3884 at 46-48 (Sept. 2006); *Carbazole Violet Pigment from China and India*, Inv. Nos. 701-TA-437 and 731-TA-1060-61 (Final), USITC Pub. 3744 at 26 (Dec. 2004); *Certain Frozen Fish Fillets from Vietnam*, Inv. No. 731-TA-1012 (Final), USITC Pub. 3617 at 20-22 (Aug. 2003).

<sup>13</sup> *Certain Polyester Staple Fiber from China*, Inv. No. 731-TA-1104 (Final), USITC Pub. 3922 at 35 (June 2007); *Steel Concrete Reinforcing Bars from Turkey*, Inv. No. 731-TA-745 (Final), USITC Pub. 3034 at 34 (Apr. 1997).

<sup>14</sup> See *1,1,1,2--Tetrafluoroethane (R-134a) from China*, Inv. No. 731-TA-1313 (Final), USITC Pub. 4679 at 25 (April 2017) (engaging in seasonal analysis because of demand patterns for product).

<sup>15</sup> The Commission has used five-month periods in recent investigations where the timing of the first preliminary Commerce determination authorizing the imposition of provisional duties would have served to reduce subject import volume in the sixth month of the post-petition period. See *CTL Plate Final I*, USITC Pub. 4664 at 48; *Cold-Rolled Steel Flat Products from China and Japan*, Inv. Nos. 701-TA-541 and 731-TA-1284 and 1286 (Final), USITC Pub. 4619 (July 2016); *Polyethylene Terephthalate (PET) Resin from Canada, China, India, and Oman*, Inv. Nos. 701-TA-531-532 and 731-TA-1270-1273 (Final), USITC Pub. 4604 at 31-32 (Apr. 2016); *Carbon and Certain Steel Wire Rod from China*, Inv. Nos. 701-TA- (continued...)

## 2. Austria

In its final antidumping duty critical circumstances determination for CTL plate from Austria, Commerce determined that critical circumstances exist with regard to subject imports from Austria produced by voestalpine.<sup>16</sup> Subject import volume from voestalpine was \*\*\* short tons in the six-month period preceding the filing of the petition and \*\*\* short tons in the six-month period following the filing of the petition.<sup>17</sup> End-of-period (“EOP”) inventories increased from \*\*\* short tons in January-September (“interim”) 2015 to \*\*\* short tons in interim 2016.<sup>18</sup> Although the percentage increase in such imports between the pre- and post-petition periods was \*\*\* percent, the absolute volume of that increase was only \*\*\* short tons in a market in which annual apparent U.S. consumption was 8.3 million short tons in 2015, the most recent full calendar year for which data were collected.<sup>19</sup> Therefore, in light of the low absolute tonnage involved, the relatively unchanged levels of inventories, and in the absence of any other circumstances indicating that the remedial effect of the antidumping duty order will be seriously undermined, we make a negative critical circumstances determination with regard to subject imports in the antidumping duty investigation of CTL plate from Austria.

## 3. Belgium

In its final antidumping duty critical circumstances determination for CTL plate from Belgium, Commerce determined that critical circumstances exist with regard to subject imports from all producers/exports in Belgium, except Industeel Belgium SA.<sup>20</sup> Subject import volume from all exporters in Belgium except Industeel Belgium SA, was \*\*\* short tons in the six-month period preceding the filing of the petition and \*\*\* short tons in the six-month period following

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512, 731-TA-1248 (Final), USITC Pub. 4509 at 25-26 (Jan. 2015) (using five-month periods because preliminary Commerce countervailing duty determination caused reduction of subject import volume in sixth month). *See also Certain Orange Juice from Brazil*, Inv. No. 731-TA-1089 (Final), USITC Pub. 3838 at 29 n.203 (using seven month period because the petition was filed late in the month). *But see Certain Magnesia Carbon Bricks from China and Mexico*, Inv. Nos. 701-TA-468 (Final) & 731-TA-1166 to 1167 (Final), USITC Pub. 4182 at 24 (Sept. 2010); *Small Diameter Graphite Electrodes from China*, Inv. No. 731-TA-1143 (Final), USITC Pub. 462 at 24 (Feb. 2009). We have used six-month periods here (October 2015-March 2016 for the pre-petition period and April-September 2016 for the post-petition period) because the petitions were filed on April 8, 2016 and the pertinent Commerce preliminary antidumping determinations were issued in November 2016.

<sup>16</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 Fed. Reg. 16366 (Apr. 4, 2017).

<sup>17</sup> Memorandum INV-OO-119 (Dec. 19, 2016) at Table IV-5.

<sup>18</sup> Memorandum INV-OO-119 (Dec. 19, 2016) at Tables IV-21, VII-55.

<sup>19</sup> Memorandum INV-OO-119 (Dec. 19, 2016) at Table IV-21.

<sup>20</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances*, In Part, 82 Fed. Reg. 16378 (Apr. 4, 2017).

the filing of the petition.<sup>21</sup> EOP inventories decreased from \*\*\* short tons in interim 2015 to \*\*\* short tons in interim 2016.<sup>22</sup> Although the percentage increase in such imports between the pre- and post-petition periods was \*\*\* percent, the absolute volume of that increase was only \*\*\* short tons in a market in which annual apparent U.S. consumption was 8.3 million short tons in 2015.<sup>23</sup> Therefore, in light of the low absolute tonnage involved, the decrease in level of inventories, and in the absence of any other circumstances indicating that the remedial effect of the antidumping duty order will be seriously undermined, we make a negative critical circumstances determination with regard to subject imports in the antidumping duty investigation of CTL plate from Belgium.

#### 4. Italy

In its final antidumping duty critical circumstances determination for CTL plate from Italy, Commerce determined that critical circumstances exist with regard to subject imports from all producers/exporters in Italy.<sup>24</sup> Subject import volume from Italy was 8,585 for the six-month period preceding the filing of the petition and 24,313 short tons in the six-month period following the filing of the petition.<sup>25</sup> EOP inventories decreased from \*\*\* short tons in interim 2015 to \*\*\* short tons in interim 2016.<sup>26</sup> Although the percentage increase in such imports between the pre- and post-petition periods was \*\*\* percent, the increase was only \*\*\* short tons in a market in which annual apparent U.S. consumption was 8.3 million short tons in 2015.<sup>27</sup> Therefore, in light of the low absolute tonnage involved, the decrease in level of inventories, and in the absence of any other circumstances indicating that the remedial effect of the antidumping duty order will be seriously undermined, we make a negative critical circumstances determination with regard to subject imports in the antidumping duty investigation of CTL plate from Italy.

#### IV. Conclusion

For the reasons stated above, we determine that an industry in the United States is materially injured by reason of subject imports of CTL plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan that are sold in the United States at less than fair value, and subject imports that are subsidized by the government of Korea.

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<sup>21</sup> Memorandum INV-PP-055 (Apr. 24, 2017) at Table I-2.

<sup>22</sup> Memorandum INV-PP-055 (Apr. 24, 2017) at I-8; and Memorandum INV-OO-119 (Dec. 19, 2016) at Table VII-55.

<sup>23</sup> Memorandum INV-OO-119 (Dec. 19, 2016) at Table IV-21.

<sup>24</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances, In Part*, 82 Fed. Reg. 16378 (Apr. 4, 2017).

<sup>25</sup> Memorandum INV-PP-055 (Apr. 24, 2017) at Table I-3.

<sup>26</sup> Memorandum INV-PP-055 (Apr. 24, 2017) at Table I-11; and Memorandum INV-OO-119 (Dec. 19, 2016) at Table VII-55.

<sup>27</sup> Memorandum INV-OO-119 (Dec. 19, 2016) at Table IV-21.





## PART I: INTRODUCTION

### BACKGROUND

These investigations result from petitions filed with the U.S. Department of Commerce (“Commerce”) and the U.S. International Trade Commission (“USITC” or “Commission”) by ArcelorMittal USA LLC (Chicago, Illinois), Nucor Corporation (Charlotte, North Carolina), and SSAB Enterprises, LLC (Lisle, Illinois) on April 8, 2016, alleging that an industry in the United States is materially injured and threatened with material injury by reason of less-than-fair-value (“LTFV”) imports of certain carbon and alloy steel cut-to-length plate (“CTL plate”) from Austria, Belgium, Brazil,<sup>1</sup> China,<sup>1</sup> France, Germany, Italy, Japan, Korea, South Africa,<sup>1</sup> Taiwan, and Turkey,<sup>1</sup> and subsidized imports from Brazil,<sup>2</sup> China,<sup>1</sup> and Korea. The following tabulation provides information relating to the background of these investigations.<sup>3</sup>

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<sup>1</sup> The Commission issued its determinations and views with respect to Brazil, South Africa, and Turkey on January 19, 2017. The Commission issued its determinations and views with respect to China on March 13, 2017.

<sup>2</sup> In the preliminary phase of these investigations, the Commission determined allegedly subsidized imports of CTL plate from Brazil to be negligible and terminated its countervailing duty investigation on such imports.

<sup>3</sup> Pertinent *Federal Register* notices are referenced in app. A, and may be found at the Commission’s website ([www.usitc.gov](http://www.usitc.gov)).

<b>Effective date</b>	<b>Action</b>
April 8, 2016	Petitions filed with Commerce and the Commission; institution of Commission investigation (81 FR 22116, April 14, 2016)
April 28, 2016	Commerce's notices of initiation of its antidumping duty investigations (81 FR 27089, May 5, 2016) and countervailing duty investigations (81 FR 27098, May 5, 2016)
May 23, 2016	Commission's preliminary determinations (81 FR 33705, May 27, 2016)
September 7, 2016	Commerce's preliminary critical circumstances determinations on imports from Austria, Belgium, Brazil, Korea, Taiwan, and Turkey (81 FR 61666)
September 13, 2016	Commerce's preliminary affirmative countervailing duty determination on imports from China and alignment of final determination with final antidumping duty determination (81 FR 62871)
September 14, 2016	Commerce's preliminary negative countervailing duty determination on imports from Korea and alignment of final determination with final antidumping duty determination (81 FR 63168)
September 22, 2016	Commerce's preliminary affirmative antidumping duty determinations on imports from Brazil, South Africa, and Turkey (81 FR 65337)
September 16, 2016	Scheduling of final phase of Commission investigations (81 FR 70440, October 12, 2016)
November 14, 2016	Commerce's preliminary affirmative antidumping duty determinations on imports from Austria (81 FR 79416), Belgium (81 FR 79431), China (81 FR 79450), France (81 FR 79437), Germany (81 FR 79446), Italy (81 FR 79423), Japan (81 FR 79427), Korea (81 FR 79441), and Taiwan (81 FR 79420); Commerce's postponement of final determinations on imports from Austria (81 FR 79416), Belgium (81 FR 79431), France (81 FR 79437), Germany (81 FR 79446), Italy (81 FR 79423), Japan (81 FR 79427), and Korea (81 FR 79441); Commerce's preliminary critical circumstances determination on imports from Italy (81 FR 79423)
November 29, 2016	Commerce's amended preliminary affirmative antidumping duty determination on imports from Germany (81 FR 85930)
November 30, 2016	Commission's hearing
December 2, 2016	Commerce's amended preliminary affirmative antidumping duty determination on imports from France (81 FR 87019)
December 5, 2016	Commerce's final affirmative antidumping duty determinations on imports from Brazil, South Africa, and Turkey, and final affirmative critical circumstances determination on imports from Brazil and Turkey (81 FR 87544)
December 9, 2016	Commerce's corrected amended preliminary affirmative antidumping duty determination on imports from France (81 FR 90780, December 15, 2016)
January 6, 2017	Commission's vote (Brazil, South Africa, Turkey)
January 19, 2017	Commission's final antidumping duty determinations on imports from Brazil, South Africa, and Turkey (82 FR 8541, January 19, 2017)
January 26, 2017	Commerce's final antidumping and countervailing duty determinations on imports from China (82 FR 8507 and 82 FR 8510)
March 3, 2017	Commission's vote (China)
March 13, 2017	Commission's final antidumping and countervailing duty determinations on imports from China (82 FR 14230, March 17, 2017).

Table continued on next page.

Effective date	Action
April 4, 2017	Commerce's final countervailing duty determination on imports from Korea (82 FR 16341) and Commerce's antidumping duty determinations on imports from Austria (82 FR 16366), Belgium (82 FR 16378), France (82 FR 16363), Germany (82 FR 16360), Italy (82 FR 16345), Japan (82 FR 16349), Korea (82 FR 16369), and Taiwan (82 FR 16372)
May 5, 2017	Commission's vote (Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan)
May 18, 2017	Commission's views (Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan)

The information contained in this report is intended to be used in conjunction with data presented in the Commission's report on *Carbon and Alloy Steel Cut-to-Length Plate from Brazil, South Africa, and Turkey, Investigation Nos. 731-TA-1319, 1326, and 1328 (Final)*, USITC Publication 4664, January 2017, and its corresponding confidential version contained in memorandum No. INV-OO-119, Investigation Nos. 701-TA-560-561 and 731-TA-1317-1328 (Final): *Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey*.<sup>4</sup> No new information except for Commerce's final determinations concerning CTL plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan and party comments<sup>5</sup> thereon is included in the record for this proceeding.

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<sup>4</sup> Information regarding the companion investigations on CTL plate from China can be found in *Carbon and Alloy Steel Cut-to-Length Plate from China, Investigation Nos. 701-TA-560 and 731-TA-1320 (Final)*, USITC Publication 4675, March 2017, and its corresponding confidential version contained in memorandum No. INV-PP-027, Investigation Nos. 701-TA-560 and 731-TA-1320 (Final): *Carbon and Alloy Steel Cut-to-Length Plate from China*.

<sup>5</sup> Party comments were filed on behalf of domestic producers ArcelorMittal USA LLC, Nucor Corporation, and SSAB Enterprises, LLC. Party comments were also filed on behalf of certain respondents Aktiengesellschaft der Dillinger Hüttenwerke; Dillinger France S.A.; Dillinger America Inc.; Salzgitter AG; Salzgitter Mannesmann International USA, Inc.; Salzgitter Mannesmann International GmbH; Universal Steel America Inc.; thyssenkrupp Steel Europe AG; thyssenkrupp Steel North America, Inc.; Berg Steel Pipe Corp.; and Friedr. Lohmann GmbH.

## NATURE AND EXTENT OF SUBSIDIES AND SALES AT LTFV

### Subsidies

On April 4, 2017, Commerce published a notice in the *Federal Register* of its final affirmative determination of countervailable subsidies for producers and exporters of CTL plate from Korea. Commerce determined the countervailing subsidy rate for POSCO to be 4.31 percent.<sup>6</sup>

### Sales at LTFV

On April 4, 2017, Commerce published a notice in the *Federal Register* of its final determination of sales at LTFV with respect to imports from Austria,<sup>7</sup> Belgium,<sup>8</sup> France,<sup>9</sup> Germany,<sup>10</sup> Italy,<sup>11</sup> Japan,<sup>12</sup> Korea,<sup>13</sup> and Taiwan.<sup>14</sup> Table I-1 presents these findings. Table I-1 of this report corresponds to table I-5 of INV-OO-119 (December 19, 2016) and USITC Publication 4664 (January 2017).

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<sup>6</sup> *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Final Affirmative Countervailing Duty Determination and Final Negative Critical Circumstances Determination*, 82 FR 16341, April 4, 2017.

<sup>7</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16366, April 4, 2017.

<sup>8</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate from Belgium: Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances, in Part*, 82 FR 16378, April 4, 2017.

<sup>9</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From France: Final Determination of Sales at Less Than Fair Value*, 82 FR 16363, April 4, 2017.

<sup>10</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value*, 82 FR 16360, April 4, 2017.

<sup>11</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16345, April 4, 2017.

<sup>12</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Japan: Final Determination of Sales at Less Than Fair Value*, 82 FR 16349, April 4, 2017.

<sup>13</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Final Determination of Sales at Less Than Fair Value and Final Negative Critical Circumstances Determination*, 82 FR 16369, April 4, 2017.

<sup>14</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances*, 82 FR 16372, April 4, 2017.

**Table I-1****CTL plate: Commerce's final weighted-average LTFV margins with respect to imports from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan**

<b>Exporter/producer</b>	<b>Final dumping margin (percent)</b>
<b>Austria</b>	
Bohler Edelstahl GmbH & Co KG; Bohler Bleche GmbH & Co KG; Bohler International GmbH; voestalpine Grobblech GmbH; voestalpine Steel Service Center GmbH	53.72
All Others	53.72
<b>Belgium</b>	
Industeel Belgium S.A.	5.40
NLMK Clabecq S.A.; NLMK Plate Sales S.A.; NLMK Sales Europe S.A., NLMK Manage Steel Center S.A., and or NLMK La Louviere S.A.	51.78
All Others	5.40
<b>France</b>	
Dillinger France S.A.	8.62
Industeel France S.A.	148.02
All Others	8.62
<b>Germany</b>	
AG der Dillinger Hüttenwerke	5.38
Ilsenburger Grobblech GmbH; Salzgitter Mannesmann Grobblech GmbH; Salzgitter Flachstahl GmbH; and Salzgitter Mannesmann International GmbH	22.90
All Others	21.03
<b>Italy</b>	
NLMK Verona SpA	22.19
Officine Tecnosider s.r.l.	6.08
Marcegaglia SpA	22.19
All Others	6.08
<b>Japan</b>	
Tokyo Steel Manufacturing Co., Ltd.	14.79
JFE Steel Corporation	48.67
Shimabun Corporation	48.67
All others	14.79

Table continued on next page.

**Table I-1 -- Continued****CTL plate: Commerce’s final weighted-average LTFV margins with respect to imports from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan**

Exporter/producer	Final dumping margin (percent)
<b>Korea</b>	
POSCO and POSCO Daewoo Corporation	7.39
All Others	7.39
<b>Taiwan</b>	
China Steel Corporation	6.95
Shang Chen Steel Co., Ltd.	3.62
All Others	5.29

Source: *Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16366, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate from Belgium: Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances, in Part*, 82 FR 16378, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From France: Final Determination of Sales at Less Than Fair Value*, 82 FR 16363, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value*, 82 FR 16360, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16345, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From Japan: Final Determination of Sales at Less Than Fair Value*, 82 FR 16349, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Final Determination of Sales at Less Than Fair Value and Final Negative Critical Circumstances Determination*, 82 FR 16369, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances*, 82 FR 16372, April 4, 2017.

## CRITICAL CIRCUMSTANCES

### Austria (antidumping duty)

In its preliminary determination, Commerce concluded that critical circumstances exist for imports of CTL plate from Austrian producer voestalpine.<sup>15</sup> In its final determination, published in the *Federal Register* on April 4, 2017, Commerce continued to find that critical circumstances do not exist with respect to imports of CTL plate from Austria produced by companies covered by the “all others” rate. Commerce again found that there were massive imports of subject merchandise from Austrian producer voestalpine and determined that critical circumstances exist with respect to imports of CTL plate from Austria produced by voestalpine.<sup>16</sup>

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<sup>15</sup> *Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, the Republic of Korea, Taiwan, and Turkey; Antidumping and Countervailing Duty Investigations: Preliminary Determinations of Critical Circumstances*, 81 FR 61666, September 7, 2016.

<sup>16</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16366, April 4, (continued...)

## Belgium (antidumping duty)

In its preliminary antidumping critical circumstances determination concerning Belgium, Commerce determined that critical circumstances exist with regard to imports of CTL plate from Belgian producers Industeel Belgium SA (“Industeel (Belgium)”) and NLMK Clabecq.<sup>17</sup> In its final determination, published in the *Federal Register* on April 4, 2017, Commerce determined that critical circumstances exist with respect to imports of CTL plate from Belgium produced or exported by NLMK Clabecq and for companies covered by the “all others” rate, and determined that critical circumstances do not exist with respect to imports of CTL plate from Belgium produced by Industeel (Belgium).<sup>18</sup>

Data with respect to import trends appear in table IV-2 of INV-OO-119 (December 19, 2016) and USITC Publication 4664 (January 2017). Based on the existing record evidence, table I-2 and figure I-1 present monthly U.S. imports of CTL plate from Belgian producers NLMK Clabecq as well as companies covered by the “all others” rate during October 2015 to September 2016, by month. Based on the existing record evidence, these data show that U.S. imports for which NLMK Clabecq and companies covered by the “all others” rate were reported by \*\*\* as the importers of record were \*\*\* percent higher in the six-month period (April 2016 to September 2016) following the filing of the petition<sup>19</sup> than in the preceding six-month period (October 2015 to March 2016).

Of the eight firms that reported U.S. imports of CTL plate from Belgium, four firms indicated that inventories of the imported merchandise were held in the United States. Reported U.S. importers’ inventories of CTL plate imported from Belgium amounted to \*\*\* short tons at September 2015 and \*\*\* short tons at September 2016. These data, however, are overstated for the purposes of critical circumstances considerations because they may include inventories of imports from other Belgian producers for which Commerce made a negative finding.

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(...continued)

2017. Data for imports by U.S. importers from Austrian producer voestalpine during October 2015 through September 2016 correspond to table IV-5 and figure IV-3 of INV-OO-119 (December 19, 2016) and USITC Publication 4664 (January 2017).

<sup>17</sup> *Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, the Republic of Korea, Taiwan, and Turkey; Antidumping and Countervailing Duty Investigations: Preliminary Determinations of Critical Circumstances*, 81 FR 61666, September 7, 2016.

<sup>18</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate from Belgium: Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances, in Part*, 82 FR 16378, April 4, 2017.

<sup>19</sup> The petition was filed on April 8, 2016.

**Table I-2**

**CTL plate: Imports by U.S. importers from Belgian producers NLMK Clabecq and companies covered by the “all others” rate, October 2015–March 2016 and April 2016–September 2016**

\* \* \* \* \*

**Figure I-1**

**CTL plate: Imports by U.S. importers from Belgian producers NLMK Clabecq and companies covered by the “all others” rate, October 2015 through September 2016**

\* \* \* \* \*

### **Italy (antidumping duty)**

In its preliminary antidumping critical circumstances determination concerning Italy, Commerce determined that critical circumstances exist with regard to imports of CTL plate from Marcegaglia SpA (“Marcegaglia”), NLMK Verona SpA (“NLMK Verona”), and Officine Tecnosider s.r.l. (“Officine”).<sup>20</sup> In its final determination, published in the *Federal Register* on April 4, 2017, Commerce determined that critical circumstances exist with respect to imports of CTL plate from Italy produced by Marcegaglia, NLMK Verona, Officine, as well as companies covered by the “all others” rate.<sup>21</sup>

Data with respect to import trends appear in table I-3 of this report corresponds to table IV-2 of INV-OO-119 (December 19, 2016) and USITC Publication 4664 (January 2017). Based on the existing record evidence, table I-3 and figure I-2 present monthly U.S. imports of CTL plate by U.S. importers from Italy for the six month periods before and after the filing of the petition on April 8, 2016 (October 2015 through March 2016 and April 2016 through September 2016). These data show that U.S. imports from firms receiving affirmative final antidumping duty critical circumstances determinations during the six-month period after the filing of the petition (April 2016 to September 2016) were 183.2 percent higher than in the six-month period prior to the filing of the petition (October 2015 to March 2016).

Of the 12 firms that reported U.S. imports of CTL plate from Italy, seven indicated that inventories of the imported merchandise were held in the United States. Reported U.S. importers’ inventories of CTL plate imported from Italy amounted to \*\*\*short tons at September 2015 and \*\*\* short tons at September 2016.

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<sup>20</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Preliminary Determination of Sales at Less Than Fair Value, Affirmative Determination of Critical Circumstances, and Postponement of Final Determination*, 81 FR 79423, November 14, 2016.

<sup>21</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16345, April 4, 2017.



**Table I-3**

**CTL plate: Imports by U.S. importers from Marcegaglia, NLMK Verona, Officine, and companies covered by the “all others” rate, October 2015–March 2016 and April 2016–September 2016**

<b>Period</b>	<b>Actual monthly quantity (short tons)</b>	<b>Outwardly cumulative subtotals (short tons)</b>	<b>Outwardly cumulative 2-, 4-, 6-, 8-, 10- and 12-month totals (short tons)<sup>1</sup></b>	<b>Mirror shares (percent)<sup>2</sup></b>	<b>Mirror shares (enumeration)<sup>3</sup></b>
2015.--					
October	406	8,585	32,898	26.1	F
November	1,186	8,179	24,208	33.8	E
December	2,391	6,993	21,042	33.2	D
2016.--					
January	271	4,602	8,271	55.6	C
February	3,766	4,331	7,138	60.7	B
March	565	565	1,625	34.8	A
Petition file date: April 8, 2016					
April	1,060	1,060	1,625	65.2	A
May	1,748	2,807	7,138	39.3	B
June	862	3,669	8,271	44.4	C
July	10,380	14,049	21,042	66.8	D
August	1,980	16,029	24,208	66.2	E
September	8,284	24,313	32,898	73.9	F

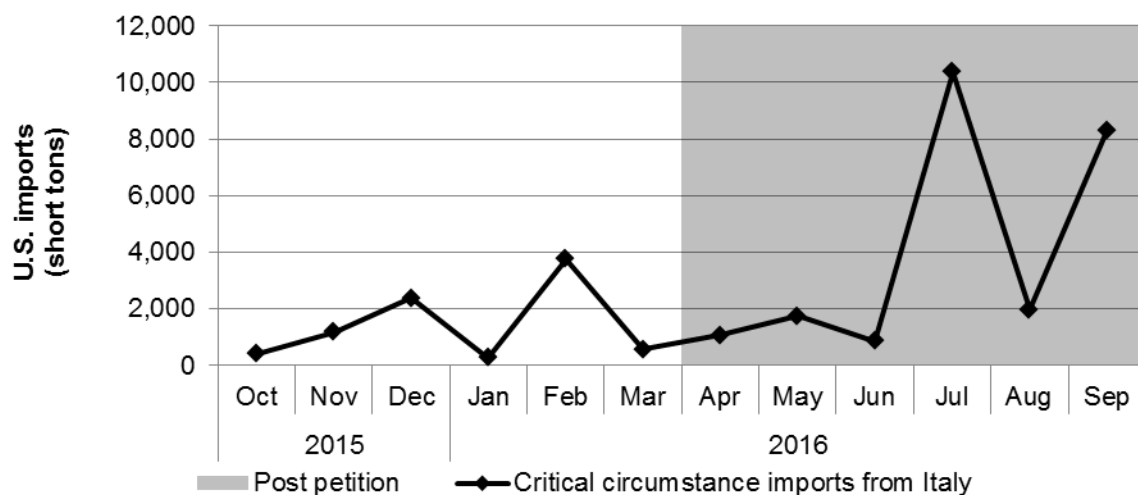
<sup>1</sup> The totals represent the total imports summing both sides of the petition file date. For example, the total reported for the April line represents April 2016 and March 2016 data; whereas the total reported for the May line represents 4 months of data for the February 2016 through May 2016 period.

<sup>2</sup> Mirror shares represent data in the second column divided by the data in third column.

<sup>3</sup> The enumerations indicate which two shares should sum to 100 percent (e.g., the two lines labeled A should sum to 100 percent, the two lines labeled B should sum to 100 percent, et cetera).

Source: Official U.S. import statistics using HTS statistical reporting numbers 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.1190, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000, accessed November 3, 2016.

**Figure I-2**  
**CTL plate: Imports by U.S. importers from from Marcegaglia, NLMK Verona, Officine, and companies covered by the “all others” rate, October 2015 through September 2016**



Source: Official U.S. import statistics using HTS statistical reporting numbers 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.1190, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000, accessed November 7, 2016.

### **Korea (antidumping and countervailing duty)**

In its preliminary antidumping critical circumstances determination concerning Korea, Commerce determined that critical circumstances do not exist with regard to imports of CTL plate from POSCO/POSCO Daewoo Corporation and all other producers/exporters in Korea.<sup>22</sup> In its final determination, published in the *Federal Register* on April 4, Commerce continued to find that critical circumstances do not exist with regard to imports of CTL plate from POSCO/POSCO Daewoo Corporation and all other producers/exporters in Korea.<sup>23</sup>

<sup>22</sup> *Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, the Republic of Korea, Taiwan, and Turkey; Antidumping and Countervailing Duty Investigations: Preliminary Determinations of Critical Circumstances*, 81 FR 61666, September 7, 2016.

<sup>23</sup> *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Final Affirmative Countervailing Duty Determination and Final Negative Critical Circumstances Determination*, 82 FR 16341, April 4, 2017; *Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 82 FR 16369, April 4, 2017.

## Taiwan (antidumping duty)

In its preliminary antidumping critical circumstances determination concerning Taiwan, Commerce determined that critical circumstances exist with regard to imports of CTL plate from CSC and all other producers/exporters in Taiwan except for Shang Chen Steel Co. Ltd. (“Shang Chen”).<sup>24</sup> In its final determination, published in the *Federal Register* on April 4, Commerce determined that critical circumstances do not exist with respect to imports of CTL plate from Taiwan produced by China Steel Corporation (“CSC”), Shang Chen, and companies covered by the “all others” rate.<sup>25</sup>

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<sup>24</sup> *Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, the Republic of Korea, Taiwan, and Turkey; Antidumping and Countervailing Duty Investigations: Preliminary Determinations of Critical Circumstances*, 81 FR 61666, September 7, 2016.

<sup>25</sup> *Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances*, 82 FR 16372, April 4, 2017.



**APPENDIX A**

***FEDERAL REGISTER* NOTICES**



The Commission makes available notices relevant to its investigations and reviews on its website, [www.usitc.gov](http://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 22116 April 14, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-04-14/pdf/2016-08543.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-04-14/pdf/2016-08543.pdf</a>
81 FR 27089 May 5, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria, Belgium, Brazil, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, the People’s Republic of China, South Africa, Taiwan, and the Republic of Turkey: Initiation of Less-Than-Fair Value Investigations</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-05-05/pdf/2016-10627.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-05-05/pdf/2016-10627.pdf</a>
81 FR 27098 May 5, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, the People’s Republic of China, and the Republic of Korea: Initiation of Countervailing Duty Investigations</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-05-05/pdf/2016-10631.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-05-05/pdf/2016-10631.pdf</a>
81 FR 33705 May 27, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Determinations</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-05-27/pdf/2016-12537.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-05-27/pdf/2016-12537.pdf</a>

Citation	Title	Link
81 FR 61666 September 7, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, the Republic of Korea, Taiwan, and Turkey; Antidumping and Countervailing Duty Investigations: Preliminary Determinations of Critical Circumstances</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-09-07/pdf/2016-21501.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-09-07/pdf/2016-21501.pdf</a>
81 FR 62871 September 13, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-09-13/pdf/2016-21999.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-09-13/pdf/2016-21999.pdf</a>
81 FR 63168 September 14, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-09-14/pdf/2016-21997.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-09-14/pdf/2016-21997.pdf</a>
81 FR 65337 September 22, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and the Republic of Turkey: Affirmative Preliminary Determinations of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-09-22/pdf/2016-22885.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-09-22/pdf/2016-22885.pdf</a>
81 FR 70440 October 12, 2016	<i>Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Scheduling of the Final Phase Countervailing Duty and Antidumping Duty Investigations</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-10-12/pdf/2016-24566.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-10-12/pdf/2016-24566.pdf</a>



<b>Citation</b>	<b>Title</b>	<b>Link</b>
81 FR 79431 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27303.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27303.pdf</a>
81 FR 79423 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Preliminary Determination of Sales at Less Than Fair Value, Affirmative Determination of Critical Circumstances, and Postponement of Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27304.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27304.pdf</a>
81 FR 79416 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria: Preliminary Determination of Sales at Less Than Fair Value and Postponement of the Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27305.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27305.pdf</a>
81 FR 79420 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Preliminary Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27306.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27306.pdf</a>
81 FR 79441 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27311.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27311.pdf</a>
81 FR 79450 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27312.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27312.pdf</a>

Citation	Title	Link
81 FR 79446 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Federal Republic of Germany: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27313.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27313.pdf</a>
81 FR 79437 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From France: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27314.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27314.pdf</a>
81 FR 79427 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Japan: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27316.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27316.pdf</a>
81 FR 85930 November 29, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Federal Republic of Germany: Amended Preliminary Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-11-29/pdf/2016-28703.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-11-29/pdf/2016-28703.pdf</a>
81 FR 87019 December 2, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From France: Amended Preliminary Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-12-02/pdf/2016-28983.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-12-02/pdf/2016-28983.pdf</a>
81 FR 87544 December 5, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and the Republic of Turkey: Affirmative Final Determinations of Sales at Less Than Fair Value and Affirmative Final Determinations of Critical Circumstances for Brazil and the Republic of Turkey</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-12-05/pdf/2016-29071.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-12-05/pdf/2016-29071.pdf</a>

Citation	Title	Link
81 FR 90780 December 15, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From France: Correction to the Amended Preliminary Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-12-15/pdf/2016-30148.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-12-15/pdf/2016-30148.pdf</a>
82 FR 8507 January 26, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Final Affirmative Countervailing Duty Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01712.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01712.pdf</a>
82 FR 8510 January 26, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01710.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01710.pdf</a>
82 FR 8541 January 26, 2017	<i>Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and Turkey</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01740.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01740.pdf</a>
82 FR 10026 February 9, 2017	<i>Carbon and Alloy Steel Cut-to-Length Plate From China; Supplemental Schedule for the Subject Investigations</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-02-09/pdf/2017-02675.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-02-09/pdf/2017-02675.pdf</a>
82 FR 14230 March 17, 2017	<i>Carbon and Alloy Steel Cut-to-Length Plate From China</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-03-17/pdf/2017-05315.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-03-17/pdf/2017-05315.pdf</a>
82 FR 16341 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Final Affirmative Countervailing Duty Determination and Final Negative Critical Circumstances Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06632.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06632.pdf</a>
82 FR 16345 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Italy: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06630.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06630.pdf</a>

<b>Citation</b>	<b>Title</b>	<b>Link</b>
82 FR 16349 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Japan: Final Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06629.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06629.pdf</a>
82 FR 16360 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06628.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06628.pdf</a>
82 FR 16363 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From France: Final Determination of Sales at Less Than Fair Value</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06627.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06627.pdf</a>
82 FR 16366 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06634.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06634.pdf</a>
82 FR 16369 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Final Determination of Sales at Less Than Fair Value and Final Negative Critical Circumstances Determination</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06631.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06631.pdf</a>
82 FR 16372 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06703.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06703.pdf</a>
82 FR 16378 April 4, 2017	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances, in Part</i>	<a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06626.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-04/pdf/2017-06626.pdf</a>