



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

A-351-809

A-201-805

A-580-809

A-583-814

A-583-008

Third Sunset Reviews
Public Document

DATE: October 21, 2011

MEMORANDUM TO: Ronald K. Lorentzen
Deputy Assistant Secretary
for Import Administration

FROM: Gary Taverman 
Acting Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Issues and Decision Memorandum for the Final Results of Expedited Five-Year (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 domestic interested parties in the third 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. We recommend that you approve the positions we have developed in the Discussion of the Issues section of this memorandum. Below is the complete list of the issues in these sunset reviews for which we received substantive responses:

1. Likelihood of continuation or recurrence of dumping
2. Magnitude of the margins likely to prevail

History of the Orders

The Department of Commerce (the Department) published in the Federal Register the antidumping duty orders on certain circular welded non-alloy steel pipes from Brazil, Mexico, the Republic of Korea, and Taiwan; and certain circular welded carbon steel pipes and tubes from Taiwan. See Certain Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Antidumping Duty Order, 49 FR 19369 (May 7, 1984); Notice of Antidumping Duty Orders: Certain Circular Welded 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); and Notice of Antidumping Duty Order: Circular Welded Non-Alloy Steel Pipe From Taiwan, 57 FR 49454 (November 2, 1992).

On August 9, 2000, the International Trade Commission (ITC) determined, pursuant to 751(c) of the Tariff Act of 1930, as amended (the Act), that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. As a result, the Department published a notice of the continuation of the antidumping duty orders, pursuant to 19 CFR 351.218(f)(4). See Continuation of Antidumping Duty Orders: Light-Walled Rectangular Welded Carbon Steel Pipe and Tube From Argentina and Taiwan; Circular Welded Non-Alloy Steel Pipe and Tube from Brazil, Korea, Mexico, and Taiwan; Welded Carbon Steel Pipe and Tube From India, Thailand, and Turkey; and Small Diameter Standard and Rectangular Steel Pipe and Tube From Taiwan, 65 FR 50955 (August 22, 2000).

On July 25, 2006, the ITC determined, pursuant to 751(c) of the Act, that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. As a result, the Department published a notice of the continuation of the antidumping duty orders, pursuant to 19 CFR 351.218(f)(4). See Continuation of Antidumping Duty Orders on Circular Welded Non-Alloy Pipes and Tubes from Brazil, Mexico, Republic of Korea, Antidumping Duty Orders on Welded Carbon Steel Pipe from India, Thailand and Turkey, and Countervailing Duty Order on Welded Carbon Steel Standard Pipe from Turkey, 71 FR 44996 (August 8, 2006), and Continuation of Antidumping Duty Orders on Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan, and Circular Welded Non-Alloy Steel Pipe from Taiwan, 71 FR 46447 (August 14, 2006).

Since the second sunset reviews, the case histories are as follows:

Certain Circular Welded Non-Alloy Steel Pipe

Mexico (A-201-805) - The Department has completed two administrative reviews of this order.¹ Another administrative review is ongoing.² The Department also rescinded three administrative reviews, and one new shipper review.³ In addition, the Department completed two changed

¹ See Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Final Results of Antidumping Duty Administrative Review and Rescission of Administrative Review in Part, 75 FR 20342 (April 19, 2010) and Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Final Results of Antidumping Duty Administrative Review, 76 FR 36086 (June 21, 2011).

² See Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Preliminary Results of Antidumping Duty Administrative Review, 76 FR 49437 (August 10, 2011).

³ See Circular Welded Non-Alloy Steel Pipe and Tube from Mexico: Rescission of Antidumping Duty Administrative Review, 73 FR 8032 (February 12, 2008); Circular Welded Non-Alloy Steel Pipe From Mexico: Rescission of Antidumping Duty Administrative Review, 72 FR 6521 (February 12, 2007); Circular Welded Non-Alloy Steel Pipe From Mexico: Rescission of Antidumping Duty Administrative Review, 71 FR 15161 (March 27,

circumstance reviews.⁴ In the two completed administrative reviews, the Department found dumping margins above *de minimis* levels for Mexican producers and exporters of the subject merchandise.

Brazil (A-351-809) – The Department has conducted no administrative reviews of this order.

The Republic of Korea (A-580-809) – The Department has completed two administrative reviews of this order.⁵ Another administrative review is ongoing.⁶ Also, the Department rescinded one new shipper review.⁷ In the two completed administrative reviews, the Department has found dumping margins above *de minimis* levels for Korean producers and exporters of the subject merchandise.

Taiwan (A-583-814) – The Department has conducted no administrative reviews of this order. The Department rescinded one administrative review of this order.⁸

Certain Circular Welded Carbon Steel Pipes and Tubes

Taiwan (A-583-008) – The Department completed two administrative reviews of this order.⁹ One administrative review is ongoing.¹⁰ The Department also rescinded one administrative

2006); and Notice of Rescission of Antidumping Duty New Shipper Review: Certain Circular Welded Non-Alloy Steel Pipe from Mexico, 72 FR 39058 (July 17, 2007).

⁴ See Notice of Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe From Mexico, 75 FR 82374 (December 30, 2010) and Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico, 74 FR 41681 (August 18, 2009).

⁵ See Circular Welded Non-Alloy Steel Pipe From the Republic of Korea: Final Results of the Antidumping Duty Administrative Review, 76 FR 36089 (June 21, 2011), as amended by Circular Welded Non-Alloy Steel Pipe From the Republic of Korea: Amended Final Results of the Antidumping Duty Administrative Review, 76 FR 44304 (July 25, 2011), and Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Final Results of the Antidumping Duty Administrative Review, 75 FR 34980 (June 21, 2010).

⁶ See Circular Welded Non-Alloy Steel Pipe From the Republic of Korea: Partial Rescission of Antidumping Duty Administrative Review, 76 FR 52636 (August 23, 2011).

⁷ See Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Rescission of Antidumping Duty New Shipper Review, 74 FR 8053 (February 23, 2009).

⁸ See Circular Welded Non-Alloy Steel Pipe From Taiwan: Notice of Rescission of Antidumping Duty Administrative Review, 76 FR 31940 (June 2, 2011).

⁹ See Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Final Results of Antidumping Duty Administrative Review, 75 FR 62366 (October 8, 2010) and Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Final Results of Antidumping Duty Administrative Review, 76 FR 63902 (October 14, 2011).

¹⁰ See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part, 76 FR 37781 (June 28, 2011).

review.¹¹ In the completed administrative reviews, the Department found dumping margins above *de minimis* level for a Taiwanese producer and exporter of the subject merchandise. In addition, the Department completed one changed circumstance review.¹²

Background

On July 1, 2011, the Department published the initiation of the sunset reviews of the antidumping duty orders on 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 pursuant to section 751(c) of the Act. See Initiation of Five-Year ("Sunset") Review, 76 FR 38613 (July 1, 2011).

The Department received a notice of intent to participate from the following domestic interested parties within the deadline specified in 19 CFR 351.218(d)(1)(i): Allied Tube and Conduit, TMK IPSCO Tubulars, Leavitt Tube, Northwest Pipe Company, Western Tube and Conduit, and JMC Steel Group (collectively "certain domestic interested parties")¹³ and United States Steel Corporation (U.S. Steel). Certain domestic interested parties, U.S. Steel, and Wheatland Tube Company (Wheatland) claimed interested party status under section 771(9)(C) of the Act.

On July 29, 2011, the Department received a complete substantive response to the notice of initiation from certain domestic interested parties. On August 1, 2011, the Department received a complete substantive response from U.S. Steel. Wheatland did not submit a substantive response. The responses from certain domestic interested parties and from U.S. Steel were within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). The Department received no substantive responses from respondent interested parties to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted expedited sunset reviews of these antidumping duty orders.

Discussion of the Issues

In accordance with section 751(c)(1) of the Act, the Department has conducted these sunset reviews to determine whether revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping. Sections 752(c)(1)(A) and (B) of the Act provide that, in making these determinations, the Department will consider both 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 antidumping duty order. In addition, section 752(c)(3) of the Act provides that the Department will provide to the ITC the magnitude of the margin of dumping likely to prevail if the orders

¹¹ See Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Final Rescission of Antidumping Duty Administrative Review, 74 FR 17950 (April 20, 2009).

¹² See Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Final Results of Antidumping Duty Changed Circumstance Review, 70 FR 71802 (November 30, 2005).

¹³ Note that for certain orders, not all of these companies were identified as interested parties. However, because they were each identified as interested parties for some of the orders and in no instances filed individual substantive responses, they are referenced collectively.

were revoked. Below we address the comments of the domestic interested parties that submitted substantive responses:

1. Likelihood of Continuation or Recurrence of Dumping

Certain domestic interested parties and U.S. Steel state section 752(c)(1) of the Act provides that in determining the likelihood of continuation or recurrence of dumping the Department will consider: (1) the weighted average dumping margins determined in the investigation and subsequent reviews, and (2) the volume of imports of the subject merchandise for the period after the issuance of the antidumping duty order or acceptance of suspension. They also state the Department will normally determine that revocation of an antidumping duty order is likely to lead to continuation or recurrence of dumping where: (a) dumping continues at any level above de minimis after the issuance of the order, (b) imports of subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order or the suspension agreement, and import volumes for the subject merchandise declined significantly.

Certain domestic interested parties and U.S. Steel argue that revocation of the antidumping duty orders on circular welded non-alloy steel pipe from Mexico, Brazil, the Republic of Korea, and Taiwan, and circular welded carbon steel pipes and tubes from Taiwan would likely lead to the continuation or recurrence of dumping, for the reasons indicated below.

Certain Circular Welded Non-Alloy Steel Pips from Mexico (A-201-805)

Certain domestic interested parties note the Department found above de minimis dumping margins in the final results of the two administrative reviews completed since the most recent continuation of the order that are referenced in the “History of the Orders” section above. Certain domestic interested parties note the same rationale (above de minimis dumping margins) was cited by the Department in the second sunset review of the order as reason to conclude dumping was likely to continue or recur.

U.S. Steel also argues that the order should be continued because the Department found above de minimis dumping margins in the aforementioned administrative reviews. U.S. Steel notes above de minimis dumping margins were also found during both the first and the second sunset review periods and, as a result, the Department concluded dumping was likely to continue or recur. U.S. Steel also states that even if dumping at above de minimis level had ceased, import volumes had declined significantly after the order went into effect.

Certain Circular Welded Non-Alloy Steel Pipe from Brazil (A-351-809)

Certain domestic interested parties note there were no administrative reviews of this order during the third sunset review period, which was also the case during the prior two sunset review periods. They state the Department noted in the prior sunset review that the cash deposit rates at above de minimis level continued to be in effect, which provided the Department’s basis for concluding dumping was likely to continue or recur. Certain domestic interested parties also

note that import levels during the third sunset review period continued to be well below levels before the issuance of the antidumping duty order.

U.S. Steel states the Department has found dumping continued at an above de minimis level in each of the prior two sunset reviews, and the 103.38 percent rate from the investigation continues to apply to all companies. U.S. Steel states the continued existence of this rate in itself is a sufficient basis for the Department to conclude that Brazilian producers and exporters of subject merchandise are likely to continue to engage in dumping in absence of the order. U.S. Steel also states that even if dumping at above de minimis level had ceased, import volumes had declined significantly after the order went into effect, and continued during the third sunset review period at levels well below those prior to the issuance of the order.

Certain Circular Welded Non-Alloy Steel Pipe from the Republic of Korea (A-580-809)

Certain domestic interested parties note the Department found above de minimis dumping margins in the final results of the two administrative reviews completed since the most recent continuation of the order that are referenced in the “History of the Orders” section above. Certain domestic interested parties note the same rationale (above de minimis dumping margins) was cited by the Department in the second sunset review of the order as reason to conclude dumping was likely to continue or recur.

U.S. Steel also argues that the order should be continued because the Department found above de minimis dumping margins in the aforementioned administrative reviews. U.S. Steel notes above de minimis dumping margins were also found during both the first and the second sunset review periods and, as a result, the Department concluded dumping was likely to continue or recur. U.S. Steel also states that even if dumping at above de minimis level had ceased, import volumes had declined significantly after the order went into effect, and continued at much reduced levels during the third sunset review period.

Certain Circular Welded Non-Alloy Steel Pipe from Taiwan (A-583-814)

Certain domestic interested parties note there were no administrative reviews of this order during the sunset review period, which was also the case during the prior two sunset review periods. They state the Department noted in the prior sunset review that the cash deposit rates at above de minimis level continued to be in effect, which provided the Department’s basis for concluding dumping was likely to continue or recur.

U.S. Steel states the Department has found dumping continued at an above de minimis level in each of the prior two sunset reviews, and the rates in effect from the investigation continue to apply. U.S. Steel states the continued existence of these rates in itself is a sufficient basis for the Department to conclude that Taiwanese producers and exporters of subject merchandise are likely to continue to engage in dumping in absence of the order. U.S. Steel also states that even if dumping at above de minimis level had ceased, import volumes had declined significantly after the order went into effect, and generally continued during the third sunset review period at levels below those prior to the issuance of the order.

Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan (A-583-008)

Certain domestic interested parties note the Department found above de minimis dumping margins in the final results of the administrative reviews completed since the most recent continuation of the order that is referenced in the “History of the Orders” section above. Certain domestic interested parties note the same rationale (above de minimis dumping margins) was cited by the Department in the second sunset review of the order as reason to conclude dumping was likely to continue or recur.

U.S. Steel also argues that the order should be continued because the Department found above de minimis dumping margins in the aforementioned administrative review. U.S. Steel notes above de minimis dumping margins were also found during both the first and the second sunset review periods and, as a result, the Department concluded dumping was likely to continue or recur. U.S. Steel also states that even if dumping at above de minimis level had ceased, import volumes had declined significantly after the order went into effect, and continued at reduced levels during the third sunset review period.

Department’s Position

Consistent with the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act, specifically the Statement of Administrative Action (SAA), 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), the Department’s determination of likelihood will be made on an order-wide basis. In addition, the Department normally will determine that revocation of an 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 order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of an order and import volumes for the subject merchandise declined significantly.¹⁴ Also pursuant to section 752(c)(1)(B) of the Act, the Department considered the volume of imports of the subject merchandise for the period before and after the issuance of each antidumping order.

Certain Circular Welded Non-Alloy Steel Pipe from Mexico (A-201-805)

As noted above, the Department found that dumping continued at levels above de minimis in two completed administrative reviews during the third sunset review period. Annual import levels during the third sunset review period (2006-2010) ranged from 47 thousand metric tons per year to 68 thousand metric tons per year, in each year exceeding the 44 thousand metric ton level of 1991, the final year before the issuance of the order.¹⁵

¹⁴ See, e.g., Certain Tin Mill Products From Japan; Final Results of the Second Expedited Sunset Review of the Antidumping Duty Order, 76 FR 60001 (September 28, 2011) and accompanying Issues and Decision Memorandum at Issue 1.

¹⁵ See memorandum from Steve Bezirgianian through Robert James to the File entitled “Import Volumes for the Final Results of Expedited Five-Year (Sunset) Reviews of the Antidumping Duty Orders on Certain Circular

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. See SAA at 890. As noted, the Department found companies to be dumping at levels above de minimis during the third sunset review period. Thus, the Department determines that dumping is likely to continue or recur if the order were revoked.

Certain Circular Welded Non-Alloy Steel Pipe from Brazil (A-351-809)

For this order, in the less-than-fair-value (LTFV) investigation the Department determined that dumping occurred at above the de minimis level.¹⁶ No administrative reviews were completed during the third sunset review period, and there is no evidence that the dumping behavior of Brazilian respondents has changed. Separately, even if the dumping at levels above de minimis had been eliminated and the import volumes for the subject merchandise declined significantly, the Department would normally determine that the revocation of the order is likely to lead to continuation or recurrence of dumping. Here, annual import levels during the third sunset review period (2006-2010) ranged from 350 to 564 metric tons, a significant decline from the pre-order (1991) level of 40 thousand metric tons.¹⁷ Thus, the Department determines that dumping is likely to continue or recur if the order were revoked.

Certain Circular Welded Non-Alloy Steel Pipe from the Republic of Korea (A-580-809)

As noted above, the Department found that dumping continued at levels above de minimis in two completed administrative reviews during the third sunset review period.

If companies continue to dump with the discipline of an order in place, it is reasonable to conclude that dumping is likely to continue or recur if the order were revoked. See SAA at 890. As noted, the Department found companies to be dumping during the third sunset review period. Separately, even if the dumping at levels above de minimis had been eliminated and the import volumes for the subject merchandise declined significantly, the Department would normally determine that the revocation of the order is likely to lead to continuation or recurrence of dumping. Here, annual import levels during the third sunset review period (2006-2010) ranged from 29 thousand metric tons to 112 thousand metric tons, a significant decline from the pre-order (1991) level of 295 thousand metric tons.¹⁸ Thus, the Department determines that dumping is likely to continue or recur if the order were revoked.

Certain Circular Welded Non-Alloy Steel Pipe from Taiwan (A-583-814)

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” (Import Volumes Memorandum), dated October 20, 2011.

¹⁶ See Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe From Brazil, 57 FR 42940 (September 17, 1992).

¹⁷ See Import Volumes Memorandum.

¹⁸ See Import Volumes Memorandum.

For this order, in the LTFV investigation the Department determined that dumping occurred at above the de minimis level.¹⁹ No administrative reviews were completed during the third sunset review period, and there is no evidence that the dumping behavior of Taiwanese respondents has changed. Separately, even if the dumping at levels above de minimis had been eliminated and the import volumes for the subject merchandise declined significantly, the Department would normally determine that the revocation of the order is likely to lead to continuation or recurrence of dumping. Here, annual import levels during the third sunset review period (2006-2010) were all below two thousand metric tons, a significant decline from the pre-order (1991) level of 35 thousand metric tons.²⁰ Thus, the Department determines that dumping is likely to continue or recur if the order were revoked.

Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan (A-583-008)

As noted above, the Department found that dumping continued at a level above de minimis in the two completed administrative reviews during the third sunset review period.

If companies continue to dump with the discipline of an order in place, it is reasonable to conclude that dumping is likely to continue or recur if the order were revoked. See SAA at 890. As noted, the Department found a company to be dumping during the third sunset review period. Separately, even if the dumping at levels above de minimis had been eliminated and the import volumes for the subject merchandise declined significantly, the Department would normally determine that the revocation of the order is likely to lead to continuation or recurrence of dumping. Here, annual import levels during the third sunset review period (2006-2010) ranged from six thousand metric tons to 67 thousand metric tons, a significant decline from the pre-order (1983) level of 119 thousand metric tons.²¹ Thus, the Department determines that dumping is likely to continue or recur if the order were revoked.

2. Magnitude of the Margin Likely to Prevail

The domestic interested parties suggest that the Department report to the ITC the dumping margins established in the original investigations 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.

Department's Position

Section 752 (c)(3) of the Act provides that the Department will report 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 from the final determination of the original investigation

¹⁹ See Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe From Taiwan, 57 FR 42961 (September 17, 1992).

²⁰ See Import Volumes Memorandum.

²¹ See Import Volumes Memorandum.

because that is the only calculated rate that reflects the behavior of each exporter and/or producer without the discipline of an order. See SAA at 890 and the House Report at 64. For companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide dumping margins based on the “all others” rate from the investigation. Consistent with the SAA, the Department’s preference for selecting a dumping margin from the investigation is based on the fact that it is the only calculated rate that reflects the behavior of producers and exporters without the discipline of an order in place. See SAA at 890.

The Department agrees with the domestic interested parties concerning the dumping margins likely to prevail if the antidumping duty orders on certain 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 were revoked. In the original investigations, the Department found that producers and exporters were selling the subject merchandise in the United States at LTFV. In the antidumping duty orders, the Department established company-specific and “all others” weighted-average dumping margins above the de minimis level. In the final results of the first and second sunset reviews, the Department determined that the dumping margins calculated in the original investigation are probative of the behavior of the Brazilian, Mexican, Korean, and Taiwanese producers and exporters of the subject merchandise under review.²²

Since the completion of the second sunset reviews, for those orders for which administrative reviews were completed, the Department continued to find dumping of the subject merchandise. As in the first and second sunset reviews, the Department finds that the dumping margins from the original investigation are probative of the behavior of producers and exporters without the discipline of the orders in place. For those orders for which administrative reviews were not completed, imports declined significantly from pre-order levels, and if subject imports decrease in volume, this suggests that the Department may reasonably assume that exporters could not sell in the United States without dumping and that exporters would have to resume dumping to reenter the United States market. See SAA at 890. Consistent with section 752(c) of the Act, the Department reported to the ITC company-specific and “all others” rates from the investigations as indicated in the “Final Results of Review” section of this memorandum.

Final Results of Reviews

The Department determines that revocation of the antidumping duty orders on 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 would be likely to lead to continuation or recurrence of dumping at the following weight-average dumping margins:

²² See Certain Circular Welded Carbon Steel Pipes and Tubes from India, Taiwan, Thailand, and Turkey, and Circular Welded Non-Alloy Steel Pipe from Brazil, Republic of Korea, Mexico, and Taiwan; Notice of Final Results of Expedited Five-Year (“Sunset”) Reviews of Antidumping Duty Orders, 70 FR 67662 (November 8, 2005); Final Results of Expedited Sunset Reviews: Certain Circular Welded Non-Alloy Steel Pipe From Brazil, the Republic of Korea, Mexico, Taiwan, and Venezuela, 64 FR 67854 (December 3, 1999); and Final Results of Expedited Sunset Review: Small Diameter Carbon Steel Pipes and Tubes From Taiwan, 64 FR 67873 (December 3, 1999).

Manufacturers/Exporters	Weighted-Average Margin (percent)
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Certain Circular Welded Non-Alloy Steel Pipe

Brazil	
Persico Pizzamiglio S.A.	103.38%
All Others	103.38%
Mexico	
HYLSA S.A. de C.V. ²³	32.62%
All Others	32.62%
The Republic of Korea	
Hyundai Steel Pipe Co., Ltd	6.86%
Korea Steel Pipe Co., Ltd	6.21%
Masan Steel Tube Works Co., Ltd	11.63%
Pusan Steel Pipe Co., Ltd	4.91%
All Others	6.37%
Taiwan	
Kao Hsing Chang Iron & Steel Corp	19.46%
Yieh Hsing Enterprise Co., Ltd.	27.65%
All Others	23.56%

Certain Circular Welded Carbon Steel Pipes and Tubes

Taiwan	
Kao Hsing Chang Iron & Steel Corporation	9.70%
Tai Feng Industries, Inc.	43.70%
Yieh Phui Enterprise Co, Ltd. ²⁴	38.50%
All Others	9.70%

²³ The Department found that Ternium Mexico S.A. de C.V. is the successor-in-interest to HYLSA S.A. de C.V. See Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico, 74 FR 41681 (August 18, 2009).

²⁴ The Department found that Yieh Phui Enterprise Co., Ltd. is the successor-in-interest to Yieh Hsing Enterprise Co., Ltd. See Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Final Results of Antidumping Duty Changed Circumstance Review, 70 FR 71802 (November 30, 2005).

Recommendation

Based on our analysis of the substantive responses received, we recommend adopting all of the above positions. If these recommendations are accepted, we will publish the final results of this sunset review in the Federal Register.

AGREE _____

DISAGREE _____

Ronald K. Lorentzen

Ronald K. Lorentzen
Deputy Assistant Secretary
for Import Administration

October 21, 2011

Date