

there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). However, because the Department preliminarily applied AFA to both Jonan and Kyohei, in accordance with section 776 of the Act, there are no calculations to disclose.

#### Verification

Because the mandatory respondents in this investigation did not provide information requested by the Department and the Department preliminarily determines each of the mandatory respondents to have been uncooperative, verification will not be conducted.

#### Public Comment

Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of this notice, and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.<sup>9</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. All documents must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Standard Time on the date the document is due.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice.<sup>10</sup> Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230,<sup>11</sup> at a time and

date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

#### Final Determination

In accordance with Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), we will make the final determination no later than 75 days after the signature date of this preliminary determination.

#### International Trade Commission Notification

In accordance with section 733(f) of the Act, we are notifying the International Trade Commission (ITC) of our preliminary determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: February 28, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The merchandise subject to this investigation is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (*e.g.*, mill mark, size, or grade) and which has been subjected to an elongation test.

The subject merchandise includes rebar that has been further processed in the subject country or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (*i.e.*, nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (*e.g.*, mill mark, size, or grade) and without being subject to an elongation test.

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080,

7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.

HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

#### Appendix II

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

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope of the Investigation
- V. Use of Facts Available with Adverse Inferences
  - A. Application of Facts Available
  - B. Use of Adverse Inferences
  - C. Selection and Corroboration of the AFA Rate
- VI. All-Others Rate
- VII. Verification
- VIII. Conclusion

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-810 and A-583-815]

#### Welded ASTM A-312 Stainless Steel Pipe From South Korea and Taiwan: Final Results of the Expedited Fourth Sunset Reviews of the Antidumping Duty Orders

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

**DATES:** Effective March 7, 2017.

**SUMMARY:** As a result of these sunset reviews, the Department of Commerce (the Department) finds that revocation of the antidumping duty orders on welded ASTM A-312 stainless steel pipe from South Korea and Taiwan would be likely to lead to continuation or recurrence of dumping. The magnitude of the dumping margins likely to prevail is indicated in the "Final Results of Sunset Review" section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline Arrowsmith, AD/CVD Operations, Office VII, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-5255.

#### SUPPLEMENTARY INFORMATION:

##### Background

The antidumping duty orders on welded ASTM A-312 stainless steel pipe from South Korea and Taiwan were published on December 30, 1992.<sup>1</sup> On

<sup>1</sup> See *Antidumping Duty Order and Clarification of Final Determination: Certain Welded Stainless*

<sup>9</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).

<sup>10</sup> See 19 CFR 351.310(c).

<sup>11</sup> *Id.*

November 1, 2016, the Department published the notice of initiation of the sunset reviews of the antidumping duty orders on certain welded ASTM A-312 stainless steel pipe from South Korea and Taiwan 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), the Department received a notice of intent to participate in these sunset reviews from Bristol Metals LLC,<sup>3</sup> Felker Brothers Corporation, Marcegaglia USA, and Outokumpu Stainless Pipe, Inc. (Domestic Interested Parties), within 15 days after the date of publication of the *Sunset Initiation*. Petitioners claimed interested party status under section 771(9)(C) of the Act, as domestic producers of the domestic like product.

On December 1, 2016, the Department received complete substantive responses to the notices of initiation from Domestic Interested Parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). The Department received no substantive response from any respondent interested parties. As a result, the Department conducted an expedited, *i.e.*, 120-day, sunset review of this order pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). On January 17, 2017, Domestic Interested Parties submitted a letter clarifying which U.S. Harmonized Tariff Schedule (HTSUS) numbers were included in the import data provided in Exhibit 1 of its substantive responses.<sup>4</sup>

### Scope of the Orders

#### South Korea

The products covered by the order are shipments of welded austenitic stainless

steel pipe (WSSP) from Korea that meets the standards and specifications set forth by the American Society for Testing and Materials (ASTM) for the welded form of chromium-nickel pipe designated ASTM A-312. WSSP is produced by forming stainless steel flat-rolled products into a tubular configuration and welding along the seam. WSSP is a commodity product generally used as a conduit to transmit liquids or gases. Major applications for WSSP include, but are not limited to, digester lines, blow lines, pharmaceutical lines, petrochemical stock lines, brewery process and transport lines, general food processing lines, automotive paint lines and paper process machines.

Imports of these products are currently classifiable under the following HTSUS subheadings: 7306.40.5005, 7306.40.5015, 7306.40.5040, 7306.40.5065 and 7306.40.5085. Although the HTSUS subheadings include both pipes and tubes, the scope of the order is limited to welded austenitic stainless steel pipes. The HTSUS subheadings are provided for convenience and customs purposes. The written description remains dispositive.

#### Taiwan

The merchandise subject to the order is welded austenitic stainless steel pipe that meets the standards and specifications set forth by the American Society for Testing and Materials (ASTM) for the welded form of chromium-nickel pipe designated ASTM A-312. The merchandise covered by the scope of the order also includes austenitic welded stainless steel pipes made according to standards of other nations, which are comparable to ASTM A-312.

WSSP is produced by forming stainless steel flat-rolled products into a tubular configuration and welding along the seam. WSSP is a commodity product generally used as a conduit to transmit liquids or gases. Major applications for WSSP include, but are not limited to, digester lines, blow lines, pharmaceutical lines, petrochemical stock lines, brewery process and transport lines, general food processing lines, automotive paint lines and paper process machines. Imports of these products are currently classifiable under the following HTSUS subheadings: 7306.40.5005, 7306.40.5015, 7306.40.5040, 7306.40.5065 and 7306.40.5085. Although the HTSUS subheadings include both pipes and tubes, the scope of the order is limited to welded austenitic stainless steel pipes. The HTSUS subheadings are

provided for convenience and customs purposes. The written description remains dispositive.

### Analysis of Comments Received

All issues raised in these reviews are addressed in the Issues and Decision Memorandum,<sup>5</sup> including the likelihood of continuation or recurrence of dumping in the event of revocation, and the magnitude of dumping margins likely to prevail if the orders were revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in the Issues and Decision Memorandum, which 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 in 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://trade.gov/enforcement/>. The signed and electronic versions of the Decision Memorandum are identical in content.

### Final Results of Sunset Review

Pursuant to sections 752(c)(1) and (3) of the Act, we determine that revocation of the antidumping duty order on Welded ASTM A-312 Stainless Steel Pipe from South Korea and the antidumping duty order on Welded ASTM A-312 Stainless Steel Pipe Taiwan would be likely to lead to continuation or recurrence of dumping up to the following weighted-average margins:

Country	Weighted-average margin (percent)
South Korea .....	17.14
Taiwan .....	31.90

### 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 disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the destruction of APO materials or conversion to judicial

<sup>5</sup> See "Issues and Decision Memorandum: Final Results of Expedited Sunset Reviews of the Antidumping Duty Orders on Welded ASTM A-312 Stainless Steel Pipe From South Korea and Taiwan, dated concurrently with this Federal Register notice.

*Steel Pipes From Korea*, 57 FR 62301 (December 30, 1992) and *Notice of Amended Final Determination and Antidumping Duty Order: Certain Welded Stainless Steel Pipe From the Republic of Korea*, 60 FR 10064 (February 23, 1995); see also *Amended Final Determination and Antidumping Duty Order: Certain Welded Stainless Steel Pipe From Taiwan*, 57 FR 62300 (December 30, 1992).

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 81 FR 75808 (November 1, 2016) (*Sunset Initiation*).

<sup>3</sup> Bristol Metals was the petitioner during the Less Than Fair Value Investigation. See "Letter from Schragin Associates to the Honorable Penny Pritzker, Secretary to Commerce, Welded ASTM A-312 stainless steel pipes from Korea, Fourth Sunset Review: Substantive Response to Notice of Initiation," dated December 1, 2016 at 2. See also "Letter from Schragin Associates to the Honorable Penny Pritzker, Secretary to Commerce, Welded ASTM A-312 stainless steel pipes from Taiwan Fourth Sunset Review: Substantive Response to Notice of Initiation," dated November 8, 2016 at 2.

<sup>4</sup> See Letter from Schragin Associates to the Honorable Penny Pritzker, "Welded ASTM A-312 stainless steel pipes from Korea and Taiwan, Fourth Sunset Review: Clarification of Substantive Response to Notice of Initiation," dated January 17, 2017.

protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

The Department is issuing and publishing these final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: March 1, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary For Enforcement & Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-859]

#### **Steel Concrete Reinforcing Bar From Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures**

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

**SUMMARY:** The Department of Commerce (the Department) preliminarily determines that steel concrete reinforcing bar (rebar) from Taiwan is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2015, through June 30, 2016.

**DATES:** Effective March 7, 2017.

**FOR FURTHER INFORMATION CONTACT:** Jun Jack Zhao or Kathryn Wallace, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1396 or (202) 482-6251, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). The Department published the notice of initiation of this investigation on October 18, 2016.<sup>1</sup> For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision

<sup>1</sup> See *Steel Concrete Reinforcing Bar From Japan, Taiwan, and the Republic of Turkey: Initiation of Less-Than Fair Value Investigations*, 81 FR 71697 (October 18, 2016) (*Initiation Notice*).

Memorandum.<sup>2</sup> A list of topics included in the Preliminary Decision Memorandum is included as Appendix II 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>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

##### **Scope of the Investigation**

The product covered by this investigation is rebar from Taiwan. For a complete description of the scope of this investigation, see Appendix I.

##### **Scope Comments**

In accordance with the preamble to the Department's regulations,<sup>3</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>4</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. However, because the investigation pertains to rebar from Taiwan, the Department preliminarily modified the scope language as it appeared in the *Initiation Notice* to remove the language pertaining to the scope of the countervailing duty investigation of rebar from Turkey. See the scope in Appendix I to this notice.

##### **Methodology**

The Department is conducting this investigation in accordance with section 731 of the Act. The Department has calculated export prices in accordance with section 772(a) of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying the preliminary determination, see the Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Steel Concrete Reinforcing Bar From Taiwan" dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>3</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

<sup>4</sup> See *Initiation Notice*.

##### **All-Others Rate**

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination the Department shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, the Department calculated estimated weighted-average dumping margins for Power Steel Co., Ltd. (Power Steel) and Lo-Toun Steel and Iron Works Co., Ltd. (Lo-Toun) that are not zero, *de minimis*, or based entirely on facts otherwise available. The Department calculated the all-others' rate using a weighted average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged values for the merchandise under consideration.<sup>5</sup> For further discussion of this calculation, see the memorandum entitled "Steel Concrete Reinforcing Bar From Taiwan: Calculation of the Preliminary Margin for All Other Companies," dated concurrently with this notice.

##### **Preliminary Determination**

The Department preliminarily determines that the following estimated weighted-average dumping margins exist:

<sup>5</sup> With two respondents under examination, the Department normally calculates (A) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the estimated weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged U.S. sale quantities for the merchandise under consideration. The Department then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. See *Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part*, 75 FR 53661, 53663 (September 1, 2010). As complete publicly ranged sales data was available, the Department based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, please see the All-Others' Rate Calculation Memorandum.