

the Act indicate that there is circumvention of the *Order*. Consequently, our statutory analysis leads us to find that there was circumvention of the *Order* as a result of Angang's assembly of the PRC-origin, semi-finished hangers into finished garment hangers in Vietnam for export to the United States, as discussed above. Therefore, in light of our final determination, the Department will instruct CBP to suspend liquidation on all entries of garment hangers produced and/or exported by Angang that were entered, or withdrawn from warehouse, for consumption on or after the date of initiation of the anti-circumvention inquiry. Should the Department conduct an administrative review of the *Order* in the future, both Quyky and Angang will have the opportunity to provide information related to their use of PRC-origin or self-produced garment hangers so that the Department may determine the appropriate assessment rate.

#### Continuation of Suspension of Liquidation

In accordance with section 733(d) of the Act, the Department will continue to direct CBP to suspend liquidation and to require a cash deposit of estimated duties, at the PRC-wide rate of 187.25 percent, on all unliquidated entries of garment hangers produced and/or exported by Angang and Quyky that were entered, or withdrawn from warehouse, for consumption on or after July 16, 2010, the date of initiation of the anti-circumvention inquiry.

In comments to the Department, Angang asked the Department (1) to revisit its determination to suspend liquidation of all of Angang's entries and (2) to allow certifications for Angang's future entries. Angang has provided conflicting statements on whether it could segregate PRC-origin, semi-finished hangers from the self-produced, semi-finished hangers in Vietnam,<sup>31</sup> and record evidence supports the conclusion that Angang commingles the two groups of merchandise in a work-in-progress warehouse. Therefore, the Department declines to grant Angang's requests. For further discussion of this issue, see the Decision Memorandum.<sup>32</sup>

As stated above, if requested, should the Department conduct an administrative review in the future, and determine in the context of that review

that either Quyky or Angang have not produced for export garment hangers using PRC-origin, semi-finished hangers, the Department will consider a changed circumstances review pursuant to section 751(b) of the Act to determine if the continued suspension of all garment hangers produced by Quyky or Angang is warranted.

#### Notification to Interested Parties

This notice serves as the only reminder to parties subject to the administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written 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.

This final affirmative circumvention determination is published in accordance with section 781(b) of the Act and 19 CFR 351.225(h).

Dated: October 21, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

#### Appendix I

##### *Discussion of the Issues*

Comment 1: Affirmative Preliminary Determination of Circumvention Regarding Quyky

Comment 2: Affirmative Preliminary Determination of Circumvention Regarding Angang

Comment 3: Appropriate Suspension of Liquidation of Angang's Exports

Comment 4: Whether To Require a Certification Process for Angang's Exports

Comment 5: Appropriate Rate To Assign to Angang

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-809, A-201-805, A-580-809, A-583-814, A-583-008]

#### **Certain Circular Welded Non-Alloy Steel Pipe From Brazil, Mexico, the Republic of Korea, and Taiwan; and Certain Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Order**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On August 1, 2011 the Department of Commerce (Department) initiated the third five-year (sunset) reviews of the antidumping duty orders on certain circular welded non-alloy steel pipe from Brazil, Mexico, the Republic of Korea, and Taiwan; and certain circular welded carbon steel pipes and tubes from Taiwan, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). The Department has conducted expedited (120-day) sunset reviews of these antidumping duty orders pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of these reviews, the Department finds that revocation of the antidumping duty orders would likely lead to a continuation or recurrence of dumping, at the levels indicated in the "Final Results of Sunset Reviews" section of this notice, *infra*.

**FOR FURTHER INFORMATION:** Steve Bezirgianian, Deborah Scott or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1131, (202) 482-2657 or (202) 482-0649, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On August 1, 2011, the Department published in the **Federal Register** the notice of initiation of the sunset reviews of the antidumping duty orders on certain circular welded non-alloy steel pipe from Brazil, Mexico, the Republic of Korea, and Taiwan; and certain circular welded carbon steel pipes and tubes from Taiwan, pursuant to section 751(c) of the Act. See *Initiation of Five-Year ("Sunset") Review*, 76 FR 38613 (July 1, 2011) (*Notice of Initiation*).

The Department received a notice of intent to participate from the following

<sup>31</sup> See, e.g., Angang's Questionnaire Responses dated October 8, 2010, at Exhibit 1B; November 19, 2010, at 13; March 21, 2011, at 2; Angang's Case Brief dated June 13, 2011 at 4-9; see also Decision Memorandum at Comment 3.

<sup>32</sup> See Decision Memorandum at Comments 3, 4, and 5.

domestic interested parties within the deadline specified in 19 CFR 351.218(d)(1)(i): Allied Tube and Conduit, TMK IPSCO Tubulars, Leavitt Tube, Northwest Pipe Company, Western Tube and Conduit, and JMC Steel Group (collectively "certain domestic interested parties")<sup>1</sup> and United States Steel Corporation (U.S. Steel). Certain domestic interested parties, U.S. Steel, and Wheatland Tube Company (Wheatland) claimed interested party status under section 771(9)(C) of the Act.

The Department received adequate substantive responses to the *Notice of Initiation* from certain domestic interested parties and U.S. Steel within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). We received no substantive responses from Wheatland or respondent interested parties with respect to the antidumping duty orders.

As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C)(2), the Department determined that it would conduct expedited (120-day) sunset reviews of the antidumping duty orders and notified the U.S. International Trade Commission. See Letter to Catherine DeFilippo, Director, Office of Investigations, U.S. International Trade Commission, from Barbara E. Tillman, Director, Office 6, AD/CVD Operations, entitled "Sunset Reviews Initiated on July 1, 2011," dated August 22, 2011.

### Scope of the Orders

#### *Certain Circular Welded Non-Alloy Steel Pipe From Brazil, Mexico, and the Republic of Korea*

The products covered by the orders are circular welded non-alloy steel pipes and tubes, of circular cross-section, not more than 406.4 millimeters (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, beveled end, threaded and coupled). These pipes and tubes are generally known as standard pipes and tubes and are intended for the low pressure conveyance of water, steam, natural gas, and other liquids and gasses in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses, and generally meets ASTM A-53 specifications. Standard pipe may also be used for light load-bearing applications, such as for fence tubing, and as structural pipe tubing used for

farming and support members for reconstruction or load bearing purposes in the construction, shipbuilding, trucking, farm equipment, and related industries. Unfinished conduit pipe is also included in the orders.

All carbon steel pipes and tubes within the physical description outlined above are included within the scope of the orders, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redrums, finished scaffolding, and finished conduit. Standard pipe that is dual or triple certified/stenciled that enters the U.S. as line pipe of a kind used for oil or gas pipelines is also not included in the orders.

Imports of the products covered by the orders are currently classifiable under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the orders is dispositive.

#### *Certain Circular Welded Non-Alloy Steel Pipe From Taiwan*

The products covered by the order are (1) circular welded non-alloy steel pipes and tubes, of circular cross section over 114.3 millimeters (4.5 inches), but not over 406.4 millimeters (16 inches) in outside diameter, with a wall thickness of 1.65 millimeters (0.065 inches) or more, regardless of surface finish (black, galvanized, or painted), or end-finish (plain end, beveled end, threaded, or threaded and coupled); and (2) circular welded non-alloy steel pipes and tubes, of circular cross-section less than 406.4 millimeters (16 inches), with a wall thickness of less than 1.65 millimeters (0.065 inches), regardless of surface finish (black, galvanized, or painted) or end-finish (plain end, beveled end, threaded, or threaded and coupled). These pipes and tubes are generally known as standard pipes and tubes and are intended for the low pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinkling systems, and other related uses, and generally meet ASTM A-53 specifications. Standard pipe may also be used for light load-bearing applications, such as for fence-tubing and as structural pipe tubing used for framing and support members for construction, or load-bearing purposes in the construction, shipbuilding, trucking, farm-equipment, and related

industries. Unfinished conduit pipe is also included in the order.

All carbon steel pipes and tubes within the physical description outlined above are included within the scope of the order, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redrums, finished scaffolding, and finished conduit. Standard pipe that is dual or triple certified/stenciled that enters the U.S. as line pipe of a kind or used for oil and gas pipelines is also not included in the scope of the order.

Imports of the products covered by the order are currently classifiable under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings, 7306.30.10.00, 7306.30.50.85, 7306.30.50.90.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

#### *Circular Welded Carbon Steel Pipes and Tubes From Taiwan*

The products covered by the order are certain circular welded carbon steel pipes and tubes from Taiwan, which are defined as: welded carbon steel pipes and tubes, of circular cross section, with walls not thinner than 0.065 inch, and 0.375 inch or more but not over 4.5 inches in outside diameter, currently classified under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, and 7306.30.50.55. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise covered by the order is dispositive.

### Analysis of Comments Received

All issues raised in these reviews are addressed in the "Issues and Decision Memorandum for the Final Results of Expedited Five-Year (Sunset) Reviews of the Antidumping Duty Orders on Certain Circular Welded Non-Alloy Steel Pipe from Brazil, Mexico, the Republic of Korea, and Taiwan; and Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan," from Gary Taverman, Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration (Decision Memorandum), which is hereby adopted by, and issued concurrently with, this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the orders were revoked.

<sup>1</sup> Note that for certain orders, not all of these companies were identified as interested parties. However, because they were each identified as interested parties for some of the orders and in no instances filed individual substantive responses, they are referenced collectively.

Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum, which is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available in the Central Records Unit in room 7046 of

the main Department building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://www.trade.gov/ia/>. The signed Decision Memorandum and the electronic versions of the Decision Memorandum are identical in content.

### Final Results of Sunset Reviews

We determine that revocation of the antidumping duty orders on certain circular welded non-alloy steel pipes from Brazil, Mexico, the Republic of Korea, and Taiwan; and certain circular welded carbon steel pipes and tubes from Taiwan would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Manufacturers/Exporters	Weighted-average margin (percent)
Certain Circular Welded Non-Alloy Steel Pipe	
Brazil:	
Persico Pizzamiglio S.A. ....	103.38
All Others .....	103.38
Mexico:	
HYLSA S.A. de C.V. <sup>2</sup> .....	32.62
All Others .....	32.62
The Republic of Korea:	
Hyundai Steel Pipe Co., Ltd .....	6.86
Korea Steel Pipe Co., Ltd .....	6.21
Masan Steel Tube Works Co., Ltd .....	11.63
Pusan Steel Pipe Co., Ltd .....	4.91
All Others .....	6.37
Taiwan:	
Kao Hsing Chang Iron & Steel Corp .....	19.46
Yieh Hsing Enterprise Co., Ltd. ....	27.65
All Others .....	23.56
Circular Welded Carbon Steel Pipes and Tubes	
Taiwan:	
Kao Hsing Chang Iron & Steel Corporation .....	9.70
Tai Feng Industries, Inc. ....	43.70
Yieh Phui Enterprise Co, Ltd. <sup>3</sup> .....	38.50
All Others .....	9.70

### Notification to Interested Parties

This notice also serves as the only reminder to parties subject to administrative protective order (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 orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

<sup>2</sup> The Department found that Ternium Mexico S.A. de C.V. is the successor-in-interest to HYLSA S.A. de C.V. See *Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico*, 74 FR 41681 (August 18, 2009).

<sup>3</sup> The Department found that Yieh Phui Enterprise Co., Ltd. is the successor-in-interest to Yieh Hsing Enterprise Co., Ltd. See *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Final Results of Antidumping Duty Changed Circumstance Review*, 70 FR 71802 (November 30, 2005).

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

Dated: October 21, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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### DEPARTMENT OF COMMERCE

#### International Trade Administration

[A-570-865]

#### Certain Hot-Rolled Carbon Steel Flat Products From the People's Republic of China: Final Rescission of Antidumping Duty Administrative Review

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On August 8, 2011, the Department of Commerce ("Department") published the *Preliminary Results* of the administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products ("hot-rolled") from the People's Republic of China ("PRC").<sup>1</sup> This administrative review covers Baosteel Group Corporation, Shanghai Baosteel International Economic & Trading Co., Ltd., and Baoshan Iron and Steel Co., Ltd. (collectively "Baosteel") for the November 1, 2009, through October 31, 2010, period of review ("POR"). In the *Preliminary Results*, the Department indicated its preliminary intent to rescind this review and gave interested parties an opportunity to comment. We did not receive comments on the *Preliminary Results*.

<sup>1</sup> See *Certain Hot-Rolled Carbon Steel Flat Products From the People's Republic of China: Preliminary Intent To Rescind the Review*, 76 FR 48143 (August 8, 2011) ("Preliminary Results").