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DEPARTMENT OF COMMERCE

International Trade Administration

[A-489-833]

Large Diameter Welded Pipe from the Republic of Turkey: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Order

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing an antidumping duty order on large diameter welded carbon and alloy steel line and structural pipe from the Republic of Turkey (Turkey). In addition, Commerce is amending its final affirmative determination.

DATES: Applicable [Insert Date of Publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Rebecca M. Janz at (202) 482-2972 or William Miller at (202) 482-3906, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On February 27, 2019, Commerce published its affirmative final determination in the less-than-fair-value (LTFV) investigation of large diameter welded pipe from Turkey.<sup>1</sup> The scope of the investigation in Commerce's final determination covered large diameter welded

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<sup>1</sup> See *Large Diameter Welded Pipe from the Republic of Turkey: Final Determination of Sales at Less Than Fair Value*, 84 FR 6362 (February 27, 2019).

carbon and alloy steel line pipe (welded line pipe), large diameter welded carbon and alloy steel structural pipe (welded structural pipe), and stainless steel large diameter welded pipe (stainless steel pipe) from Turkey.<sup>2</sup> As discussed below, the ITC subsequently found three domestic like products covered by the scope of the investigation (welded line pipe, welded structural pipe, and stainless steel pipe) and, accordingly, made a separate injury determination with respect to each domestic like product. On April 15, 2019, the ITC notified Commerce of its final determination, pursuant to section 735(d) of the Act, that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of LTFV imports of welded line pipe and welded structural pipe from Turkey.<sup>3</sup> Additionally, the ITC made a negligibility determination with respect to stainless steel pipe.<sup>4</sup> Commerce released draft revised scope language for comment by parties.<sup>5</sup> No party objected to the revised scope language in this proceeding.

### Scope of the Order

The products covered by this order are welded line pipe and welded structural pipe from Turkey. For a complete description of the scope of this order, *see* the Appendix to this notice.

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<sup>2</sup> *Id.*

<sup>3</sup> *See* ITC Notification Letter regarding ITC Investigation Nos. 701-TA-595-596 and 731-TA-1401, 1403, 1405-1406, dated April 15, 2019 (ITC Notification); *see also Large Diameter Welded Pipe from Canada, Greece, Korea, and Turkey; Determinations*, 84 FR 16533 (April 19, 2019) (*ITC Final Determination*); and *Large Diameter Welded Pipe from Canada, Greece, Korea, and Turkey, Investigation Nos. 701-TA-595-596 and 731-TA-1401, 1403, 1405-1406 (Final)*, Publication 4883, April 2019 (Final ITC Report).

<sup>4</sup> *See* ITC Notification.

<sup>5</sup> *See* Memorandum, “Comments on the Scope of the Orders,” dated April 5, 2019.

### Amendment to Final Determination

A ministerial error is defined as an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial.<sup>6</sup>

Pursuant to section 735(e) of the Act and 19 CFR 351.224(e) and (f), Commerce is amending the *Final Determination* to reflect the correction of ministerial errors in the final estimated weighted average dumping margins calculated for Borusan Mannesmann Boru Sanayi ve Ticaret A.S. and HDM Celik Boru Sanayi ve Ticaret A.S. In addition, because these margins are the basis for the estimated weighted average dumping margin determined for all other Turkish producers and exporters of subject merchandise, we also are revising the “all-others” rate in the *Final Determination*.<sup>7</sup> The amended estimated weighted average dumping margins are listed in the Suspension of Liquidation section below.

### Antidumping Duty Order

On April 15, 2019, in accordance with sections 735(b)(1)(A)(i) and 735(d) of the Act, the ITC notified Commerce of its final determination in this investigation, in which it found that imports of welded line pipe and welded structural pipe from Turkey are materially injuring a U.S. industry.<sup>8</sup> As a result, and in accordance with sections 735(c)(2) and 736 of the Act, we are publishing this antidumping duty order. As noted above, in its determination, the ITC found three domestic like products covered by the scope of the investigation: welded line pipe, welded structural pipe, and stainless steel pipe. The ITC found that that imports of stainless steel pipe

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<sup>6</sup> See section 735(e) of the Act and 19 CFR 351.224(f).

<sup>7</sup> See “Memorandum, “Less-Than-Fair-Value Investigation of Large Diameter Welded Pipe from the Republic of Turkey: Allegation of Ministerial Errors in the Final Determination,” dated April 1, 2019.

<sup>8</sup> See ITC Notification; and *ITC Final Determination*.

from Turkey are negligible. The ITC made affirmative determinations with respect to welded line pipe and welded structural pipe from Turkey. Because the ITC made distinct and different injury determinations for separate domestic like products, Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on entries of welded line pipe and welded structural pipe (subject merchandise) from Turkey, and not on entries of stainless steel pipe (excluded merchandise) from Turkey.

### *Welded Line Pipe*

The Final ITC Report describes welded line pipe as a tubular product produced from carbon and alloy steel, produced to American Petroleum Institute (API) 5L specifications, and designed for conveying liquids and gases.<sup>9</sup> Because the ITC determined that LTFV imports of welded line pipe from Turkey are materially injuring a U.S. industry,<sup>10</sup> all unliquidated entries of subject merchandise from Turkey, entered or withdrawn from warehouse, are subject to the assessment of antidumping duties, as described below.

As a result of the *ITC Final Determination*, in accordance with section 736(a) of the Act, Commerce will direct CBP to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise for all relevant entries of welded line pipe from Turkey. Antidumping duties will be assessed on unliquidated entries of welded line pipe from Turkey entered, or withdrawn from warehouse, for consumption on or after August 27, 2018, the date of publication of the *Preliminary Determination*,<sup>11</sup> but will not be assessed on entries

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<sup>9</sup> See Final ITC Report at 7.

<sup>10</sup> *Id.* at 1 and 5.

<sup>11</sup> See *Large Diameter Welded Pipe from the Republic of Turkey: Preliminary Determination of Sales at Less than Fair Value and Postponement of Final Determination*, 83 FR 43646, August 27, 2018 (*Preliminary Determination*).

occurring after the expiration of the provisional measures period, beginning on February 23, 2019, in accordance with section 733(d) of the Act, until the date of publication of the *ITC Final Determination* in the *Federal Register*.

#### *Welded Structural Pipe*

The Final ITC Report describes welded structural pipe as a tubular product produced from carbon and alloy steel, produced to American Society for Testing and Materials (ASTM) specifications, and designed for support in construction projects and piling.<sup>12</sup> Because the ITC determined that LTFV imports of welded structural pipe from Turkey are materially injuring a U.S. industry,<sup>13</sup> all unliquidated entries of subject merchandise from Turkey, entered or withdrawn from warehouse, are subject to the assessment of antidumping duties, as described below.

As a result of the *ITC Final Determination*, in accordance with section 736(a) of the Act, Commerce will direct CBP to assess, upon further instruction by Commerce, antidumping duties for all relevant entries of welded structural pipe from Turkey. Antidumping duties will be assessed on unliquidated entries of welded structural pipe from Turkey entered, or withdrawn from warehouse, for consumption on or after August 27, 2018, the date of publication of the *Preliminary Determination*,<sup>14</sup> but will not be assessed on entries occurring after the expiration of the provisional measures period, beginning on February 23, 2019, in accordance with section 733(d) of the Act, until the date of publication of the *ITC Final Determination* in the *Federal Register*.

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<sup>12</sup> See Final ITC Report at 7.

<sup>13</sup> *Id.* at 1 and 5.

<sup>14</sup> See *Preliminary Determination*.

### *Stainless Steel Pipe*

The Final ITC Report describes stainless steel pipe as being produced from stainless steel for its high-chrome chemistry and corrosion-resistant properties.<sup>15</sup> Because the ITC determined that imports of stainless steel pipe from Turkey are negligible,<sup>16</sup> Commerce will direct CBP to terminate the suspension of liquidation for entries of stainless steel pipe from Turkey entered, or withdrawn from warehouse, and to refund all cash deposits with respect to these entries pursuant to section 735(c)(2) of the Act.

### Suspension of Liquidation

In accordance with section 736 of the Act, Commerce will direct CBP to reinstitute the suspension of liquidation of subject merchandise (*i.e.*, welded line pipe and welded structural pipe) from Turkey, effective the date of publication of the *ITC Final Determination* in the *Federal Register*, and to assess, upon further instruction by Commerce pursuant to section 736(a)(1) of the Act, antidumping duties for each entry of the subject merchandise equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise. We intend to instruct CBP to require, at the same time as importers would normally deposit estimated import duties on this merchandise, cash deposits for each entry of subject merchandise equal to the rates noted below. These instructions suspending liquidation will remain in effect until further notice. For the purpose of determining cash deposit rates, the estimated weighted average dumping margins for imports of subject merchandise from Turkey have been adjusted, as appropriate, for export subsidies found in the final determination

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<sup>15</sup> See Final ITC Report at 7.

<sup>16</sup> *Id.* at 1-2 and 5.

of the companion countervailing duty investigation of this merchandise imported from Turkey.  
 The all-others rate applies to all producers or exporters not specifically listed.

<b>Company</b>	<b>Estimated Weighted-Average Dumping Margin (percent)</b>	<b>Cash Deposit Rate (Adjusted for Subsidy Offset(s)) (percent)</b>
Borusan Mannesmann Boru Sanayi ve Ticaret A.S.	5.11	5.11
HDM Celik Boru Sanayi ve Ticaret A.S.	2.57	1.57
All Others	4.47	3.47

Notification to Interested Parties

This notice constitutes the antidumping duty order with respect to welded line pipe and welded structural pipe from Turkey pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This amended final determination and order is published in accordance with sections 735(e) and 736(a) of the Act, and 19 CFR 351.211(b) and 351.224(e) and (f).

Dated: April 23, 2019.

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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.

## Appendix

### Scope of the Order

The merchandise covered by this order is welded carbon and alloy steel pipe (other than stainless steel pipe), more than 406.4 mm (16 inches) in nominal outside diameter (large diameter welded pipe), regardless of wall thickness, length, surface finish, grade, end finish, or stenciling. Large diameter welded pipe may be used to transport oil, gas, slurry, steam, or other fluids, liquids, or gases. It may also be used for structural purposes, including, but not limited to, piling. Specifically, not included is large diameter welded pipe produced only to specifications of the American Water Works Association (AWWA) for water and sewage pipe.

Large diameter welded pipe used to transport oil, gas, or natural gas liquids is normally produced to the American Petroleum Institute (API) specification 5L. Large diameter welded pipe may also be produced to American Society for Testing and Materials (ASTM) standards A500, A252, or A53, or other relevant domestic specifications, grades and/or standards. Large diameter welded pipe can be produced to comparable foreign specifications, grades and/or standards or to proprietary specifications, grades and/or standards, or can be non-graded material. All pipe meeting the physical description set forth above is covered by the scope of this order, whether or not produced according to a particular standard.

Subject merchandise also includes large diameter welded pipe that has been further processed in a third country, including but not limited to coating, painting, notching, beveling, cutting, punching, welding, or any other processing that would not otherwise remove the merchandise from the scope of the order if performed in the country of manufacture of the in-scope large diameter welded pipe.

Excluded from the scope are any products covered by the existing antidumping duty order on welded line pipe from the Republic of Turkey. *See Welded Line Pipe from the Republic of Korea and the Republic of Turkey: Antidumping Duty Orders*, 80 FR 75056 (December 1, 2015).

The large diameter welded pipe that is subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7305.11.1030, 7305.11.1060, 7305.11.5000, 7305.12.1030, 7305.12.1060, 7305.12.5000, 7305.19.1030, 7305.19.1060, 7305.19.5000, 7305.31.4000, 7305.31.6090, 7305.39.1000 and 7305.39.5000. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

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