

- v. Deducting Expenses from the Duty Drawback Calculation
- vi. Making a Duty Drawback Adjustment to Normal Value and/or Capping the U.S. Duty Drawback Adjustment
- vii. Treatment of Duty Drawback in the Calculation of the Cash Deposit Rate
- viii. Moot Arguments related to Duty Drawback
- b. Company-Specific Comments
 - i. Çayirova
 - 1. Çayirova's U.S. Date of Sale
 - 2. Çayirova's Pipe Specification for a Home Market Sale
 - 3. Çayirova's General and Administrative (G&A) Expenses
 - ii. Tosçelik
 - 1. Tosçelik's Reporting of Home Market Sales
 - 2. Tosçelik's Home Market Interest Rate
 - 3. Tosçelik's Late Shipment Penalties
 - 4. Tosçelik's Net Financial Expense
 - 5. Tosçelik's Polyethylene (PE) Coated Product Costs
 - 6. Tosçelik's Revised Manufacturing Costs
 - 7. Tosçelik's Second Quality Pipe Adjustment
 - 8. Moot Arguments for Tosçelik
 - iii. Borusan Mannesmann and Borusan Istikbal
 - 1. Basing the Margin for Borusan Mannesmann and Borusan Istikbal on AFA
- 6. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-580-877]

Welded Line Pipe From the Republic of Korea: Final Negative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (the Department) determines that countervailable subsidies are not being provided to producers and exporters of welded line pipe from the Republic of Korea (Korea). The period of investigation is January 1, 2013, through December 31, 2013.

DATES: Effective date: October 13, 2015.

FOR FURTHER INFORMATION CONTACT: Rebecca Trainor or Reza Karamloo, Office II, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4007 or (202) 482-4470, respectively.

SUPPLEMENTARY INFORMATION:

Background

The petitioners in this investigation are American Cast Iron Pipe Company, Energex (a division of JMC Steel Group), Maverick Tube Corporation (Maverick), Northwest Pipe Company, Stupp Corporation (a division of Stupp Bros., Inc.), Tex-Tube Company, TMK IPSCO, and Welspun Tubular LLC USA (collectively, the petitioners). In addition to the Government of the Republic of Korea, the mandatory respondents in this investigation are SeAH Steel Corporation and NEXTEEL Co. Ltd.

The events that have occurred since the Department published the *Preliminary Determination*¹ on March 20, 2015, are discussed in the Issues and Decision Memorandum, which is hereby incorporated in this notice.² This memorandum also details the changes we made since the *Preliminary Determination* to the subsidy rates calculated for the mandatory respondents and all other producers/exporters. 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 <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 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 Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Scope of the Investigation

The scope of the investigation covers welded line pipe, which is carbon and alloy steel pipe of a kind used for oil or gas pipelines, not more than 24 inches in nominal outside diameter. For a complete description of the scope of the investigation, see Appendix I.

¹ See *Welded Line Pipe From the Republic of Korea: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 80 FR 14907 (March 20, 2015) (*Preliminary Determination*).

² See Memorandum to Paul Piquado, "Countervailing Duty Investigation of Welded Line Pipe from the Republic of Korea: Issues and Decision Memorandum for the Final Negative Determination" (October 5, 2015) (Issues and Decision Memorandum).

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum, dated concurrently with this notice. A list of the issues that parties raised, and to which we responded in the Issues and Decision Memorandum, is attached to this notice as Appendix II.

Final Determination

We determine the countervailable subsidy rates to be:

Company	Subsidy rate
SeAH Steel Corporation.	0.44 percent (<i>de minimis</i>)
NEXTEEL Co., Ltd	0.28 percent (<i>de minimis</i>)

Because the total estimated net countervailable subsidy rate for each examined company is *de minimis*, we determine that countervailable subsidies are not being provided to producers or exporters of welded line pipe from Korea. We did not calculate an all-others rate pursuant to sections 705(c)(1)(B) and (c)(5) of the Tariff Act of 1930, as amended (the Act) because we did not reach an affirmative final determination. Because our final determination is negative, this proceeding is terminated in accordance with section 705(c)(2) of the Act.

In the *Preliminary Determination*, the total net countervailable subsidy rates for the individually examined respondents were *de minimis* and, therefore, we did not suspend liquidation of entries of welded line pipe from Korea. Because the estimated subsidy rates for the examined companies are *de minimis* in this final determination, we are not directing U.S. Customs and Border Protection to suspend liquidation of entries of welded line pipe from Korea.

International Trade Commission (ITC) Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our final determination. Because our final determination is negative, this investigation is terminated.

Return or Destruction of Proprietary Information

This notice serves as the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance

with 19 CFR 351.305(a)(3). Timely written notification of the return/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 determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Dated: October 5, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is circular welded carbon and alloy steel (other than stainless steel) pipe of a kind used for oil or gas pipelines (welded line pipe), not more than 24 inches in nominal outside diameter, regardless of wall thickness, length, surface finish, end finish, or stenciling. Welded line pipe is normally produced to the American Petroleum Institute (API) specification 5L, but can be produced to comparable foreign specifications, to proprietary grades, or can be non-graded material. All pipe meeting the physical description set forth above, including multiple-stenciled pipe with an API or comparable foreign specification line pipe stencil is covered by the scope of this investigation.

The welded line pipe that is subject to this investigation is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7305.11.1030, 7305.11.5000, 7305.12.1030, 7305.12.5000, 7305.19.1030, 7305.19.5000, 7306.19.1010, 7306.19.1050, 7306.19.5110, and 7306.19.5150. The subject merchandise may also enter in HTSUS 7305.11.1060 and 7305.12.1060. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Use of Facts Otherwise Available
- V. Subsidies Valuation
- VI. Analysis of Programs
- VII. Analysis of Comments
 1. Electricity for Less Than Adequate Remuneration (LTAR)
 2. Unreported Subsidies
 3. Specificity of RSTA Tax Programs
 4. Special Rural Development Tax
 5. Husteel as a Mandatory or Voluntary Respondent
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-876]

Welded Line Pipe From the Republic of Korea: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (the Department) determines that welded line pipe from the Republic of Korea (Korea) is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is October 1, 2013, through September 30, 2014. The final dumping margins of sales at LTFV are listed below in the "Final Determination" section of this notice.

DATES: *Effective Date:* October 13, 2015.

FOR FURTHER INFORMATION CONTACT: David Goldberger or Ross Belliveau, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Ave. NW., Washington, DC 20230; telephone: (202) 482-4136 or (202) 482-4952, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 22, 2015, the Department published the *Preliminary Determination* of sales at LTFV of welded line pipe from Korea.¹ For a history of events following the publication of the *Preliminary Determination*, see the Issues and Decision Memorandum,² which is hereby adopted by this notice. 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 B8024 of the main Department of Commerce building. In

¹ See *Welded Line Pipe From the Republic of Korea: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 29620 (May 22, 2015) (*Preliminary Determination*).

² See Memorandum entitled "Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Welded Line Pipe from the Republic of Korea," dated concurrently with this notice (Issues and Decision Memorandum).

addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and electronic version of the Issues and Decision Memorandum are identical in content.

Scope of the Investigation

The scope of the investigation covers welded line pipe, which is carbon and alloy steel pipe of a kind used for oil and gas pipelines, not more than 24 inches in nominal outside diameter. For a complete description of the scope of the investigation, see Appendix I.

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,³ which is hereby adopted by this notice. A list of the issues raised is attached to this notice as Appendix II.

Verification

As provided in section 782(i) of the Act, during the period June through August 2015, we verified the sales and cost information submitted by HYSCO and SeAH for use in our final determination. We used standard verification procedures, including an examination of relevant accounting and production records, and original source documents provided by HYSCO and SeAH.⁴

Changes Since the Preliminary Determination

Based on our analysis of the comments received and our findings at verification, we made certain changes to the margin calculations for HYSCO and SeAH. For a discussion of these changes, see the "Margin Calculations" section of the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted-average of the estimated weighted-average dumping margins

³ See *Id.*

⁴ See Memoranda to the File entitled "Verification of the Cost Response of SeAH Steel Corporation in the Antidumping Duty Investigation of Welded Line Pipe from Korea," and "Verification of the Cost Response of Hyundai HYSCO Co. Ltd. in the Antidumping Duty Investigation of Welded Line Pipe from South Korea," dated July 31, 2015; Memorandum to the File entitled "Verification of the Sales Responses of Hyundai HYSCO (HYSCO)," dated August 18, 2015; and Memorandum to the File entitled "Verification of the Sales Responses of SeAH Steel Corporation (SeAH) and Pusan Pipe America (PPA)," dated August 24, 2015.