A-570-943
Administrative Review
POR: 5/1/2017-4/30/2018
Public Document
E&C/VI: KCB

March 11, 2019

MEMORANDUM TO: Christian Marsh
Deputy Assistant Secretary
for Enforcement and Compliance

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

SUBJECT: Decision Memorandum for the Preliminary Results in the Antidumping Duty Administrative Review of Oil Country Tubular Goods from the People's Republic of China

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I. Summary

In response to a request from an interested party, the Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty order on oil country tubular goods (OCTG) from the People's Republic of China (China) for the period of review (POR) May 1, 2017 through April 30, 2018. The review covers four companies. Commerce preliminarily finds that these four companies under review did not establish their eligibility for separate rate status. Thus, Commerce preliminarily finds these companies to be part of the China-wide entity.

2. Background

On May 1, 2018, Commerce published a notice of opportunity to request an administrative review of the antidumping duty order on OCTG from China.[1] The POR is May 1, 2017, through April 30, 2018. On May 31, 2018, Commerce received a timely request from Maverick and TenarisBayCity (the petitioners) to conduct a review of four companies (*i.e.*, Baoshan Iron & Steel; Hengyang Steel Tube Group International Trading Inc.; Hubei Xinyegang Steel Co., Ltd.;

[1] *See Antidumping of Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 83 FR 19047, May 1, 2018.

and Hubei Xin Yegang Special Tube).[2] Commerce initiated this administrative review on July 12, 2018.[3]

On July 23, 2018, Commerce placed a memorandum on the record stating that its query of CBP data did not identify any entries of subject merchandise into the United States during the POR for any of the companies under review.[4] No party commented on the results of the CBP query.

Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.[5] If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day.

3. Scope of the Order

The scope of this order consists of certain OCTG, which are hollow steel products of circular cross-section, including oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, regardless of end finish (e.g., whether or not plain end, threaded, or threaded and coupled) whether or not conforming to API or non-API specifications, whether finished (including limited service OCTG products) or unfinished (including green tubes and limited service OCTG products), whether or not thread protectors are attached. The scope of the order also covers OCTG coupling stock. Excluded from the scope of the order are casing or tubing containing 10.5 percent or more by weight of chromium; drill pipe; unattached couplings; and unattached thread protectors.

The merchandise subject to this order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.29.10.10, 7304.29.10.20, 7304.29.10.30, 7304.29.10.40, 7304.29.10.50, 7304.29.10.60, 7304.29.10.80, 7304.29.20.10, 7304.29.20.20, 7304.29.20.30, 7304.29.20.40, 7304.29.20.50, 7304.29.20.60, 7304.29.20.80, 7304.29.31.10, 7304.29.31.20, 7304.29.31.30, 7304.29.31.40, 7304.29.31.50, 7304.29.31.60, 7304.29.31.80, 7304.29.41.10, 7304.29.41.20, 7304.29.41.30, 7304.29.41.40, 7304.29.41.50, 7304.29.41.60, 7304.29.41.80, 7304.29.50.15, 7304.29.50.30, 7304.29.50.45, 7304.29.50.60, 7304.29.50.75, 7304.29.61.15, 7304.29.61.30, 7304.29.61.45, 7304.29.61.60, 7304.29.61.75, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00, 7305.20.80.00, 7306.29.10.30, 7306.29.10.90, 7306.29.20.00, 7306.29.31.00, 7306.29.41.00, 7306.29.60.10, 7306.29.60.50, 7306.29.81.10, and 7306.29.81.50.

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[2] *See* Petitioner's submission entitled, "Certain Oil Country Tubular Goods from The People's Republic of China: Request for Administrative Review," dated May 31, 2018.
[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 32270, July 12, 2018 (*Initiation Notice*)
[4] *See* Memorandum to the File, "Administrative Review of Oil Country Tubular Goods from the People's Republic of China; U.S. Customs and Border Protection Data Query Results," dated July 23, 2018.
[5] *See* memorandum to the Record from 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, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

The OCTG coupling stock covered by the order may also enter under the following HTSUS item numbers: 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.39.00.36, 7304.39.00.40, 7304.39.00.44, 7304.39.00.48, 7304.39.00.52, 7304.39.00.56, 7304.39.00.62, 7304.39.00.68, 7304.39.00.72, 7304.39.00.76, 7304.39.00.80, 7304.59.60.00, 7304.59.80.15, 7304.59.80.20, 7304.59.80.25, 7304.59.80.30, 7304.59.80.35, 7304.59.80.40, 7304.59.80.45, 7304.59.80.50, 7304.59.80.55, 7304.59.80.60, 7304.59.80.65, 7304.59.80.70, and 7304.59.80.80.

The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of this order is dispositive.

4. Discussion of the Methodology

Companies that Have Not Demonstrated Eligibility for Separate Rate Status

None of the four companies for which a review was requested, Baoshan Iron & Steel; Hengyang Steel Tube Group International Trading Inc.; Hubei Xinyegang Steel Co., Ltd.; or Hubei Xin Yegang claimed that they made no exports, sales, or entries of subject merchandise during the POR, nor did they submit a separate rate application or certification.

Commerce stated in the *Initiation Notice* that "{i}f a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review (POR), it must notify Commerce within 30 days of publication of this notice in the Federal Register."[6] Moreover, Commerce stated in the *Initiation Notice* that "{a}ll firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below."[7] China is a non-market economy (NME) country. Given the foregoing, we find that these companies have not established their eligibility for separate rate status. Therefore, we are preliminarily treating Baoshan Iron & Steel; Hengyang Steel Tube Group International Trading Inc.; Hubei Xinyegang Steel Co., Ltd.; and Hubei Xin Yegang as part of the China-wide entity. Because no party requested a review of the China-wide entity, the entity is not under review, and the entity's dumping margin of 99.14 percent is not subject to change.[8]

[6] *See Initiation Notice*, 83 FR 32271
[7] *Id.* at 32272
[8] *See* Certain Oil Country Tubular Goods From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order, 75 FR 28551 (May 21, 2010).

5. Recommendation

We recommend applying the above methodology for these preliminary results.

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Agree Disagree

3/11/2019

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Signed by: CHRISTIAN MARSH

Christian Marsh
Deputy Assistant Secretary
for Enforcement and Compliance