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Sunset Review  
Public Document  
Operations VII: JA

October 2, 2017

MEMORANDUM TO: Gary Taverman  
Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations,  
performing the non-exclusive functions and duties of the  
Assistant Secretary for Enforcement and Compliance

FROM: James Maeder  
Senior Director  
performing the duties of the Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations

SUBJECT: Issues and Decision Memorandum: Final Results of Expedited  
Fourth 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

### Summary

We have analyzed the substantive responses of the interested parties in the expedited fourth sunset reviews of the antidumping duty (AD) orders covering certain circular welded non-alloy steel pipe from Brazil, Mexico, the Republic of Korea (Korea), and Taiwan; and certain circular welded carbon steel pipes and tubes from Taiwan (cumulatively, the *AD Orders*)<sup>1</sup>. We recommend that you approve the positions as set forth in the “Discussion of Issues” section of this memorandum. Below is the complete list of the issues in this sunset review for which the Department of Commerce (the Department) received a substantive response:

1. Likelihood of Continuation or Recurrence of Dumping
2. Magnitude of the Margins Likely to Prevail

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<sup>1</sup> See *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Antidumping Order*, 49 FR 19369 (May 7, 1984); see also *Notice of Antidumping Duty Orders: Certain Circular Non-Alloy Steel Pipe from Brazil, the Republic of Korea (Korea), Mexico, and Venezuela and Amendment to Final Determination of Sales at Less Than Fair Value: Certain Circular Welded Non-Alloy Steel Pipe from Korea*, 57 FR 49453 (November 2, 1992) *Notice of Antidumping Duty Order: Circular Welded Non-Alloy Steel Pipe from Taiwan*, 57 FR 49454 (November 2, 1992).



## Background

On June 2, 2017, pursuant to section 751(c) of the Act, the Department initiated the fourth sunset reviews of the *AD Orders* on circular welded non-alloy steel pipe from Brazil, Mexico, and Korea and certain circular welded carbon steel pipes and tubes from Taiwan.<sup>2</sup> The fourth sunset review of the *AD Order* on certain circular welded non-alloy steel pipe from Taiwan was inadvertently omitted from the June 2, 2017 notice. On June 16, 2017, the Department published a correction notice.<sup>3</sup>

On June 30, 2017, we received complete substantive responses for each of the five cases<sup>4</sup> to the notice of initiation from the domestic interested parties<sup>5</sup> within the specified time, in accordance with 19 CFR 351.218(d)(3)(i). We received no response from respondent interested parties for any of these five cases. As a result, pursuant to section 751(c)(3)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted expedited sunset reviews of these *AD Orders*.

## History of the Orders

On May 7, 1984, the Department published the *AD Order* on certain circular welded carbon steel pipes and tubes from Taiwan.<sup>6</sup>

On November 2, 1992, the Department published the *AD Orders* on imports of certain circular welded non-alloy steel pipe from Brazil, Korea, Mexico, and Taiwan and an amendment to the final determination of sales at less than fair value for certain circular welded non-alloy steel pipe

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<sup>2</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 82 FR 25599 (June 2, 2017) (*Initiation*).

<sup>3</sup> See *Initiation of Five-Year ("Sunset") Review; Correction*, 82 FR 27690 (June 16, 2017).

<sup>4</sup> See Domestic Interested Party June 30, 2017 Substantive Response for Brazil (Substantive Response, June 30, 2017 Brazil); see also Domestic Interested Party June 30, 2017 Substantive Response for Mexico (Substantive Response, June 30, 2017 Mexico); see also Domestic Interested Party June 30, 2017 Substantive Response for Korea (Substantive Response, June 30, 2017 Korea); see also Domestic Interested Party June 30, 2017 Substantive Response for Taiwan (Substantive Response, June 30, 2017 Taiwan); see also Domestic Interested Party June 30, 2017 Substantive Response for Circular Welded Pipes and Tubes from Taiwan (Substantive Response, June 30, 2017 Circular Welded Pipes and Tubes Taiwan).

<sup>5</sup> The Domestic Interested Parties consist of Bull Moose Tube, EXLTUBE, TMK IPSCO Tubulars, and Zekelman Industries (collectively, the domestic interested parties). See Substantive Response, June 30, 2017 Brazil; see also Substantive Response, June 30, 2017 Korea; see also Substantive Response, June 30, 2017 Mexico; Substantive Response, June 30, 2017 Taiwan; and see also Substantive Response, June 30, 2017 Circular Welded Pipes and Tubes Taiwan.

<sup>6</sup> See *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Antidumping Order*, 49 FR 19369 (May 7, 1984) (*Order for Carbon Steel Pipes and Tubes from Taiwan*).

from Korea.<sup>7</sup> On July 17, 2012, the Department published the notice of continuation of these *AD Orders*.<sup>8</sup>

Since the publication of the *Third Continuation of the AD and CVD Orders*,<sup>9</sup> the case histories are as follows:

### *Brazil*

The Department has not conducted any administrative reviews, new shipper reviews, scope determinations or duty absorption reviews since the publication of the continuation of the *AD Orders* in the *for Final Results of the Third Sunset Reviews*.<sup>10</sup>

### *Mexico*

The Department completed administrative reviews for the following periods: November 1, 2010 through October 30, 2011;<sup>11</sup> November 1, 2011 through October 30, 2012;<sup>12</sup> November 1, 2012 through October 31, 2013;<sup>13</sup> and November 1, 2014 through October 31, 2015.<sup>14</sup> Since the *Third Continuation of the AD and CVD Orders* was published, the Department has calculated above *de minimis* margins where we completed administrative reviews for companies with shipments.<sup>15</sup>

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<sup>7</sup> See *Notice of Antidumping Duty Orders: Certain Circular Non-Alloy Steel Pipe from Brazil, the Republic of Korea (Korea), Mexico, and Venezuela and Amendment to Final Determination of Sales at Less Than Fair Value: Certain Circular Welded Non-Alloy Steel Pipe from Korea*, 57 FR 49453 (November 2, 1992) (*Orders for Brazil, Korea, Mexico, and Venezuela and Amended Final Determination of Sales at Less Than Fair Value: Certain Circular Welded Non-Alloy Steel Pipe from Korea*). *Notice of Antidumping Duty Order: Circular Welded Non-Alloy Steel Pipe from Taiwan*, 57 FR 49454 (November 2, 1992).

<sup>8</sup> See *Certain Circular Welded Carbon Steel Pipes and Tubes from India, Thailand, and Turkey; 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: Continuation of Antidumping and Countervailing Duty Orders*, 77 FR 41967 (July 17, 2012) (*Third Continuation of the AD and CVD Orders*).

<sup>9</sup> See *Third Continuation of the AD and CVD Orders*.

<sup>10</sup> See *Third Continuation of the AD and CVD Orders*; see also *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 Expedited Third Sunset Reviews of the Antidumping Duty Order*, 76 FR 66899 (October 28, 2011) (*Final Results of Third Sunset Reviews*).

<sup>11</sup> See *Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Results and Partial Rescission of the 2010-2011 Antidumping Duty Administrative Review*, 78 FR 34342 (June 7, 2013) (*2010-2011 Mexico Final*).

<sup>12</sup> See *Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Results of the 2011-2012 Antidumping Duty Administrative Review*, 78 FR 79664 (December 31, 2013) (*2011-2012 Mexico Final*).

<sup>13</sup> See *Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Results of Antidumping Duty Administrative Review*, 80 FR 19633 (April 13, 2015) (*2012-2013 Mexico Final*).

<sup>14</sup> See *Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2014-2015*, 82 FR 27039 (June 13, 2017) (*2014-2015 Mexico Final Results*). The final results of this review, as pertaining to respondent Maquilacero S.A. de C.V., are currently in litigation before a North American Free Trade Agreement Bilateral Dispute Settlement Panel. See *In the Matter of: Certain Circular Welded Non-Alloy Steel Pipe From Mexico*, Secretariat File No. USA-MEX-2017-1904-01.

<sup>15</sup> In the *2010-2011 Mexico Final*, there were no dumping margins calculated. Five companies were timely withdrawn and the participating companies that remained did not have shipments during the period of review. See *2010-2011 Mexico Final Results*. In the *2011-2012 Mexico Final*, again no dumping margins calculated. Four

In the most recently completed antidumping duty administrative review (2014-2015), the dumping margins ranged from 2.43 percent to 7.32 percent.<sup>16</sup>

The Department also initiated an administrative review for the period November 1, 2013 through October 30, 2014, but rescinded that review based on a timely withdrawal of all review requests.<sup>17</sup>

There is currently one pending request for a scope ruling, and as delineated below, the Department has issued seven final scope rulings since the publication of the continuation of the *AD Order* in the *Third Sunset Review*.<sup>18</sup> The Department has not conducted any new shipper reviews or duty absorption reviews since the publication of the continuation of the *AD Orders* in the *Third Sunset Reviews*.<sup>19</sup>

### *Korea*

The Department completed administrative reviews for the following periods: November 1, 2010 through October 31, 2011;<sup>20</sup> November 1, 2011 through October 31, 2012;<sup>21</sup> November 1, 2012 through October 31, 2013;<sup>22</sup> November 1, 2013 through October 30, 2014;<sup>23</sup> and November 1, 2014 through October 31, 2015.<sup>24</sup> Also, on April 22, 2014, the Department published final results of the remand redetermination for the 2008-2009 administrative review.<sup>25</sup>

The Department has not conducted any new shipper reviews, scope determinations, or duty absorption reviews since the publication of the continuation of the *AD Orders* in the *Third Sunset Review*.<sup>26</sup>

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companies were timely withdrawn and the companies that remained did not have shipments during the period of review. *See 2011-2012 Mexico Final*.

<sup>16</sup> *See 2014-2015 Mexico Final*.

<sup>17</sup> *See Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Rescission of Antidumping Duty Administrative Review; 2013-2014*, 87 FR 26003 (May 6, 2015).

<sup>18</sup> *See Third Continuation of the AD and CVD Orders. see also Final Results of the Third Sunset Reviews*.

<sup>19</sup> *See Third Continuation of the AD and CVD Orders; see also Final Results of the Third Sunset Reviews*.

<sup>20</sup> *See Circular Welded Carbon Steel Pipes and Tubes from the Republic of Korea; Final Results of Antidumping Duty Administrative Review; 2010-2011* 78 FR 35248 (June 12, 2013).

<sup>21</sup> *See Circular Welded Carbon Steel Pipes and Tubes from the Republic of Korea; Final Results of Antidumping Duty Administrative Review; 2011-2012* 79 FR 37284 (July 1, 2014).

<sup>22</sup> *See Circular Welded Carbon Steel Pipes and Tubes from the Republic of Korea; Final Results of Antidumping Duty Administrative Review; 2012-2013*, '80 FR 32987 (June 10, 2015).

<sup>23</sup> *See Circular Welded Carbon Steel Pipes and Tubes from the Republic of Korea; Final Results of Antidumping Duty Administrative Review; 2013-2014* 81 FR 39908 (June 20, 2016).

<sup>24</sup> *See Circular Welded Carbon Steel Pipes and Tubes from the Republic of Korea; Final Results of Antidumping Duty Administrative Review; 2014-2015* 82 FR 26910 (June 12, 2017)(2014-2015 Korea Final).

<sup>25</sup> *See Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review; 2008-2009* 79 FR 22478 (April 22, 2014).

<sup>26</sup> *See Third Continuation of the AD and CVD Orders; see also Final Results of the Third Sunset Reviews*.

Finally, there has been one changed circumstances review conducted during this sunset period. The Department determined that Hyundai Steel is the successor-in-interest to Hyundai HYSCO.<sup>27</sup>

#### *Circular Welded Non-Alloy Steel Pipe from Taiwan*

The Department has not conducted any administrative reviews, new shipper reviews, scope determinations or duty absorption reviews since the publication of the continuation of the *AD Order* in the *Third Sunset Reviews*.<sup>28</sup>

#### *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan*

The Department completed administrative reviews for the periods May 1, 2011 through April 30, 2012, and May 1, 2012 through April 30, 2013 for Shin Yang Steel Co., Ltd. (Shin Yang),<sup>29</sup> and is currently conducting an administrative review for the period May 1, 2015 through April 30, 2016.<sup>30</sup> Shin Yang's margin in the 2011-2012 administrative review was above *de minimis*, while the 2012-2013 margin was zero.<sup>31</sup> On May 18, 2017, the Department published the preliminary results with a preliminary dumping margin of 1.78 percent for Shin Yang.<sup>32</sup> The Department also made a preliminary finding of no shipments for Yieh Hsing Enterprise Co., Ltd.<sup>33</sup>

### **Scope of the Orders**

#### *Certain Circular Welded Non-Alloy Steel Pipe from Brazil*

The products covered by these orders are circular welded non-alloy steel pipes and tubes, of circular cross-section, not more than 406.4 mm (16 inches) in outside diameter, regardless of wall thickness, 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

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<sup>27</sup> See *Notice of Final Results of Antidumping Duty Changed Circumstance Review: Circular Welded Non-Alloy Steel Pipe From the Republic of Korea*, 81 FR 42653 (June 30, 2016) (where the Department determined that Hyundai Steel is the successor-in-interest to Hyundai HYSCO).

<sup>28</sup> See *Third Continuation of the AD and CVD Orders*; see also *Final Results of the Third Sunset Reviews*.

<sup>29</sup> See *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan; Final Results of Antidumping Duty Administrative Review; 2011-2012*, 78 FR 71563 (November 29, 2013) (*2011-2012 Taiwan Pipes and Tubes Final*). See also *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan; Final Results of Antidumping Duty Administrative Review; 2012-2013*, 79 FR 47615 (August 14, 2014) (*2012-2013 Taiwan Pipes and Tubes Final*); See also *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Notice of Partial Rescission of Antidumping Duty Administrative Review*, 77 FR 55807 (September 11, 2012) (where we rescinded on Chung Hun Steel Corp., Kao Hsing Chang Iron & Steel Corp., and Tension Steel Industries Co., Ltd., which were requested by the Petitioner and then withdrawn within the 90 days of publication of the notice of initiation) (*2012-2013 Taiwan Pipes and Tubes Final*).

<sup>30</sup> See *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan; Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2015-2016* 82 FR 22805 (May 18, 2017) (*2015-2016 Preliminary Results and Prelim Determination of No Shipments*).

<sup>31</sup> See *2011-2012 Taiwan Pipes and Tubes Final*; see also *2012-2013 Taiwan Pipes and Tubes Final*.

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

pipes and tubes are intended for the low pressure conveyance of water, steam, natural gas, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinkler 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 reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and related industries. Unfinished conduit pipe is also included in these orders. All carbon steel pipes and tubes within the physical description outlined above are included within the scope of these orders, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, 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 these orders. Imports of the products covered by these orders are currently classifiable under the following Harmonized Tariff Schedule (HTS) 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 HTS subheadings are provided for convenience and customs purposes, our written description of the scope of these proceedings is dispositive.

Since the publication *Third Continuation of the AD and CVD Orders* in 2012, the Department has not made any scope rulings related to the scope of the *AD Order on certain circular welded non-alloy steel pipe from Brazil*.<sup>34</sup>

#### *Certain Circular Welded Non-Alloy Steel Pipe from Mexico*

The products covered by this order 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, 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, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinkler 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 reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and related industries. Unfinished conduit pipe is also included in these orders. All carbon steel pipes and tubes within the physical description outlined above are included within the scope of this order, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, 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 this order.

Imports of the products covered by this order are currently classifiable under the following Harmonized Tariff Schedule (HTS) 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 HTS subheadings are provided for convenience and customs purposes, our written description of the scope of these proceedings is dispositive.

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<sup>34</sup> See *Third Continuation of the AD and CVD Orders*.

Since the publication of the *Third Continuation of the AD and CVD Orders*, the Department has made the following scope rulings relevant to the scope of certain circular welded non-alloy steel pipe from Mexico:

On November 15, 2012, the Department determined that certain types of finished electrical rigid metal conduit produced by PYTCO, S.A. de C.V., and certain types of finished electrical metal tubing produced by Conduit, S.A. de C.V., meet the exclusion for finished conduit set forth in the scope of the *AD Order*, and are, therefore, outside the scope of the *AD Order*.<sup>35</sup>

On January 12, 2015, the Department determined that certain types of black, circular tubing produced to American Society of Testing and Materials (ASTM) Standard A-513 by Productos Laminados de Monterrey, S.A. de C.V., meet the exclusion for mechanical tubing set forth in the *AD Order*, and are, therefore, outside the scope of the *AD Order*.<sup>36</sup>

On July 27, 2015, the Department determined that certain types of black, circular tubing produced to the ASTM A-513 specification by Maquilacero S.A. de C.V. do not meet the exclusion for mechanical tubing set forth in the *AD Order*, and are, therefore, within the scope of the *AD Orders*.<sup>37</sup> This scope ruling is subject to pending litigation before the Court of International Trade.<sup>38</sup>

On August 19, 2015, the Department determined that certain types of black pipe manufactured to the ASTM A-513 specification by Perfiles y Herrajes LM, S.A. de C.V. (Perfiles) meet the exclusion for mechanical tubing set forth in the *AD Orders* and are, therefore, outside the scope of the *AD Order*; but the Department found that certain other types of black pipe manufactured to the ASTM A-513 specification by Perfiles do not meet the exclusion for mechanical tubing set forth in the *AD Orders*, and are, therefore, within the scope of the *AD Order*.<sup>39</sup>

On March 31, 2016, the Department determined that certain types of black, circular tubing produced to the ASTM A-513 specification by Regiomontana de Perfiles y Tubos, S.A. de C.V.,

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<sup>35</sup> See Memorandum, “Antidumping Duty Order on Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Scope Ruling on Finished Electrical Conduit Imported by LDA Incorporado,” dated November 15, 2012 (LDA Scope Ruling). See also *Notice of Scope Rulings*, 78 FR 32372 (May 30, 2013).

<sup>36</sup> See Memorandum, “Antidumping Duty Order on Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Scope Ruling on Certain Black, Circular Tubing Produced to ASTM A-513 Specifications by Productos Laminados de Monterrey, S.A. de C.V., and Prolamsa, Inc.,” dated January 12, 2015 (Prolamsa Scope Ruling). See also *Notice of Scope Rulings*, 80 FR 34368 (June 16, 2016).

<sup>37</sup> See Memorandum, “Antidumping Duty Order on Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Scope Ruling on Certain Black, Circular Tubing Produced to ASTM A-513 Specifications by Maquilacero S.A. de C.V.,” dated July 27, 2015 (Maquilacero Scope Ruling). See also *Notice of Scope Rulings*, 81 FR 14421 (March 17, 2016).

<sup>38</sup> See *Maquilacero S.A. de C.V. v. United States*, Court No. 15-0087, Slip Op. 17-117 (August 30, 2017).

<sup>39</sup> See Memorandum, “Antidumping Duty Order on Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Scope Ruling on Certain Black, Circular Tubing Produced to ASTM A-513 Specifications by Perfiles y Herrajes LM, S.A. de C.V.,” dated August 19, 2015 (Perfiles Scope Ruling).

meet the exclusion for mechanical tubing set forth in the *AD Order*, and are, therefore, outside the scope of the *AD Orders*.<sup>40</sup>

On November 7, 2016, the Department determined that certain ASTM A-513 steel dryer tubing products manufactured by Whirlpool Corporation are produced in the United States and retain their U.S. origin, and are, therefore, outside the scope of the *AD Order*.<sup>41</sup>

On May 12, 2017, the Department determined that certain types of automotive and cylinder tubes produced by Sumitomo Corporation of Americas and Nippon Steel & Sumikin Pipe Mexico, S.A. de C.V., meet the exclusion for mechanical tubing set forth in the *AD Order*, and are, therefore, outside the scope of the *AD Orders*.

On August 16, 2017, Productos Laminados de Monterrey S.A. de C.V., Aceros Cuatros Caminos S.A. de C.V., and Prolamsa Inc. (collectively, Prolamsa), requested that the Department issue a scope ruling regarding certain types of circular welded galvanized tube; the Department has not yet reached a preliminary or final determination regarding this scope ruling request.

#### *Certain Circular Welded Non-Alloy Steel Pipe from Korea*

The merchandise subject to this review is circular welded non-alloy steel pipe and tube, of circular cross-section, not more than 406.4mm (16 inches) in outside diameter, regardless of wall thickness, 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 sprinkler systems, and other related uses. 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 as support members for reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and other related industries. unfinished conduit pipe is also included in this order. All carbon-steel pipes and tubes within the physical description outlined above are included within the scope of this review except line pipe, oil-country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished conduit. In accordance with the Department's Final Negative Determination of Scope Inquiry on Certain Circular Welded Non-Alloy Steel Pipe and Tube from Brazil, the Republic of Korea, Mexico, and Venezuela (61 FR 11608, March 21, 1996), pipe certified to the API 5L line-pipe specification and pipe certified to both the API 5L line-pipe specifications and the less-stringent ASTM A-53 standard-pipe specifications, which falls within the physical parameters as outlined above, and entered as line pipe of a kind used for oil and gas pipelines is outside of the scope of the antidumping duty order. Imports of these products are currently classifiable under the

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<sup>40</sup> See Memorandum, "Antidumping Duty Order on Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Scope Ruling on Certain Black, Circular Tubing Produced to ASTM A-513 Specifications by Regiomontana de Perfiles y Tubos, S.A. de C.V.," dated March 31, 2016 (Regiopytsa Scope Ruling). See also *Notice of Scope Rulings*, 82 FR 13794 (March 15, 2017).

<sup>41</sup> See Memorandum, "Antidumping Duty Order on Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Final Scope Ruling on Whirlpool Corporation's Steel Dryer Tubing Produced to ASTM A-513 Specifications," dated November 7, 2016 (Whirlpool Scope Ruling).

following Harmonized Tariff Schedule (HTS) 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.

Since the publication *Third Continuation of the AD and CVD Orders* in 2012, the Department has not made any scope rulings on the *AD Order* on certain circular welded non-alloy steel pipe from Korea.<sup>42</sup>

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

The products covered by this 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 this order.

All carbon steel pipes and tubes within the physical description outlined above are included within the scope of this order, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, 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 this investigation.

Imports of the products covered by this order are currently classifiable under the following Harmonized Tariff Schedule (HTS) 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, 7306.30.50.90. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Since the publication *Third Continuation of the AD and CVD Orders* in 2012, the Department has not made any scope rulings on the *AD Order* on certain circular welded non-alloy steel pipes from Taiwan.<sup>43</sup>

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<sup>42</sup> See *Third Continuation of the AD and CVD Orders*.

<sup>43</sup> See *Third Continuation of the AD and CVD Orders*.

### *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan*

The merchandise covered by this order is 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 7306.30.5025, 7306.30.5032, 7306.30.5040, and 7306.30.5055. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.<sup>44</sup>

Since the publication *Third Continuation of the AD and CVD Orders* in 2012, the Department has not made any scope rulings on the *AD Order* on certain circular welded carbon steel pipes and tubes from Taiwan.<sup>45</sup>

## **Discussion of Issues**

### **Legal Framework**

In accordance with section 751(c)(1) of the Act, the Department has conducted these sunset reviews to determine whether revocation of the pertinent *AD Orders* would be likely to lead to continuation or recurrence of dumping.

Section 752(c)(1)(A) and (B) of the Act provides that, in making these determinations the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the *AD Orders*.

As explained in the Statement of Administrative Action (SAA) accompanying the Uruguay Round Agreements Act, the Department normally determines that revocation of an *AD Order* is likely to lead to continuation or recurrence of dumping when: (a) dumping continued at any level above *de minimis* after issuance of the *AD Orders*; (b) imports of the subject merchandise ceased after issuance of the *AD Orders*; or (c) dumping was eliminated after the issuance of the *AD Orders* and import volumes for the subject merchandise declined significantly.<sup>46</sup>

Alternatively, the Department normally will determine that revocation of an *AD Order* is not likely to lead to continuation or recurrence of dumping where dumping was eliminated after issuance of the *AD Order* and import volumes remained steady or increased.<sup>47</sup> In addition, as a base period of import volume comparison, it is the Department's practice to use the one-year

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<sup>44</sup> The original order predated the HTSUS, and was accompanied by the following TSUSA numbers: 610.3231, 610.3232, 610.3241, and 610.3244.

<sup>45</sup> See *Antidumping Order and Amendment to Final Determination*, 57 FR 49456 (November 2, 1992);

<sup>46</sup> See SAA, H.R. Rep. No. 103-316, Vol. 1 (1994), at 889-890; see also, *Folding Gift Boxes from the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 72 FR 16765 (April 5, 2007), and accompanying Issues and Decision Memorandum at Comment 1.

<sup>47</sup> See *Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("*Sunset Policy Bulletin*").

period immediately preceding the initiation of the investigation, rather than the level of pre-Order import volumes, as the initiation of an investigation may dampen import volumes and, thus, skew comparison.<sup>48</sup>

Further, section 752(c)(3) of the Act states that the Department shall provide to the ITC the magnitude of the margin of dumping likely to prevail if the *AD Order* were revoked. Generally, the Department selects the margin(s) from the final determination in the original investigation, as this is the only calculated rate that reflects the behavior of exporters without the discipline of an *AD Order* in place.<sup>49</sup> However, the Department may use a rate from a more recent review, if this rate may be more representative of a company's behavior in the absence of an *AD Order* (e.g., where a company increases dumping to maintain or increase market share with an *AD Order* in place).<sup>50</sup>

Finally, pursuant to section 752(c)(4)(A) of the Act, a dumping margin of “zero or *de minimis* shall not by itself require” the Department to determine that revocation of an *AD Order* would not be likely to lead to a continuation or recurrence of sales at LTFV. Our analysis of the comments submitted by the domestic interested parties follow.

## 1. **Likelihood of Continuation or Recurrence of Dumping**

The domestic interested parties provided a history for each of the *AD Orders* covered by these sunset reviews.<sup>51</sup>

### *Certain Circular Welded Non-Alloy Steel Pipe from Brazil*

The domestic interested parties cite to the Department's findings in the *Third Sunset Review*. They note that there have been no intervening reviews of this *AD Order* since the *Third Sunset Review*. They also cite to the Department's Policy Bulletin, where they reference both continued dumping above *de minimis* levels after the issuance of the *AD order* and the cessation of imports after the issuance of the *AD Order*. “All Brazilian exporters of the subject merchandise have either ceased shipping altogether or have continued to dump at the rates assigned in the original investigation.... The investigation margins remain in effect for all exporters, because no administrative or new shipper reviews of this order have been conducted. In sunset reviews, the Department finds continued dumping under these circumstances.”<sup>52</sup>

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<sup>48</sup> See, e.g., *Stainless Steel Bar from Germany; Final Results of the Sunset Review of the Antidumping Duty Order*, 72 FR 56985 (October 5, 2007), and accompanying Issues and Decision Memorandum, at Comment 1.

<sup>49</sup> See SAA at 890 and *Sunset Policy Bulletin* at section II.B.1. See, e.g., *Persulfates from the People's Republic of China: Notice of Final Results of Expedited Second Sunset Review of Antidumping Duty Order*, 73 FR 11868 (March 5, 2008), and accompanying Issues and Decision Memorandum, at Comment 2.

<sup>50</sup> See SAA at 890-91; *Sunset Policy Bulletin*, at section II.B.2.

<sup>51</sup> See Substantive Response, June 30, 2017 Mexico; see also Substantive Response, June 30, 2017 Brazil; see also Substantive Response, June 30, 2017 Korea; see also Substantive Response, June 30, 2017 Taiwan; see also Substantive Response, June 30, 2017 Circular Welded Pipes and Tubes Taiwan.

<sup>52</sup> See Substantive Response June 30, 2017, Brazil, at 6.

Alternatively, the domestic interested parties argue that continuation of the *AD Order* is appropriate because imports have declined significantly since the issuance of the order.<sup>53</sup> Citing to the *Third Sunset Review*, which references the 1991 (pre-order) amount of 44 thousand metric tons, the domestic interested parties compare to the sunset review period (2012-2016) average, based on data found on USITC dataweb. “In this case, the continued existence of dumping margins for all Brazilian exporters and the significant decline in import quantities after the issuance of the order {sic} show that dumping would be likely to continue or recur were the order {sic} revoked.”<sup>54</sup>

#### *Certain Circular Welded Non-Alloy Steel Pipe from Mexico*

The domestic interested parties cite to the *Third Sunset Review*<sup>55</sup> and the Department’s *Sunset Policy Bulletin*, which notes that continued dumping after the publication of an *AD Order* provides a strong indication that dumping is likely to continue or recur if the order is revoked. The domestic interested parties add that the Department has found above *de minimis* margins in two administrative reviews conducted since the *Third Sunset Review* as well as the fact that import levels continue to exceed pre-order levels.<sup>56</sup>

The domestic interested parties argue that “{b}ecause dumping has continued, as in the Third Sunset Review {sic}, the Department once again should conclude that dumping is likely to continue or recur if the order were revoked.”<sup>57</sup>

#### *Certain Circular Welded Non-Alloy Steel Pipe from Korea*

The domestic interested parties cite the Department’s findings in the *Third Sunset Review* and the Department’s Policy Bulletin, which notes that continued dumping after the publication of an *AD Order* provides a strong indication that continued dumping is likely to continue or recur if the order is revoked. The domestic interested parties add that the Department has found above *de minimis* margins in all administrative reviews conducted since the *Third Sunset Review*.

The domestic interested parties argue in the alternative that continuation of the *AD Order* is appropriate because imports have declined significantly since the issuance of the order.<sup>58</sup> Citing the *Third Sunset Review*, which references the pre-order (1991) amount of imports (295 thousand metric tons), the domestic interested parties compare this pre-order amount to the sunset review period (2012-2016) average, based on data found on USITC dataweb, which is less than twenty percent of the pre-order level.<sup>59</sup> The domestic interested parties conclude by citing the Statement of Administrative Action (SAA), which states that the continued existence of dumping margins along with the significant decline in import quantities after the issuance of an *AD Order* shows that dumping would be likely to continue if the *AD Order* were revoked.

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<sup>53</sup> *Id.* at 7.

<sup>54</sup> *Id.*

<sup>55</sup> See *Final Results of Third Sunset Review*.

<sup>56</sup> See Substantive Response June 30, 2017 Mexico at Attachment 3.

<sup>57</sup> *Id.* at 6.

<sup>58</sup> *Id.* at 7.

<sup>59</sup> See Substantive Response June 30, 2017 Korea, at 7.

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

The domestic interested parties cite to the *Third Sunset Review*<sup>60</sup> and argue that nothing has changed since there have not been any intervening reviews during this sunset review period.

They also cite to the Department's Policy Bulletin, where they reference both continued dumping above *de minimis* levels after the issuance of the *AD order* and the cessation of imports after the issuance of the *AD Order*. "All Taiwanese exporters of the subject merchandise have either ceased shipping altogether or have continued to dump at the rates assigned in the original investigation.... The investigation margins remain in effect for all exporters, because no administrative or new shipper reviews of this order have been conducted. In sunset reviews, the Department finds continued dumping under these circumstances."<sup>61</sup>

Alternatively, the domestic interested parties argue that continuation of the *AD Order* is appropriate because imports have declined significantly since the issuance of the order.<sup>62</sup> Citing to the *Third Sunset Review*,<sup>63</sup> which references the pre-order (1991) amount of 35 thousand metric tons, the domestic interested parties compare this pre-order amount to the sunset review period (2012-2016) average, based on data found on USITC dataweb, which is less than ten percent of the pre-order level.<sup>64</sup> The domestic interested parties conclude by citing to the SAA, which states that the continued existence of dumping margins along with the significant decline in import quantities after the issuance of an *AD Order* shows that dumping would be likely to continue if the *AD Order* were revoked.

### *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan*

The domestic interested parties cite to the *Third Sunset Review*<sup>65</sup> and the Department's Policy Bulletin, which notes that continued dumping after the publication of an *AD Order* provides a strong indication that continued dumping is likely to continue or recur if the order is revoked. In addition, the domestic interested parties assert that the Department has found above *de minimis* margins in one completed and one ongoing administrative reviews conducted since the *Third Sunset Review*.

## **The Department's Position**

In the instant review, for the reasons stated below, we find that revocation of the *AD Orders* on certain circular welded non-alloy steel pipe from Brazil, Mexico, Korea, and Taiwan and certain circular welded carbon steel pipes and tubes from Taiwan would likely result in the continuation or recurrence of dumping in the United States.

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<sup>60</sup> *Final Results of Third Sunset Reviews*.

<sup>61</sup> See Substantive Response June 30, 2017 Taiwan, at 6.

<sup>62</sup> *Id.* at 7.

<sup>63</sup> *Final Results of Third Sunset Reviews*.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

Consistent with the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act (URAA), specifically the SAA,<sup>66</sup> the Department's determination of likelihood will be made on an *AD Order*-wide basis. In addition, the Department normally will determine that revocation of an *AD Order* is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above *de minimis* after the issuance of the *AD Order*, (b) imports of the subject merchandise ceased after the issuance of the *AD Order*, or (c) dumping was eliminated after the issuance of the *AD Order* and import volumes for the subject merchandise declined significantly.

Below is the Department's analysis for each *AD Order*:

*Certain Circular Welded Non-Alloy Steel Pipe from Brazil*

In the LTFV investigation of this *AD Order*, the Department found dumping above *de minimis* levels. Since the LTFV, the Department has not conducted any administrative or other reviews of this *AD Order*, so the dumping margins from the *AD Order* are still in place. The Department finds that recent imports during the sunset review period (2012-2016) are significantly below the pre-order (1991) level of 40,091,961 kilograms.<sup>67</sup> Specifically, the Department finds that imports for the sunset review period range from a low of 182,260 kilograms in 2014 to a high of 1,469,409 kilograms in 2013.<sup>68</sup> Given the fact that dumping has continued above *de minimis* with the LTFV margins in place and imports have declined significantly, it is reasonable to conclude that dumping would continue or recur if the order were revoked.<sup>69</sup> Thus, the Department determines that dumping is likely to continue or recur if this *AD order* were revoked, pursuant to section 752(c)(1) of the Act.

*Certain Circular Welded Non-Alloy Steel Pipe from Mexico*

If companies continue to dump with the discipline of an order in place, it is reasonable to conclude that dumping would continue or recur if the order were revoked.<sup>70</sup> Since the *Third Sunset Review*, the Department found companies to be dumping at levels above *de minimis* during the administrative reviews covering the periods November 1, 2012, through October 31, 2013,<sup>71</sup> and November 1, 2014, through October 31, 2015.<sup>72</sup> The Department finds that recent imports during the sunset review period (2012-2016) exceed the pre-order (1991) level of 43,763,493 kilograms.<sup>73</sup> In particular, we find that even the year with the lowest amount

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<sup>66</sup> H.R. Doc. No. 103-316, vol. 1 (1994), the House Report, H. Rep. No. 103-826, pt. 1 (1994) (House Report), and the Senate Report, S. Rep. No. 103-412 (1994) (Senate Report)

<sup>67</sup> See Import Volumes Memo.

<sup>68</sup> See Substantive Response June 30, 2017 Brazil at Attachment 3; see also Attachment 1.

<sup>69</sup> See SAA at 889.

<sup>70</sup> *Id.* at 890.

<sup>71</sup> See 2012-2013 Mexico Final Results, 80 FR, at 19633.

<sup>72</sup> See 2014-2015 Mexico Final Results, 82 FR, at 27039.

<sup>73</sup> See Memorandum, "Import Volumes for Final Results of Expedited Five-Year (Sunset) Reviews for Certain Circular Welded Non-Alloy Steel Pipe from Mexico, Brazil, the Republic of Korea, and Taiwan; and Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan, dated October 20, 2011 (October 2011 Import

of imports during the sunset review period, calendar year 2014 (52,403,301 kilograms) exceeded the pre-order import levels.<sup>74</sup> Therefore, it is reasonable to conclude that dumping would continue or recur if the order were revoked.<sup>75</sup> Thus, the Department determines that dumping is likely to continue or recur if the *AD Orders* were revoked, pursuant to section 752(c)(1) of the Act.

#### *Certain Circular Welded Non-Alloy Steel Pipe from Korea*

As the domestic interested parties argued, the Department has found dumping margins above *de minimis* levels in every administrative review of this *AD Order* since the continuation of the *Third Continuation of the AD and CVD Orders*<sup>76</sup> was published. The Department has also found that recent imports during the sunset review period (2012-2016) are significantly below the pre-order (1991) level of 294,569,968 kilograms.<sup>77</sup> The imports for the sunset review period range from a low of 39,865,600 in 2014 to a high of 79,531,605 in 2016.<sup>78</sup> Therefore, it is reasonable to conclude that dumping would continue or recur if the order was revoked.<sup>79</sup> Thus, the Department determines that dumping is likely to continue or recur if this *AD Order* were revoked, pursuant to section 752(c)(1) of the Act.

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

In the LTFV investigation of this *AD Order*, the Department found dumping above *de minimis* levels. Since the LTFV, the Department has not conducted any administrative or other reviews so the margins from the *AD Order* are still in place. Moreover, the Department also finds that imports during the sunset review period (2012-2016) are significantly below the pre-order (1991) level of 34,957,178 kilograms.<sup>80</sup> In fact, imports for the sunset review period range from a low of 560,152 kilograms in 2013 to a high of 13,142,001 kilograms in 2016.<sup>81</sup> Given the fact that dumping has continued above *de minimis* levels with the LTFV margins in place and imports have declined significantly, it is reasonable to conclude that dumping would continue or recur if the order were revoked.<sup>82</sup> Thus, the Department determines that dumping is likely to continue or recur if this *AD Order* were revoked, pursuant to section 752(c)(1) of the Act.

#### *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan*

Since the *Third Sunset Reviews*<sup>83</sup> were published, the Department has found dumping margins above *de minimis* levels in one of the completed administrative reviews and in the ongoing

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Volumes Memorandum).

<sup>74</sup> See Substantive Response June 30, 2017 Mexico at Attachment 3; *see also* Attachment 1.

<sup>75</sup> See SAA at 889.

<sup>76</sup> See *Third Continuation of the AD and CVD Orders*.

<sup>77</sup> See Import Volumes Memo.

<sup>78</sup> See Substantive Response June 30, 2017 Korea at Attachment 3; *see also* Attachment 1.

<sup>79</sup> See SAA at 889.

<sup>80</sup> See Import Volumes Memorandum.

<sup>81</sup> See Substantive Response June 30, 2017, Taiwan, at Attachment 4; *see also* Attachment 1.

<sup>82</sup> See SAA at 889.

<sup>83</sup> See *Third Continuation of the AD and CVD Orders*.

administrative review of this *AD Order*. The Department also finds that recent imports during the sunset review period (2012-2016) are significantly below the pre-order (1983) level of 118,511,290 kilograms.<sup>84</sup> Specifically, imports for the sunset review period range from a low of 46,623 kilograms in 2013 and a high of 5,848,674 kilograms in 2015.<sup>85</sup> Thus, the Department determines that dumping is likely to continue or recur if this *AD order* were revoked, pursuant to section 752(c)(1) of the Act.

## **2. Magnitude of the Dumping Margin Likely to Prevail**

The domestic interested parties argued that for the *AD Orders* on certain circular welded non-alloy steel pipe from Brazil, Mexico, Korea, and Taiwan and certain circular welded carbon steel pipes and tubes from Taiwan, the Department should use the margins calculated in the LTFV investigations since those are the only calculated rates that reflect the behavior of each exporter and/or producer without the discipline of an order.

### The Department's Position

Section 752(c)(3) of the Act provides that the Department normally will provide to the ITC the magnitude of the margin of dumping that is likely to prevail if the order were revoked. The Department normally will select a dumping margin that was determined in the final determination of the LTFV investigation because that is the only calculated rate that reflects the behavior of each exporter and/or producer without the discipline of an order.<sup>86</sup>

However, to comply with the *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*.<sup>87</sup> *Final Modification for Reviews*, the Department will not rely on weighted-average dumping margins that were calculated using a methodology found to be WTO-inconsistent.<sup>88</sup> Therefore, for certain circular welded non-alloy steel pipe from Brazil and Taiwan, we are reporting the weighted-average margin from the final determination of the LTFV investigations because these rates were based on “best information available” rather than calculated during the LTFV for each of these cases.

The Department disagrees with the Domestic Interested Parties' position to use the margins from the final determinations of the LTFV investigations as the dumping margins likely to prevail for the *AD Orders* on certain circular welded non-alloy steel pipe from Mexico and Korea and certain circular welded carbon steel pipes and tubes from Taiwan. If The Department could not confirm that the dumping margins calculated in those investigations were calculated using a methodology found to be WTO-consistent. Therefore, to comply with the *Final Modification for Reviews*, the Department finds that the best available information to report to the ITC as the

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<sup>84</sup> See Import Volumes Memo.

<sup>85</sup> See Substantive Response June 30, 2017 Taiwan at Attachment 4; see also Attachment 1.

<sup>86</sup> See SAA at 890 and the House Report at 64.

<sup>87</sup> *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

<sup>88</sup> See *Final Modification for Reviews*.

margins likely to prevail for these three orders is as follows. For certain circular welded non-alloy steel pipe from Mexico, we are reporting the highest weighted-average dumping margin from the most recently completed (2014-2015) administrative review.<sup>89</sup> For certain circular welded non-alloy steel pipe from Korea, we are reporting the highest weighted-average dumping margin calculated in the most recently completed (2014-2015) administrative review.<sup>90</sup> For certain circular welded carbon steel pipes and tubes from Taiwan, we are reporting the weighted-average dumping margin for the most recently completed (2011-2012) administrative review with an above-*de minimis* margin.<sup>91</sup>

Because the administrative reviews for those three *AD Orders* were completed after the *Final Modification for Reviews* was in effect, we know those rates were calculated in a manner consistent with the *Final Modification for Reviews*. Reporting rates based on the final results of an administrative review is explicitly contemplated by the Act.<sup>92</sup> Finally, the domestic interested parties did not address the *Final Modification for Reviews* or suggest recent rates to use where we could not confirm that rates from the LTFV were WTO-consistent.

#### Final Results of Review

##### *Certain Circular Welded Non-Alloy Steel Pipe from Brazil*

We determine that revocation of this *AD Order* would be likely to lead to a continuation or recurrence of dumping at a margin up to 103.38 percent.

##### *Certain Circular Welded Non-Alloy Steel Pipe from Mexico*

We determine that revocation of this *AD Order* would be likely to lead to a continuation or recurrence of dumping at a margin up to 7.32 percent.

##### *Certain Circular Welded Non-Alloy Steel Pipe from Korea*

We determine that revocation of this *AD Order* would be likely to lead to a continuation or recurrence of dumping at a margin up to 1.20 percent.

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

We determine that revocation of this *AD Order* would be likely to lead to a continuation or recurrence of dumping at a margin up to 27.65 percent.

##### *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan*

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<sup>89</sup> See 2014-2015 Mexico Final.

<sup>90</sup> See 2014-2015 Korea Final.

<sup>91</sup> See 2012-2013 Taiwan Pipes and Tubes Final.

<sup>92</sup> See Section 752(c)(3) of the Act.

We determine that revocation of this *AD Order* would be likely to lead to a continuation or recurrence of dumping at a margin up to 8.91 percent.

## RECOMMENDATION

Based on our analysis of the substantive comments received, we recommend adopting all the above positions. If accepted, we will publish the final results of these sunset reviews in the *Federal Register*.



\_\_\_\_\_  
Agree



\_\_\_\_\_  
Disagree

10/2/2017

X



Signed by: GARY TAVERMAN