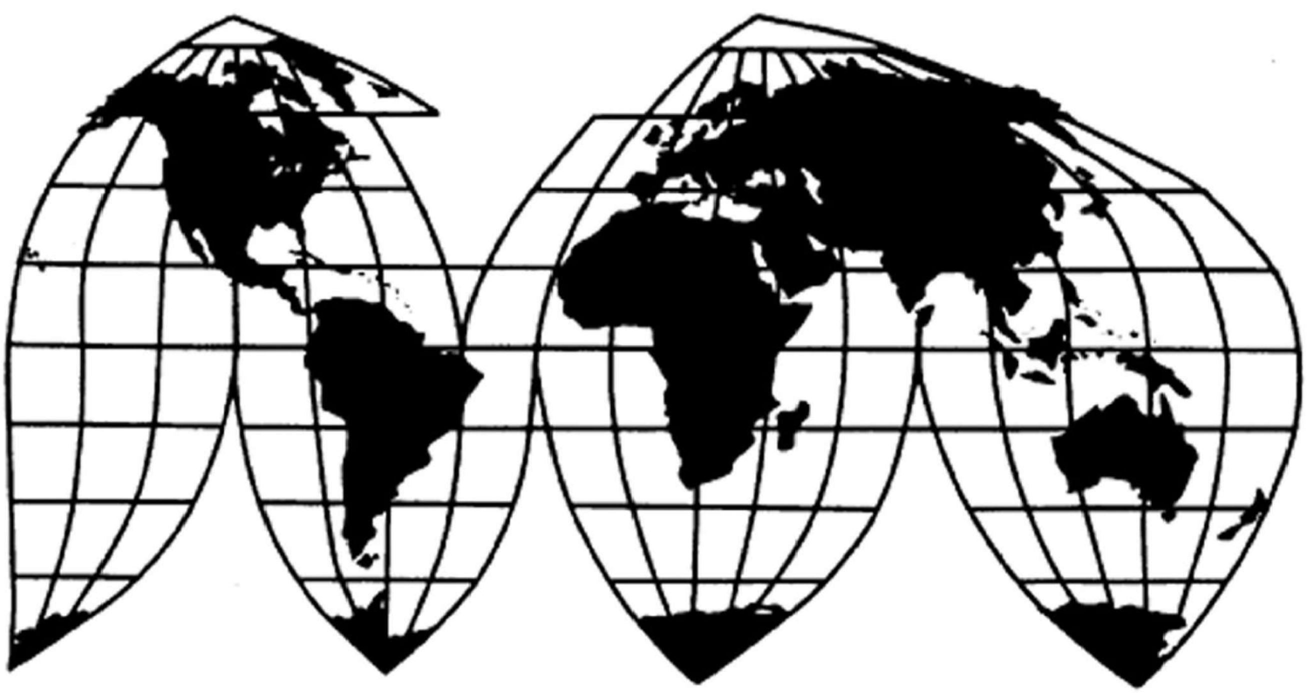
Foundry Coke from China

Investigation No. 731-TA-891(Fourth Review)

Publication 5468 **October 2023**

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

Catherine DeFilippo
Director of Operations

Staff assigned

Nitin Joshi, Investigator
Allison Utomi, Industry Analyst
James Horne, Economist
Lily Cusack, Attorney
Calvin Chang, Supervisory Investigator

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

U.S. International Trade Commission

Washington, DC 20436
www.usitc.gov

Foundry Coke from China

Investigation No. 731-TA-891(Fourth Review)

Publication 5468 **October 2023**

CONTENTS

Page

Appendixes

Note: Information that would reveal confidential operations of individual concerns may not be published. Such information is identified by brackets or by headings in confidential reports and is deleted and replaced with asterisks in public reports.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No.731-TA-891 (Fourth Review)

Foundry Coke from China

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 foundry coke from China 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 instituted this review on April 3, 2023 (88 FR 19674) and determined on July 7, 2023 that it would conduct an expedited review (88 FR 58617, August 28, 2023).

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

[2] Commissioner Randolph J. Stayin not participating.

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 foundry coke from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

Original Investigation. The investigation resulted from a petition filed by Alabama Byproducts Corp. ("ABC Coke"), Citizens Gas & Coke Utility, Erie Coke Corp. ("Erie Coke"), Tonawanda Coke Corp. ("Tonawanda"), and the United Steelworkers of America, AFL-CIO ("USW") (collectively, "Petitioners") on September 20, 2000, alleging that an industry in the United States was materially injured or threatened with material injury by reason of imports of foundry coke from China alleged to have been sold at less-than-fair-value ("LTFV").[1] In September 2001, the Commission determined that an industry in the United States was materially injured by reason of LTFV imports of foundry coke from China.[2] On September 17, 2001, the U.S. Department of Commerce ("Commerce") issued an antidumping duty order on foundry coke from China.[3]

First Review. On August 1, 2006, the Commission instituted the first five-year review of the antidumping duty order on foundry coke from China.[4] The Commission conducted an expedited review[5] and made an affirmative determination in December 2006.[6] On January 10, 2007, Commerce published its notice of continuation of the antidumping duty order on foundry coke from China.[7]

Second Review. On December 1, 2011, the Commission instituted the second five-year review of the antidumping duty order on foundry coke from China.[8] The Commission

---

[1] *Foundry Coke from China*, 65 Fed. Reg. 58103 (Sept. 20, 2000); *Foundry Coke from China*, Inv. No. 731-TA-891 (Final), USITC Pub. 3449 (Sept. 2001) ("*Original Determination*") at 1. On February 15, 2001, Sloss Industrial Corp. was added as a petitioner to the investigation. *Original Determination*, USITC Pub. 3449 at 1 n.2.

[2] *Original Determinations*, USITC Pub. 3449 at 1.

[3] *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Foundry Coke Products from the People's Republic of China*, 66 Fed. Reg. 48025 (Sept. 17, 2001).

[4] *Foundry Coke from China*, 71 Fed. Reg. 43518 (Aug. 1, 2006).

[5] *Foundry Coke from China*, 71 Fed. Reg. 67161 (Nov. 20, 2006).

[6] *Foundry Coke from China*, Inv. No. 731-TA-891 (Review), USITC Pub. 3897 (Dec. 2006) ("*First Review*") at 1.

[7] *Foundry Coke Products from the People's Republic of China: Continuation of Antidumping Duty Order*, 72 Fed. Reg. 1214 (Jan. 10, 2007).

[8] *Foundry Coke from China; Institution of a Five-Year Review*, 76 Fed. Reg. 74810 (Dec. 1, 2011).

conducted an expedited review[9] and made an affirmative determination in May 2012.[10] On June 8, 2012, Commerce published its notice of continuation of the antidumping duty order on foundry coke from China.[11]

Third Review. On May 1, 2017, the Commission instituted the third five-year review of the antidumping duty order on foundry coke from China.[12] The Commission conducted a full review[13] and made an affirmative determination in April 2018.[14] On May 11, 2018, Commerce published its notice of continuation of the antidumping duty order on foundry coke from China.[15]

Current Five-Year Review. On April 3, 2023, the Commission instituted this fourth five-year review.[16] It received one joint response to the notice of institution from ABC Coke (a division of Drummond Co., Inc.) and SunCoke Energy, Inc. ("SunCoke"), both of which are domestic producers of foundry coke (collectively, "Domestic Interested Parties").[17] No respondent interested party responded to the notice of institution or participated in this review. On July 7, 2023, the Commission determined the domestic interested party group response was adequate and the respondent interested party group response was inadequate.[18] Finding no other circumstances that would warrant conducting a full review, the Commission determined to conduct an expedited review of the antidumping duty order.[19] The Domestic Interested Parties submitted joint final comments pursuant to Commission Rule 207.62(d)(1) regarding the determination that the Commission should reach.[20]

---

[9] *Foundry Coke from China; Scheduling of an Expedited Five-Year Review*, 77 Fed. Reg. 15123 (Mar. 14, 2012).

[10] *Foundry Coke from China*, Inv. No. 731-TA-891 (Second Review), USITC Pub. 4326 (May 2012) ("*Second Review*") at 1.

[11] *Foundry Coke Products from the People's Republic of China: Continuation of Antidumping Duty Order*, 77 Fed. Reg. 34012 (June 8, 2012).

[12] *Foundry Coke from China; Institution of a Five-Year Review*, 82 Fed. Reg. 20381 (May 1, 2017).

[13] *Foundry Coke from China: Notice of Commission Determination to Conduct a Full Five-Year Review*, 82 Fed. Reg. 41053 (Aug. 29, 2017).

[14] *Foundry Coke from China*, Inv. No. 731-TA-891 (Third Review), USITC Pub. 4774 (Apr. 2018) ("*Third Review*") at 1.

[15] *Foundry Coke Products from the People's Republic of China: Continuation of Antidumping Duty Order*, 83 Fed. Reg. 22007 (May 11, 2018).

[16] *Foundry Coke from China; Institution of a Five-Year Review*, 88 Fed. Reg. 19674 (Apr. 3, 2023); Confidential Report, INV-VV-054 (June 26, 2023) ("CR") at I-1; *Foundry Coke from China*, Inv. No. 731-TA-891 (Fourth Review), USITC Pub. 5468 (Oct. 2023) ("PR") at I-1.

[17] *See Domestic Interested Parties' Response to Notice of Institution*, EDIS Doc. 795420 (May 3, 2023) ("*Domestic Response*"); *Domestic Interested Parties' Confidential Response to Notice of Institution*, EDIS Doc. 795416 (May 3, 2023) ("*Confidential Domestic Response*").

[18] *Commission Adequacy Vote*, EDIS Doc. 799954 (July 7, 2023).

[19] *Foundry Coke from China; Scheduling of an Expedited Five-Year Review*, 88 Fed. Reg. 58617 (Aug. 28, 2023).

[20] *Domestic Interested Parties' Final Comments*, EDIS Doc. 804603 (Sept. 21, 2023) ("*Domestic Final Comments*"); 19 C.F.R. § 207.62(d)(1).

Data/Response Coverage. U.S. industry data in this review are based on data provided by the Domestic Interested Parties in their response to the notice of institution, which is estimated to account for *** percent of total domestic foundry coke production in 2022.[21] U.S. import data and related data are based on data submitted in the original investigation and prior reviews and Commerce's official import statistics.[22] Foreign industry data and related information are based on information from the original investigation and prior five-year reviews, information submitted by the Domestic Interested Parties in their response to the notice of institution, and publicly available information compiled by the Commission.[23] Additionally, one U.S. purchaser, ***, responded to the Commission's adequacy phase questionnaire.[24]

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the "domestic like product" and the "industry."[25] The Tariff Act defines "domestic like product" as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle."[26] The Commission's practice in five-year reviews is to examine the domestic like product definition from the original investigation and consider whether the record indicates any reason to revisit the prior findings.[27]

Commerce has defined the imported merchandise within the scope of the order under review as follows:

> The product covered under the *Order* is coke larger than 100 mm (4 inches) in maximum diameter and at least 50 percent of which is retained on a 100 mm (4 inch) sieve, of a kind used in foundries. The foundry coke products subject to the *Order* were classifiable under subheading 2704.00.00.10 (as of January 1, 2000) and are currently classifiable under subheading 2704.00.00.11 (as of July 1, 2000)

---

[21] CR/PR at Tables I-2 to I-4.

[22] CR/PR at Tables I-5 and I-6.

[23] CR/PR at Tables I-7 to I-9.

[24] CR/PR at D-3.

[25] 19 U.S.C. § 1677(4)(A).

[26] 19 U.S.C. § 1677(10); *see*, *e.g., Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Dep't of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int'l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996); *Torrington Co. v. United States*, 747 F. Supp. 744, 748-49 (Ct. Int'l Trade 1990), *aff'd*, 938 F.2d 1278 (Fed. Cir. 1991); *see also* S. Rep. No. 249, 96th Cong., 1st Sess. 90-91 (1979).

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

of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of the *Order* is dispositive.[28]

Foundry coke is a substance produced through the heating and distillation of coal and is primarily used as a fuel in the production of metals. In addition to foundry coke, there are two other subgroups of metallurgical coke: blast furnace coke and industrial coke (including coke breeze). The three types of metallurgical coke are distinguished by their size, shape, and chemical properties.[29]

Foundry coke is used in cupola furnaces to produce molten iron. It functions as both a fuel to melt scrap or pig iron with other compounds and as a source of carbon for the melted product. The resulting molten iron is used to make various cast products, such as automobile engines. Consequently, metallurgical coke must have good strength, low ash content, and a relatively uniform shape and size in order to be categorized as foundry coke. Blast furnace coke is used in an iron-making blast furnace to produce steel; it requires higher temperatures and shorter coking times, and therefore, it does not need to be of a uniform shape or size. Metallurgical coke that is not used in blast furnaces or foundries (either because of size, carbon content, or ash content) is defined as industrial coke. This includes coke breeze, fine screenings from crushed coke that are predominantly used as a fuel in the process of agglomerating iron.[30]

In the original investigation and prior five-year reviews, the Commission defined a single domestic like product consisting of foundry coke, coextensive with Commerce's scope definition.[31] There is no new information in the record of this fourth five-year review indicating that the pertinent characteristics and uses of foundry coke have changed since the prior proceedings so as to warrant reconsideration of the domestic like product definition.[32] The Domestic Interested Parties state that they agree with the Commission's definition of the domestic like product in the original investigation and prior reviews.[33] Consequently, we define a single domestic like product consisting of all foundry coke, coextensive with the scope.

---

[28] Commerce Memorandum from James Maeder to Lisa W. Wang, *Issues and Decision Memorandum for the Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order on Foundry Coke Products from the People's Republic of China*, EDIS Doc. 803741 (Aug. 1, 2023) ("*Commerce I&D Memorandum*"); *Foundry Coke Products from the People's Republic of China: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order*, 88 Fed. Reg. 52114 (Aug. 7, 2023).

[29] *See generally* CR/PR at I-6-8.

[30] *See generally* CR/PR at I-6-8.

[31] *Original Determination*, USITC Pub. 3449 at 5; *First Review*, USITC Pub. 3897 at 4; *Second Review*, USITC Pub. 4326 at 5; *Third Review*, USITC Pub. 4774 at 5-6.

[32] *See generally* CR/PR at I-6-8.

[33] *Domestic Response* at 26.

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."[34] 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 and prior five-year reviews, the Commission found a single domestic industry, consisting of all domestic producers of foundry coke.[35] It found that appropriate circumstances did not exist to exclude any related party.[36] There were no related party issues in the prior reviews.[37]

The Domestic Interested Parties agree with the Commission's definition of the domestic industry in the prior proceedings.[38] As no domestic producer imported subject merchandise during the period of review or is related to a U.S. importer or exporter of subject merchandise from China, there are no related party issues in this review.[39] Accordingly, consistent with our definition of the domestic like product, we define the domestic industry as all domestic producers of foundry coke.

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 duty order unless: (1) it makes a determination that dumping is likely to continue or recur, and (2) the Commission makes a determination that revocation of the antidumping duty order "would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time."[40] The SAA states that "under the likelihood standard, the Commission will engage in a counterfactual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or

---

[34] 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.

[35] *Original Determination*, USITC Pub. 3449 at 6; *First Review*, USITC Pub. 3897 at 5; *Second Review*, USITC Pub. 4326 at 6; *Third Review*, USITC Pub. 4774 at 6.

[36] *Original Determination*, USITC Pub. 3449 at 6.

[37] *First Review*, USITC Pub. 3897 at 5; *Second Review*, USITC Pub. 4326 at 6; *Third Review*, USITC Pub. 4774 at 6.

[38] *Domestic Response* at 26.

[39] *Domestic Response* at 24, Exhibit 1.

[40] 19 U.S.C. § 1675a(a).

termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports."[41] Thus, the likelihood standard is prospective in nature.[42] The CIT 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.[43]

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."[44] 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."[45]

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."[46] 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

---

[41] SAA at 883-84. 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.

[42] 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.

[43] *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'").

[44] 19 U.S.C. § 1675a(a)(5).

[45] 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*.

[46] 19 U.S.C. § 1675a(a)(1).

regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).[47] 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.[48]

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.[49] 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.[50]

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.[51]

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.[52] 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

---

[47] 19 U.S.C. § 1675a(a)(1). Commerce has not made any duty absorption findings with respect to the order under review. *Commerce I&D Memorandum* at 3.

[48] 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

[49] 19 U.S.C. § 1675a(a)(2).

[50] 19 U.S.C. § 1675a(a)(2)(A-D).

[51] *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.

[52] 19 U.S.C. § 1675a(a)(4).

which any improvement in the state of the domestic industry is related to the order under review and whether the industry is vulnerable to material injury upon revocation.[53]

No respondent interested party participated in this expedited review. The record, therefore, contains limited new information with respect to the foundry coke industry in China. There is also limited information on the foundry coke market in the United States during the period of review. Accordingly, for our determination, we rely as appropriate on the facts available from the original investigation and prior reviews and the limited new information on the record of this 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."[54] The following conditions of competition inform our determination.

1. Demand Conditions

Original Investigation and Prior Reviews. In the original investigation and prior reviews, the Commission found that demand for foundry coke was derived from demand for downstream foundry products, mainly in the automotive and truck manufacturing sectors, the pipe and fittings sector, and the municipal castings sector.[55]

In the original investigation, apparent U.S. consumption of foundry coke increased from 1,154,784 metric tons in 1998 to 1,204,673 metric tons in 1999, but in 2000 declined to 1,155,875 metric tons.[56] In the first five-year review, the Commission found that apparent U.S. consumption of foundry coke was lower in 2005, at *** metric tons, than it was in 2000.[57] In the second five-year review, apparent U.S. consumption of foundry coke had declined further and was *** metric tons in 2010.[58] In the third five-year review, apparent U.S. consumption declined from *** metric tons in 2014 to *** metric tons in 2015 before increasing to ***

---

[53] 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.

[54] 19 U.S.C. § 1675a(a)(4).

[55] *Original Determination*, USITC Pub. 3449 at 10; *First Review*, USITC Pub. 3897 at 8; *Second Review*, USITC Pub. 4326 at 8; *Third Review*, USITC Pub. 4774 at 10.

[56] *Original Determination Confidential Report*, Memorandum INV-Y-154, EDIS Doc. 797777 (Aug. 15, 2001) ("*Original Determination CR*") at Table IV-2.

[57] *First Review*, USITC Pub. 3897 at 8; *Confidential First Review Determination*, EDIS Doc. 797783 ("*Confidential First Review*") at 10.

[58] *Second Review*, USITC Pub. 4326 at 8; *Confidential Second Review Determination*, EDIS Doc. 797787 ("*Confidential Second Review*") at 11.

metric tons in 2016; it was *** metric tons in interim 2017, compared to *** metric tons in interim 2016.[59]

Current Review. The information available indicates that the drivers of demand for foundry coke in the current five-year review are unchanged from the prior proceedings. Demand for foundry coke continues to be derived from demand for downstream foundry products, mainly in the automotive and truck manufacturing sectors, the pipe and fittings sector, and the municipal castings sector.[60] The record indicates that there has been a long-term decline in foundry coke demand due to technological advancements, such as the replacement of cupola furnaces with electrical induction furnaces used to reduce emissions and improve energy efficiency.[61]

The Domestic Interested Parties assert that the current weakness in demand is attributable to stagnant or declining demand for forged motor vehicle parts, the largest single source of foundry coke demand, during and immediately after the COVID-19 pandemic.[62] While noting that demand has recovered slightly since 2020, the Domestic Interested Parties assert that demand for foundry coke remains impacted by the increased use of steel substitutes, shifts in steelmaking and iron production technology to methods that use little or no foundry coke, and the increased offshoring of auto parts manufacturing.[63] Additionally, the Domestic Interested Parties note that because demand for foundry coke is inelastic, lower prices do not necessarily increase demand.[64] Responding U.S. purchaser *** reported ***.[65]

Apparent U.S. consumption of foundry coke was *** metric tons in 2022, as compared to *** metric tons in 2016, *** metric tons in 2010, *** metric tons in 2005, and 1.2 million short tons in 2000.[66]

2. Supply Conditions

Original Investigation and Prior Reviews. During the original investigation, there were seven U.S. producers of foundry coke.[67] Their production capacity increased by 1.7 percent from 1998 to 2000, primarily because of capital investments designed to retrofit, maintain, and improve efficiencies of aging batteries.[68] China was the sole source of imports in the U.S. market during the original investigation.[69]

---

[59] *Third Review*, USITC Pub. 4774 at 10; *Confidential Third Review Determination*, EDIS Doc. 797794 ("*Confidential Third Review*") at 14.

[60] CR/PR at I-6-8.

[61] *See generally* CR/PR at I-6-8.

[62] *Domestic Response* at 8.

[63] *Domestic Response* at 26.

[64] *Domestic Response* at 9.

[65] CR/PR at D-3.

[66] CR/PR at Table I-6. For 2000 and 2016, apparent U.S. consumption is derived from U.S. shipments of imports, rather than U.S. imports. *Id.* at Table I-6, Note.

[67] *Original Determination CR* at Table I-1.

[68] *Original Determination*, USITC Pub. 3449 at 11.

[69] *Original Determination*, USITC Pub. 3449 at 12.

During the first five-year review, there were five U.S. producers of foundry coke.[70] Information concerning the domestic industry's production capacity was not collected for the first review, but domestic production of foundry coke was higher in 2005, at 1,188,232 metric tons, than it was in 2000, at 1,137,585 metric tons.[71] Subject imports were present in the U.S. market in small quantities in 2001 and 2002, but had been absent since 2003.[72] Nonsubject import volume fluctuated during the period of review and was 23,356 metric tons in 2001 and 110,274 metric tons in 2002.[73] There were no nonsubject imports of foundry coke in 2003 or 2004, and in 2005, there were 47,032 metric tons.[74] The primary source of nonsubject imports in 2001 and 2002 was the Netherlands, and Canada and Mexico were the principal nonsubject supply sources in 2005.[75]

During the second five-year review, there were four U.S. producers of foundry coke.[76] U.S. producers' market share was higher in 2010, at *** percent of apparent U.S. consumption, than it was in 2005, at *** percent.[77] Subject imports were absent from the U.S. market during the period of review.[78] Nonsubject import volume of foundry coke fluctuated during the period of review and was 17,717 metric tons in 2006, 42,407 metric tons in 2007, zero metric tons in 2008, 8,623 metric tons in 2009, and 432 metric tons in 2010.[79] The principal sources of nonsubject imports were Canada, Colombia, and Ukraine.[80]

During the third five-year review, there were five U.S. producers of foundry coke.[81] The domestic industry's market share fluctuated during the period of review, decreasing from *** percent in 2014 to *** percent in 2015 and *** percent in 2016.[82] Domestic industry market share was *** percent in interim 2017, compared to *** percent in interim 2016.[83] Subject

---

[70] *First Review*, USITC Pub. 3897 at 8. Acme Steel and Empire Coke ceased production of foundry coke and closed their production facilities between the original investigation and the first review. *Id.* at 8 n.45.

[71] *First Review*, USITC Pub. 3897 at 8-9.

[72] *First Review*, USITC Pub. 3897 at 9.

[73] *First Review*, USITC Pub. 3897 at 10.

[74] *First Review*, USITC Pub. 3897 at 10.

[75] *First Review*, USITC Pub. 3897 at 10 n.54.

[76] *Second Review*, USITC Pub. 4326 at 9. Citizens Gas & Coke Utility closed its foundry coke production manufacturing operations in 2007. *Id.*

[77] *Second Review*, USITC Pub. 4326 at 10; *Confidential Second Review* at 12-13.

[78] *Second Review*, USITC Pub. 4326 at 12.

[79] *Second Review*, USITC Pub. 4326 at 12; *Second Review Confidential Report*, Memorandum INV-KK-036, EDIS Doc. 797784 (Apr. 2, 2012) ("*Second Review CR*") at Table I-4.

[80] *Second Review CR* at I-10.

[81] *Third Review*, USITC Pub. 4774 at 11. Mountain State Carbon LLC ("Mountain State Carbon") began U.S. foundry coke production operations between the second and third five-year reviews. *Id.* at 11 n.63. Of the five producers, ABC Coke was ***, accounting for *** percent of U.S. foundry coke production in 2016, whereas no other domestic producer accounted for more than *** percent. *Confidential Third Review* at 15 n.63.

[82] *Third Review*, USITC Pub. 4774 at 11; *Confidential Third Review* at 15-16.

[83] *Third Review*, USITC Pub. 4774 at 11; *Confidential Third Review* at 15-16.

imports remained absent from the U.S. market during the period of review.[84] Nonsubject imports increased as a share of apparent U.S. consumption during the 2014-2016 period, from *** percent in 2014, to *** percent in 2015, and *** percent in 2016.[85] Nonsubject import market share was *** percent in interim 2017, compared to *** percent in interim 2016.[86] Primary sources of nonsubject imports during the period of review included Colombia, Canada, and Italy.[87]

Current Review. During the period of review, the foundry coke market in the United States was supplied primarily by the domestic industry, but also by nonsubject imports.[88]

The domestic industry was *** the largest source of supply in the U.S. market in 2022, accounting for *** percent of apparent U.S. consumption that year.[89] During the current period of review, there were two U.S. producers of foundry coke, ABC Coke and SunCoke.[90]

The information available indicates that there were numerous changes to the domestic industry during the period of review.[91] The Domestic Interested Parties report that while four U.S. producers ceased foundry coke production over the course of the period of review, including Tonawanda, Erie Coke, ERP Compliant Coke LLC ("ERP Coke"), and Mountain State Carbon, SunCoke entered the market in 2021 after making a $50 million investment to refurbish its coking facility in Virginia.[92] Responding U.S. purchaser *** cites ***.[93]

Subject imports were absent from the U.S. market throughout the period of review.[94] Nonsubject imports were the second largest source of supply in 2022, accounting for *** percent of apparent U.S. consumption.[95] The largest sources of nonsubject imports into the U.S. market in 2022 were the Czech Republic, Canada, and Italy.[96]

---

[84] *Third Review*, USITC Pub. 4774 at 11.

[85] *Third Review*, USITC Pub. 4774 at 11; *Confidential Third Review* at 15-16.

[86] *Third Review*, USITC Pub. 4774 at 11-12; *Confidential Third Review* at 16-17.

[87] *Third Review*, USITC Pub. 4774 at 12.

[88] CR/PR at Tables I-5 and I-6.

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

[90] CR/PR at I-9.

[91] *See* CR/PR at Table I-3.

[92] CR/PR at Table I-3; *Domestic Response* at 8. In December 2018, the Tonawanda foundry coke plant was shut down by the New York State Department of Environmental Conservation due to several environmental violations, complaints, settlements, and fines under the Clean Air Act. CR/PR at Table I-3. In August 2019, ERP Coke was acquired by Bluestone Resources, Inc. ("Bluestone"), and in December 2022, Bluestone was ordered to pay Jefferson County, Alabama over $1 million for releasing excessive amounts of toxic air pollution and back taxes and fees before resuming business in the state. *Id.* On December 19, 2019, Erie Coke was shut down by the Pennsylvania Department of Environmental Protection due to pollution concerns. *Id.* In May 2022, Cleveland-Cliffs closed the Mountain State Carbon plant to decrease the usage of coke in their blast furnaces and the associated carbon dioxide emissions. *Id.*

[93] CR/PR at D-3-4.

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

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

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

3. Substitutability and Other Conditions

Original Investigation and Prior Reviews. In the original investigation, the Commission found that price was an important factor in purchasing decisions, although quality was often the first consideration. It further found that the domestic like product and subject imports from China were comparable in terms of quality, availability, delivery, quantity requirements, packaging, consistency, product range, supply reliability, and transportation costs, but that the Chinese product was considered advantageous in terms of price. The Commission concluded that the domestic like product and subject imports from China were substitutable, notwithstanding differences in carbon and ash content.[97] In the first and second expedited five-year reviews, the Commission did not find any changes in these conditions.[98]

In the third full five-year review, the Commission found that there was a high degree of substitutability between subject imports and the domestic like product and that price was an important factor in purchasing decisions. The Commission explained that most producers responding to Commission questionnaires described domestically produced foundry coke and foundry coke from China as always interchangeable and that a majority of responding purchasers described domestically produced foundry coke and the subject imports as frequently interchangeable.[99]

Furthermore, the Commission found that the domestic industry was subject to environmental regulations and requirements that increased costs and represented a significant condition of competition. Finally, the Commission noted that the costs of raw materials, primarily coal, accounted for approximately *** percent of the domestic industry's cost of goods sold ("COGS") in 2016.[100]

Current Review. The record in this review contains no new information to indicate that the degree of substitutability between the domestic like product and subject imports or the importance of price in purchasing decisions has changed since the prior reviews. The Domestic Interested Parties claim that there has been no significant change in the level of competition among domestic, subject, and nonsubject foundry coke products since the prior review and that price continues to be an important factor in the foundry coke market.[101] Accordingly, we find, as we did in the prior review, that there is a high degree of substitutability between the domestic like product and subject imports and that price remains an important factor in purchasing decisions.

The Domestic Interested Parties assert that foundry coke production requires a great deal of capital and has high fixed costs relating to compliance with environmental regulations and requirements.[102] As the Commission has recognized in the prior proceedings, the domestic industry must operate at a high rate of capacity utilization to offset these costs.[103] We continue

---

[97] *Original Determination*, USITC Pub. 3449 at 12.

[98] *First Review*, USITC Pub. 3897 at 10; *Second Review*, USITC Pub. 4326 at 10.

[99] *Third Review*, USITC Pub. 4774 at 12.

[100] *Third Review*, USITC Pub. 4774 at 12-13.

[101] *Domestic Response* at 10-11.

[102] *Domestic Response* at 9-10.

[103] *Third Review*, USITC Pub. 4774 at 12.

to find that the available evidence indicates that domestic production of foundry coke is capital intensive and that the domestic industry maintains high fixed costs.

C. Likely Volume of Subject Imports

1. The Original Investigation and Prior Five-Year Reviews

In the original investigation, the Commission found that the volume and market share of subject imports from China increased substantially by quantity and value throughout the period of investigation. In absolute terms, the volume of subject imports increased from *** metric tons, valued at $***, in 1998 to 119,649 metric tons, valued at $13.3 million, in 1999 and then to 146,785 metric tons, valued at $15.8 million, in 2000.[104] The Commission further found that subject imports captured a substantially increasing share of the U.S. market by quantity and value over the period of investigation at the expense of the domestic industry. Subject imports increased as a share of the U.S. market from only 1.0 percent of U.S. shipments in 1998 to 7.6 percent in 1999 and further to 11.5 percent in 2000.[105] In terms of value, subject imports' share of the market increased from 0.7 percent in 1998 to 5.7 percent in 1999 and further to 9.3 percent in 2000.[106] The Commission noted that U.S. importers continued shipping subject imports even after its affirmative preliminary determination, accounting for 6.6 percent of the volume and 6.0 percent of the value of the U.S. foundry coke market in the first quarter of 2001.[107] It also observed that throughout the period of investigation, U.S. importers of foundry coke retained increasingly high end-of-period inventories. Therefore, the Commission found that the volume and market share of subject imports, as well as the increase in the volume and market share, were significant.[108]

In the first five-year review, the Commission found that the likely volume of subject imports, both in absolute terms and relative to production and consumption in the United States, would be significant if the order were revoked. The Commission found that there was no indication that the Chinese foundry coke industry had changed significantly since the original investigation, when it maintained large production capacity, had substantial unused production capacity, and was export oriented.[109]

In the second five-year review, the Commission found that the likely volume of subject imports, both in absolute terms and relative to production and consumption in the United States, would be significant if the order were revoked. The Commission observed that subject imports had been absent from the U.S. market since 2003. It found that there was no indication that the Chinese foundry coke industry had changed significantly since the original investigation, when its capacity and unused capacity levels were substantial, and it exported a

---

[104] *Original Determination*, USITC Pub. 3449 at 14; *Confidential Original Determination*, EDIS Doc. 797780 ("*Confidential Original Determination*") at 16.

[105] *Original Determination*, USITC Pub. 3449 at 14-15.

[106] *Original Determination*, USITC Pub. 3449 at 15.

[107] *Original Determination*, USITC Pub. 3449 at 15.

[108] *Original Determination*, USITC Pub. 3449 at 15.

[109] *First Review*, USITC Pub. 3897 at 12-13.

large percentage of its production. In light of the substantial volume of exports to the United States and rapid gains in market share during the original investigation, the substantial unused capacity available in the Chinese foundry coke industry, and the attractiveness of the U.S. market, the Commission found that subject producers would have the ability and incentive to direct significant volumes of exports to the United States if the order were revoked.[110]

In the third five-year review, the Commission found that the volume of subject imports from China would likely be significant if the order were revoked. While recognizing that subject imports were absent from the U.S. market during the period of review, the Commission found that subject producers had expanded their production capacity and production of foundry coke since the imposition of the order, with reported increases in coke supplies and inventories available for export. In light of the subject industry's prior participation in the U.S. market, high degree of export orientation, and substantial available capacity, the Commission found that the industry in China would likely export a significant volume of foundry coke to the United States within a reasonably foreseeable time if the order were revoked.[111]

2. The Current Review

The record in this review indicates that subject imports remained absent from the U.S. market during the period of review.[112]

The record in this expedited review contains limited information on the foundry coke industry in China. The Domestic Interested Parties identified 22 possible producers of foundry coke in China.[113] They contend that the subject industry continues to have considerable capacity and is increasingly dependent on exports.[114]

The information available indicates that the foundry coke industry in China remained large and growing during the period of review.[115] In 2022, the coke industry in China added a net *** metric tons to its production capacity.[116] According to China's National Bureau of Statistics, coke output in the first quarter of 2023 was 3.8 percent higher than the first quarter of 2022.[117] Additionally, information from the same source indicates that as of the beginning of 2023, China had a total of 557.4 million metric tons per year of coke oven capacity in operation, 96.0 million metric tons per year under construction, and 143.0 million metric tons per year in

---

[110] *Second Review*, USITC Pub. 4326 at 12-13.

[111] *Third Review*, USITC Pub. 4774 at 14-15.

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

[113] CR/PR at I-15; *Domestic Response* at Exhibit 1.

[114] *Domestic Response* at 16-19.

[115] *See* CR/PR at Table I-7.

[116] CR/PR at Table I-7; *Domestic Response* at 18. Specifically, ***. CR/PR at Table I-7; *Domestic Response* at Exhibits 13, 14. Coke inventory in *** amid poor demand. CR/PR at Table I-7; *Domestic Response* at Exhibit 14.

The Domestic Interested Parties note that data and information on general coke production in China is probative of the foundry coke industry specifically "due to the ability of Chinese manufacturers to produce multiple types of coke on the same machinery." *Domestic Response* at 18 n.67.

[117] *Domestic Response* at 18, Exhibit 15.

construction proposals.[118] Fenwei Energy, an independent data service for China's coke and coal industries, expected another net increase in coking capacity of 14.2 million metric tons per year in 2023.[119] On May 6, 2021, German company Thyssenkrupp Uhde GmbH won a contract to build and supply four new low-emission stamp-charged coke oven batteries, consisting of 3.5 million metric tons of coke production capacity, for Hohhot Risun China Gas Energy Co. Ltd. in China.[120] Additionally, as the Commission previously has recognized, the coke industry in China maintains the ability to shift production from out-of-scope coke products to foundry coke production as a means of increasing exports to the United States after revocation.[121]

The information available also indicates that the subject industry remains export oriented. Global Trade Atlas ("GTA") data concerning exports of coke and semicoke of coal, of lignite or of peat, whether or not agglomerated; retort carbon ("coke products"), a category that includes subject foundry coke and out-of-scope products, show that China was the world's largest exporter of such merchandise in 2022, exporting 9.0 million metric tons of such merchandise, and has increased export shipments of such merchandise every year since 2020.[122] The Domestic Interested Parties submitted information indicating that two large subject producers, Ningxia TLH Group Co., Ltd. ("Ningxia") and China Shannxi Richbond ("Shannxi Richbond"), tout their substantial volumes of exports.[123] Thus, the information on the record of this review indicates that the Chinese foundry coke industry's production and exports remain large.

Although there were no subject imports in the U.S. market during the period of review, the information available indicates that the subject industry maintains the ability and incentive to export significant volumes of merchandise to the United States. In addition to its large exports, the industry in China has demonstrated its ability to rapidly increase exports to individual markets and to shift exports between markets.[124] For example, according to GTA data, subject producers increased their exports of coke products to Japan by over 700 percent between 2020 and 2021, from 255,725 metric tons in 2020 to 2.1 million metric tons in 2021, but then halved such exports between 2021 and 2022 to 1.0 million metric tons, while nearly tripling exports to Brazil and India, from 1.2 million metric tons to 3.2 million metric tons.[125] Further, due to the capital-intensive nature of foundry coke production, Chinese producers

---

[118] *Domestic Response* at 18-19, Exhibit 13.

[119] *Domestic Response* at 18-19, Exhibit 13.

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

[121] *Original Determination*, USITC Pub. 3449 at 2-3, 6-8; *Third Review*, USITC Pub. 4774 at 15 n.103.

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

[123] *Domestic Response* at 19, Exhibits 16, 17. Subject producer Ningxia maintains 2.0 million metric tons of production capacity that is currently sold in European, American, Japanese, and Southeast Asian markets. *Id.* at 19, Exhibit 16. Subject producer Shannxi Richbond highlights its "ten years' experience of serving the international market" on its website and has been deemed an "'official example company of China's Foreign Trade Enterprise Credit System' by the Ministry of Commerce … owing to its good reputation in foreign trade." *Id.* at 19, Exhibit 17.

[124] *Original Determination*, USITC Pub. 3449 at 14-15.

[125] CR/PR at Table I-8.

would also have an economic incentive to increase their exports to the United States, which remains a large and mature market for foundry coke, after revocation as a means of boosting their rate of capacity utilization, lowering their unit fixed costs, and enhancing their profitability, particularly in light of large excess inventory.[126] Consequently, the information available indicates that the subject industry in China has the ability and incentive to export a significant volume of subject merchandise to the United States upon revocation.

Given the forgoing, including the significant and increasing volume of subject imports during the original investigation, the Chinese industry's large capacity and exports, and the attractiveness of the U.S. market to subject producers, we conclude that the volume of subject imports would likely be significant, both in absolute terms and relative to U.S. consumption, if the order were to be revoked.[127]

D. Likely Price Effects

1. The Original Investigation and Prior Five-Year Reviews

In the original investigation, the Commission found that the domestic like product and subject imports were generally substitutable and interchangeable in all end use sectors. It also found that price was an important factor in purchasing decisions and that subject imports undersold the domestic like product in all possible comparisons.[128] The Commission concluded that foundry coke imports from China significantly undersold the domestic like product. It also found that subject imports depressed and suppressed prices for the domestic like product to a significant degree. Despite rising unit costs and substantial expenditures necessary for compliance with environmental requirements, domestic producers' efforts in 1998 to raise prices gradually failed, as lower-priced subject imports began to enter the U.S. market. Instead, prices for the domestic product tended to move gradually but steadily downward from the third quarter of 1998 through the first quarter of 2001, while subject import prices fluctuated from quarter to quarter. The Commission found that domestic producers were often forced to lower their prices, in some cases with customers already under contract, to maintain customers in the face of the lower prices offered by importers of Chinese foundry coke.[129]

In the three prior reviews, the Commission observed that there was no new product-specific pricing information on the record. Based on the information available in the reviews, including the determination in the original investigation, the Commission found that the market for subject merchandise was price competitive. Therefore, as in the original investigation, it found that subject imports were likely to undersell the domestic like product if the order were revoked. It further found that the likely significant volume of subject imports at those prices was likely to have significant depressing or suppressing effects on prices of the domestic like

---

[126] *Domestic Response* at 9-10, 17-19.

[127] The record of this expedited review does not contain information on inventories of subject merchandise.

[128] *Confidential Original Determination* at 13, 18. Subject imports undersold the U.S. product in all quarterly comparisons across the 13-month period. *Original Determination CR* at Table V-1.

[129] *Original Determination*, USITC Pub. 3449 at 14-15.

product. The Commission, therefore, concluded that if the order were revoked, subject imports from China would likely have significant price effects.[130]

2. The Current Review

As discussed in section III.B.3 above, we continue to find a high degree of substitutability between the domestic like product and subject imports and that price remains an important factor in purchasing decisions.

The record in this expedited review does not contain new product-specific pricing information. Based on the available information, including the high degree of substitutability between the domestic like product and subject imports, the importance of price in purchasing decisions, and the attractiveness of the U.S. market to subject producers, we find that, if the order was revoked, significant volumes of subject imports would likely undersell the domestic like product, as they did in the original investigation. Absent the discipline of the order, the significant volume of low-priced subject imports would likely take sales and market share from domestic producers and/or force the domestic industry to cut prices or restrain price increases necessary to cover increasing costs, particularly in light of domestic producers' need to operate foundry coke ovens continuously, thereby depressing and/or suppressing prices for the domestic like product. In light of these considerations, we find that if the order were revoked, significant volumes of low-priced subject imports would likely have significant adverse price effects.

E. Likely Impact

1. The Original Investigation and Prior Five-Year Reviews

In the original investigation, the Commission found that as lower-priced subject imports captured market share are the expense of the domestic industry, the combination of declining U.S. shipments and depressed domestic prices caused the industry's sales revenues to fall. It observed that while the domestic industry's capacity to produce foundry coke increased moderately over the period, primarily because of capital investments, production and capacity utilization declined. These declines, it observed, outpaced shipments, resulting in growing end-of-period inventories and higher average unit costs. The Commission further found that subject imports negatively impacted all financial indicators, including average unit sales revenues, average unit gross profits, operating income, operating income margins, as well as other key domestic industry indicators, such as employment, wages, productivity, unit labor costs, and capital expenditures. The Commission, therefore, concluded that subject imports were having a significant impact on the domestic foundry coke industry.[131]

In the first five-year review, the Commission found that the domestic industry and the U.S. foundry coke market had contracted since the original investigation. Of the seven

---

[130] *First Review*, USITC Pub. 3897 at 14; *Second Review*, USITC Pub. 4326 at 14; *Third Review*, USITC Pub. 4774 at 16.

[131] *Original Determination*, USITC Pub. 3449 at 19-22.

domestic producers that participated in the original investigation, two producers, together accounting for *** percent of domestic foundry coke production in 2000, had ceased production operations entirely.[132] Apparent U.S. consumption of foundry coke by quantity was lower in 2005 than in 2000.[133] Moreover, the industry continued to incur high costs to comply with environmental measures and to construct and maintain production equipment in the context of a smaller U.S. foundry coke market. Nonetheless, the limited information on the record of the review revealed some improvements in the domestic industry's trade indicators since the original investigation. Domestic production of foundry coke was higher in 2005, at 1,188,232 metric tons, than in 2000, when it was 1,137,585 metric tons.[134] The quantity and the value of domestic producers' U.S. shipments were also higher in 2005 (1,071,487 metric tons, valued at $257.3 million) than in 2000 (1,023,128 metric tons, valued $182 million).[135] Domestic producers' market share similarly was higher in 2005, at 95.8 percent, than in 2000, at 88.5 percent, while the share held by subject imports from China was lower in 2005, at zero percent, than in 2000, at 11.5 percent.[136]

The Commission further found that the likely significant volume of low-priced subject imports, when combined with the likely adverse price effects of those imports, would likely have a significant impact on the production, shipments, sales, and revenue levels of the domestic industry. It found that this reduction in the industry's production, shipments, sales, and revenue levels would likely have a direct adverse impact on the industry's profitability and employment levels, as well as its ability to raise capital and make and maintain necessary capital investments. Accordingly, the Commission found that if the antidumping duty order on foundry coke from China were revoked, subject imports would be likely to have a significant impact on the domestic industry within a reasonably foreseeable time.[137]

In the second five-year review, the Commission observed that the domestic industry and U.S. foundry coke market had contracted further. The number of domestic producers had declined to four. Apparent U.S. consumption of foundry coke measured by quantity was lower in 2010 than in 2005 or 2000.[138] Consistent with the decline in the number of producers, the domestic industry's production capacity was lower in the second five-year review period, at *** metric tons, in 2010 than during the original investigation, when it was 1.4 million metric tons

---

[132] *First Review*, USITC Pub. 3897 at 15; *Confidential First Review* at 20.

[133] *First Review*, USITC Pub. 3897 at 15.

[134] *First Review*, USITC Pub. 3897 at 15.

[135] *First Review*, USITC Pub. 3897 at 15; *Confidential First Review* at 20.

[136] *First Review*, USITC Pub. 3897 at 15; *Confidential First Review* at 20. The Commission observed that due to the expedited nature of the review, there was no current information pertaining to many of the other indicators, such as operating income, capacity, capacity utilization rates, and employment levels. It found that the limited evidence in the review was insufficient for it to make a finding on whether the domestic industry producing foundry coke was vulnerable to the continuation or reoccurrence of material injury in the event of revocation of the order. *First Review*, USITC Pub. 3897 at 15.

[137] *First Review*, USITC Pub. 3897 at 15.

[138] *Second Review*, USITC Pub. 4326 at 16.

in 2000.[139] Production was lower in the second five-year review than in the original investigation and the first five-year review, at *** metric tons in 2010, as compared to 1.2 million metric tons in 2005 and 1.1 million metric tons in 2000.[140] Capacity utilization was lower in the second five-year review than in the original investigation, at *** percent, as compared to 81.1 percent in 2000.[141] The quantity of domestic producers' U.S. commercial shipments was also lower in the second five-year review than in the original investigation and the first five-year review, at *** metric tons in 2010, as compared to 1.1 million metric tons in 2005 and *** metric tons in 2000.[142]

Nonetheless, the limited information on the record revealed some improvements in the domestic industry's performance since the original investigation. The value of domestic producers' U.S. shipments was higher in 2010 ($***) than in 2005 ($257.3 million) and 2000 ($***).[143] Net sales were higher in 2010 ($***) than in 2000 ($***), as was operating income ($*** in 2010, as compared to $*** in 2000) and operating income as a percentage of net sales (*** percent in 2010, as compared to *** percent in 2000).[144] Domestic producers' market share, similarly, was higher in 2010, at *** percent, than in 2005, at *** percent, and 2000, at 88.5 percent.[145]

The Commission further found that likely significant volume of low-priced subject imports, when combined with the likely adverse price effects of those imports, would likely have a significant adverse impact on the production, shipments, sales, and revenue levels of the domestic industry. The Commission found that this reduction in the industry's production, shipments, sales, and revenue levels would likely have a direct adverse impact on the industry's profitability and employment levels, as well as its ability to raise capital and make and maintain necessary capital investments. Accordingly, the Commission found that if the antidumping duty order on foundry coke from China were revoked, subject imports from China would be likely to have a significant impact on the domestic industry within a reasonably foreseeable time.[146]

In the third five-year review, the Commission found that the domestic industry's capacity remained steady, while production, capacity utilization, and U.S. shipments by quantity each declined from 2014 to 2016 but were higher in interim 2017 than in interim 2016.[147] Production and related workers, hours worked, wages paid, and per unit labor costs each

[139] *Second Review*, USITC Pub. 4326 at 17; *Confidential Second Review* at 24.

[140] *Second Review*, USITC Pub. 4326 at 17; *Confidential Second Review* at 24.

[141] *Second Review*, USITC Pub. 4326 at 17; *Confidential Second Review* at 24.

[142] *Second Review*, USITC Pub. 4326 at 17; *Confidential Second Review* at 24.

[143] *Confidential Second Review* at 24.

[144] *Confidential Second Review* at 24.

[145] *Confidential Second Review* at 25. The Commission observed that due to the expedited nature of the review, there was no current information pertaining to many of the other indicators, such as employment and productivity. It found that the limited evidence in the review was insufficient for it to make a finding on whether the domestic industry producing foundry coke was vulnerable to the continuation or reoccurrence of material injury in the event of revocation of the order. *Second Review*, USITC Pub. 4326 at 17.

[146] *Second Review*, USITC Pub. 4326 at 17.

[147] *Third Review*, USITC Pub. 4774 at 19.

fluctuated throughout the period of review, and productivity declined from 2014 to 2016 but was stable between the interim periods.[148] Additionally, total net sales of foundry coke by value, gross profit, operating income, and net income each declined over the period of review, but the industry remained consistently profitable throughout the period.[149] Consequently, the Commission found that the domestic industry was not in a vulnerable condition.[150]

The Commission found that the likely significant volume and price effects of subject imports would likely have a significant impact on the production, shipments, sales, market share, and revenue of the domestic industry, and these reductions would have an adverse impact on the domestic industry's employment and profitability, as well as its ability to raise capital and make and maintain necessary capital investments. It found that if the antidumping duty order on foundry coke from China were revoked, subject imports from China would likely have a significant impact on the domestic industry within a reasonably foreseeable time.[151]

The Commission also considered the likely role of nonsubject imports in the U.S. market, finding no indication or argument on the record that the availability of nonsubject imports would prevent subject imports from China from significantly increasing their presence in the U.S. market in the event of revocation of the order in light of the export orientation of the subject industry.[152] Given the high degree of substitutability between the subject imports and the domestic like product and that the domestic industry's dominant market share, the Commission found that any likely increase in subject imports upon revocation would likely come overwhelmingly at the expense of the domestic industry and exacerbate its difficulties in maintaining production in light of likely declines in demand. Therefore, the Commission found that the subject imports would likely have adverse effects on the domestic industry distinct from nonsubject imports in the event of revocation.[153]

2. The Current Review

The record in this expedited review contains limited information concerning the domestic industry's performance since the last review.

The information available indicates that the domestic industry's performance was mixed in 2022 as compared to its performance in the final years examined in the original investigation and prior reviews. The domestic industry's capacity and production of foundry coke were lower in 2022 than in prior periods, but its capacity utilization was higher than the third five-year review.[154] In 2022, the industry's capacity was *** metric tons, production was *** metric

---

[148] *Third Review*, USITC Pub. 4774 at 19-20.
[149] *Third Review*, USITC Pub. 4774 at 20.
[150] *Third Review*, USITC Pub. 4774 at 20.
[151] *Third Review*, USITC Pub. 4774 at 20.
[152] *Third Review*, USITC Pub. 4774 at 20.
[153] *Third Review*, USITC Pub. 4774 at 20-21.
[154] CR/PR at Table I-4.

tons, and capacity utilization was *** percent.[155] The domestic industry's U.S. shipments were lower in 2022 than in prior periods, but its market share was higher in 2022 compared to the original investigation and third five-year review. Its U.S. shipments were *** metric tons in 2022, equivalent to *** percent of apparent U.S. consumption that year.[156] Finally, the domestic industry's net sales value was higher in 2022 than in prior periods, but its gross profits, operating income and operating income as a share of net sales were considerably lower in 2022 than in prior periods. The domestic industry's net sales were $***, its gross profits were $***, its operating income was $***, and its ratio of operating income to net sales was *** percent in 2022.[157] The limited information available in this expedited review is insufficient for us to make a finding as to whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the order.

As discussed above, the volume of subject imports would likely be significant and likely undersell the domestic like product to a significant degree if the order were revoked, causing the domestic industry to lose sales and market share and/or significantly depressing or suppressing prices for the domestic like product. The likely significant volume of low-priced subject imports and their adverse price effects would likely have a significant adverse impact on the production, shipments, sales, market share, and revenues of the domestic industry, which, in turn, would have a direct adverse impact on the industry's profitability and employment, as well as its ability to raise capital and make and maintain necessary capital investments. In light of the capital-intensive nature of the industry, decreases in capacity utilization would be particularly harmful as foundry coke producers seek to maximize capacity utilization to meet fixed costs and to justify capital expenditures. We consequently find that the subject imports would likely have a significant adverse impact on the domestic industry if the order were revoked.

---

[155] CR/PR at Table I-4. By comparison, the domestic industry's capacity for foundry coke was 1.4 million metric tons in 2016, *** metric tons in 2010, and 1.4 million metric tons in 2000; its production was 578,314 metric tons in 2016, *** metric tons in 2010, 1.2 million metric tons in 2005, and 1.1 million metric tons in 2000; and its capacity utilization rate was 42.2 percent in 2016, *** percent in 2010, and 81.1 percent in 2000. *Id.* Capacity and capacity utilization data for 2005 were unavailable. *Id.*

For the year 2022, data were compiled using data submitted by the Domestic Interested Parties, whereas data for the original investigation and prior reviews were compiled using data submitted during the relevant period of investigation or review. *Id.* at Table I-4, Note.

[156] CR/PR at Tables I-4, I-6. The domestic industry's U.S. shipments of foundry coke were *** metric tons in 2016, *** metric tons in 2010, 1.1 million metric tons in 2005, and 1.0 million metric tons in 2000. CR/PR at Table I-4. The industry's share of the U.S. market was *** percent in 2016, *** percent in 2010, *** percent in 2005, and 88.5 percent in 2000. CR/PR at Table I-6.

[157] CR/PR at Table I-4. The domestic industry's net sales were $*** in 2016, $*** in 2010, and $*** in 2000; its gross profits were $*** in 2016, $*** in 2010, and $*** in 2000; its operating income was $*** in 2016, $*** in 2010, and $*** in 2000; and its operating income to net sales ratio was *** percent in 2016, *** percent in 2010, and *** percent in 2000. *Id.* Net sales value, gross profits, operating income, and operating income to net sales ratio data for 2005 were unavailable. *Id.* at Table I-4, Note.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports. Nonsubject imports accounted for *** percent of apparent U.S. consumption in 2022.[158] There is no indication or argument on this record that the availability of nonsubject imports would prevent subject imports from China from significantly increasing their presence in the U.S. market in the event of revocation of the order, particularly in light of the large size and export orientation of the subject industry and the attractiveness of the U.S. market. Given that the domestic industry accounted for *** percent of apparent U.S. consumption in 2022, as well as the high degree of substitutability between the subject imports and the domestic like product and the importance of price to purchasing decisions, the significant increase in low-priced subject imports that is likely after revocation would likely come largely at the expense of the domestic industry and exacerbate its difficulties in maintaining an economical rate of capacity utilization in light of likely declines in demand. Accordingly, we find that any effects of nonsubject imports would be distinct from the likely effects attributable to the subject imports.

We recognize that apparent U.S. consumption was *** percent lower in 2022 than in 2016.[159] The Domestic Interested Parties attribute the decline to reduced demand for domestically produced auto parts and the continuing shift away from the use of foundry coke in steelmaking and iron production.[160] To the extent that demand continues to decline, the significant volume of low-priced subject imports that is likely after revocation would exacerbate the effects of weak or declining demand on the domestic industry.

IV. Conclusion

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

---

[158] CR/PR at Table I-6.
[159] CR/PR at Table I-6.
[160] *Domestic Response* at 7-8.

Information obtained in this review

Background

On April 3, 2023, 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 foundry coke from China 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] Table I-1 presents information relating to the background and schedule of this proceeding:

Table I-1
Foundry coke: Information relating to the background and schedule of this proceeding

Effective date	Action
April 3, 2023	Notice of initiation by Commerce (88 FR 19616, April 3, 2023)
April 3, 2023	Notice of institution by Commission (88 FR 19674, April 3, 2023)
July 7, 2023	Commission's vote on adequacy
August 7, 2023	Commerce's result of its AD expedited review (88 FR 52114)
October 20, 2023	Commission's determination and views

[1] 19 U.S.C. 1675(c).
[2] 88 FR 19674, April 3, 2023. 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. 88 FR 19616, April 3, 2023. 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 original investigation and subsequent full reviews are 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 domestic like product and the subject merchandise. Presented in app. D are the responses received from purchaser surveys transmitted to the purchasers identified in this proceeding.

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 from ABC Coke (a division of Drummond Company, Inc.) ("ABC Coke"), and SunCoke Energy, Inc. ("SunCoke"), domestic producers of foundry coke (referred to herein as "domestic interested parties").

A complete response to the Commission's notice of institution requires that the responding interested party submit to the Commission all the information listed in the notice. Responding firms are given an opportunity to remedy or explain deficiencies in their responses and to provide clarifying details where appropriate. A summary of the number of responses and estimates of coverage for each is shown in table I-2.

Table I-2
Foundry coke: Summary of responses to the Commission's notice of institution

Interested party	Type	Number of firms	Coverage
U.S. producer	Domestic	2	***%

Note: The U.S. producer coverage figure presented is the domestic interested parties' estimate of their share of total U.S. production of foundry coke during 2022. Domestic interested parties' response to the notice of institution, May 3, 2023, p. 1.

Party comments on adequacy

The Commission received party comments on the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews from the domestic interest parties. The domestic interest parties request that the Commission conduct expedited review of the antidumping duty order on foundry coke.[5]

The original investigation

The original investigation resulted from a petition filed on September 20, 2000 with Commerce and the Commission by ABC Coke, Birmingham, Alabama; Citizens Gas & Coke Utility, Indianapolis, Indiana; Erie Coke Corp., Erie, Pennsylvania; Tonawanda Coke Corp., Tonawanda, New York; and the United Steelworkers of America, AFL-CIO.[6] On July 31, 2001,

[5] Domestic interested parties' comments on adequacy, June 14, 2023, p. 3.

[6] Foundry Coke from China, Inv. No. 731-TA-891 (Final), USITC Publication 3449, September 2001 ("Original publication"), p. 1. On February 15, 2001, Sloss Industrial Corp. was added as a petitioner to the investigation. Ibid.

Commerce determined that imports of foundry coke from China were being sold at less than fair value ("LTFV").[7] The Commission determined on September 5, 2001 that the domestic industry was materially injured by reason of LTFV imports of foundry coke from China.[8] On September 17, 2001, Commerce issued its antidumping duty order with the final weighted-average dumping margins ranging from 48.55 to 214.89.[9]

The first five-year review

On November 6, 2006, the Commission determined that it would conduct an expedited review of the antidumping duty order on foundry coke from China.[10] On December 7, 2006, Commerce determined that revocation of the antidumping duty order on foundry coke from China would be likely to lead to continuation or recurrence of dumping.[11] On December 20, 2006, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.[12] Following affirmative determinations in the five-year review by Commerce and the Commission, effective January 10, 2007, Commerce issued a continuation of the antidumping duty order on imports of foundry coke from China.[13]

The second five-year review

On March 5, 2012, the Commission determined that it would conduct an expedited review of the antidumping duty order on foundry coke from China.[14] On April 6, 2012, Commerce determined that revocation of the antidumping duty order on foundry coke from China would be likely to lead to continuation or recurrence of dumping.[15] On May 29, 2012, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.[16] Following affirmative determinations in the five-year reviews by

[7] 66 FR 39487, July 31, 2001.
[8] 66 FR 47926, September 14, 2001.
[9] 66 FR 48025, September 17, 2001.
[10] 71 FR 67161, November 20, 2006.
[11] 71 FR 70956, December 7, 2006.
[12] 71 FR 78223, December 28, 2006.
[13] 72 FR 1214, January 10, 2007.
[14] 77 FR 15123, March 14, 2012.
[15] 77 FR 20788, April 6, 2012.
[16] 77 FR 32998, June 4, 2012.

Commerce and the Commission, effective May 31, 2012, Commerce issued a continuation of the antidumping duty order on imports of foundry coke from China.[17]

The third five-year review

On August 4, 2017, the Commission determined that it would conduct a full review of the antidumping duty order on foundry coke from China.[18] On September 1, 2017, Commerce determined that revocation of the antidumping duty order on foundry coke from China would be likely to lead to continuation or recurrence of dumping.[19] On April 18, 2018, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.[20] Following affirmative determinations in the five-years review by Commerce and the Commission, effective May 11, 2018, Commerce issued a continuation of the antidumping duty order on imports of foundry coke from China.[21]

Previous and related investigations

On October 22, 1979, in a response to a request received from the Department of Treasury, the Commission instituted inquiry No. AA19210-Inq.-29 under section 201(c)(2) of the act to determine whether there is no reasonable indication that an industry in the United States is being or is likely to injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.[22] On November 16, 1979, the Commission notified the Department of the Treasury that the antidumping duty investigation on coke from West Germany should be terminated.[23] On June 8, 2004, in response to a request received from the Committee of Ways and Means of the U.S. House of Representatives, the Commission instituted a fact-finding investigation under section 332(g) of the Tariff Act of 1930

[17] 77 FR 34012, June 8, 2012.

[18] 82 FR 41053, August 29, 2017.

[19] 82 FR 41598, September 1, 2017.

[20] 83 FR 17849, April 24, 2018.

[21] 83 FR 22007, May 11, 2018.

[22] Coke From West Germany; Determination of "No Reasonable Indication of Injury" in Inquiry No. AA1921-Inq.-29 Under the Antidumping Act, 1921, as Amended, USITC Publication 1015, November 1979.

[23] Ibid.

concerning competitive conditions facing the U.S. foundry industry, the primary customer for foundry coke, during 1999-2003.[24]

Commerce's five-year review

Commerce announced that it would conduct an expedited review with respect to the order on imports of foundry coke from China with the intent of issuing the final results of this review based on the facts available not later than August 1, 2023.[25] Commerce publishes its Issues and Decision Memoranda and its final results concurrently, accessible upon publication at https://access.trade.gov/public/FRNoticesListLayout.aspx. Issues and Decision Memoranda contain complete and up-to-date information regarding the background and history of the order, including scope rulings, duty absorption, changed circumstances reviews, and anticircumvention, as well as any decisions that may have been pending at the issuance of this report.

The product

Commerce's scope

Commerce has defined the scope as follows:

> *The product covered under the order is coke larger than 100 mm (4 inches) in maximum diameter and at least 50 percent of which is retained on a 100 mm (4 inch) sieve, of a kind used in foundries.*[26]

U.S. tariff treatment

Foundry coke is imported under Harmonized Tariff Schedule of the United States ("HTSUS" or "HTS") subheading/statistical reporting number 2704.00.0011. The general rate of duty is "Free" for HTS subheading 2704.00.00. Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

[24] Foundry Products; Competitive Conditions in the U.S. Market, Inv. No. 332-460, USITC Publication 3771, May 31, 2012.

[25] Letter from Jill E. Pollack, Director, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce to Nannette Christ, Director of Investigations, May 26, 2023.

[26] 83 FR 22007, May 11, 2018.

Description and uses[27]

As indicated in the scope definition, for purposes of this review, foundry coke is defined as coke larger than 100 mm (4 inches) and at least 50 percent of which is retained on a 100-mm (4-inch) sieve. Coke is a substance produced through the heating and distillation of coal and is primarily used as a fuel in the production of metals. In addition to foundry coke, there are two other subgroups of metallurgical coke: blast furnace coke and industrial coke (including coke breeze). The three types of metallurgical coke are distinguished by their size, shape, and chemical properties.

Foundry coke is used in cupola furnaces to produce molten iron. It functions as both a fuel to melt scrap or pig iron with other compounds and as a source of carbon for the melted product. The resulting molten iron is used to make various cast products such as automobile engines. Consequently, metallurgical coke must have good strength, low ash content, and a relatively uniform shape and size in order to be categorized as foundry coke. Blast furnace coke is used in an iron-making blast furnace to produce steel; it requires higher temperatures and shorter coking times, and therefore does not need to be of a uniform shape or size. Metallurgical coke that is not used in blast furnaces or foundries (either because of size, carbon content, or ash content) is defined as industrial coke. This includes coke breeze, fine screenings from crushed coke that are predominantly used as a fuel in the process of agglomerating iron.

Demand for foundry coke is derived from demand for the end products produced by purchasers of foundry coke. The largest single source of foundry coke demand is the vehicle manufacturing sector, which uses foundry coke to cast parts such as engine blocks for automobiles and trucks.26 The pipe and fittings sectors and the municipal castings sector are also important sources of demand.

Manufacturing process[28]

Foundry coke is produced using one of three processes: the byproduct, heat-recovery, or beehive process. In the United States, foundry coke producers use the byproduct recovery process, in which coking coals are heated in a retort oven until the volatile materials burn off. The volatile materials are then collected for further processing. The retort ovens, also called slot ovens because of their shape, are constructed in batteries containing 10 to 100 ovens in a

[27] Unless otherwise noted, this information is based on Foundry Coke from China, Investigation No. 731-TA-891 (Final), USITC Publication 4774, April 2018 ("third review publication"), pp. I-8-I-9.

[28] Unless otherwise noted, this information is based on Foundry Coke from China, Investigation No. 731-TA-891 (Final), USITC Publication 4774, April 2018 ("third review publication"), pp. I-9-I-11.

series. The coking chambers alternate with heating chambers so that each oven is heated on each side, with the coking process starting at the sides of the oven and progressing toward the center. After the coking coals are loaded into the oven, it is heated to a range of 900 to 1,100 degrees centigrade, usually for 26 to 32 hours. Pressure builds during the coking process, forcing the volatile compounds out of the oven and through offtake pipes to the collecting main, where they are treated and separated for further processing.

After the coking process is completed, the doors on both ends of the oven are opened. A ram placed in front of one opening pushes the foundry coke out the other end into a quenching car. At this stage, the foundry coke has a temperature of about 1,000 degrees centigrade and must be cooled before further processing. In the United States, the most common method for cooling foundry coke is wet quenching: the quenching car brings the hot foundry coke to a quenching tower (usually located at the end of the battery), where the coke is sprayed with water until cooled. The quenched foundry coke is then brought to a coke wharf for further cooling. The wharf is sloped, allowing the foundry coke to slide from the wharf to a conveyor belt at the bottom that moves the coke to screening and loading operations.

A typical byproduct coke battery operates continuously once it is brought into service.

Individual ovens may be cold idled for maintenance, such as replacing silica bricks, but a battery is only shut down as a last resort; allowing a battery to cool results in significant damage to the ovens upon reheating. Batteries are occasionally hot idled, where the temperature is maintained to avoid damage, but no coal is charged and no coke is produced. As discussed above, coke ovens designed for the byproduct process also collect and process the volatile materials released during the coking stage. These byproducts are crude materials such as crude coal tar,29 crude light oil,30 and coke oven gas.31 The coking process and subsequent screening and loading operations also produces crushed pieces of coke too small for use in foundries, sold as industrial coke. Other than industrial coke, many of the byproducts from the coking process can be derived from crude petroleum using a less expensive process.

The byproduct process is common outside of the United States, but other manufacturing processes are also used for foundry coke. The beehive process uses a simply constructed kiln, allowing the air from the coking process to escape directly into the atmosphere. The heat-recovery process is a modified version of the beehive process that uses

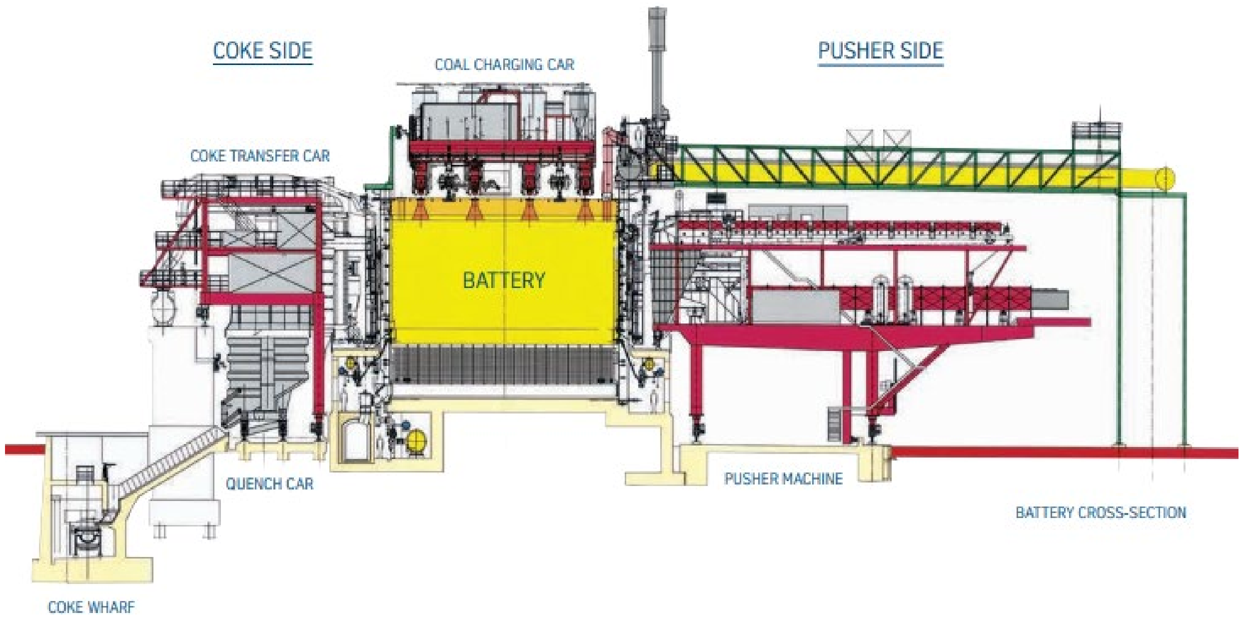
[29] Crude coal tar is refined into tar acid oils, soft pitch, creosote oil, road tar, and other products.

[30] Crude light oil is a mixture of aromatic hydrocarbons (benzene, toluene, and xylenes), thiophene, mercaptans, hydrogen sulfide, and hydrogen disulfide.

[31] Coke oven gas is a mixture of hydrocarbons that can be used as a fuel to produce electricity for the coke plant or to heat the ovens.

the volatile materials to help produce heat during the coking process (incinerating the materials as part of the coking process rather than recovering them as byproducts).

Figure I-1
Foundry coke: By-product production process



Source: ThyssenKrupp Industrial Solutions, "The new Schwelgren coke plant", accessed June 5, 2023. https://ucpcdn.thyssenkrupp.com/_legacy/UCPthyssenkruppBAIS/assets.files/products___services/coke_plants/tkis_schwelgern_coke_plant.pdf

The industry in the United States

U.S. producers

During the final phase of the original investigation, the Commission received U.S. producer questionnaires from seven firms, which accounted for approximately 100 percent of production of foundry coke in the United States during 2000.[32] During the first five-year review, domestic interested parties provided a list of five known and currently operating U.S. producers of foundry coke. Five responding firms accounted for approximately 100 percent of production of foundry coke in the United States during 2005.[33] During the second five-year review, domestic interested parties provided a list of four known and currently operating U.S.

[32] Original publication, pp. I-1, III-1.

[33] Foundry Coke from China, Inv. No. 731-TA-891 (Review), USITC Publication 3897, December 2006 ("First review publication"), pp. I-1 n.3 and I-4.

producers of foundry coke. Four responding firms accounted for approximately 100 percent of production of foundry coke in the United States during 2010.[34] During the third five-year review, the Commission received U.S. producer questionnaires from five firms, which accounted for approximately 100 percent of production of foundry coke in the United States during 2016.[35]

In response to the Commission's notice of institution in this current review, domestic interested parties provided a list of two known and currently operating U.S. producers of foundry coke. Two firms providing U.S. industry data in response to the Commission's notice of institution accounted for approximately 100 percent of production of foundry coke in the United States during 2022.[36]

Recent developments

Table I-3
Foundry coke: Developments in the U.S. industry

Item	Firm	Event
Closure	Tonawanda Coke Corp	In December 2018, the Tonawanda Coke plant located in Buffalo, New York was officially shutdown by the New York State Department of Environmental Conservation due to several environmental violations, complaints, settlements, and fines for breaking the Clean Air Act. The plant utilized 30 coke ovens and employed 129 employees at the time of the shutdown.
Acquisition	ERP Compliant Coke LLC	In August 2019, ERP Compliant Coke LLC located in North Birmingham, Alabama was acquired by Bluestone Resources Inc. ("Bluestone Coke"). The plant employs 210 workers and was at risk of closing.
Closure	Erie Coke Corp.	On December 19, 2019, the Pennsylvania Department of Environmental Protection shut down Erie Coke Corp. located in Erie, Pennsylvania due to pollution concerns. Later that day, Erie Coke Co. announced that it would discontinue its operations. The annual capacity of the plant was about 176,901 metric tons of coke and the plant employed over 130 people.
Investment	SunCoke	In May 2021, SunCoke stated that it plans to invest $50 million in its Jewell Coke plant located in Vansant, Virginia. The company is performing production upgrades and renovations to the facility to produce foundry coke and diversify its product line. The company plans on retaining approximately 100 jobs.

[34] Foundry Coke from China, Inv. No. 731-TA-891 (Second Review), USITC Publication 4326, May 2012 ("Second review publication") pp. I-4 n.4, I-7-I-8.
[35] Third review publication, p. I-6.
[36] Domestic interested parties' response to the notice of institution, May 3, 2023, pp. 1, 25.

Item	Firm	Event
Closure	Bluestone Coke	On October 24, 2021, Bluestone announced that it would temporarily idle coke operations at its North Birmingham, Alabama facility to accelerate renovations. Most of the employees at the plant were not affected by the idling as renovation and maintenance duties were performed. In December of 2022, Bluestone was closed ordered to pay Jefferson County $1 million for releasing excessive amounts of toxic air pollution. On March 13, 2023, a Jefferson County judge blocked Bluestone Coke from conducting business in Birmingham, Alabama until the company pays more than $1 million in back taxes and fees.
Closure	Mountain State Carbon LLC	Steelmaker Cleveland-Cliffs closed the Mountain State Carbon coke plant in Follansbee, West Virginia in May 2022. The maximum annual capacity of the plant was 1,392,530 metric tons and the plant employed approximately 288 employees that were given the opportunity to retire or transfer to another Cleveland-Cliffs facility. The steelmaker cited that the reason for the closure is due to an operational strategy to reduce the usage of coke in their blast furnaces to reduce CO_2 emissions. They plan to substitute coke with the use of hot-briquetted iron (HBI) production and increase the use of scrap.

Source: Petitioner's response to notice of institution, exh. No. 2-9, pp. 39-58; Alabama Political Reporter, "Bluestone Coke announces renovation and maintenance," October 25, 2021, retrieved June 1, 2023, https://www.alreporter.com/2021/10/25/bluestone-coke-announces-renovation-and-maintenance; AP News, "Coke plant shuts down amid mounting pollution concerns" December 19, 2019, retrieved June 1, 2023, https://apnews.com/article/d9bdf33fc023d01b161f9e6ff7c28c35; WHYY, "Pennsylvania environmental regulators move to shut down Erie Coke plant," July 2, 2019, retrieved June 1, 2023, https://whyy.org/articles/pennsylvania-environmental-regulators-move-to-shut-down-erie-coke-plant/; and Fox News, "Follansbee coke plant to soon shut down," February 11, 2022 retrieved June 1, 2023, https://wtov9.com/news/local/breaking-follansbee-coke-plant-to-soon-shut-down.

U.S. producers' trade and financial data

The Commission asked domestic interested parties to provide trade and financial data in their response to the notice of institution in the current five-year review.[37] Table I-4 presents a compilation of the trade and financial data submitted from all responding U.S. producers in the original investigation and subsequent five-year reviews.

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

Table I-4
Foundry coke: Trade and financial data submitted by U.S. producers, by period

Quantity in metric tons; value in 1,000 dollars; unit value in dollars per metric ton; ratio is in percent; NA is not available

Item	Measure	2000	2005	2010	2016	2022
Capacity	Quantity	1,403,184	NA	***	1,370,181	***
Production	Quantity	1,137,585	1,188,232	***	578,314	***
Capacity utilization	Ratio	81.1	NA	***	42.2	***
U.S. shipments	Quantity	1,023,128	***	***	***	***
U.S. shipments	Value	181,965	257,338	***	***	***
U.S. shipments	Unit value	177.85	240.17	***	***	***
Net sales	Value	***	NA	***	***	***
COGS	Value	***	NA	***	***	***
COGS to net sales	Ratio	***	NA	***	***	***
Gross profit or (loss)	Value	***	NA	***	***	***
SG&A expenses	Value	***	NA	***	***	***
Operating income or (loss)	Value	***	NA	***	***	***
Operating income or (loss) to net sales	Ratio	***	NA	***	***	***

Note: For the years 2000, 2005, 2010, and 2016, data are compiled using data submitted in the Commission's original investigation and prior five-year reviews. For the year 2022, data are compiled using data submitted by domestic interested parties. Domestic interested parties' response to the notice of institution, May 3, 2023, exh 1.

Note: For a discussion of data coverage, please see "U.S. producers" section.

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 U.S. producer from the domestic industry for purposes of its injury determination if "appropriate circumstances" exist.[38]

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

In its original determination, its expedited first and second five-year review determinations, and its full third five-year review determination, the Commission defined a single domestic like product consisting of foundry coke, coextensive with Commerce's scope, and the domestic industry as all domestic producers of foundry coke.[39]

U.S. importers

During the final phase of the original investigation, the Commission received U.S. importer questionnaires from six firms, which accounted for approximately 100 percent of total U.S. imports of foundry coke from China during 2000.[40] Import data presented in the original investigation are based on questionnaire responses.

The Commission did not receive responses from any respondent interested parties in its first five-year review and no new importers were identified by domestic interested parties.[41] Import data presented in the first review are based on official Commerce statistics.

The Commission did not receive responses from any respondent interested parties in its second five-year review and the domestic interested parties indicated there were no current importers of foundry coke from China.[42] Import data presented in the second review are based on official Commerce statistics.

During the third five-year review, the Commission did not receive any useable importer questionnaire responses.[43] Import data presented in the third review are based on official Commerce statistics.

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 parties provided a list of four potential U.S. importers of foundry coke.[44]

U.S. imports

Table I-5 presents the quantity, value, and unit value of U.S. imports from China as well as the other top sources of U.S. imports (shown in descending order of 2022 imports by quantity).

[39] 88 FR 19674, April 3, 2023.
[40] Original publication, p. IV-1.
[41] First review publication, p. I-7 n.24.
[42] Second review publication, pp. I-10-I-11.
[43] Third review publication, p. IV-2.
[44] Domestic interested parties' response to the notice of institution, May 3, 2023, exh. 1.

Table I-5
Foundry coke: U.S. imports, by source and period

Quantity in metric tons; value in 1,000 dollars; unit value in dollars per metric ton

U.S. imports from	Measure	2017	2018	2019	2020	2021	2022
China	Quantity	---	---	---	---	---	---
Czechia	Quantity	---	23,526	30,558	47,470	35,010	31,491
Canada	Quantity	---	12,547	16,360	---	---	60
Italy	Quantity	941	178	6,086	9,766	340	---
All other sources	Quantity	4	4	10,271	242	---	---
Nonsubject sources	Quantity	945	36,255	63,275	57,478	35,350	31,551
All import sources	Quantity	945	36,255	63,275	57,478	35,350	31,551
China	Value	---	---	---	---	---	---
Czechia	Value	---	9,279	12,252	19,194	13,992	18,989
Canada	Value	---	3,566	2,672	---	---	10
Italy	Value	443	84	2,950	3,639	167	---
All other sources	Value	4	5	4,362	163	---	---
Nonsubject sources	Value	447	12,934	22,236	22,996	14,159	18,999
All import sources	Value	447	12,934	22,236	22,996	14,159	18,999
China	Unit value	---	---	---	---	---	---
Czechia	Unit value	---	394	401	404	400	603
Canada	Unit value	---	284	163	---	---	---
Italy	Unit value	471	474	485	373	490	---
All other sources	Unit value	1095	1162	425	672	---	---
Nonsubject sources	Unit value	473	357	351	400	401	602
All import sources	Unit value	474	357	351	400	401	602

Source: Compiled from official Commerce statistics for HTS statistical reporting number 2704.00.0011, accessed April 26, 2023.

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

Note: Zeros, null values, and undefined calculations are suppressed and shown as “---“.

Apparent U.S. consumption and market shares

Table I-6 presents data on U.S. producers' U.S. shipments, U.S. imports, apparent U.S. consumption, and market shares.

Table I-6
Foundry coke: Apparent U.S. consumption and market shares, by source and period

Quantity in metric tons; value in 1,000 dollars; share in percent

Source	Measure	2000	2005	2010	2016	2022
U.S. producers	Quantity	1,023,128	***	***	***	***
China	Quantity	132,747	---	---	---	---
Nonsubject sources	Quantity	---	47,032	432	64,963	31,551
All import sources	Quantity	132,747	47,032	432	64,963	31,551
Apparent U.S. consumption	Quantity	1,155,875	***	***	***	***
U.S. producers	Value	181,965	***	***	***	***
China	Value	18,691	---	---	---	---
Nonsubject sources	Value	---	6,426	285	11,766	18,999
All import sources	Value	18,691	6,426	285	11,766	18,999
Apparent U.S. consumption	Value	200,656	***	***	***	***
U.S. producers	Share of quantity	88.5	***	***	***	***
China	Share of quantity	11.5	***	***	***	---
Nonsubject sources	Share of quantity	---	***	***	***	***
All import sources	Share of quantity	11.5	***	***	***	***
U.S. producers	Share of value	90.7	***	***	***	***
China	Share of value	9.3	***	***	***	---
Nonsubject sources	Share of value	---	***	***	***	***
All import sources	Share of value	9.3	***	***	***	***

Source: For the years 2000, 2005, 2010, and 2016, data are compiled using data submitted in the Commission's original investigation and prior five-year reviews. For the year 2022, U.S. producers' U.S. shipments are compiled from the domestic interested parties' response to the Commission's notice of institution and U.S. imports are compiled using official Commerce statistics under HTS statistical reporting number 2704.00.0011, accessed April 26, 2023.

Note: Share of quantity is the share of apparent U.S. consumption by quantity in percent; share of value is the share of apparent U.S. consumption by value in percent.

Note: For 2000 and 2016, apparent U.S. consumption is derived from U.S. shipments of imports, rather than U.S. imports.

Note: Zeros, null values, and undefined calculations are suppressed and shown as “---“.

Note: For a discussion of data coverage, please see “U.S. producers” and “U.S. importers” sections.

The industry in China

Producers in China

During the final phase of the original investigation, the Commission did not receive useable foreign producer/exporter questionnaires.[45] The Commission received Chinese foundry coke producers’/exporters’ data aggregated by two trade associations.[46]

The Commission did not receive responses from any respondent interested parties in its first five-year review and no specific information regarding producers of foundry coke in China was available.[47]

Although the Commission did not receive responses from any respondent interested parties in its second five-year review, the domestic interested parties provided a list of six possible producers of foundry coke in China.[48]

During the third five-year review, the Commission did not receive any foreign/producer questionnaires. .[49]

Although the Commission did not receive responses from any respondent interested parties in this five-year review, the domestic interested parties provided a list of 22 possible producers of foundry coke in China.[50]

---

[45] Original publication, p. VII-1, n.7.
[46] Original publication, p. VII-1.
[47] First review publication, p. I-12.
[48] Second review publication, p. I-14.
[49] Third review publication, p. IV-6.
[50] Domestic interested parties’ response to the notice of institution, May 3, 2023, exh. 1.

Recent developments

Table I-7 presents events in the Chinese industry since the Commission's last five-year review.

Table I-7
Foundry coke: Developments in the Chinese industry

Item	Firm	Event
Capacity Increase		In 2022, China added *** of new production capacity and eliminated ***, resulting in a net increase of ***. A few notable changes in capacity for foundry coke producers were: ***. Coke inventory in *** amid poor demand.
Plant opening	Thyssenkrupp Uhde GmbH (Germany)	On May 6, 2021, Thyssenkrupp Uhde GmbH (Dortmund, Germany) won a contract from Sedin Engineering Co., Ltd. to build and supply four new low-emission stamp-charged coke oven batteries (3.5 million metric tons) for Hohhot Risun China Gas Energy Co. Ltd in China.

Source: Petitioner's response to notice of institution, exh. No. 13-16, pp. 66-78; Chemical Engineering Online, "Thyssenkrupp Uhde wins order for low-emission coke oven batteries in China," May 6, 2021, accessed June 1, 2023, https://www.chemengonline.com/thyssenkrupp-uhde-wins-order-for-low-emission-coke-oven-batteries-in-china/?printmode=1.

Exports

Table I-8 presents export data for HS subheading 2704.00, a category that includes foundry coke and out-of-scope products, from China (by export destination in descending order of quantity for 2022).

Table I-8
Coke and semicoke of coal, of lignite or of peat, whether or not agglomerated; retort carbon: Quantity of exports from China, by destination and period

Quantity in metric tons

Destination market	2017	2018	2019	2020	2021	2022
India	1,612,043	2,083,262	908,611	392,954	690,495	1,709,232
Indonesia	446,290	487,597	558,288	829,919	802,364	1,520,731
Brazil	515,314	807,860	367,957	207,186	487,645	1,066,239
Japan	1,159,796	1,534,093	731,225	255,723	2,067,581	960,566
Vietnam	612,812	819,076	716,924	269,029	497,449	671,100
Malaysia	651,741	1,066,649	1,343,800	777,183	593,633	647,949
South Korea	242,400	240,785	252,211	187,474	240,401	254,279
Mexico	397,588	293,404	90,550	---	44,008	238,236
Italy	193,289	93,318	104,500	---	159,057	202,721
Australia	220,105	264,569	175,176	151,601	175,080	183,710
United States	317	---	---	---	667	1,520
All other markets	2,045,541	2,162,088	1,276,344	418,219	692,051	1,494,760
All markets	8,097,236	9,852,701	6,525,586	3,489,288	6,450,431	8,951,043

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheading 2704.00, accessed June 1, 2023. These data may be overstated as HS subheading 2704.00 may contain products outside the scope of this review. The data presented are for metallurgical coke, of which foundry coke, blast furnace coke, and industrial coke (including coke breeze) are subgroups.

Note: Zeros, null values, and undefined calculations are suppressed and shown as “---“.

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

Third-country trade actions

Based on available information, foundry coke from China has not been subject to other antidumping or countervailing duty investigations outside the United States.

The global market

Table I-9 presents global export data for HS subheading 2704.00, a category that includes foundry coke and out-of-scope products, (by source in descending order of quantity for 2022). The Russian-Ukraine war has impacted the foundry coke industries in both countries as well as in the European Union (EU). Russian exports of foundry coke have declined due to the EU’s banned coal imports from Russia – leaving the EU searching for new import sources. Most of the production of foundry coke in Ukraine is located in the east where the war is being fought. The leading producer in Ukraine, the Metinvest’s Avdeevka coke plant, with an annual capacity of 4 million metric tons, is currently shutdown. Ukraine now imports a fifth of the amount it used to before the war decreasing from approximately 15 million metric tons per year to approximately 3.5 million metric tons per year. This decrease in imports caused Ukraine's government to introduce a ban on exports of coal to ensure supply for the heating season.[51]

Table I-9
Coke and semicoke of coal, of lignite or of peat, whether or not agglomerated; retort carbon: Quantity of global exports by country and period

Quantity in metric tons

Exporting country	2017	2018	2019	2020	2021	2022
China	8,097,236	9,852,701	6,525,586	3,489,288	6,450,431	8,951,043
Poland	6,502,174	6,585,289	6,177,108	6,352,175	7,271,599	6,539,172
Colombia	2,522,314	3,098,579	3,147,125	3,355,472	4,032,357	4,373,207
United States	1,099,146	1,044,336	875,801	619,988	1,889,763	2,115,459
Japan	1,199,792	1,396,278	1,376,233	2,961,794	2,775,475	913,226
Germany	885,650	883,026	801,740	851,908	716,257	818,398
Czechia	743,762	633,979	588,643	535,781	652,058	593,159
India	79,802	75,399	135,173	85,492	1,264,567	541,467
Bosnia & Herzegovina	405,960	566,402	455,337	369,321	---	402,883
Indonesia	---	90,004	208,463	397,170	235,584	310,064
All other exporters	6,484,742	8,909,832	6,312,172	7,275,825	6,046,649	1,712,464
All exporters	28,020,578	33,135,825	26,603,381	26,294,214	31,334,740	27,270,542

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheading 2704.00, accessed June 1, 2023. These data may be overstated as HS subheading 2704.00 may contain products outside the scope of this review.

Note: Zeros, null values, and undefined calculations are suppressed and shown as "---". Because of rounding, figures may not add to total shown. Some countries, including Mozambique and Russia, did not report their export data for 2704.00 and therefore are not included in the global total. The totals for all other exporters and all exporters may be understated as some of the smaller exporting countries had not yet reported data for 2020, 2021, and 2022 when the data were accessed.

[51] Eurometal, "Russian-Ukrainian war impacts European coke market: Eurocoke," September 15, 2022, retrieved June 26, 2023. https://eurometal.net/russian-ukrainian-war-impacts-european-coke-market-eurocoke/ .

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
88 FR 19616 April 3, 2023	*Initiation of Five-Year (Sunset) Reviews*	https://www.govinfo.gov/content/pkg/FR-2023-04-03/pdf/2023-06902.pdf
88 FR 19674 April 3, 2023	*Foundry Coke From China; Institution of Five-Year Review*	https://www.govinfo.gov/content/pkg/FR-2023-04-03/pdf/2023-06861.pdf

APPENDIX B

COMPANY-SPECIFIC DATA

*   *   *   *   *   *   *

APPENDIX C

SUMMARY DATA

Table C-1
Foundry coke: Summary data concerning the U.S. market, 2014-16, January to September 2016, and January to September 201

(Quantity=Metric tons; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per metric ton; Period changes=percent--exceptions noted)

	Reported data					Period changes			
	Calendar year			January to September		Calendar year			Jan-Sep
	2014	2015	2016	2016	2017	2014-16	2014-15	2015-16	2016-17
U.S. consumption quantity:									
Amount	***	***	***	***	***	***	***	***	***
Producers' share (fn1)	***	***	***	***	***	***	***	***	***
Importers' share (fn1):									
China	***	***	***	***	***	***	***	***	***
Nonsubject sources	***	***	***	***	***	***	***	***	***
All import sources	***	***	***	***	***	***	***	***	***
U.S. consumption value:									
Amount	***	***	***	***	***	***	***	***	***
Producers' share (fn1)	***	***	***	***	***	***	***	***	***
Importers' share (fn1):									
China	***	***	***	***	***	***	***	***	***
Nonsubject sources	***	***	***	***	***	***	***	***	***
All import sources	***	***	***	***	***	***	***	***	***
U.S. importers' U.S. shipments of Imports from:									
China:									
Quantity	0	0	0	0	0	fn2	fn2	fn2	fn2
Value	0	0	0	0	0	fn2	fn2	fn2	fn2
Unit value	$0.00	$0.00	$0.00	$0.00	$0.00	fn2	fn2	fn2	fn2
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Nonsubject sources:									
Quantity	549	19,648	64,963	64,259	552	11,733.0	3,478.9	230.6	(99.1)
Value	312	3,643	11,766	11,466	262	3,672.9	1,068.3	222.9	(97.7)
Unit value	$568.03	$185.43	$181.12	$178.43	$474.22	(68.1)	(67.4)	(2.3)	165.8
Ending inventory quantity	***	***	***	***	***	***	***	***	***
All import sources:									
Quantity	549	19,648	64,963	64,259	552	11,733.0	3,478.9	230.6	(99.1)
Value	312	3,643	11,766	11,466	262	3,672.9	1,068.3	222.9	(97.7)
Unit value	$568.03	$185.43	$181.12	$178.43	$474.22	(68.1)	(67.4)	(2.3)	165.8
Ending inventory quantity	***	***	***	***	***	***	***	***	***
U.S. producers':									
Average capacity quantity	1,370,181	1,370,181	1,370,181	1,041,394	1,041,394	0.0	0.0	0.0	0.0
Production quantity	670,787	648,254	578,314	434,899	451,927	(13.8)	(3.4)	(10.8)	3.9
Capacity utilization (fn1)	49.0	47.3	42.2	41.8	43.4	(6.7)	(1.6)	(5.1)	1.6
U.S. shipments:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Export shipments:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Inventories/total shipments (fn1)	***	***	***	***	***	***	***	***	***
Production workers	***	***	***	***	***	***	***	***	***
Hours worked (1,000s)	***	***	***	***	***	***	***	***	***
Wages paid ($1,000)	***	***	***	***	***	***	***	***	***
Hourly wages	***	***	***	***	***	***	***	***	***
Productivity (Metric tons per hour)	***	***	***	***	***	***	***	***	***
Unit labor costs	***	***	***	***	***	***	***	***	***
Net Sales:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Cost of goods sold (COGS)	***	***	***	***	***	***	***	***	***
Gross profit of (loss)	***	***	***	***	***	***	***	***	***
SG&A expenses	***	***	***	***	***	***	***	***	***
Operating income or (loss)	***	***	***	***	***	***	***	***	***
Capital expenditures	***	***	***	***	***	***	***	***	***
Unit COGS	***	***	***	***	***	***	***	***	***
Unit SG&A expenses	***	***	***	***	***	***	***	***	***
Unit operating income or (loss)	***	***	***	***	***	***	***	***	***
COGS/sales (fn1)	***	***	***	***	***	***	***	***	***
Operating income or (loss)/sales (fn1)	***	***	***	***	***	***	***	***	***

Notes:
fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--Undefined.

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics under HTS 2704.00.0011.

Table C-1
Foundry coke: Summary data concerning the U.S. market, 1998-2000, January-March 2000, and January-March 2001

(Quantity=metric tons, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per metric ton; period changes=percent, except where noted)

Item	Reported data					Period changes			
				January-March					Jan.-Mar.
	1998	1999	2000	2000	2001	1998-2000	1998-1999	1999-2000	2000-2001
U.S. consumption quantity:									
Amount	1,154,784	1,204,673	1,155,875	301,170	265,509	0.1	4.3	-4.1	-11.8
Producers' share (1)	99.0	92.4	88.5	91.5	93.4	-10.5	-6.6	-3.9	1.9
Importers' share (1):									
China	1.0	7.6	11.5	8.5	6.6	10.5	6.6	3.9	-1.9
Other sources	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total imports	1.0	7.6	11.5	8.5	6.6	10.5	6.6	3.9	-1.9
U.S. consumption value:									
Amount	209,279	212,899	200,656	53,291	46,006	-4.1	1.7	-5.8	-13.7
Producers' share (1)	99.3	94.3	90.7	93.0	94.0	-8.6	-5.0	-3.6	1.0
Importers' share (1):									
China	0.7	5.7	9.3	7.0	6.0	8.6	5.0	3.6	-1.0
Other sources	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total imports	0.7	5.7	9.3	7.0	6.0	8.6	5.0	3.6	-1.0
U.S. shipments of imports from:									
China:									
Quantity	11,212	91,323	132,747	25,628	17,483	1,084.0	714.5	45.4	-31.9
Value	1,529	12,218	18,691	3,746	2,754	1,122.4	699.1	53.0	-26.5
Unit value	$136.37	$133.79	$140.80	$146.15	$157.70	3.2	-1.9	5.2	7.9
Ending inventory quantity	***	44,381	46,187	52,036	27,864	***	***	4.1	-46.5
Other sources:									
Quantity	0	0	0	0	0	(2)	(2)	(2)	(2)
Value	0	0	0	0	0	(2)	(2)	(2)	(2)
Unit value	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Ending inventory quantity	0	0	0	0	0	(2)	(2)	(2)	(2)
All sources:									
Quantity	11,212	91,323	132,747	25,628	17,463	1,084.0	714.5	45.4	-31.9
Value	1,529	12,218	18,691	3,746	2,754	1,122.4	699.1	53.0	-26.5
Unit value	$136.37	$133.79	$140.80	$146.15	$157.70	3.2	-1.9	5.2	7.9
Ending inventory quantity	***	44,381	46,187	52,036	27,864	***	***	4.1	-46.5
U.S. producers':									
Average capacity quantity	1,380,271	1,395,609	1,403,184	347,353	356,620	1.7	1.1	0.5	2.7
Production quantity	1,236,785	1,235,246	1,137,585	295,341	257,338	-8.0	-0.1	-7.9	-12.9
Capacity utilization (1)	89.6	88.5	81.1	85.0	72.2	-8.5	-1.1	-7.4	-12.9
U.S. shipments:									
Quantity	1,143,572	1,113,350	1,023,128	275,542	248,046	-10.5	-2.6	-8.1	-10.0
Value	207,750	200,681	181,965	49,545	43,252	-12.4	-3.4	-9.3	-12.7
Unit value	$181.67	$180.25	$177.85	$179.81	$174.37	-2.1	-0.8	-1.3	-3.0
Export shipments:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	38,877	54,899	66,771	47,436	56,926	71.7	41.2	21.6	20.0
Inventories/total shipments (1)	***	***	***	***	***	***	***	***	***
Production workers	1,094	1,076	1,042	1,078	977	-4.8	-1.6	-3.2	-9.4
Hours worked (1,000s)	2,392	2,380	2,354	607	530	-1.6	-0.5	-1.1	-12.7
Wages paid ($1,000s)	43,379	43,562	47,528	10,887	9,775	9.6	0.4	9.1	-10.2
Hourly wages	$18.14	$18.30	$20.19	$17.94	$18.44	11.3	0.9	10.3	2.8
Productivity (tons/1,000 hours)	517.1	***	***	***	***	***	***	***	***
Unit labor costs	$35.07	***	***	***	***	***	***	***	***
Net sales:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Cost of goods sold (COGS)	***	***	***	***	***	***	***	***	***
Gross profit or (loss)	***	***	***	***	***	***	***	***	***
SG&A expenses	***	***	***	***	***	***	***	***	***
Operating income or (loss)	***	***	***	***	***	***	***	***	***
Capital expenditures	***	***	***	***	***	***	***	***	***
Unit COGS	***	***	***	***	***	***	***	***	***
Unit SG&A expenses	***	***	***	***	***	***	***	***	***
Unit operating income or (loss)	***	***	***	***	***	***	***	***	***
COGS/sales (1)	***	***	***	***	***	***	***	***	***
Operating income or (loss)/sales (1)	***	***	***	***	***	***	***	***	***

(1) "Reported data" are in percent and "period changes" are in percentage points.
(2) Not applicable.

Note.–Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures. January-March inventory ratios are annualized. Productivity and unit labor costs are calculated using data of firms providing both production and employment information.

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

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 domestic interested parties and it provided contact information for the following five firms as top purchasers of foundry coke: ***. Purchaser questionnaires were sent to these five firms. One firm (***) provided responses, which are presented below.

1. Have there been any significant changes in the supply and demand conditions for foundry coke that have occurred in the United States or in the market for foundry coke in China since January 1, 2018?

Purchaser	Yes / No	Changes that have occurred
***	***	***

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

Purchaser	Yes / No	Anticipated changes
***	***	***