

## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-549-502]

**Circular Welded Carbon Steel Pipes and Tubes From Thailand: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2022-2023**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily finds that certain producers/exporters subject to this administrative review did not make sales of subject merchandise at less than normal value (NV) during the period of review (POR) March 1, 2022, through February 28, 2023. Commerce is also rescinding the review, in part, with respect to 28 respondents. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable March 6, 2024.

**FOR FURTHER INFORMATION CONTACT:**

Jacob Keller or Thomas Schauer, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4849 or (202) 482-0410, respectively.

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

On March 11, 1986, Commerce published in the **Federal Register** the antidumping duty order on circular welded carbon steel pipes and tubes (CWP) from Thailand.<sup>1</sup> On March 2, 2023, Commerce published in the **Federal Register** the notice of initiation of the administrative review of the *Order*.<sup>2</sup> On June 5, 2023, Commerce selected Saha Thai Steel Pipe Public Co., Ltd. (Saha Thai) and Thai Premium Pipe Co. Ltd. (TPP) for individual examination as the mandatory respondents in this administrative review.<sup>3</sup> On January 16, 2024, Commerce notified interested parties of our intent to rescind this administrative review with respect to the 28 companies that have no reviewable suspended

entries.<sup>4</sup> On November 13, 2023, Commerce extended the time limit for these preliminary results to March 5, 2024.<sup>5</sup> For a complete description of the events that occurred since the initiation of this review, see the Preliminary Decision Memorandum.<sup>6</sup>

A list of topics discussed in the Preliminary Decision Memorandum is attached in Appendix I to this notice. The Preliminary 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>. In addition, a complete version of the Preliminary Decision Memorandum is available at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Order**

The products covered by the *Order* are CWP from Thailand. For a complete description of the scope of this *Order*, see the Preliminary Decision Memorandum.

**Rescission of Review, In Part**

Pursuant to 19 CFR 351.213(d)(3), Commerce will rescind an administrative review when there are no reviewable suspended entries. Based on our analysis of U.S. Customs and Border Protection (CBP) information, we preliminarily determine that 28 companies had no entries of subject merchandise during the POR. On January 16, 2024, we notified parties of our intent to rescind this administrative review with respect to the 28 companies listed in Appendix II that had no reviewable suspended entries during the POR.<sup>7</sup> No parties commented on our Intent to Rescind Memorandum. As a result, we are rescinding this review, in part, with respect to the 28 companies listed in Appendix II of this notice.

**Methodology**

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). We calculated export price and NV in

<sup>4</sup> See Memorandum, "Intent to Partially Rescind Review," dated January 16, 2024 (Intent to Rescind Memorandum).

<sup>5</sup> See Memorandum, "Extension of Deadline for Preliminary Results of the Antidumping Duty Administrative Review; 2021-2022," dated November 7, 2022.

<sup>6</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review and Rescission, in Part, of the Antidumping Duty Order on Circular Welded Carbon Steel Pipes and Tubes from Thailand; 2022-2023," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>7</sup> See Intent to Rescind Memorandum.

accordance with sections 772 and 773 of the Act, respectively. For a complete description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

**Preliminary Results of Review**

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist for the period March 1, 2022, through February 28, 2023:

Producer or exporter	Weighted-average dumping margin (percent)
Saha Thai Steel Pipe Public Co., Ltd. (also known as Saha Thai Steel Pipe (Public) Company, Ltd.) ....	0.00
Thai Premium Pipe Co. Ltd.	0.00

**Assessment Rates**

Upon completion of the final results, Commerce shall determine and CBP shall assess, antidumping duties on all appropriate entries covered by this review.<sup>8</sup> If Saha Thai or TPP's weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.50 percent) in the final results of this review, we will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).<sup>9</sup> If either the respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of review, we intend to instruct CBP not to liquidate relevant entries without regards to antidumping duties.

For entries of subject merchandise during the POR produced by Saha Thai or TPP for which they did not know that the merchandise was destined to the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>10</sup>

For the companies for which this review is rescinded with these preliminary results, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the

<sup>8</sup> See 19 CFR 351.212(b)(1).

<sup>9</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

<sup>10</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>1</sup> See *Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes from Thailand*, 51 FR 8341 (March 11, 1986) (*Order*).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 29881, 29884 (May 9, 2023).

<sup>3</sup> See Memorandum, "Respondent Selection," dated June 5, 2023.

cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2022, through December 31, 2022, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired, *i.e.*, within 90 days of publication.

The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.<sup>11</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of administrative review for all shipments of CWP from Thailand entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Saha Thai and TPP will be equal to the weighted-average dumping margin established in the final results of this review (except, if that rate is *de minimis* within the meaning of 19 CFR 351.106(c)(1), then the cash deposit rate will be zero); (2) for merchandise exported by a company not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review or another completed segment of this proceeding, but the producer is, then the cash deposit rate will be the company-specific rate established for the completed segment for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 15.67 percent, the all-others rate established in the less-than-fair-value investigation.<sup>12</sup> These cash deposit requirements, when

<sup>11</sup> See section 751(a)(2)(C) of the Act; and 19 CFR 351.212(b).

<sup>12</sup> See *Order*.

imposed, shall remain in effect until further notice.

### Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results to interested parties within five days after the date of publication of this notice.<sup>13</sup> Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs to Commerce no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>14</sup> Interested parties who submit case or rebuttal briefs in this administrative review must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>15</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>16</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the executive summary of each issue.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the case and rebuttal briefs.

All submissions, including case and rebuttal briefs, as well as hearing requests, should be filed using

<sup>13</sup> See 19 CFR 351.224(b).

<sup>14</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Final Service Rule*).

<sup>15</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>16</sup> We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

ACCESS.<sup>17</sup> An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>18</sup>

### Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: February 29, 2024.

### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Partial Rescission of Administrative Review
- V. Discussion of Methodology
- VI. Currency Conversion
- VII. Recommendation

### Appendix II

#### Companies Rescinded From This Administrative Review

1. Apex International Logistics
2. Aquatec Maxcon Asia
3. Asian Unity Part Co., Ltd.

<sup>17</sup> See 19 CFR 351.303.

<sup>18</sup> See *APO and Final Service Rule*.

4. Better Steel Pipe Company Limited
5. Bis Pipe Fitting Industry Co., Ltd.
6. Blue Pipe Steel Center Co. Ltd.
7. Chuhatsu (Thailand) Co., Ltd.
8. CSE Technologies Co., Ltd.
9. Expeditors International (Bangkok)
10. Expeditors Ltd.
11. FS International (Thailand) Co., Ltd.
12. Kerry-Apex (Thailand) Co., Ltd.
13. K Line Logistics
14. Oil Steel Tube (Thailand) Co., Ltd.
15. Otto Ender Steel Structure Co., Ltd.
16. Pacific Pipe and Pump
17. Pacific Pipe Public Company Limited
18. Panalpina World Transport Ltd.
19. Polypipe Engineering Co., Ltd.
20. Schlumberger Overseas S.A.
21. Siam Fittings Co., Ltd.
22. Siam Steel Pipe Co., Ltd.
23. Sino Connections Logistics (Thailand) Co., Ltd.
24. Thai Malleable Iron and Steel
25. Thai Oil Group
26. Thai Oil Pipe Co., Ltd.
27. Vatana Phaisal Engineering Company
28. Visavakit Patana Corp., Ltd.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-838]

#### Clad Steel Plate From Japan: Final Results of the Expedited Fifth Sunset Review of Antidumping Duty Order

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

**SUMMARY:** As a result of this expedited sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on clad steel plate from Japan would be likely to lead to continuation or recurrence of dumping at the levels indicated in the “Final Results of Expedited Sunset Review” section of this notice.

**DATES:** Applicable March 6, 2024.

**FOR FURTHER INFORMATION CONTACT:** Genevieve Coen, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3251.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 2, 1996, Commerce published in the *Federal Register* the AD order on clad steel plate from Japan.<sup>1</sup> On November 1, 2023, Commerce published

<sup>1</sup> See *Notice of Antidumping Order: Clad Steel Plate from Japan*, 61 FR 34421 (July 2, 1996) (*Order*).

the initiation of the fifth sunset review of the *Order* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> In accordance with 19 CFR 351.218(d)(1)(i) and (ii), Commerce received a notice of intent to participate in this sunset review from NobelClad (the domestic interested party) within 15 days after the date of publication of the *Initiation Notice*.<sup>3</sup> The domestic interested party claimed interested party status under section 771(9)(C) of the Act as a producer of a domestic like product in the United States.

Commerce received a timely, adequate substantive response to the *Initiation Notice* from the domestic interested party within the 30-day period specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce did not receive substantive responses from any other interested parties, and no party requested a hearing.

On December 21, 2023, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from other interested parties.<sup>5</sup> As a result, in accordance with section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited, *i.e.*, 120-day, sunset review of the *Order*.

#### Scope of the Order

The product covered by the *Order* is all clad steel plate from Japan of a width of 600 millimeters (mm) or more and a composite thickness of 4.5 mm or more. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.<sup>6</sup>

#### Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of dumping and the magnitude of the margin of dumping likely to prevail if the *Order* were revoked.<sup>7</sup> A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 74977 (November 1, 2023) (*Initiation Notice*).

<sup>3</sup> See Domestic Interested Party's Letter, “Notice of Intent to Participate,” dated November 15, 2023.

<sup>4</sup> See Domestic Interested Party's Letter, “NobelClad's Substantive Response to Notice of Initiation,” dated November 29, 2023.

<sup>5</sup> See Commerce's Letter, “Sunset Reviews Initiated on September 1, 2023,” dated October 25, 2023.

<sup>6</sup> See Memorandum, “Issues and Decision Memorandum for the Final Results of the Expedited Fifth Sunset Review of the Antidumping Duty Order on Clad Steel Plate from Japan,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>7</sup> *Id.*

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>. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to the continuation or recurrence of dumping and that the magnitude of the margin of dumping likely to prevail would be at a rate up to 118.53 percent.<sup>8</sup>

#### Administrative Protective Order

This notice serves as the only reminder to interested parties subject to an 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 subject to sanction.

#### Notification to Interested Parties

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

Dated: February 29, 2024.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of Dumping
  2. Magnitude of the Margin of Dumping Likely to Prevail
- VII. Final Results of Expedited Sunset Review
- VIII. Recommendation

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<sup>8</sup> *Id.* at 8-10.