

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-013]

**Carbon and Certain Alloy Steel Wire Rod From the People's Republic of China: Final Results of the Expedited First Five-Year Sunset Review of the Countervailing Duty Order**

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

**SUMMARY:** As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on carbon and certain alloy steel wire rod (wire rod) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of countervailable subsidies at the levels indicated in the "Final Results of Review" section of this notice.

**DATES:** Applicable March 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** Ian Hamilton, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4798.

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 8, 2015, Commerce published its CVD order on wire rod from China in the **Federal Register**.<sup>1</sup> On December 2, 2019, Commerce published the notice of initiation of the first sunset review of the *Order*,<sup>2</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>3</sup> Commerce received a notice of intent to participate from Charter Steel, Commercial Metals Company, EVRAZ Rocky Mountain

Steel, Liberty Steel USA, Nucor Corporation, and Optimus Steel LLC (collectively, domestic interested parties), within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>4</sup> Each claimed interested party status under section 771(9)(C) of the Act, as domestic producers of wire rod in the United States.

Commerce received a substantive response from the domestic interested parties<sup>5</sup> within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). We received no substantive response from any other domestic or interested parties in this proceeding, nor was a hearing requested.

On January 22, 2020, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.<sup>6</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of this *Order*.

**Scope of the Order**

The merchandise covered by this *Order* is certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately circular cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also known as free machining steel) products (*i.e.*, products that contain by weight one or more of the following elements: 0.1 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorus, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products subject to this *Order* are currently classifiable under subheadings 7213.91.3011, 7213.91.3015,

7213.91.3020, 7213.91.3093; 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and 7227.90.6090 of the HTSUS also may be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise covered by the *Order* is dispositive. For a complete description of the scope of the *Order*, see the accompanying Issues and Decision Memorandum.<sup>7</sup>

**Analysis of Comments Received**

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via the Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

**Final Results of Sunset Review**

Pursuant to sections 751(c)(1) and 752(b) of the Act, we determine that revocation of the CVD order on wire rod from China would be likely to lead to continuation or recurrence of countervailable subsidies at the following rates:

Manufacturers/producers/exporters	Net countervailable subsidy (percent)
Benxi Steel .....	193.31
Hebei Iron & Steel Co., Ltd. Tangshan Branch .....	178.46
All Others .....	185.89

<sup>1</sup> See *Carbon and Certain Alloy Steel Wire Rod from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 80 FR 1018 (January 8, 2015) (*Order*).

<sup>2</sup> See *Order*. We applied subsidy rates of 193.31 percent to Benxi Steel (comprised of: Benxi Beiyong Iron & Steel Group Import & Export Corp.; Benxi Beiyong Iron & Steel (Group) Co., Ltd.; Benxi Steel Group Corporation; Beitai Iron & Steel (Group) Co., Ltd.; Benxi Northern Steel Rolling Co., Ltd.; Benxi Beifang Gaosu Steel Wire Rod Co., Ltd.; Benxi Beitai Gaosu Steel Wire Rod Co., Ltd.; Benxi Northern Steel Co., Ltd.; Benxi Beifang Second Rolling Co., Ltd.; Benxi Beitai Ductile Iron Pipes Co., Ltd.; Benxi Iron and Steel (Group) Metallurgy Co., Ltd.; Benxi Iron and Steel (Group) Real Estate Development Co., Ltd.; Benxi Iron & Steel (Group) Co., Ltd.; Bei Tai Iron and Steel Group Imp. And Exp. (Dalian) Co., Ltd.; and Bengang Steel Plate Co., Ltd.); 178.46 percent to Hebei Iron & Steel Co., Ltd. Tangshan Branch; and 185.89 percent to all others. *Id.*, 80 FR at 1019.

<sup>3</sup> See *Initiation of Five-Year (Sunset) Review*, 84 FR 65968 (December 2, 2019).

<sup>4</sup> See Domestic Interested Parties' Letter, "Carbon and Certain Alloy Steel Wire Rod from the People's Republic of China: Notice of Intent to Participate," dated December 17, 2019.

<sup>5</sup> See Domestic Interested Parties' Letter, "Carbon and Certain Alloy Steel Wire Rod from the People's Republic of China: Substantive Response," dated January 2, 2020.

<sup>6</sup> See Commerce's Letter, "Sunset Reviews Initiated on December 2, 2019," dated January 22, 2020.

<sup>7</sup> See Memorandum, "Issues and Decision Memorandum for the Expedited First Sunset Review of the Antidumping Duty Order on Carbon and Certain Alloy Steel Wire Rod Oxide from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

**Administrative Protective Order (APO)**

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

**Notification to Interested Parties**

We are issuing and publishing the final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act, and 19 CFR 351.218.

Dated: March 24, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix****List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. History of the Order
- IV. Scope of the Order
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of a Countervailable Subsidy
  2. Net Countervailable Subsidy Rates Likely to Prevail
  3. Nature of the Subsidies
- VII. Final Results of Sunset Review
- VIII. Recommendation

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-122-866]

**Sodium Sulfate Anhydrous From Canada: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that sodium sulfate anhydrous (sodium sulfate) from Canada is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2018 through December 31, 2018. The final estimated weighted-average dumping margins of sales at LTFV are shown in

the “Final Determination” section of this notice.

**DATES:** Applicable March 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** Davina Friedmann or Erin Kearney, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6312 or (202) 482-0167, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

This final determination is made in accordance with section 735 of the Tariff Act of 1930, as amended (the Act). On November 8, 2019, Commerce published the preliminary affirmative determination of sales at LTFV in the investigation of sodium sulfate from Canada, and also extended the final determination to March 23, 2020.<sup>1</sup> We invited interested parties to comment on the *Preliminary Determination*. On January 17, 2020, we received case briefs from the sole respondent, Saskatchewan Mining and Minerals Inc. (SMM),<sup>2</sup> and Cooper Natural Resources, Inc., Elementis Global LLC, and Searles Valley Minerals (collectively, the petitioners).<sup>3</sup> On January 22, 2020, we received rebuttal briefs from SMM,<sup>4</sup> the Government of Canada,<sup>5</sup> and the petitioners.<sup>6</sup> On February 28, we held a public hearing concerning the issues raised in case and rebuttal briefs.<sup>7</sup>

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues

and Decision Memorandum.<sup>8</sup> A list of the issues raised is attached to this notice as Appendix II. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and it is available to all parties in the Central Records Unit, room B-8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

**Scope of the Investigation**

The product covered by this investigation is sodium sulfate from Canada. For a full description of the scope of this investigation, see the “Scope of the Investigation,” in Appendix I of this notice.

**Verification**

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), in October and December 2019, we verified the cost and sales information submitted by SMM for use in our final determination. We used standard verification procedures, including examination of relevant accounting and production records, and original source documents provided by SMM.<sup>9</sup>

**Analysis of Comments Received and Changes Since the Preliminary Determination**

As noted above, we received case and rebuttal briefs pertaining to the *Preliminary Determination*. For the purposes of the final determination, Commerce has made certain changes to the *Preliminary Determination*:

We incorporated into the final margin calculation the minor corrections presented by SMM at the outset of

<sup>1</sup> See *Sodium Sulfate Anhydrous from Canada: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Negative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures*, 84 FR 60375 (November 8, 2019) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See SMM’s Letter, “Antidumping Duty Investigation of Sodium Sulfate Anhydrous from Canada: Case Brief for SMMI,” dated January 17, 2020.

<sup>3</sup> See Petitioners’ Letter, “Sodium Sulfate Anhydrous from Canada: Petitioners’ Case Brief,” dated January 17, 2020.

<sup>4</sup> See SMM’s Letter, “Antidumping Duty Investigation of Sodium Sulfate Anhydrous from Canada: Rebuttal Brief for SMMI,” dated January 22, 2020.

<sup>5</sup> See Government of Canada’s Letter, “Rebuttal Brief of the Government of Canada,” dated January 22, 2020.

<sup>6</sup> See Petitioners’ Letter, “Sodium Sulfate Anhydrous from Canada: Petitioners’ Rebuttal Brief,” dated January 22, 2020.

<sup>7</sup> See Hearing Transcript from Neal R. Gross and Co., Inc., dated March 6, 2020.

<sup>8</sup> See Memorandum, “Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Sodium Sulfate Anhydrous from Canada and Final Negative Determination of Critical Circumstances,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>9</sup> See Memorandum, “Verification of the Cost Response of Saskatchewan Mining and Minerals Inc. in the Antidumping Duty Investigation of Sodium Sulfate Anhydrous from Canada,” dated December 10, 2019; see also Memorandum, “Verification of the Sales Response of Saskatchewan Mining and Minerals Inc. in the Antidumping Investigation of Sodium Sulfate from Canada,” dated January 9, 2020.