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Sunset Reviews
Public Document
AD/CVD Operations

Office 4: MAB, Office 6: MD, Office 7: DS

TO: David M. Spooner
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THROUGH: Stephen J. Claeys
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FROM: Malcolm Burke (Office 4), Martha Douthit (Office 6) and Deborah Scott
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SUBJECT: Issues and Decision Memorandum for the Final Results of the Expedited Sunset
Reviews of the Antidumping Duty Orders on Certain Hot-Rolled Carbon Steel
Flat Products from Argentina, the People's Republic of China, India, Indonesia,
Kazakhstan, Romania, South Africa, Taiwan, Thailand, and Ukraine

Summary

We have analyzed the responses of the interested parties in the expedited sunset reviews of the antidumping duty orders covering certain hot-rolled carbon steel flat products (the "subject merchandise") from Argentina, the People's Republic of China ("PRC"), India, Indonesia, Kazakhstan, Romania, South Africa, Taiwan, Thailand, and Ukraine (the "Subject Countries"). We recommend that you approve the positions we developed in the "Discussion of the Issues" section of this memorandum. Below are the issues upon which we received substantive comments in these sunset reviews:

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

History of the Orders

Determinations of Sales at Less Than Fair Value and Orders

In 2001, the Department of Commerce (the "Department") published in the Federal Register its final affirmative determinations of sales at less than fair value with respect to imports of the subject merchandise from the Subject Countries at the following percentage margins:

| <u>Country</u> | Producer/Exporter | Weighted-Average Margin |
|-------------------------------|---|-------------------------|
| <u>Argentina</u> ¹ | | |
| | Siderar SAIC | 44.59% |
| | All others | 40.60% |
| <u>PRC</u> ^{2, 3} | | |
| | Angang Group International Trade Co. Ltd., New Iron & Steel Co., Ltd., and Angang Group Hong Kong Co., Ltd. (“Angang”) | 69.85% |
| | Shanghai Baosteel Group Corporation, Baoshan Iron & Steel Co., Ltd., and Baosteel Group International Trade Corporation (“Baosteel”) | 64.20% |
| | Benxi Iron & Steel Group International Economic & Trade Co., Ltd., Bengang Steel Plates Co., Ltd., and Benxi Iron & Steel Group Co., Ltd. (“Benxi”) | 90.83% |
| | Panzhuhua Iron and Steel (Group) Co. | 65.59% |
| | Wuhan Iron and Steel Group Corporation | 65.59%, |
| | PRC-wide | 90.83% |
| <u>India</u> ⁴ | | |
| | Ispat Industries Ltd. | 44.40% |
| | Essar Steel Ltd. | 36.53% |
| | All others | 38.72% |

¹ Notice of Final Determination of Sales at Less Than Fair Value: Hot-Rolled Carbon Steel Flat Products From Argentina, 66 FR 37,001 (July 16, 2001).

² Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products From the People’s Republic of China, 66 FR 49,632 (Sept. 28, 2001) (the “PRC Determination”).

³ Angang, Baosteel, and Benxi appealed the Department’s PRC Determination. As a result of that appeal, the Department amended the PRC Determination to reflect the results of the second remand determination and recalculated margins of 31.09%, 12.39%, and 57.19% for Angang, Baosteel, and Benxi, respectively. See Certain Hot-Rolled Carbon Steel Flat Products From the People’s Republic of China; Notice of Amended Final Determination Pursuant to Court Decision, 70 FR 69,734 (Nov 17, 2005).

⁴ Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From India, 66 FR 60,194 (Dec. 3, 2001).

| | |
|--|---------|
| <u>Indonesia</u> ⁵ | |
| PT Krakatau Steel Corporation | 47.86% |
| All others | 47.86% |
| <u>Kazakhstan</u> ⁶ | |
| Ispat Karmet | 243.46% |
| Kazakhstan-wide | 243.46% |
| <u>Romania</u> ⁷ | |
| Sidex, S.A., Sidex Trading SRL, and Sidex International Plc. | 16.34% |
| Metalexportimport S.A. (“MEI”) | 18.04% |
| Metanef S.A. | 21.59% |
| Metagrimex Business Group S.A. | 16.29% |
| Romania-wide | 88.62% |
| <u>South Africa</u> ⁸ | |
| Highveld Steel and Vanadium Corporation Limited | 9.28% |
| Iscor Limited/Saldanha Steel Limited | 9.28% |
| All others | 9.28% |
| <u>Taiwan</u> ⁹ | |
| An Feng Steel Co., Ltd | 29.14% |
| China Steel Corporation/Yieh Loong | 29.14% |
| All others | 20.28% |
| <u>Thailand</u> ¹⁰ | |
| Sahaviriya Steel Industries (“SSI”) | 4.44% |
| Siam Strip Mill Public (“SSMP”) | 20.30% |
| All others | 4.44% |

⁵ Notice of Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products From Indonesia, 66 FR 49,628 (Sept. 28, 2001).

⁶ Notice of Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products From Kazakhstan, 66 FR 50,397 (Oct. 3, 2001).

⁷ Notice of Amended Final Antidumping Duty Determination and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Romania, 66 FR 59,566 (Nov. 29, 2001).

⁸ Notice of Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products From South Africa, 66 FR 37,002 (July 16, 2001).

⁹ Notice of Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products From Taiwan, 66 FR 49,618 (Sept. 28, 2001).

¹⁰ Notice of Final Determination of Sales at Less Than Fair Value; Certain Hot-Rolled Carbon Steel Flat Products From Thailand, 66 FR 49,622 (Sept. 28, 2001).

Ukraine¹¹

Ukraine-wide

90.33%

Thereafter, the Department published individual antidumping duty orders on the subject merchandise from the Subject Countries in the Federal Register (collectively, the “Orders”).¹²

Administrative Reviews

Since the issuance of the Orders, the Department has conducted no administrative reviews of the orders from Argentina, PRC, Indonesia, Kazakhstan, Taiwan, or Ukraine. The Department has completed one administrative review of the order from South Africa, and two administrative reviews of each of the orders from India, Romania, and Thailand, as summarized below.

Indian Order:

The first completed administrative review, covering the period May 3, 2001 through November 30, 2002, involved one producer/exporter, Essar Steel Ltd. (“Essar”). The second completed administrative review also involved only Essar and covered the period of December 1, 2003 through November 30, 2004. In the final results of both these reviews, the Department calculated a zero percent margin for Essar.¹³

Romanian Order:

The first completed administrative review, covering the period November 1, 2002 through October 31, 2003, involved one producer/exporter, Ispat Sidex. In the final results of that review

¹¹ Notice of Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products From Ukraine, 66 FR 50,401 (Oct. 3, 2001).

¹² Notice of Antidumping Duty Orders: Certain Hot-Rolled Carbon Steel Flat Products From Argentina and the Republic of South Africa, 66 FR 48,242 (Sept. 19, 2001) (the “Argentine {South African} Order”); Notice of Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From the People’s Republic of China, 66 FR 59,561 (Nov. 29, 2001) (the “PRC Order”); Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From India, 66 FR 60,194 (Dec. 3, 2001) (the “Indian Order”); Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Indonesia, 66 FR 60,192 (Dec. 3, 2001) (the “Indonesian Order”); Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Kazakhstan, 66 FR 58,435 (Nov. 21, 2001) (the “Kazakh Order”); Notice of Amended Final Antidumping Duty Determination and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Romania, 66 FR 59,566 (Nov. 29, 2001) (the “Romanian Order”); Notice of Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Taiwan, 66 FR 59,563 (Nov. 29, 2001) (the “Taiwanese Order”); Notice of Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Thailand, 66 FR 59,562 (Nov. 29, 2001) (the “Thai Order”); and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Ukraine, 66 FR 59,559 (Nov. 29, 2001) (the “Ukrainian Order”).

¹³ Certain Hot-Rolled Carbon Steel Flat Products From India: Final Results of Antidumping Duty Administrative Review, 69 FR 36,060 (June 28, 2004); and Certain Hot-Rolled Carbon Steel Flat Products From India: Final Results of Antidumping Duty Administrative Review, 71 FR 40,694 (July 18, 2006).

the Department calculated a zero percent margin for Ispat Sidex.¹⁴ In the second administrative review, covering the period November 1, 2003 through October 31, 2004, the Department reviewed MEI and Mittal Steel Galati S.A. (“MS Galati”), the successor-in-interest to Ispat Sidex.¹⁵ The Department rescinded the review with respect to MEI, after a finding of no shipments of the subject merchandise during the relevant period, and calculated a 1.59% dumping margin for MS Galati.¹⁶ In the third administrative review, covering the period November 1, 2004 through October 31, 2005, the Department reviewed MS Galati, and has preliminarily calculated a zero percent dumping margin for that producer.¹⁷ The final results of that review are currently scheduled for February 2007.

South African Order:

The only completed administrative review, covering the period May 3, 2001 through April 31, 2002, involved three producers/exporters, Highveld, and the collapsed entity of Iscor Limited/ Saldanha Steel Limited. In the final results of that review, the Department calculated margins of 9.28% for the named producers.¹⁸

Thai Order:

The first completed administrative review, covering the period May 3, 2001 through October 31, 2002, involved three producers/exporters, SSI, SSMP, and Nakornthai Strip Mill Public Co., Ltd. (“NSM”). In the final results of that review the Department calculated a zero percent margin for SSI and rescinded the review with respect to SSMP and NSM, after finding that these two companies had no entries of subject merchandise during the relevant period (the “POR”).¹⁹ In the second completed administrative review, covering the period November 1, 2003 through October 31, 2004, the Department calculated a margin of zero percent for SSI and rescinded the review with respect to NSM and G Steel Public Company Limited (“G Steel,” formerly SSMP), because the Department determined that the latter two companies had no entries of the subject merchandise during the POR.²⁰ Also, because the Department determined that SSI had not sold the subject merchandise at less than fair value for three

¹⁴ Certain Hot-Rolled Carbon Steel Flat Products From Romania: Final Results of Antidumping Duty Administrative Review, 70 FR 34,448 (June 14, 2005).

¹⁵ Notice of Final Results of Antidumping Duty Changed-Circumstances Review: Certain Hot-Rolled Carbon Steel Flat Products From Romania, 70 FR 40,982 (July 15, 2005).

¹⁶ Certain Hot-Rolled Carbon Steel Flat Products From Romania: Final Results of Antidumping Duty Administrative Review and Rescission in Part of Administrative Review, 71 FR 30,656 (May 30, 2006).

¹⁷ Certain Hot-Rolled Carbon Steel Flat Products From Romania: Preliminary Results of the Antidumping Duty Administrative Review, 71 FR 62,082 (Oct. 23, 2006).

¹⁸ Certain Hot-Rolled Carbon Steel Flat Products From South Africa: Final Results of Antidumping Duty Administrative Review, 68 FR 64,853 (Nov. 17, 2003).

¹⁹ Certain Hot-Rolled Carbon Steel Flat Products From Thailand: Final Results and Partial Recession of Antidumping Duty Administrative Review, 69 FR 19,388 (Apr. 13, 2004).

²⁰ While G Steel reported in the second administrative review that it was the successor-in-interest to Siam Strip, the Department has made no such determination in a changed-circumstances review, or administrative review.

consecutive years, the Department revoked the order with respect to SSI.²¹ In the third administrative review, covering the period November 1, 2004 through October 31, 2005, the Department has preliminarily rescinded the review with respect to G Steel, after a finding of no shipments of the subject merchandise. The Department also has preliminarily calculated a zero percent dumping margin for NSM.²² The final results of that review are currently scheduled for March 2007.

Other Segments

The only changed-circumstances review among the Orders concerned the Romanian Order, as discussed in the “Romanian Order” section above. In 2002, the Department classified Kazakhstan as a market economy country.²³ In 2003, the Department classified Romania as a market economy country,²⁴ and in 2006, the Department classified Ukraine as a market economy country.²⁵ Accordingly, the Kazakhstan-wide, the Romania-wide and the Ukraine-wide rates are now referred to as “all others” rates. There have been no duty absorption findings, scope rulings, or circumvention determinations concerning the Orders.

Sunset Reviews

In August 2006, the Department published the notice of initiation of the sunset reviews of the Orders pursuant to section 751(c) of the Tariff Act of 1930, as amended (the “Act”).²⁶ The Department received timely notices of intent to participate from United States Steel Corporation, Mittal Steel USA Inc., Nucor Corporation, Gallatin Steel Company, Steel Dynamics Inc., IPSCO Steel Inc. and United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (“USW”). These parties claimed interested party status under sections 771(9)(C) or (D) of the Act, as manufacturers of a domestic like product, or as a

²¹ Certain Hot-Rolled Carbon Steel Flat Products from Thailand: Final Results of Antidumping Duty Administrative Review, Partial Revocation of Antidumping Duty Order and Partial Rescission of Antidumping Duty Administrative Review, 71 FR 28,659 (May 17, 2006).

²² Certain Hot-Rolled Carbon Steel Flat Products From Thailand; Preliminary Results of Antidumping Duty Administrative Review and Rescission in Part, 71 FR 65,458 (Nov. 8, 2006).

²³ Notice of Final Determination of Sales at Less Than Fair Value: Silicomanganese From Kazakhstan, 67 FR 15,535 (Apr. 2, 2002).

²⁴ Certain Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Romania: Final Results of Antidumping Duty Administrative Review, 68 FR 12672, 12673 (Mar. 17, 2003) (Effective January 1, 2003, the Department determined to reclassify Romania as a market economy for purposes of antidumping and countervailing duty proceedings, pursuant to section 771(18)(A) of the Act). *See also*, Memorandum from Lawrence Norton, Import Policy Analyst, to Joseph Spetrini, Acting Assistant Secretary for Import Administration, “Antidumping Duty Administrative Review of Certain Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Romania-Non-Market Economy Status Review” (March 10, 2003).

²⁵ Final Results of Inquiry Into Ukraine’s Status as a Non-Market Economy Country, 71 FR 9,520 (Feb. 24, 2006).

²⁶ Initiation of Five-year (“Sunset”) Reviews, 71 FR 43,443 (Aug. 1, 2006).

union whose members are engaged in the production of a domestic like product. With the exception of USW, the Department received timely and complete substantive responses from the parties identified above (the “Domestic Parties”). The Department did not receive any responses from respondent interested parties with respect to the sunset reviews of the Orders. 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 the Orders.

Discussion of the Issues

In accordance with section 751(c)(1) of the Act, the Department conducted these sunset reviews to determine whether revocation of the Orders would be likely to lead to the continuation or recurrence of dumping. Sections 752(c)(1)(A) and (B) of the Act provide that, in making this determination, the Department shall consider both the weighted-average dumping margins determined in the investigations and any subsequent reviews, as well as the volume of imports of the subject merchandise during the periods before and after the issuance of the orders. In addition, section 752(c)(3) of the Act provides that the Department shall provide to the U.S. International Trade Commission (the “ITC”) the magnitude of the margins of dumping likely to prevail if the orders were revoked.

1. Likelihood of Continuation or Recurrence of Dumping

Domestic Parties’ Comments

The Domestic Parties’ substantive comments concerning the likelihood of the continuation or recurrence of dumping were included in individual order-specific submissions, as summarized below.²⁷

Argentine Order:

The Domestic Parties argue that dumping of subject merchandise from Argentina is likely to continue or recur if the Argentine Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where imports ceased after the issuance of the order.²⁸

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports ceased following the issuance of the Order.

²⁷ Domestic Parties’ Argentine Substantive Response, August 31, 2006 (the “Argentine SR”); Domestic Parties’ PRC Substantive Response, August 31, 2006 (the “PRC SR”); Domestic Parties’ Indian Substantive Response, August 31, 2006 (the “Indian SR”); Domestic Parties’ Indonesian Substantive Response, August 31, 2006 (the “Indonesian SR”); Domestic Parties’ Kazakh Substantive Response, August 31, 2006 (the “Kazakh SR”); Domestic Parties’ Romanian Substantive Response, August 31, 2006 (the “Romanian SR”); Domestic Parties’ South African Substantive Response, August 31, 2006 (the “South African SR”); Domestic Parties’ Taiwan Substantive Response, August 31, 2006 (the “Taiwanese SR”); Domestic Parties’ Thai Substantive Response, August 31, 2006 (the “Thai SR”); and Domestic Parties’ Ukrainian Substantive Response, August 31, 2006 (the “Ukrainian SR”).

²⁸ Argentine SR, at 5 *et seq.*

Specifically, the Domestic Parties state that since the issuance of the Argentine Order, imports of the Subject Merchandise ceased between September 2003 and June 2006 and that, prior to that cessation, imports entered at dumping margins above de minimis.²⁹ The Domestic Parties additionally state that no administrative reviews have been conducted since the issuance of the Argentine Order and that, as a result, the dumping margins calculated in the investigation remain in effect and provide sufficient basis for the Department to find that Argentine producers are likely to continue dumping in the absence of the order.³⁰

PRC Order:

The Domestic Parties argue that dumping of subject merchandise from the PRC is likely to continue or recur if the PRC Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import volumes for the subject merchandise declined significantly following the imposition of the order.³¹

The Domestic Parties state that no administrative reviews have been completed since the issuance of the PRC Order and that, as a result, the dumping margins calculated in the investigation remain in effect. The Domestic Parties contend that the continued existence of above de minimis margins serves as sufficient bases for the Department to find that PRC producers are likely to continue dumping in the absence of the order.³²

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the PRC Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically they state that post-order PRC imports fell sharply, to between 0.0048% and 1.14% of pre-initiation levels, and claim that such significant decreases in import volumes justify continuation of the PRC Order.³³

Indian Order:

The Domestic Parties argue that dumping of subject merchandise from India is likely to continue or recur if the Indian Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import

²⁹ *Id.* at Figure 1.

³⁰ *Id.* at 7-9.

³¹ PRC SR, at 5 *et seq.*

³² *Id.* at 9-10.

³³ *Id.* at 10-11 and Figure 1.

volumes for the subject merchandise declined significantly following the imposition of the order.³⁴

The Domestic Parties state that, with the exception of Essar, there have been no administrative reviews conducted for Indian producers and that, as a result, the dumping margins calculated in the investigation remain in effect for those producers. The Domestic Parties contend that the continued existence of above de minimis margins serves as sufficient bases for the Department to find that Indian producers are likely to continue dumping in the absence of the order.³⁵

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically, they contend that Indian imports fell to between 0.31% and 1.4% of pre-initiation levels, and claim that such steep decreases in import volumes justify continuation of the order.³⁶

Indonesian Order:

The Domestic Parties argue that dumping of subject merchandise from Indonesia is likely to continue or recur if the Indonesian Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import volumes for the subject merchandise declined significantly following the imposition of the order.³⁷

The Domestic Parties state that no administrative reviews have been completed since the issuance of the Indonesian Order and that, as a result, the dumping margins calculated in the investigation remain in effect. The Domestic Parties contend that the continued existence of above de minimis margins serves as sufficient bases for the Department to find that Indonesian producers are likely to continue dumping in the absence of the order.³⁸

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following

³⁴ Indian SR, at 4, *et seq.*

³⁵ *Id.* at 8-9.

³⁶ *Id.* at 9-10 and Figure 1.

³⁷ Indonesian SR, at 5, *et seq.*

³⁸ *Id.* at 7-8.

initiation of the investigation. Specifically, they contend relevant imports fell precipitously to between zero and 5 tons - well below the pre-initiation level of 304,760 tons, and claim that such a significant decrease in import volumes justifies continuation of the Indonesian Order. Finally, the Domestic Parties argue that, given the cash deposit rate of 47.86%, the 5 tons of subject merchandise reported for 2004 was likely misclassified, and surmise that Indonesian imports actually ceased altogether.³⁹

Kazakh Order:

The Domestic Parties argue that dumping of subject merchandise from Kazakhstan is likely to continue or recur if the Kazakh Order were revoked, and assert that under applicable law and policy, the Department normally determines that revocation of the order is likely to lead to continued dumping where imports ceased after the issuance of the order.⁴⁰

Citing U.S. Census Bureau import statistics by calendar year and by period of review, the Domestic Parties argue that relevant imports ceased following the issuance of the Kazakh Order. The Domestic Parties further argue that the cessation of imports, in itself, warrants continuation of the Order, but that, even assuming no such cessation, Kazakh imports would have entered at dumping margins above de minimis.⁴¹

The Domestic Parties state that no administrative reviews have been completed since the issuance of the Kazakh Order and that, as a result, the dumping margins calculated in the investigation remain in effect. The Domestic Parties contend that the continued existence of such above de minimis margins serves as a sufficient bases for the Department to find that Kazakh producers are likely to continue dumping in the absence of the order.⁴²

Romanian Order:

The Domestic Parties argue that dumping of subject merchandise from Romania is likely to continue or recur if the Romanian Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import volumes for the subject merchandise declined significantly following the imposition of the order.⁴³

The Domestic Parties state that, apart from MS Galati, no other Romanian producers have been subject to an administrative review and that, as a result, the dumping margins calculated in the investigation remain in effect for those producers. As for MS Galati, the Domestic Parties note that in the most recently completed administrative review, the Department calculated an above de

³⁹ *Id.* at 8-10.

⁴⁰ Kazakh SR, at 5, *et seq.*

⁴¹ *Id.* at 7-8 and Figure 1.

⁴² *Id.* at 8-9.

⁴³ Romanian SR, at 5, *et seq.*

mimimis margin for that producer. The Domestic Parties contend that the continued existence of such above de mimimis margins serves as sufficient bases for the Department to find that Romanian producers are likely to continue dumping in the absence of the order.⁴⁴

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically, they contend that Romanian imports fell to between 1.5% and 14% of pre-initiation levels, and claim that such a steep drop in import volumes justifies continuation of the order.⁴⁵

South African Order:

The Domestic Parties argue that dumping of subject merchandise from South Africa is likely to continue or recur if the South African Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de mimimis after the issuance of the order, and import volumes for the subject merchandise declined significantly following the imposition of the order.⁴⁶

The Domestic Parties state that in the only administrative review of the South African Order, dumping margins were found to be the same as those determined in the investigation (i.e., 9.28%), and that such continued existence of dumping margins above de mimimis, is a sufficient basis for the Department to conclude that South African producers are likely to engage in dumping in the absence of the order.⁴⁷

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically, the Domestic Parties argue that imports fell to between 0.58 percent and 53.5 percent of pre-initiation levels and contend that such a steep drop in imports warrants continuation of the South African Order.⁴⁸

⁴⁴ *Id.* at 9-10.

⁴⁵ *Id.* at 11-12 and Figure 1.

⁴⁶ South African SR, at 5, *et seq.*

⁴⁷ *Id.* at 8-9.

⁴⁸ *Id.* at 9-10.

Taiwanese Order:

The Domestic Parties argue that dumping of subject merchandise from Taiwan is likely to continue or recur if the Taiwanese Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import volumes for the subject merchandise declined significantly following the imposition of the order.⁴⁹

The Domestic Parties state that no administrative reviews have been completed since the issuance of the Taiwanese Order, and that, as a result, the dumping margins calculated in the investigation remain in effect. The Domestic Parties contend that the continued existence of above de minimis margins serves as sufficient bases for the Department to find that Taiwanese producers are likely to continue dumping in the absence of the order.⁵⁰

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically, they contend imports fell to between 0.025% and 0.23% of pre-initiation levels. The Domestic Parties claim that such a steep decline in import volumes warrants continuation of the Taiwanese Order.⁵¹

Thai Order:

The Domestic Parties argue that dumping of subject merchandise from Thailand is likely to continue or recur if the Thai Order were revoked. The Domestic Parties also contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import volumes of the subject merchandise declined significantly following the imposition of the order.⁵²

The Domestic Parties state that with the exception of SSI, the Department has not completed an administrative review of any Thai producer of the subject merchandise. Therefore, the Domestic Parties contend that the record shows these Thai producers have continued to dump at the rates calculated in the original investigation. The Domestic Parties further argue the continued existence of above de minimis margins is a sufficient basis upon which to determine that Thai producers likely will continue dumping in the absence of the order.⁵³

⁴⁹ Taiwanese SR, at 5, *et seq.*

⁵⁰ *Id.* at 8-9.

⁵¹ *Id.* at 9-10.

⁵² Thai SR, at 5, *et seq.*

⁵³ *Id.* at 9-10.

Citing U.S. Census Bureau import statistics, based on calendar year and by period of review, the Domestic Parties argue that relevant imports declined significantly following the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically, they contend imports fell to between 24 to 56 percent of the level of imports prior to initiation of the investigation, and claim this severe drop in imports justifies continuation of the Thai Order.⁵⁴

Ukrainian Order:

The Domestic Parties argue that dumping of Ukrainian subject merchandise is likely to continue or recur if the Ukrainian Order were revoked, and contend that under applicable law and policy, the Department normally determines that revocation is likely to lead to continued dumping where dumping continued at any level above de minimis after the issuance of the order, and import volumes of the subject merchandise declined significantly following the imposition of the order.⁵⁵

The Domestic Parties state that no administrative reviews have been completed since the issuance of the Ukrainian Order and that, as a result, the dumping margins calculated in the investigation remain in effect. The Domestic Parties contend that the continued existence of above de minimis margins serves as sufficient bases for the Department to find that Ukrainian producers are likely to continue dumping in the absence of the order.⁵⁶

Citing U.S. Census Bureau import statistics, by calendar year and by period of review, the Domestic Parties argue that Ukrainian imports of subject merchandise declined significantly since the issuance of the Order. The Domestic Parties additionally assert that the Department should compare post-order import volumes with import volumes prior to initiation of the investigation (rather than those prior to issuance of the order), as producers were likely to have altered their behavior following initiation of the investigation. Specifically, they contend that such imports fell to between zero and 0.29 percent of pre-initiation levels, and claim this steep decline in imports justifies continuation of the Ukrainian Order.⁵⁷

Respondent Interested Party Comments

As discussed in the “Sunset Reviews” section above, the Department did not receive any responses to the notice of initiation of these reviews from respondent interested parties.

⁵⁴ *Id.* at 10-12 and Figure 1.

⁵⁵ Ukrainian SR, at 5 *et seq.*

⁵⁶ *Id.* at 7-8.

⁵⁷ *Id.* at 8-9 and Figure 1.

Department's Position

Consistent with its practice, the Department's determinations of likelihood in these sunset reviews have been made on order-wide bases. The Department normally will determine that revocation of an antidumping duty 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 the order and import volumes for the subject merchandise declined significantly.

In addition, pursuant to section 752(c)(1)(B) of the Act, the Department considers the volume of imports of the subject merchandise for the periods before and after the issuance of the antidumping duty order. With regard to import volumes, the Department's normal practice is to compare the level of imports of subject merchandise from the period before the issuance of the order to import volumes after the issuance of the order. The Department considers that declining import volumes accompanied by the continued existence of dumping margins after the issuance of an order provide a strong indication that, absent an order, dumping would be likely to continue because the evidence would indicate that the exporter must dump in order to sell at pre-order volumes. That is, if companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the order were removed. Hence, in conducting these sunset reviews, the Department has analyzed and considered the volume of imports of the subject merchandise for the period prior to the issuance of each of the Orders and import volumes thereafter. As to each of the Orders, the Department makes the following findings concerning the likelihood of the continuation or recurrence of dumping.

Argentine Order:

We agree with the Domestic Parties that revocation of the Argentine Order is likely to lead to the continuation or recurrence of dumping. The Department has not conducted any administrative reviews with respect to the subject merchandise from Argentina. Therefore, the above de minimis deposit rates determined in the investigation remain in effect for U.S. imports from all producers and exporters of the subject merchandise from Argentina.

Import volume statistics maintained on the ITC Interactive Tariff and Trade DataWeb ("ITC DataWeb") and data submitted by the Domestic Parties indicate that relevant imports declined significantly after issuance of the order. The Department finds that imports of subject merchandise from Argentina fell to 3,681,185 kilograms in 2002, and ceased entirely in 2003, 2004, and 2005. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Memorandum to the File "Import Volume Statistics Used for the Issues and Decision Memorandum for the Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Hot-Rolled Carbon Steel Flat Products from Argentina, the People's Republic of China, India, Indonesia, Kazakhstan, Romania, South Africa, Taiwan, Thailand, and Ukraine," from Malcolm Burke, Trade Specialist, Office 4, AD/CVD Operations, dated concurrently herewith ("Import Volume Statistics"). This indicates that the Argentine producers/exporters were unable to sell under the Order at non-dumped prices.

Given that dumping margins have continued at above de minimis rates and import volumes, when present, have remained far below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Argentine Order were revoked.

PRC Order:

We agree with the Domestic Parties that revocation of the PRC Order is likely to lead to the continuation or recurrence of dumping. The Department has not conducted any administrative reviews with respect to the subject merchandise from the PRC. Therefore, the above de minimis deposit rates determined in the investigation remain in effect for U.S. imports from all producers and exporters of the subject merchandise from the PRC.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the order. The Department finds that imports of subject merchandise from the PRC fluctuated between 25,666 and 6,078,859 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained far below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the PRC Order were revoked.

Indian Order:

We agree with the Domestic Parties that revocation of the Indian Order is likely to lead to the continuation or recurrence of dumping. As discussed in the “History of the Orders” section above, the Department has completed two administrative reviews with respect to the subject merchandise from India. However, because those reviews determined a zero percent margin for only one producer, while determining an above de minimis “all others” rate, the Department finds that, on an order-wide basis, dumping has continued at above de minimis levels.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the Indian Order. The Department finds that imports of subject merchandise from India fluctuated between zero and 11,751,164 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained far below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Indian Order were revoked.

Indonesian Order:

We agree with the Domestic Parties that revocation of the Indonesian Order is likely to lead to the continuation or recurrence of dumping. The Department has not conducted any administrative reviews with respect to the subject merchandise from Indonesia. Therefore, the above de minimis deposit rates determined in the investigation remain in effect for U.S. imports from all producers and exporters of the subject merchandise from Indonesia.

Import volume statistics maintained on the ITC DataWeb indicate that, after issuance of the Indonesian Order, relevant imports ceased entirely in 2002, 2003, and 2005, and were only 4,590 kilograms in 2004. Although the Domestic Parties alleged that the 2004 volumes were likely misclassified, the Department was unable to confirm that allegation. However, such confirmation is not required for the Department's determination. When compared to pre-order levels, these statistics, whether or not the reported 2004 volumes are considered, indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates and imports have remained far below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Indonesian Order were revoked.

Kazakh Order:

We agree with the Domestic Parties that revocation of the Kazakh Order is likely to lead to the continuation or recurrence of dumping. The Department has not conducted any administrative reviews with respect to the subject merchandise from Kazakhstan. Therefore, the above de minimis deposit rates determined in the investigation remain in effect for U.S. imports from all producers and exporters of the subject merchandise from Kazakhstan.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports ceased entirely after issuance of the Kazakh Order, in 2002 through 2005. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained far below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Kazakh Order were revoked.

Romanian Order:

We agree with the Domestic Parties that revocation of the Romanian Order is likely to lead to the continuation or recurrence of dumping. The Department has completed two administrative reviews with respect to the subject merchandise from Romania. However, because these reviews determined a zero percent and 1.59% margin, respectively, for only one producer, while determining above de minimis "all others" rates, the Department finds that, on an order-wide basis, dumping has continued at above de minimis levels.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the Romanian Order. The Department finds that imports of subject merchandise from Romania fluctuated between 48,903 and 93,905,410 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained well below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Romanian Order were revoked.

South African Order:

We agree with the Domestic Parties that revocation of the South African Order is likely to lead to the continuation or recurrence of dumping. The Department has completed one administrative review with respect to the subject merchandise from South Africa, in which the Department determined the same margins for the reviewed companies and for the “all others” rate as those determined in the investigation.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the South African Order. The Department finds that imports of subject merchandise from South Africa fluctuated between 81,229 and 102,293,759 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained well below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the South African Order were revoked.

Taiwanese Order:

We agree with the Domestic parties that revocation of the Taiwanese Order is likely to lead to the continuation or recurrence of dumping. The Department has not conducted any administrative reviews with respect to the subject merchandise from Taiwan. Therefore, the above de minimis deposit rates determined in the investigation remain in effect for U.S. imports from all producers and exporters of the subject merchandise from Taiwan.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the Taiwanese Order. The Department finds that imports of subject merchandise from Taiwan fluctuated between 230,598 and 1,420,639 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained well below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Taiwanese Order were revoked.

Thai Order:

We agree with the Domestic Parties that revocation of the Thai Order is likely to lead to the continuation or recurrence of dumping. As discussed in the “History of the Orders” section above, the Department has completed two administrative reviews with respect to the subject merchandise from Thailand. As a result of those reviews, the Department revoked the Thai Order with regard to one producer, SSI. However, because above de minimis rates remain in effect for other producers, the Department finds that, on an order-wide basis, dumping has continued at above de minimis levels.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the Thai Order. The Department finds that imports of subject merchandise from Thailand fluctuated between 30,991,122 and 126,876,882 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Thai Order were revoked.

Ukrainian Order:

We agree with the Domestic Parties that revocation of the Ukrainian Order is likely to lead to the continuation or recurrence of dumping. The Department has not conducted any administrative reviews with respect to the subject merchandise from Ukraine. Therefore, the above de minimis deposit rates determined in the investigation remain in effect for U.S. imports from all producers and exporters of the subject merchandise from Ukraine.

Import volume statistics maintained on the ITC DataWeb indicate that relevant imports declined significantly after issuance of the Ukrainian Order. The Department finds that imports of subject merchandise from Ukraine fluctuated between zero and 1,426,039 kilograms per year during the 2002-2005 period. When compared to pre-order levels, these statistics indicate a significant decline in import volumes. See Import Volume Statistics.

Given that dumping margins have continued at above de minimis rates, and imports have remained well below pre-order levels, the Department determines, consistent with section 752(c)(1) of the Act, that dumping is likely to continue or recur if the Ukrainian Order were revoked.

2. Magnitude of the Margins Likely to Prevail

Domestic Parties' Comments

The Domestic Parties' substantive comments concerning the magnitude of the margins likely to prevail were included in the individual order-specific submissions, as summarized below.

Argentine Order:

The Domestic Parties state that, because there have been no administrative reviews of the Argentine Order, the only dumping margins determined with respect to the subject merchandise from Argentina were those calculated in the original investigation. Therefore, the Domestic Parties request that the Department report those margins to the ITC as the margins likely to prevail if the Argentine Order were revoked.⁵⁸

⁵⁸ Argentine SR, at 9.

PRC Order:

The Domestic Parties state that, because there have been no administrative reviews of the PRC Order, the only dumping margins determined with respect to the subject merchandise from the PRC were those calculated in the original investigation. Therefore, the Domestic Parties request that the Department report those margins to the ITC as the margins likely to prevail if the PRC Order were revoked.⁵⁹

Indian Order:

Citing the Policy Bulletin,⁶⁰ the Domestic Parties state that the Department will normally provide the ITC with margins determined in the investigation as the margins likely to prevail if an order were revoked, and request that the Department report those rates to the ITC with regard to the Indian Order.⁶¹

Indonesian Order:

The Domestic Parties state that, because there have been no administrative reviews of the Indonesian Order, the only dumping margins determined with respect to the subject merchandise from Indonesia were those calculated in the original investigation. Therefore, the Domestic Parties request that the Department report those margins to the ITC as the margins likely to prevail if the Indonesian Order were revoked.⁶²

Kazakh Order:

The Domestic Parties state that, because there have been no administrative reviews of the Kazakh Order, the only dumping margins determined with respect to the subject merchandise from Kazakhstan were those calculated in the original investigation. The Domestic Parties therefore request that the Department report those margins to the ITC as the margins likely to prevail if the Kazakh Order were revoked.⁶³

Romanian Order:

Citing the Policy Bulletin, the Domestic Parties state that the Department will normally provide the ITC with margins determined in the investigation as the margins likely to prevail if an order were revoked, and request that the Department report those rates to the ITC with regard to the Romanian Order.⁶⁴ The Domestic Parties further assert that the investigation rates should be reported because that is the Department's practice for orders involving economies that have since graduated to market economy status, when no administrative reviews have been completed since the graduation, as is the case for the Romanian Order.⁶⁵

⁵⁹ PRC SR, at 11 and 12.

⁶⁰ Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18,871 (Apr. 16, 1998) (the "Policy Bulletin").

⁶¹ Indian SR, at 10-11.

⁶² Indonesian SR, at 10.

⁶³ Kazakh SR, at 9-10.

⁶⁴ Romanian SR, at 10-11.

⁶⁵ *Id.* at 12-14.

South African Order:

Citing the Policy Bulletin, the Domestic Parties state that the Department will normally provide the ITC with margins determined in the investigation as the margins likely to prevail if an order were revoked, and request that the Department report those rates to the ITC with regard to the South African Order.⁶⁶

Taiwanese Order:

The Domestic Parties state that, because there have been no administrative reviews of the Taiwanese Order, the only dumping margins that have been determined with respect to the subject merchandise from Taiwan were those calculated in the original investigation. Therefore, the Domestic Parties request that the Department report those margins to the ITC as the margins likely to prevail if the Taiwanese Order were revoked.⁶⁷

Thai Order:

Citing the Policy Bulletin, the Domestic Parties state that the Department will normally provide the ITC with margins determined in the investigation as the margins likely to prevail if an order were revoked, and request that the Department report those rates to the ITC with regard to the Thai Order.⁶⁸

Ukrainian Order:

The Domestic Parties state that, because there have been no administrative reviews of the Ukrainian Order, the only dumping margins determined with respect to the subject merchandise from Ukraine were those calculated in the original investigation. Therefore, the Domestic Parties request that the Department report those margins to the ITC as the margins likely to prevail if the Ukrainian Order were revoked.⁶⁹

Respondent Interested Party Comments

As discussed in the “Sunset Reviews” section above, the Department did not receive any responses to the of initiation of these reviews from respondent interested parties.

Department’s Position

In a sunset review, the Department will normally provide to the ITC the margin that was determined in the final determination of the original investigation. For companies not specifically investigated, or for companies that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the “all others” rate from the investigation. The Department’s preference for selecting margins from the investigation is based on the fact that

⁶⁶ South African SR, at 10-11.

⁶⁷ Taiwanese SR, at 10.

⁶⁸ Thailand SR, at 12.

⁶⁹ Ukrainian SR, at 10.

it is the only calculated rate that reflects the behavior of manufacturers, producers, and exporters without the discipline of an order or suspension agreement in place.

As discussed above, the Department has conducted no administrative reviews of the Argentine, PRC, Indonesian, Kazakh, Taiwanese, or Ukrainian Orders. Similarly, in the only administrative review of the South African Order, the Department applied the same margins as those in the investigation. Finally, while the Department has calculated de minimis margins for certain respondents in administrative reviews of the Indian, Romanian, and Thai Orders, the Department found margins above de minimis for other respondents. Absent argument or company-specific data indicating that such respondents with lower or de minimis margins maintained pre-order sales levels, the Department will provide the ITC with the rates from the original investigation. However, with regard to SSI, the company with respect to which the Thai Order was revoked, as discussed in the “History of the Orders” section above, the Department determines that this company is no longer subject to the Thai Order and will not be included in the Department’s report to the ITC.

Thus, the Department finds that the margins calculated in the original investigations of the Orders are probative of the behavior of foreign producers and exporters, because these are the only calculated rates that reflect the behavior of manufacturers and exporters without the discipline of the Orders. Therefore, consistent with section 752(c) of the Act, the Department will report to the ITC the company-specific, PRC-wide, and “all others” rates from the investigations as indicated below.

Final Results of Review

As a result of these sunset reviews, the Department determines that revocation of the Orders would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

| <u>Country</u> | Producer/Exporter | Weighted-Average Margin |
|------------------|---|-------------------------|
| <u>Argentina</u> | | |
| | Siderar SAIC | 44.59% |
| | All others | 40.60% |
| <u>PRC</u> | | |
| | Angang Group International Trade Co. Ltd., New Iron & Steel Co., Ltd., and Angang Group Hong Kong Co., Ltd. | 31.09% |
| | Shanghai Baosteel Group Corporation, Baoshan Iron & Steel Co., Ltd., and Baosteel Group International Trade Corporation | 12.39% |

| | |
|---|---------|
| Benxi Iron & Steel Group International Economic & Trade Co., Ltd., Bengang Steel Plates Co., Ltd., and Benxi Iron & Steel Group Co., Ltd. | 57.19% |
| Panzhuhua Iron and Steel (Group) Co. | 65.59% |
| Wuhan Iron and Steel Group Corporation | 65.59% |
| PRC-wide | 90.83% |
| <u>India</u> | |
| Ispat Industries Ltd. | 44.40% |
| Essar Steel Ltd. | 36.53% |
| All others | 38.72% |
| <u>Indonesia</u> | |
| PT Krakatau Steel Corporation | 47.86% |
| All others | 47.86% |
| <u>Kazakhstan</u> | |
| Ispat Karmet | 243.46% |
| All others | 243.46% |
| <u>Romania</u> | |
| Sidex, S.A., Sidex Trading SRL, and Sidex International Plc. | 16.34% |
| Metalexportimport S.A. | 18.04% |
| Metanef S.A. | 21.59% |
| Metagrimex Business Group S.A. | 16.29% |
| All others | 88.62% |
| <u>South Africa</u> | |
| Highveld Steel and Vanadium Corporation Limited | 9.28% |
| Iscor Limited/Saldanha Steel Limited | 9.28% |
| All others | 9.28% |
| <u>Taiwan</u> | |
| An Feng Steel Co., Ltd. | 29.14% |
| China Steel Corporation/Yieh Loong | 29.14% |
| All others | 20.28% |
| <u>Thailand</u> | |
| Siam Strip Mill Public Co., Ltd. | 20.30% |
| All others | 4.44% |
| <u>Ukraine</u> | |
| All others | 90.33% |

Recommendation

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

AGREE _____

DISAGREE _____

David M. Spooner
Assistant Secretary
for Import Administration

(Date) _____