Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan

Investigation No. 731-TA-1206 (Review)

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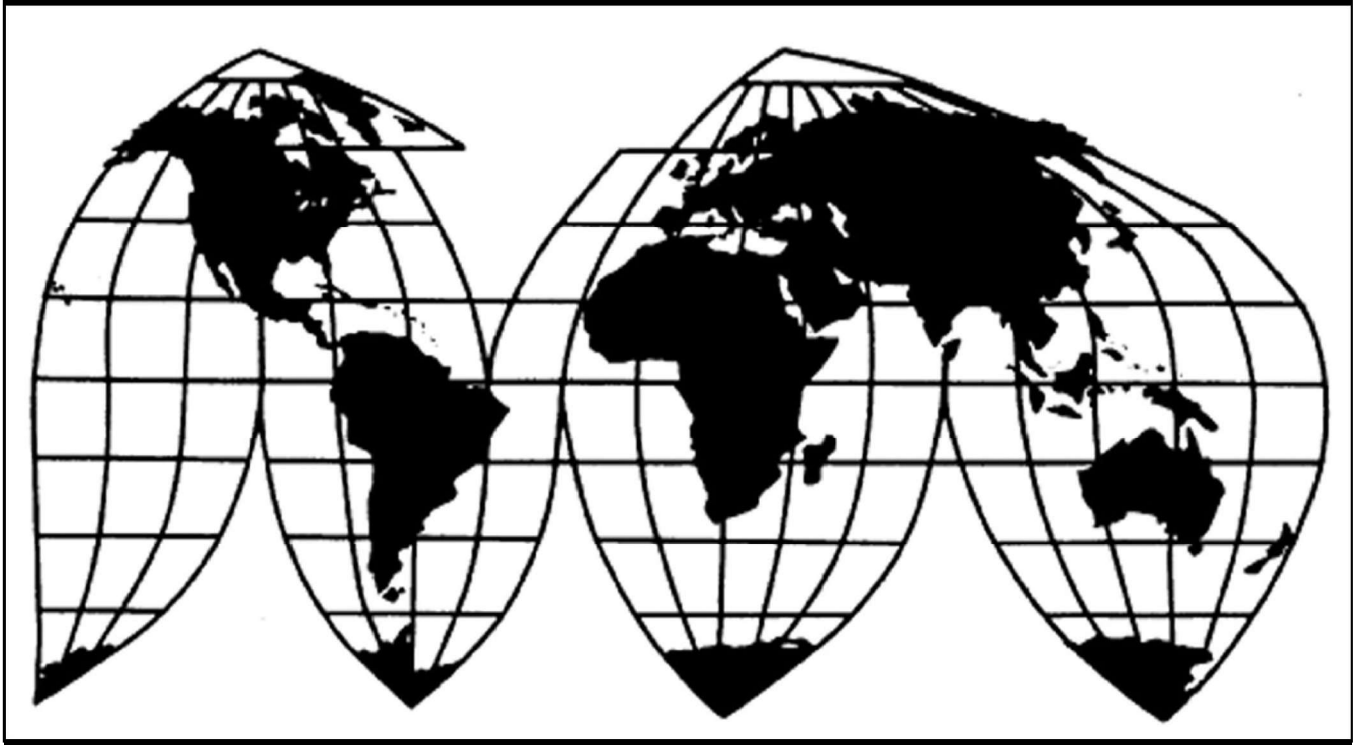
U.S. International Trade Commission



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U.S. International Trade Commission

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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. 731-TA-1206 (Review)
Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan

DETERMINATION

On the basis of the record[1] developed in the subject five-year review, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty order on diffusion-annealed, nickel-plated flat-rolled steel products from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[2]

BACKGROUND

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted this review on April 1, 2019 (84 FR 12282) and determined on July 5, 2019 that it would conduct an expedited review (84 FR 39862, August 12, 2019).

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

[2] Commissioners Randolph J. Stayin and Amy A. Karpel did not participate.

Views of the Commission

Based on the record in this five-year review, we determine under section 751(c) of the Tariff Act of 1930, as amended ("the Tariff Act"), that revocation of the antidumping duty order on diffusion-annealed, nickel-plated flat-rolled steel products ("nickel plate") from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[1]

I. Background

Original Investigation: On March 27, 2013, Thomas Steel Strip Corporation ("Thomas Steel" or "Thomas"), a U.S. producer of nickel plate, filed a petition seeking imposition of antidumping duties on imports of nickel plate from Japan.[2] In May 2014, the Commission determined that an industry in the United States was materially injured by reason of dumped imports of nickel plate from Japan.[3] The U.S. Department of Commerce ("Commerce") issued an antidumping duty order on imports of nickel plate from Japan on May 29, 2014.[4]

Current Review: On April 1, 2019, the Commission instituted this first five-year review.[5] Thomas filed the sole response to the notice of institution.[6] On July 5, 2019, the Commission determined that the domestic interested party group response to the notice of institution was adequate and that the respondent interested party group response was inadequate. Finding that no other circumstances warranted conducting a full review, the Commission determined to conduct an expedited review.[7] Thomas subsequently filed comments pursuant to Commission rule 207.62(d) on the determination the Commission should reach.[8]

Data/Response Coverage: U.S. industry data are based on information Thomas submitted in its response to the notice of institution. Thomas estimates that it accounted for

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[1] Commissioners Randolph J. Stayin and Amy A. Karpel did not participate in this review.

[2] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan*, Inv. No. 731-TA-1206 (Final), USITC Pub. 4466 at 3 (May 2014) ("*Final Determination*").

[3] *Final Determination*, USITC Pub. 4466 at 22.

[4] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan: Antidumping Duty Order*, 79 Fed. Reg. 30816 (May 29, 2014).

[5] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan; Institution of a Five-Year Review*, 84 Fed. Reg. 12282 (Apr. 1, 2019).

[6] Thomas's Response to the Notice of Institution, EDIS Docs. 674634 and 674720 (filed on May 1 and May 2, 2019, respectively) ("Response").

[7] Explanation of Commission Determination on Adequacy, EDIS Doc. 681326 (July 15, 2019); *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan; Expedited Five-Year Review*, 84 Fed. Reg. 39862 (Aug. 12, 2019).

[8] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan: Petitioner's Comments*, EDIS Dos. 685790 and 685791 (August 20, 2019) ("Comments").

*** percent of production of nickel plate in the United States in 2018.[9] U.S. import data are based on official import statistics of the U.S. Department of Commerce ("Commerce").[10] Foreign industry data and related information are based on information Thomas submitted, questionnaire responses from the original investigation, and publicly available information gathered by staff.[11]

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."[12] The Tariff Act defines "domestic like 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."[13] 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.[14]

Commerce has defined the scope of the antidumping duty order in this five-year review as follows:

> {F}lat-rolled, cold-reduced steel products, regardless of chemistry; whether or not in coils; either plated or coated with nickel or nickel-based alloys and subsequently annealed (i.e. "diffusion-annealed"); whether or not painted, varnished or coated with plastics or other metallic or nonmetallic substances; and less than or equal to 2.0 mm in nominal thickness. For purposes of this

[9] Response at Exhibit ("Exh.") 1. In its Adequacy Comments, Thomas estimated that it accounts for *** of U.S. nickel plate production. Adequacy Comments at 2.

[10] Confidential Report, Memorandum INV-RR-059 ("CR") and Public Report ("PR") at Table I-4.

[11] *See generally* CR at I-20-25, PR at I-13-16.

[12] 19 U.S.C. § 1677(4)(A).

[13] 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).

[14] *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).

order, "nickel-based alloys" include all nickel alloys with other metal in which nickel accounts for at least 80 percent of the alloy by volume.[15]

This scope is unchanged from the original investigation.

Nickel plate is used primarily to produce cans and end caps of alkaline and lithium batteries. It is a flat-rolled steel product, plated or coated with nickel or with a nickel-based alloy and subsequently annealed. Annealing causes the formation of a thin layer of iron-nickel alloy between the steel substrate and the nickel coating, which prevents the nickel coating from separating from the steel substrate during subsequent fabrication operations. Nickel plate is used to make battery cans because it can be shaped into deep cans and the nickel coating creates resistance to corrosion by electrolytes in the batteries. Because of its resistance to corrosion from motor fuel additives, nickel plate is also used for the production of fuel, power-steering, and other automotive fluid lines.[16]

In the original investigation, Thomas argued that the Commission should define a single domestic like product coextensive with the scope. Thomas also maintained that the domestic like product should not be defined to include other types of corrosion-resistant carbon steel flat-rolled products ("CORE"). The Commission defined a single domestic like product coextensive with the scope.[17]

In the current review, Thomas states that it agrees with the Commission's domestic like product definition from the original investigation.[18] The record contains no information suggesting that the characteristics and uses of domestically produced nickel plate have changed since the original investigation.[19] Consequently, we again define a single domestic like product that is coextensive with Commerce's scope.

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[15] *Diffusion-Annealed Nickel-Plated Flat-Rolled Steel Products From Japan: Final Results of the Expedited First Five-Year Sunset Review of the Antidumping Duty Order*, 84 Fed. Reg. 38001 (Aug. 5, 2019).

[16] CR at I-9; PR at I-7.

[17] In the final determination, the Commission referenced its like product analysis from the preliminary determination. *Final Determination*, USITC Pub. 4466 at 5-6. In the preliminary determination, the Commission declined to include other types of CORE in the definition of domestic like product because the record indicated that CORE can include plating materials other than nickel or nickel alloy and that nickel plate and CORE were no more than minimally interchangeable. Specifically, no other CORE products were reported to be used in batteries, by far the largest end-use application for nickel plate. *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan*, Inv. No. 731-TA-1206 (Preliminary), USITC Pub. 4395 at 6-7 (May 2013) ("*Preliminary Determination*").

[18] Response at 26.

[19] *See generally* CR at I-9-12; PR at I-7-8.

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 the product."[20] 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.

In the original investigation, the Commission defined the domestic industry as consisting of Thomas, the sole producer of nickel plate in the United States. There were no related party or other domestic industry issues in the prior proceeding.[21]

Thomas agrees with the Commission's definition of the domestic industry from the original investigation.[22] The record does not indicate that there are any related party or other domestic industry issues in this review.[23] Accordingly, we define the domestic industry as consisting of all domestic producers of nickel plate.[24]

III. Revocation of the Antidumping Duty Order 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."[25] The Uruguay Round Agreements Act Statement of Administrative Action ("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

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[20] 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.

[21] *Final Determination*, USITC Pub. 4466 at 3.

[22] Response at 26.

[23] CR at I-15, n.38; PR at I-10, n.38.

[24] As discussed further in section III.B.2 below, there may now be domestic producers in addition to Thomas.

[25] 19 U.S.C. § 1675a(a).

effects on volumes and prices of imports."[26] Thus, the likelihood standard is prospective in nature.[27] The U.S. Court of International Trade has found that "likely," as used in the five-year review provisions of the Act, means "probable," and the Commission applies that standard in five-year reviews.[28]

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."[29] 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."[30]

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."[31] 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 an order is revoked or a suspension agreement is terminated, and any findings by Commerce

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[26] 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.

[27] 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.

[28] *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'").

[29] 19 U.S.C. § 1675a(a)(5).

[30] 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*.

[31] 19 U.S.C. § 1675a(a)(1).

regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).[32] 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.[33]

In evaluating the likely volume of imports of subject merchandise if an order under review is 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.[34] In doing so, the Commission 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.[35]

In evaluating the likely price effects of subject imports if an order under review is 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.[36]

In evaluating the likely impact of imports of subject merchandise if an order under review is 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.[37] 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

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[32] 19 U.S.C. § 1675a(a)(1). Commerce has not issued any duty absorption findings with respect to nickel plate from Japan. CR at I-5; PR at I-4.

[33] 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

[34] 19 U.S.C. § 1675a(a)(2).

[35] 19 U.S.C. § 1675a(a)(2)(A-D).

[36] *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.

[37] 19 U.S.C. § 1675a(a)(4).

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.[38]

No respondent interested party participated in this expedited review. The record, therefore, contains limited new information with respect to the nickel plate industry in Japan. There also is limited information on the domestic nickel plate market during the period of review. Accordingly, for our determination, we rely as appropriate on the facts available from the original investigation, and the limited new information on the record in this five-year review.

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."[39] The following conditions of competition inform our determinations.

1. Demand Conditions

In the original investigation, the Commission found that demand for nickel plate was derived in large part from demand for batteries, primarily size AA batteries. Approximately 90 percent of U.S. consumption of nickel plate was used in the manufacture of batteries, and there was limited use in other applications such as automotive fuel line manufacturing.[40]

Nickel plate used in U.S. battery production was purchased by battery makers and can stampers. The three primary U.S. battery manufacturers were Duracell, Energizer, and Rayovac; Duracell was the largest of the three. Battery makers were often associated with particular can stampers. The Commission found that total volume (by weight) of nickel plate used by battery manufacturers declined somewhat due to a shift towards thinner and lighter steel.[41] Demand as measured by apparent U.S. consumption decreased over the period of investigation ("POI"), falling from *** short tons in 2011 to *** short tons in 2012 and *** short tons in 2013.[42]

In this review, the limited record indicates that demand for nickel plate continues to be driven by demand for batteries. Uses of nickel plate in other applications, such as automotive

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[38] 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.

[39] 19 U.S.C. § 1675a(a)(4).

[40] *Final Determination*, USITC Pub. 4466 at 10.

[41] *Final Determination*, USITC Pub. 4466 at 10.

[42] *Final Determination*, USITC Pub. 4466 at 12; *Confidential Final Determination*, EDIS Doc. 677918 at 16.

fuel line manufacturing, account for a limited degree of demand.[43] The data collected in this review indicate that apparent U.S. consumption was *** short tons in 2018, higher than during each year of the original POI.[44]

2. Supply Conditions

In the original investigation, the Commission found that very few producers worldwide were capable of supplying the U.S. market. Thomas was the sole producer of nickel plate in the United States. Thomas was owned by Tata Steel, which also had a German subsidiary producing nickel plate. Thomas reported that it had a stable capacity of *** short tons each year from 2011 to 2013. Thomas supplied a large majority of the U.S. market, but its share of U.S. shipments of nickel plate decreased from *** percent in 2011 to *** percent in 2012 and *** percent in 2013.[45]

In this review, Thomas accounts for *** of domestic nickel plate production.[46] Despite a decline in its market share, Thomas remains the largest supplier of nickel plate in the U.S. market.[47] In 2018, the domestic industry supplied *** percent of apparent U.S. consumption of nickel plate.[48]

In the original investigation, subject imports supplied most of the U.S. market not supplied by Thomas. Subject imports' share of apparent U.S. consumption increased from *** percent in 2011 to *** percent in 2012 and *** percent in 2013.[49] Subject imports have fluctuated in volume throughout the period of review ("POR").[50] In 2018, the quantity of subject imports was higher than in any year during the original POI, and their market share, at *** percent, was also higher in 2018 than during any year of the POI.[51]

In the original investigation, nonsubject imports had a small share of the U.S. market, which increased from *** percent in 2011 to *** percent in 2012 and to *** percent in 2013.[52]

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[43] CR at I-9; PR at I-7.

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

[45] *Final Determination*, USITC Pub. 4466 at 12; *Confidential Final Determination*, EDIS Doc. 677918 at 16.

[46] Adequacy Comments, EDIS Docs. 678556 and 678558 at 2 (June 13, 2019). Thomas has identified ***. Response at 20-21, n.76.

[47] *See* CR/PR at Table I-6.

[48] CR/PR at Table I-6.

[49] *Final Determination*, USITC Pub. 4466 at 12-13; *Confidential Final Determination* at 17.

[50] CR/PR at Table I-4.

[51] CR/PR at Table I-6. Import data for the POR are compiled from official statistics and consequently are not fully comparable with data for the POI compiled from questionnaires. Additionally, the official import data may include some out-of-scope merchandise. *See* CR at I-16; PR at I-13. Consequently, 2018 market share data may be somewhat overstated for imports and somewhat understated for the domestic industry.

[52] *Final Determination*, USITC Pub. 4466 at 12-13; *Confidential Final Determination* at 17.

In 2018, nonsubject imports accounted for *** percent of apparent U.S. consumption, which was higher than in any year during the original POI.[53]

3. Substitutability and Other Conditions

In the original investigation, the Commission found that there was a moderate degree of substitutability between nickel plate from Japan and the domestic like product. It found a higher degree of substitutability when two producers qualified for the same specification with the same battery manufacturer. Qualification was an important condition of competition in the U.S. nickel plate market. The process of becoming qualified with a battery manufacturer could take up to 18 months, and qualification for one purchaser's specifications might not transfer to other specifications, even for the same purchaser.[54] In addition to qualification, the Commission concluded that price was also an important factor in purchasing decisions.[55]

The record in this review indicates that these conditions of competition generally remain applicable.[56] Therefore, we find that qualification remains an important factor in purchasing decisions. We find that nickel plate from Japan and the domestic like product are moderately substitutable, with higher degrees of substitutability when two producers qualified for the same specification with the same battery manufacturer.

An additional pertinent condition of competition in this review is that imports of nickel plate, a subset of flat-rolled steel, are subject to a 25 percent *ad valorem* duty rate under Section 232 of the Trade Expansion Act of 1962, as amended ("section 232 tariffs").[57] These tariffs were initially imposed in March 2018.[58]

C. Likely Volume of Subject Imports

1. The Prior Proceeding

In the original investigation, the Commission found that subject imports increased during the POI, even while apparent U.S. consumption decreased. The Commission focused its

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[53] CR/PR at Table I-6.

[54] *Final Determination*, USITC Pub. 4466 at 13.

[55] *Final Determination*, USITC Pub. 4466 at 17-18. The Commission noted that one battery manufacturer demonstrated a pattern of awarding sales of nickel plate to the lowest bidder, even at narrow margins of underselling. *Id*.

[56] *See* Comments at 4-5. Thomas explains that the domestic industry and subject imports continue to supply the same grades of nickel plate to many of the same end users, battery and battery can makers, which were purchasing nickel plate during the original investigation. *Id*. at 6.

[57] 18 U.S.C. § 1862.

[58] *Adjusting Imports of Steel Into the United States*, 83 Fed. Reg. 11625 (March 15, 2018); CR at I-8; PR at I-6-7.

analysis on U.S. shipments of subject imports during the POI.[59] The Commission found that shipments of subject imports increased from *** short tons in 2011 to *** short tons in 2012 and *** short tons in 2013.[60]

The Commission found that subject imports gained market share at the expense of the domestic industry. From 2011 to 2013, U.S. shipments of subject imports' market share increased by *** percentage points, while the domestic industry lost *** percentage points of the U.S. market.[61] Subject imports as a ratio of U.S. production increased from *** percent in 2011 to *** percent in 2013.[62]

This shift in volume of shipments from the domestic like product to subject imports occurred almost exclusively with nickel plate intended for use in manufacturing AA battery cans, which was the largest application in the battery market. Parties agreed that the primary shift in AA can volume occurred in 2012 and into 2013 as a result of Duracell's decision in 2011 to reallocate the source of its AA can material from Thomas Steel to subject producer Toyo. ***.[63] In light of these factors, specifically the domestic industry's loss of market share to subject imports and its loss of sales to subject imports ***, the Commission concluded that the volume of subject imports, both in absolute terms and relative to consumption in the United States, was significant. The Commission also found that the increase in subject import volume relative to consumption and production in the United States was significant.[64]

2. The Current Review

In this review, the record indicates that, notwithstanding the order, subject imports have continued to be present in the U.S. market at substantial levels.[65] During the POR subject import volume ranged from 17,516 short tons in 2014 to 27,624 short tons in 2017.[66] There were 26,740 short tons of subject imports in 2018, accounting for *** percent of apparent U.S.

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[59] When examining the volume of subject imports, the Commission found that data on U.S. shipments of subject imports were more relevant than U.S. imports of subject merchandise. Specifically, it noted that ***. There was nothing in the record of the original investigation to suggest that ***. Imports of nickel plate from Japan were *** short tons in 2011, *** short tons in 2012, and *** short tons in 2013. *Final Determination*, USITC Pub. 4466 at 14, n.93; *Confidential Final Determination* at 21, n.93.

[60] *Final Determination*, USITC Pub. 4466 at 14; *Confidential Final Determination* at 21.

[61] Confidential Staff Report from Final Investigation, EDIS Doc. 677913 at Table IV-2 (Apr. 2014).

[62] *Final Determination*, USITC Pub. 4466 at 14-15; *Confidential Final Determination* at 21-22; Confidential Staff Report from Final Investigation, EDIS Doc. 677913 at Tables IV-3-4 (Apr. 2014).

[63] *Final Determination*, USITC Pub. 4466 at 15; *Confidential Final Determination* at 22.

[64] *Final Determination*, USITC Pub. 4466 at 14-16; *Confidential Final Determination* at 21-34.

[65] Thomas indicates that one exporter has benefitted from a low duty deposit rate it received in administrative reviews. Response at 18.

[66] CR/PR at Table I-4.

consumption. Subject import quantity and market penetration were both higher in 2018 than in any year during the original POI.[67]

The record does not indicate that the composition of the subject industry in Japan has significantly changed since the original investigation.[68] During the original investigation, the subject producers had excess capacity.[69] Thomas and a U.S. purchaser of nickel plate assert that there has nonetheless been a *** to nickel plate capacity in Japan since the original investigation.[70] Consequently, the record indicates that the subject producers have the capability to maintain or increase the current level of subject imports.

The substantial and increasing quantities of subject imports during the period of review indicate that the subject producers also have a continued interest in supplying the U.S. market. Indeed, the record from the original investigation indicated that the subject industry was export oriented.[71] Information available in the current review indicates that Japan is among the world's largest exporters of a product category including nickel plate and that the United States was Japan's largest export market for this product category throughout the POR.[72] [73]

Thus, in light of current levels of subject imports, the increased capacity of the Japanese industry, that industry's export orientation, and the industry's continued interest in the U.S. market, we find that the volume of subject imports would likely be significant in absolute terms and relative to consumption in the United States if the order were revoked.[74]

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[67] CR/PR at Table I-6.

[68] *See* Comments at 4-5.

[69] *See* Confidential Staff Report from Final Investigation, EDIS Doc. 677913 at Table VII-1 (Apr. 2014).

[70] *See* Confidential Response at 25; CR/PR at D-4.

[71] *See* Confidential Staff Report from Final Investigation, EDIS Doc. 677913 at Table VII-1 (Apr. 2014) (indicating that the majority of nickel plate produced in Japan was exported in 2012 and 2013).

[72] CR/PR at Tables I-7-8. The information available concerns coated or plated flat-rolled alloy steel, a category that includes both nickel plate and out-of-scope merchandise.

[73] Due to the expedited nature of this review, the record does not contain current information regarding inventories of subject merchandise or subject producers' ability to shift production from other products to nickel plate. Nickel plate from Japan is not subject to antidumping or countervailing duties outside the United States. CR at I-23; PR at I-16.

[74] The record does not indicate that the section 232 tariffs on nickel plate would likely pose a substantial impediment to the volume of subject imports if the antidumping duty order were revoked. Although the volume of subject imports decreased somewhat from 2017 to 2018, the year in which these tariffs were first imposed, the volume of subject imports remained higher in 2018 than in any year during the POI and higher than in any year during the POR except 2017. *See* CR/PR at Tables I-4-5. Additionally, no domestic purchaser identified the section 232 tariffs as an important condition of competition in responses to the adequacy phase questionnaires. CR at D-4-5; PR at D-4-5.

D. Likely Price Effects

1. The Prior Proceeding

In the original investigation, the Commission found that subject imports significantly undersold the domestic like product and gained critical sales at the expense of the domestic industry. The Commission found price to be an important factor in purchasing decisions of nickel plate.[75] While the record showed mixed underselling and overselling throughout the POI, underselling occurred in the greater number of instances. The Commission observed that underselling occurred predominantly in 2011.[76]

In its underselling analysis, the Commission gave particular focus to data regarding sales to Duracell.[77] In late 2011, Duracell began to exhibit a pattern of allocating the majority or entirety of purchases to the lowest bidder, even at narrow margins of underselling. The Commission thus found that Duracell's purchasing decisions were responsive to price.[78] The Commission concluded that subject imports gained critical sales at the expense of the domestic industry and significantly undersold the domestic like product.[79]

The Commission did not find significant price depression. Although prices declined during the POI, the Commission explained that it was unable to determine whether, or to what extent, these declines were caused by subject imports as opposed to other conditions of competition in the industry.[80] The Commission found that subject imports did not prevent price increases that would otherwise have occurred to a significant degree, because the cost of raw materials and demand decreased throughout the POI.[81]

2. The Current Review

The record in the current review does not contain current pricing comparisons due to the expedited nature of this review. Based on available information, including the moderate degree of substitutability between nickel plate from different sources, and the importance of price and qualification in purchasing decisions, we find that the significant underselling observed during the original investigation would likely recur if the antidumping duty order were

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[75] *Final Determination*, USITC Pub, 4466 at 16. Purchasers named price as one of the three most important factors in their purchasing decisions more often than any factor, other than quality. Five out of seven purchasers stated that price was a very important consideration in their purchasing decisions. *Id*.

[76] *Final Determination*, USITC Pub. 4466 at 16-18.

[77] *Final Determination*, USITC Pub. 4466 at 17. The Commission focused on data from Duracell because it found that shifts in market share during the POI were largely a function of Duracell's decision to shift sourcing of AA battery can material from Thomas to subject producer Toyo Kohan. *Id*. at 17.

[78] *Final Determination*, USITC Pub. 4466 at 17-18; *Confidential Final Determination* at 27-28.

[79] *Final Determination*, USITC Pub. 4466 at 18.

[80] *Final Determination*, USITC Pub. 4466 at 18-19.

[81] *Final Determination*, USITC Pub. 4466 at 18-19.

revoked. In light of the likely underselling, the domestic industry would likely need to choose between maintaining prices while losing market share to subject imports, or cutting prices to meet those of the subject imports. Accordingly, we conclude that the likely significant volume of nickel plate imports from Japan would likely significantly undersell the domestic like product and also would likely enter the United States at prices that would have significant depressing or suppressing effects on the price of the domestic like product, or cause the domestic industry to lose sales and market share.

E. Likely Impact

1. The Prior Proceeding

In the original investigation, the Commission found that the domestic industry's output, employment, and financial performance declined over the POI. The domestic industry's market share fell from 2011 to 2013, and its production of nickel plate also declined despite stable production capacity. The domestic industry's U.S. shipments declined from *** short tons in 2011 to *** short tons in 2012 and *** short tons in 2013. During this same time, inventories rose from *** short tons in 2011 to *** short tons in 2013. The domestic industry employed fewer workers for nickel plate production each year from 2011 to 2013, and productivity also decreased during this time. Thomas reported that it shut down for one week ***.[82]

The domestic industry's financial performance declined during the POI. In 2011, the domestic industry's operating income was $*** and its operating margin was *** percent. In 2012, the domestic industry experienced *** of $*** and its operating margin was *** percent. The domestic industry's financial performance declined further in 2013, when it posted *** and its operating margin was *** percent. Capital and research and development expenditures also declined.[83]

Given the significant and increasing volume of subject imports, significant underselling by subject imports, especially in key transactions, and decreases in the domestic industry's performance, the Commission concluded that subject imports had a significant impact on the domestic industry.[84] In its non-attribution analysis, the Commission acknowledged that falling raw material costs may have contributed to a decline in nickel plate prices, but observed that the pricing mechanisms that both Thomas and subject producers used were intended to reduce the effects of raw material pricing changes in purchasing decisions. It found that the various sources of nonsubject imports either had insignificant volumes or were used in applications other than those in which the domestic like product and subject imports competed.[85]

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[82] *Final Determination*, USITC Pub. 4466 at 20; *Confidential Final Determination* at 31.
[83] *Final Determination*, USITC Pub. 4466 at 20; *Confidential Final Determination* at 31-32.
[84] *See Final Determination*, USITC Pub. 4466 at 14-20.
[85] *See Final Determination*. USITC Pub. 4466 at 21.

2. The Current Review

In this review, the information available on the domestic industry's condition is based on the data that Thomas provided in its response to the notice of institution.[86] In 2018, Thomas's capacity was *** short tons, and its capacity utilization was *** percent.[87] Thomas's domestic shipments were *** short tons, accounting for *** percent of apparent U.S. consumption.[88] Its sales revenues were $***, its operating income was $*** and its operating margin was *** percent.[89] The limited information in this expedited review is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury should the order be revoked.

Based on the information available in this review, we find that revocation of the order would likely lead to a significant volume of low-priced subject imports. Subject imports would also likely undersell the domestic like product, and would likely cause significant price-depressing or -suppressing effects or would contribute to the domestic industry losing market share to subject imports. Subject imports would consequently likely have a significant impact on the domestic industry's production, capacity utilization, employment, shipments, revenues, and profitability.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports, so as not to attribute likely injury from other factors to the subject imports. Nonsubject imports have increased their presence in the U.S. market since the original investigation.[90] In 2018, nonsubject imports accounted for *** percent of apparent U.S. consumption.[91] Nevertheless, if the antidumping duty order were revoked, the subject imports would likely continue to compete head-to-head with the domestic industry, which accounts for the majority of apparent U.S. consumption. Thus, upon revocation, the likely significant volume of low-priced subject imports would likely exert price pressure on the domestic industry, and would have the potential to take additional market share from it through price-based competition. Consequently, the subject imports would likely have adverse effects on the domestic industry distinct from any that may be caused by nonsubject imports.

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[86] *See* CR/PR at Table I-6; Response at Exh. 1. Thomas estimates that it accounted for *** domestic nickel plate production in 2018. Adequacy Comments at 2.

[87] CR/PR at Table I-3.

[88] CR/PR at Table I-4.

[89] CR/PR at Table I-3. Thomas's capacity, production, and quantity of U.S. shipments were all higher in 2018 than 2013, but its sales revenues were lower and its financial performance was worse. *Id*.

[90] Annual nonsubject import quantity, which ranged between *** short tons and *** short tons during the POI, has been greater throughout the POR; it was 10,499 short tons in 2018. CR/PR at Table I-5. As discussed previously, import data for the POR are based on official import statistics, which may include out-of-scope merchandise. *Id*.

[91] Nonsubject imports accounted for between *** percent and *** percent of apparent U.S. consumption during the original investigation. CR/PR at Table I-6.

IV. Conclusion

For the reasons above, we determine that revocation of the antidumping duty order on nickel plate from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

INFORMATION OBTAINED IN THIS REVIEW

BACKGROUND

On April 1, 2019, 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 a review to determine whether revocation of the antidumping duty order on diffusion-annealed, nickel-plated flat-rolled steel products ("nickel plate") from Japan 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 date	Action
April 1, 2019	Notice of institution by Commission (84 FR 12282)
April 1, 2019	Notice of initiation by Commerce (84 FR 12227)
July 5, 2019	Commission's vote on adequacy
August 5, 2019	Commerce's results of its expedited review (84 FR 38001)
September 24, 2019	Commission's determination and views

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

[2] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan; Institution of a Five-Year Review*, 84 FR 12282, April 1, 2019. In accordance with section 751(c) of the Act, the U.S. Department of Commerce ("Commerce") published a notice of initiation of a five-year review of the subject antidumping duty order. *Initiation of Five-Year (Sunset) Reviews*, 84 FR 12227, April 1, 2019. 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 the prior proceeding 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 this review.

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 review. It was filed on behalf of Thomas Steel Strip Corporation ("Thomas"), of Warren, Ohio, a domestic producer of nickel plate (referred to herein as "domestic interested party").

A complete response to the Commission's notice of institution requires that the responding interested party submit to the Commission all 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 estimates of coverage for each is shown in table I-1.

Table I-1
Nickel plate: Summary of responses to the Commission's notice of institution

Type of interested party	Completed responses	
	Number	Coverage
Domestic:		
U.S. producer	1	***%[1]

[1] In its response to the notice of institution, the domestic interested party estimated that it accounts for *** percent of total U.S. production of nickel plate during 2018. Domestic interested party's response to the notice of institution, May 1, 2019, Exhibit 1.

Party comments on adequacy

The Commission received one submission commenting on the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The submission was filed on behalf of Thomas, the domestic interested party.[5]

Thomas argued that the Commission should find the respondent interested party group response to be inadequate since there was no submission by any respondent interested party. Because of the inadequate response by the respondent interested parties, Thomas requests that the Commission conduct an expedited review of the antidumping duty order on nickel plate.

[5] Domestic interested party's comments on adequacy, June 13, 2019, p. 1.

THE ORIGINAL INVESTIGATION

The original investigation resulted from a petition filed on March 27, 2013 with Commerce and the Commission by Thomas. On April 10, 2014, Commerce determined that imports of nickel plate from Japan were being sold at less than fair value ("LTFV").[6] The Commission determined on May 21, 2014 that the domestic industry was materially injured by reason of LTFV imports of nickel plate from Japan.[7] On May 29, 2014, Commerce issued its antidumping duty order with the final weighted-average dumping margins ranging from 45.42 to 77.70 percent. [8]

PREVIOUS AND RELATED INVESTIGATIONS

Although nickel plate has not been the sole product subject to any prior countervailing or antidumping duty investigation in the United States, it has been included in proceedings concerning corrosion-resistant carbon steel flat-rolled products ("CORE").[9] In 1980, the Commission instituted antidumping duty investigation on this broader product concerning imports from six countries. In 1982, the Commission instituted antidumping duty investigations concerning imports from seven countries and countervailing duty investigations concerning imports from nine countries. The Commission in 1984 instituted antidumping duty investigations concerning imports from seven countries and countervailing duty investigations concerning imports from three countries. In 1992, the Commission instituted antidumping duty investigations concerning imports from nine countries and countervailing duty investigations concerning imports from seven countries.[10] In 2014, the Commission issued affirmative final determination concerning CORE from China, India, Italy, Korea, and Taiwan.[11]

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[6] *Notice of Affirmative Final Determination of Sales at Less Than Fair Value: Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products*, 79 FR 19868, April 10, 2014.

[7] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan; Determination*, 79 FR 30653, May 28, 2014.

[8] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan: Antidumping Duty Order,* 79 FR 30816, May 29, 2014.

[9] *Antidumping Duty Orders: Certain Corrosion Resistant Carbon Steel Flat Products from Japan*, 58 FR 44163, August 19, 1993.

[10] For further detail see *Corrosion-Resistant Carbon Steel Flat Products from Germany and Korea, Inv. Nos. 701-TA-350 and 731-TA-616 and 618 (Third Review)*, USITC Publication 4388, March 2013, pp. I-13-I-15.

[11] *Certain Corrosion-Resistant Steel Products from China, India, Italy, Korea, and Taiwan, Inv. Nos. 701-TA-534-537 and 731-TA-1274-1278 (Final),* USITC Publication 4620, July 2016, pp. 1-40.

In addition, diffusion-annealed, nickel-plated steel, with certain exclusions, as a subset of coated steel (which also included CORE) was covered under steel safeguard measures on certain carbon and alloy steel that were effective from March 5, 2002 to December 4, 2003.[12]

ACTIONS AT COMMERCE

Commerce has not conducted any changed circumstances reviews, critical circumstances reviews, or issued anti-circumvention findings, since the completion of the final investigation. In addition, Commerce has not issued any duty absorption findings or any company revocations since the imposition of the order.

Scope rulings

Commerce has made one scope ruling, as indicated in table I-2.

Table I-2

Nickel plate: Commerce's scope rulings

Requestor	Product to be excluded	Commerce ruling	*Federal Register* cite
Saft America	Certain nickel-plated punched steel also known as NI coated steel Strip and Flat Rolled lOS NA, LT 600MM, Plated/Coated, NESOI products	Granted	80 FR 34368 June 16, 2015

Source: Notice of Scope Rulings, 80 FR 34366, June 16, 2015.

Current five-year review

Commerce is conducting an expedited review with respect to nickel plate from Japan and intends to issue the final results of this review based on the facts available not later than July 30, 2019.[13]

[12] *Presidential Proclamation 7741: To Provide for the Termination of Action Taken With Regard to Imports of Certain Steel Products*, December 4, 2003, 68 FR 68483, December 8, 2003. Import licensing requirements, however, remained in place through March 21, 2005, and continues in modified form at this time. For further information see *Corrosion-Resistant Carbon Steel Flat Products from Germany and Korea, Inv. Nos. 701-TA-350 and 731-TA-616 and 618 (Third Review)*, USITC Publication 4388, p. I-16.

[13] *Letter from Mark Hoadley, Director, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce to Nanette Christ*, May 23, 2019.

THE PRODUCT

Commerce's scope

In the current proceeding, Commerce has defined the scope as follows:

> The diffusion-annealed, nickel-plated flat-rolled steel products included in this order are flat-rolled, cold-reduced steel products, regardless of chemistry; whether or not in coils; either plated or coated with nickel or nickel-based alloys and subsequently annealed (*i.e.,* ''diffusion-annealed''); whether or not painted, varnished or coated with plastics or other metallic or nonmetallic substances; and less than or equal to 2.0 mm in nominal thickness. For purposes of this order, ''nickel-based alloys'' include all nickel alloys with other metals in which nickel accounts for at least 80 percent of the alloy by volume.
>
> Imports of merchandise included in the scope of this order are classified primarily under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7210.90.6000 and 7212.50.0000, but may also be classified under HTSUS subheadings 7210.70.6090, 7212.40.1000, 7212.40.5000, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.90.0010, 7220.90.0015, 7225.99.0090, or 7226.99.0180. The foregoing HTSUS subheadings are provided only for convenience and customs purposes. The written description of the scope of this order is dispositive. [14]

Tariff treatment

Nickel plate is classified in HTS subheadings 7212.50.00 and 7210.90.60.[15] Imports of this product may also be reported under HTS statistical reporting numbers 7210.70.6090, 7212.40.1000, 7212.40.5000, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.90.0010, 7220.90.0015, 7225.99.0090, or 7226.99.0180.[16] Nickel plate produced in Japan

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[14] *Notice of Affirmative Final Determination of Sales at Less Than Fair Value: Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products*, 79 FR 19868, April 10, 2014.

[15] HTS 7212.50.00 includes flat-rolled nonalloy steel of a width of less than 600 mm, coated or plated with base metals (but not clad), including nickel, but not tin, lead, zinc, chromium, or aluminum.

HTS 7210.90.60 includes flat-rolled nonalloy steel of a width of 600 mm or more, plated or coated with base metals, including with nickel, but not with tin, zinc, chromium or aluminum.

The alternative HTS provisions cover a range of flat-rolled products of other alloy steel or stainless steel.

[16] HTS 7210.70.6090 includes include flat-rolled nonalloy steel electrolytically coated or plated with base metals, including nickel, but not tin, lead, zinc, chromium, or aluminum.

HTS 7212.40.1000 and 7212.40.5000 includes flat-rolled nonalloy steel plated or coated, including with nickel, but not tin or zinc.

(*continued*...)

enters the U.S. market at a column 1-general duty rate of "Free."[17] All of these products are subject to the 25 percent ad valorem additional duties discussed above under section 232 of the Trade Expansion Act of 1962. Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

Section 232 tariff treatment

Nickel plate as a subset of coated flat-rolled steel, is included among the steel mill products enumerated in Presidential Proclamation 9705, issued on March 8, 2018, *Adjusting Imports of Steel into the United States*, under Section 232 of the Trade Expansion Act of 1962, as amended,[18] that provided additional national-security import duties for steel mill products, effective March 23, 2018.[19] The President issued subsequent Presidential Proclamations granting exemptions from these additional 25 percent ad valorem duties to steel originating from certain U.S. trade partners.[20] However, since Japan was not granted such an exemption by

(…*continued*)

HTS 7219.90.0020 and 7219.90.0025 include flat-rolled stainless steel containing more than 0.5 percent but less than 24 percent nickel.

HTS 7219.90.0060 and 7219.90.0080 include flat-rolled stainless steel containing various amounts of base metals, including up to 0.5 percent nickel.

HTS 7220.90.0010 and 7220.90.0015 include flat-rolled stainless steel plated or coated, including with nickel but not zinc.

HTS 7225.99.0090 and 7226.99.0180 include flat-rolled other (non-stainless) alloy steel plated or coated, including with nickel but not zinc.

[17] *HTSUS (2019) Revision 7*, USITC Publication 4897, May 2019, ch. 72, pp. 17, 19, 32, 35, 41, 42.

[18] Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. § 1862), authorizes the President, on advice of the Secretary of Commerce, to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

[19] *Presidential Proclamation 9705*, March 8, 2018, 83 FR 11625, March 15, 2018.

[20] The President subsequently issued the following proclamations on *Adjusting Imports of Steel Into the United States*: Proclamations 9711 on March 22, 2018 (83 FR 13361, March 28, 2018); 9740 on April 30, 2018 (83 FR 20683, May 7, 2018); 9759 on May 31, 2018. (83 FR 25857, June 5, 2018); 9772 on August 10, 2018 (83 FR 40429, August 15, 2018); and 9777 on August 29, 2018 (83 FR 45025, September 4, 2018). Under these Presidential Proclamations, in addition to reporting the regular Chapters 72 and 73 of the Harmonized Tariff Schedule ("HTS" or "HTSUS") classification for the imported steel merchandise, importers shall report the following HTS classification for imported merchandise subject to the additional duty: 9903.80.01 (25 percent ad valorem additional duty for steel mill products from all countries of origin except Argentina, Australia, Brazil, and South Korea); and 9902.80.01 (50 percent ad valorem additional duty for steel mill products originating from Turkey). These duty requirements are effective with respect to goods entered, or withdrawn from warehouse for consumption, as of June 1, 2018. U.S. Customs and Border Protection, "Section 232 Tariffs on Aluminum and Steel," May 21, 2019, https://www.cbp.gov/trade/remedies/232-tariffs-aluminum-and-steel, retrieved May 28, 2019.

Subsequent Presidential Proclamations reduced the additional duty on steel mill products originating from Turkey to the original 25 percent, effective May 21, 2019. *Adjusting Imports of Steel Into the United*

(*continued*...)

the President, imported nickel plate originating from Japan is subject to these additional duties. See also U.S. notes 16(a) and 16(b), subchapter III of HTS chapter 99.[21]

Description and uses[22]

Nickel plate is a flat-rolled steel product, plated or coated with nickel or with a nickel-based alloy and subsequently annealed. Annealing after nickel plating causes the formation of a thin layer of iron-nickel alloy between the steel substrate and the nickel coating, which prevents the nickel coating from flaking or separating away from the substrate during fabrication operations. The principal application for nickel plate is for fabricating the cans and end caps of alkaline and lithium batteries.[23] Nickel plate is used for that purpose because of its strength and formability which permits the forming of deep-drawn cans, and because of the resistance of the nickel coating to corrosion by the electrolyte in the batteries. Additionally, diffusion of iron from the substrate through the nickel coating to the outer surface of the strip enhances the electrical conductivity between the electrolyte and the metal can. Because of its resistance to corrosion from motor fuel additives, nickel plate is also used to manufacture fuel, power-steering, and other automotive fluid lines.

Manufacturing process[24]

The manufacture of nickel plate begins with hot-rolled, low-carbon-steel strip. For battery applications, the hot-rolled steel must meet "consistently high standards of steel cleanliness (. . .), excellent shape and a low crown profile."[25] The hot-rolled strip is first uncoiled prior to passing through a pickling line in which the strip is cleaned with acid to remove surface oxides. The cleaned steel is then slit into multiple coils of narrower width(s) suitable for further processing. It is then reduced to its ordered thickness via a series of passes

(…*continued*)
States, Presidential Proclamation 9886, May 16, 2019, 84 FR 23421, May 21, 2019; and restored the duty exemptions for steel mill products originating from Canada and Mexico, effective May 20, 2019. *Adjusting Imports of Steel Into the United States*, Presidential Proclamation 9894, May 19, 2019, 84 FR 23987, May 23, 2019.

[21] *HTSUS (2019) Revision 7*, USITC Publication No. 4899, June 2019, pp. 99-III-5 to 99-III-6, 99-III-67 to 99-III-69.

[22] Unless otherwise noted, this information is based on *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan, Inv. No. 731-TA-1206 (Final)*, USITC Publication 4466, April 2014, p. I-6.

[23] Battery cans and end caps accounted for approximately 90 percent of U.S.-produced and imported nickel plate during 2013. Imports of nickel plate from Japan were exclusively for battery applications.

[24] Unless otherwise noted, this information is based on *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan, Inv. No. 731-TA-1206 (Final)*, USITC Publication 4466, April 2014, pp. I-6 through I-8.

[25] Cleanliness requirements include minimization of the number of non-metallic inclusions and the control of their shape and size.

through a cold-rolling mill.[26] The steel next undergoes electrolytic cleaning to remove oils and contamination from the cold-rolling process, followed by electroplating with nickel.[27] Nickel alloy coatings are produced ***.[28]

After nickel-plating, the steel is annealed to restore the ductility lost from undergoing the cold-reduction process by heating it to a temperature at which recrystallization occurs, followed by controlled cooling. In the case of nickel plate, annealing also produces the formation of, through diffusion of nickel and iron atoms, a thin layer of nickel-iron alloy between the steel substrate and the nickel coating. This diffused alloy layer improves the adherence of the nickel coating to the steel to prevent separation during fabrication of battery cans, end caps, and other finished products. The diffused alloy layer also enhances the electrical conductivity between the electrolyte in a battery and the can.

Nickel plate can undergo either batch or continuous annealing. For batch annealing, coils of steel are subjected to a long heat-treating cycle by varying the temperature within a furnace that surrounds them. For continuous annealing, the steel is uncoiled and passed through one or more furnaces; the heat-treating cycle is determined by the temperature distribution within the furnaces and the rate at which the steel passes through the furnaces. During the original investigation, Thomas ***.[29]

After annealing, nickel plate is rolled on a temper mill. Temper rolling reduces the thickness of the steel very slightly, but has the primary purposes of improving the shape (flatness) of the steel, establishing surface roughness (by using rolls of suitable roughness), and suppressing yield-point elongation (a property that is present in the "as-annealed" state for almost all steel but could result in defects during fabrication).

Finishing operations on nickel plate may include slitting to the ordered width and packaging for shipment.

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[26] The cold-rolling mill may be a reversing mill in which several reduction passes of the strip are made in back-and-forth directions, or a tandem mill comprising several individual mill stands through which the strip passes consecutively.

[27] Electrolytic cleaning and electroplating may be combined together into a single processing line.

[28] Confidential staff report, *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan, Inv. No. 731-TA-1206 (Final)*, April 21, 2014, p. I-9.

[29] During the original investigation, according to purchaser PECA, ***. On the other hand, Thomas would offer lower prices for the lower-quality material. Thomas ***. Confidential staff report, *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan, Inv. No. 731-TA-1206 (Final)*, April 21, 2014, p. I-10.

THE INDUSTRY IN THE UNITED STATES

U.S. producers

During the final phase of the original investigation, the Commission received a U.S. producer questionnaire from one firm, Thomas, which accounted for all U.S. production of nickel plate in the United States during 2013.[30]

In response to the Commission's notice of institution in this current review, Thomas reported that it continues to account for the vast majority of domestic production. In addition, it identified two companies that it believes may produce nickel plate in the United States: ***.[31]

Recent developments

Since the Commission's original investigation, the following development has occurred in the nickel plate industry. In October 2016, Thomas received a new thickness gauge to replace an obsolete one at a temper mill.[32]

U.S. producer's trade and financial data

The Commission asked domestic interested parties to provide trade and financial data in their response to the notice of institution of the current five-year review.[33] Table I-3 presents a compilation of the data submitted from the responding U.S. producer as well as trade and financial data submitted by the sole U.S. producer in the original investigation.

From 2011 to 2013, U.S. producer's capacity remained unchanged; however, since 2013, capacity increased by *** percent. From 2011 to 2013, production decreased by *** percent,

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[30] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan*, Inv. No. 731-TA-1206 (Final), USITC Publication 4466, May 2014, p. I-3.

[31] Domestic interested party's response to the notice of institution, May 1, 2019, p. 20 and n.76.

[32] Rea, Tiffany, "AGT400 Goes to Warren, Ohio," Advanced Gauging Technologies LLC, October 28, 2016, https://www.advgauging.com/agt400-goes-to-warren-ohio/, retrieved June 6, 2019; Rea, Tiffany, "Thomas Steel Strip Orders New Gauge," Advanced Gauging Technologies LLC, September 16, 2016, https://www.advgauging.com/thomas-steel-strip-orders-new-gauge/, retrieved June 6, 2019.

A parent-company official attributed the slow pace of major capital investments at Thomas' coated-steel facility in Warren, Ohio in May 2014 to the existing production equipment remaining up-to-date due to lack of major technological breakthroughs, but the union local president disagreed by noting that most equipment was over 15 years old at that time. *Tribune Chronicle*, "Thomas Steel Recovering After Ruling Stamps Out Unfair Competition," May 25, 2014, https://www.tribtoday.com/news/local-news/2014/05/thomas-steel-recovering-after-ruling-stamps-out-unfair-competition/, retrieved June 6, 2019.

[33] Individual company trade and financial data are presented in app. B.

and increased by *** percent from 2013 to 2018. Capacity utilization decreased by *** percentage points from 2011 to 2013, and was *** percentage point lower in 2018 than in 2013. During the original investigation, U.S. producer's shipments decreased by *** percent from 2011 to 2013. In this current review, U.S. producer's shipments are *** percent higher in 2018 than in 2013.

Table I-3
Nickel plate: Trade and financial data submitted by U.S. producers, 2011-2013, and 2018

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DEFINITIONS 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. 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. Under the related parties provision, the Commission may exclude a related party for purposes of its injury determination if "appropriate circumstances" exist.[34]

In its original determination, the Commission defined a single domestic like product coextensive with the scope of the investigation: diffusion-annealed, nickel-plated, flat-rolled steel products.[35] The Commission also defined the domestic industry as consisting of Thomas Steel, the sole domestic producer of nickel plate. There were no related party issues in the original investigation.[36]

In its notice of institution for this review, the Commission solicited comments from interested parties regarding what they deemed to be the appropriate definitions of the domestic like product and domestic industry and inquired as to whether any related parties issues existed. In its response to the notice of institution, the domestic interested party agreed with the Commission's definition of the domestic like product and the domestic industry as stated in the original investigation, but reserved the right to comment on the appropriate definitions during the course of the proceeding.[37] The domestic interested party did not cite any potential related parties issues.[38]

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[34] Section 771(4)(B) of the Tariff Act of 1930, 19 U.S.C. § 1677(4)(B).

[35] *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan, Inv. No. 731-TA-1206 (Final)*, USITC Publication 4466, May 2014, p. 6 and n.21.

[36] *Ibid.*

[37] Domestic interested party's response to the notice of institution, May 1, 2019, p. 26.

[38] The domestic interested party reported importing *** nickel plate from its sister company in Germany, Hille & Mueller GmbH. Domestic interested party's response to the notice of institution, May 1, 2019, exh. 1; and Domestic interested party's response to the Commission's cure letter, May 21, 2019, p. 2.

U.S. IMPORTS AND APPARENT U.S. CONSUMPTION

U.S. importers

During the final phase of the original investigation, the Commission received U.S. importer questionnaires from four firms, which accounted for more than 90 percent of total U.S. imports of nickel plate from Japan between 2011 and 2013 under HTS statistical reporting numbers 7212.50.0000 and 7210.90.6000, broad categories under which the large majority of imports of nickel plate are believed to be imported.[39]

Although the Commission did not receive responses from any respondent interested parties in this current review, in its response to the Commission's notice of institution, the domestic interested party provided a list of four potential U.S. importers of nickel plate.[40]

U.S. imports

Table I-4 presents the quantity, value, and unit value for imports from Japan as well as the nonsubject sources of U.S. imports. The quantity of nickel plate imports from Japan fluctuated, and increased overall by 52.7 percent between 2014 and 2018. During the same period, the quantity of nickel plate from nonsubject sources also fluctuated, and decreased overall by 15.2 percent.

The average unit values of subject and nonsubject imports increased between 2014 and 2018 by 3.7 percent and 6.5 percent, respectively.

[39] *Investigation Nos. 731-TA-1206 (Final): Diffusion-Annealed Nickel-Plated Flat-Rolled Steel Products from Japan —Staff Report*, INV-MM-031, April 21, 2014, p. IV-1.

[40] Domestic interested party's response to the notice of institution, May 1, 2019, pp. 21-23.

Table I-4
Nickel plate: U.S. imports, 2014-18

Item	2014	2015	2016	2017	2018
Quantity (Short tons)					
Japan (subject)	17,516	18,575	18,018	27,624	26,740
All other sources (nonsubject)	12,381	14,430	14,328	11,369	10,499
Total imports	29,897	33,005	32,346	38,994	37,239
Landed, duty-paid value ($1,000)					
Japan (subject)	28,735	30,503	25,624	41,457	45,508
All other sources (nonsubject)	26,914	35,766	40,869	28,534	24,297
Total imports	55,648	66,269	66,494	69,991	69,805
Unit value (dollars per short ton)					
Japan (subject)	1,640	1,642	1,422	1,501	1,702
All other sources (nonsubject)	2,174	2,479	2,852	2,510	2,314
Total imports	3,814	4,121	4,274	4,011	4,016

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

Note.--In 2018, the top nonsubject sources of nickel plate imports by quantity were: Belgium (4,947 short tons), Germany (2,113 short tons), and Korea (1,973 short tons).

Source: Official statistics of Commerce for HTS statistical reporting numbers 7210.90.6000 and 7212.50.0000.

Apparent U.S. consumption and market shares

Table I-5 presents data on U.S. producer's U.S. shipments, U.S. imports, and apparent U.S. consumption, while table I-6 presents data on U.S. market shares of U.S. apparent consumption.

Table I-5
Nickel plate: U.S. producer's U.S. shipments, U.S. imports, and apparent U.S. consumption, 2011-13, and 2018

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Table I-6
Diffusion-annealed, nickel-plated steel: Apparent U.S. consumption and U.S. market shares, 2011-13, and 2018

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THE INDUSTRY IN JAPAN

During the final phase of the original investigation, the Commission received foreign producer/exporter questionnaires from three firms, two of which indicated they exported subject merchandise to the U.S. These two firms accounted for approximately *** percent of overall production of nickel plate in Japan in 2013, and all exports to the United States of nickel plate from Japan during 2011-13.[41]

Although the Commission did not receive responses from any respondent interested parties in the current review, the domestic interested party provided a list of seven firms that it believes currently produce nickel plate in Japan. In its response to the notice of institution, the domestic interested party noted that only two of these firms, Toyo Kohan and Nippon Steel, are believed to export nickel plate to the United States or other countries currently.[42]

Since the Commission's original investigation, the following development has occurred in the nickel plate industry in Japan. The domestic interested party reported *** of nickel-plate production capacity at ***.[43]

Table I-7 presents export data for coated or plated flat-rolled steel products, a category that includes both nickel plate and out-of-scope products from Japan in descending order of quantity during 2014-18. Throughout this period of review, the United States, China, and Korea were the leading destination markets for Japanese exports, accounting for 26.0 percent, 22.2 percent, and 12.4 percent of total export from Japan in 2018, respectively.

[41] Investigation No. 731-TA-1206 (Final): Diffusion-Annealed Nickel-Plated Flat-Rolled Steel Products from Japan—Staff Report, p. VII-3.

[42] Domestic interested party's response to the notice of institution, May 1, 2019, pp. 22-23.

[43] Domestic interested party's response to the notice of institution, May 1, 2019, p. 25.

Table I-7
Coated or plated flat-rolled nonalloy steel: Exports from Japan, by destination, 2014-18

Destination	Calendar year				
	2014	2015	2016	2017	2018
	Quantity (short tons)				
United States	20,143	18,937	22,173	33,079	25,488
China	18,594	17,239	18,382	19,859	21,685
South Korea	18,874	17,095	17,072	10,425	12,107
India	4,778	3,515	5,168	6,983	8,333
Thailand	7,300	6,456	6,854	6,875	7,783
Singapore	127	589	2,511	3,292	5,169
Indonesia	5,446	3,399	3,697	3,940	3,358
Mexico	1,389	2,431	1,881	1,549	3,286
Malaysia	2,897	2,908	2,991	1,906	2,160
Vietnam	1,478	1,025	1,711	1,660	1,430
All other destinations	11,373	8,161	9,620	7,739	7,088
Total exports	92,399	81,755	92,058	97,306	97,885
	Value (1,000 dollars)				
United States	35,826	39,045	45,021	64,239	45,086
China	50,650	42,246	36,295	41,514	42,178
South Korea	59,278	47,258	39,655	26,040	36,239
India	8,121	5,122	9,778	12,302	13,343
Thailand	14,989	12,509	10,050	10,322	13,107
Singapore	570	980	3,656	5,271	8,288
Indonesia	9,872	6,409	7,148	7,975	7,003
Mexico	14,096	10,576	2,667	3,475	5,950
Malaysia	6,907	6,689	5,478	3,756	4,660
Vietnam	2,057	1,315	1,694	1,467	1,201
All other destinations	57,296	21,904	28,201	19,991	22,437
Total exports	259,662	194,054	189,643	196,353	199,491

Table continued on the next page.

Table I-7--Continued
Coated or plated flat-rolled nonalloy steel: Exports from Japan, by destination, 2014-18

Destination	Calendar year				
	2014	2015	2016	2017	2018
	Unit value (dollars per short tons)				
United States	1,779	2,062	2,030	1,942	1,769
China	2,724	2,451	1,975	2,090	1,945
South Korea	3,141	2,764	2,323	2,498	2,993
India	1,700	1,457	1,892	1,762	1,601
Thailand	2,053	1,937	1,466	1,501	1,684
Singapore	4,497	1,665	1,456	1,601	1,603
Indonesia	1,813	1,886	1,933	2,024	2,086
Mexico	10,150	4,350	1,418	2,244	1,811
Malaysia	2,384	2,300	1,831	1,971	2,157
Vietnam	1,391	1,283	990	884	840
All other destinations	5,038	2,684	2,932	2,583	3,166
Total exports	2,810	2,374	2,060	2,018	2,038
	Share of quantity (percent)				
United States	21.8	23.2	24.1	34.0	26.0
China	20.1	21.1	20.0	20.4	22.2
South Korea	20.4	20.9	18.5	10.7	12.4
India	5.2	4.3	5.6	7.2	8.5
Thailand	7.9	7.9	7.4	7.1	8.0
Singapore	0.1	0.7	2.7	3.4	5.3
Indonesia	5.9	4.2	4.0	4.0	3.4
Mexico	1.5	3.0	2.0	1.6	3.4
Malaysia	3.1	3.6	3.2	2.0	2.2
Vietnam	1.6	1.3	1.9	1.7	1.5
All other destinations	12.3	10.0	10.4	8.0	7.2
Total exports	100.0	100.0	100.0	100.0	100.0

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

Source: Official exports statistics under HS subheadings 7210.90 and 7212.50 as reported by the Japan Ministry of Finance in the Global Trade Atlas database, accessed June 4, 2019. These data may be overstated as HS 7210.90 and 7212.50 contain products outside the scope of this review.

ANTIDUMPING OR COUNTERVAILING DUTY ORDERS IN THIRD-COUNTRY MARKETS

Based on available information, nickel plate from Japan has not been subject to antidumping or countervailing duty investigations outside the United States.

THE GLOBAL MARKET

Table I-8 presents the largest global export sources of coated or plated flat-rolled steel products, a category that includes both nickel plate and out-of scope products, during 2014-18. China, Japan, and Germany were the leading exporters, accounting for 18.6 percent, 10.0 percent, and 9.4 percent of global exports in 2018, respectfully.

Table I-8
Coated or plated flat-rolled nonalloy steel: Global exports by major sources, 2014-18

Destination	Calendar year				
	2014	2015	2016	2017	2018
	Quantity (short tons)				
United States	93,965	74,492	90,052	74,020	59,231
Subject exporter:					
Japan	92,399	81,755	92,058	97,306	97,885
Other major exporters:					
China	109,440	119,094	115,571	130,469	182,807
Germany	102,537	96,295	108,594	94,887	92,298
Belgium	70,960	93,579	89,169	78,974	75,256
South Korea	74,899	61,012	55,713	50,538	67,877
France	39,846	44,750	45,575	20,382	66,727
Austria	19,129	50,904	28,969	47,766	61,927
India	125,656	90,859	83,032	103,515	58,830
Italy	38,543	48,510	52,253	54,349	52,651
All other exporters	325,278	453,159	526,756	529,485	166,760
Total exports	1,092,653	1,214,409	1,287,743	1,281,692	982,249

Table continued on the next page.

Table I-8--Continued
Coated or plated flat-rolled nonalloy steel: Global exports by major sources, 2014-18

Destination	Calendar year				
	2014	2015	2016	2017	2018
	Value (1,000 dollars)				
United States	168,265	150,709	174,539	178,561	175,066
Subject exporter: Japan	259,662	194,054	189,643	196,353	199,491
Other major exporters: China	110,587	105,615	101,941	136,087	167,780
Germany	176,697	151,466	169,655	172,429	176,005
Belgium	120,364	111,878	99,986	112,255	118,780
South Korea	86,593	62,023	53,031	60,328	83,435
France	119,680	174,947	112,089	57,724	181,766
Austria	67,200	326,711	105,651	166,707	331,988
India	112,470	69,013	57,172	84,448	55,963
Italy	60,745	59,148	53,587	60,746	61,749
All other exporters	394,008	404,996	431,599	490,516	275,216
Total exports	1,676,271	1,810,561	1,548,895	1,716,153	1,827,239
	Unit value (dollars per short tons)				
United States	1,791	2,023	1,938	2,412	2,956
Subject exporter: Japan	2,810	2,374	2,060	2,018	2,038
Other major exporters: China	1,010	887	882	1,043	918
Germany	1,723	1,573	1,562	1,817	1,907
Belgium	1,696	1,196	1,121	1,421	1,578
South Korea	1,156	1,017	952	1,194	1,229
France	3,004	3,909	2,459	2,832	2,724
Austria	3,513	6,418	3,647	3,490	5,361
India	895	760	689	816	951
Italy	1,576	1,219	1,026	1,118	1,173
All other exporters	1,211	894	819	926	1,650
Total exports	1,534	1,491	1,203	1,339	1,860

Table continued on the next page.

Table I-8--Continued
Coated or plated flat-rolled nonalloy steel: Global exports by major sources, 2014-18

Destination	Calendar year				
	2014	2015	2016	2017	2018
	Share of quantity (percent)				
United States	8.6	6.1	7.0	5.8	6.0
Subject exporter:					
Japan	8.5	6.7	7.1	7.6	10.0
Other major exporters:					
China	10.0	9.8	9.0	10.2	18.6
Germany	9.4	7.9	8.4	7.4	9.4
Belgium	6.5	7.7	6.9	6.2	7.7
South Korea	6.9	5.0	4.3	3.9	6.9
France	3.6	3.7	3.5	1.6	6.8
Austria	1.8	4.2	2.2	3.7	6.3
India	11.5	7.5	6.4	8.1	6.0
Italy	3.5	4.0	4.1	4.2	5.4
All other exporters	29.8	37.3	40.9	41.3	17.0
Total exports	100.0	100.0	100.0	100.0	100.0

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

Source: Official export statistics under HS subheadings 7210.90 and 7212.50 reported by various national statistical authorities in the Global Trade Atlas database, accessed June 4, 2019. These data may be overstated as HS 7210.90 and 7212.50 contain products outside the scope of this review.

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
84 FR 12282 April 1, 2019	*Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan; Institution of a Five-Year Review.*	https://www.govinfo.gov/content/pkg/FR-2019-04-01/pdf/2019-06195.pdf
84 FR 12227 April 1, 2019	*Initiation of Five-Year (Sunset) Reviews.*	https://www.govinfo.gov/content/pkg/FR-2019-04-01/pdf/2019-06217.pdf

APPENDIX B

COMPANY-SPECIFIC DATA

RESPONSE CHECKLIST FOR U.S. PRODUCERS

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APPENDIX C

SUMMARY DATA

Table C-1 is confidential in its entirety.

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. A response was received from a domestic interested party and it named the following four firms as the top purchasers of nickel plate: ***. Purchaser questionnaires were sent to these four firms, and all four firms provided responses, which are presented below.

1. Have there been any significant changes in the supply and demand conditions for nickel plate that have occurred in the United States or in the market for nickel plate in Japan since January 1, 2014?

* * * * * * *

2. Do you anticipate any significant changes in the supply and demand conditions for nickel plate in the United States or in the market for nickel plate in Japan within a reasonably foreseeable time?

* * * * * * *