



## **INSTRUCTION BOOKLET**

### **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS FOR COMMISSION FOREIGN PRODUCER/EXPORTER QUESTIONNAIRES**

#### **Ferrovandium from China and South Africa Investigation Nos. 731-TA-986-987 (Second Review)**

*Further information.*--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this proceeding, you may contact the following members of the Commission's staff (Fax 202-205-3205):

Angela Newell, investigator (202-708-5409; Email [angela.newell@usitc.gov](mailto:angela.newell@usitc.gov))  
regarding general questions and trade and related information; and

Craig Thomsen, economist (202-205-3226; Email [craig.thomsen@usitc.gov](mailto:craig.thomsen@usitc.gov))  
regarding market related information.

## **GENERAL INFORMATION**

***Background.***-- On January 28, 2003, the Department of Commerce issued antidumping duty orders on imports of ferrovanadium from China and South Africa (68 FR 4168 and 4169). Following first five-year reviews of the orders, Commerce issued continuation orders on December 19, 2008 (73 FR 77609). On November 1, 2013, the Commission instituted second five-year reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (78 FR 65706). Each order for which the Commission and Commerce make affirmative determinations will remain in place. If the Commission or Commerce makes a negative determination on a particular order, the Department of Commerce will revoke that order.

Questionnaires and other information pertinent to this proceeding are available at [http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2014/ferrovanadium/reviewphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2014/ferrovanadium/reviewphase.htm). Please direct questions regarding the questionnaire and correspondence to Angela Newell ([angela.newell@usitc.gov](mailto:angela.newell@usitc.gov), 202-708-5409) at the U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436. Correspondence may be sent to the above address or via FAX to 202-205-3205. Hearing-impaired individuals can obtain information regarding this proceeding via the Commission's TDD terminal (202-205-1810).

***Due date of questionnaire(s).***--Please submit the completed questionnaire(s) to the United States International Trade Commission so as to be received by no later than **September 19, 2014**. Because Commission staff might contact you with questions during the course of the proceeding, save the final version of the document(s) and retain all files and worksheets associated with the completed questionnaire(s). Please also retain a copy of any paper original document that you submit.

***Service of questionnaire response(s).***--In the event that your firm is a party to this proceeding, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

***Confidentiality.***--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, general characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

## **GENERAL INFORMATION--Continued**

**Verification.**--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your files, worksheets, and supporting documents used in the preparation of the questionnaire response(s).

**Release of information.**--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the proceeding, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. §1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR §207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this proceeding or other import-injury proceedings conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

## **INSTRUCTIONS**

**Answer all questions.**-- Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is zero or "none", enter the number zero or "none". **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates.** Answers to questions and any necessary comments or explanations should be entered in the space provided or in a separate MS Word document submitted along with the questionnaire(s). If your firm is completing more than one questionnaire in connection with this proceeding (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

**Consolidate all establishments in each subject country.**--Report the requested data for your establishment(s) located in each of the subject countries. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

**Electronic completion.**-- Please electronically enter your responses into the Commission provided MS Word document. The MS Word versions of all the questionnaires in this proceeding are available online at the ITC web page or may be obtained directly from the Commission's Investigator, Angela Newell ([angela.newell@usitc.gov](mailto:angela.newell@usitc.gov), or 202-708-5409).

**Electronic submission.**-- Responding firms should submit their questionnaire responses electronically in MS Word format. The submission of questionnaire responses in the MS Word format allows the Commission to electronically extract data from questionnaires and thus, compile, assess, and analyze submitted data more efficiently and promptly. Furthermore, the electronic submission of questionnaires completed in MS Word facilitates the Commission's ability to produce documents that comply with Section 508 of the Rehabilitation Act of 1973. There are three electronic submissions options detailed below.

## INSTRUCTIONS--Continued

### OPTIONS FOR FILING

This questionnaire is available as a “fillable” form in MS Word format on the Commission’s website at [http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2014/ferrovanadium/reviewphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2014/ferrovanadium/reviewphase.htm). *Please do not attempt to modify the format or permissions of the questionnaire document.* Please complete the questionnaire and submit it electronically using one of the methods noted below. If your firm is unable to complete the MS Word questionnaire or cannot use one of the electronic methods of submission, please contact the Commission for further instructions.

- **Upload via Secure Drop Box.**—Upload the completed questionnaire in MS Word format along with a scanned copy of the signed certification page (page 1) through the Commission’s secure upload facility:

*Web address:* <https://dropbox.usitc.gov/oinv/> *Pin:* FeV

- **E-mail.**—E-mail your questionnaire to the investigator identified on page 1 of the Instruction Booklet; include a scanned copy of the signed certification page (page 1). Type the following in the e-mail subject line: **BPI Questionnaire, INV. NOS. 731-TA-986-987 (Second Review)**. *Please note that submitting your questionnaire by e-mail may subject your firm’s business proprietary information to transmission over an unsecure environment and to possible disclosure. If you choose this option, the Commission warns you that any risk involving possible disclosure of such information is assumed by the submitter and not by the Commission.*

- **Compact disc (CD).**—Copy your MS Word questionnaire onto a CD. Also, please include a signed certification page (page 1) and mail to the U.S. International Trade Commission, 500 E Street SW, Washington, DC 20024. *It is strongly recommended that you use an **overnight mail service**. U.S. mail sent to government offices undergoes additional processing which not only results in substantial delays in delivery but may also damage CDs.*

Note: If you are a party to the proceeding, and service of the questionnaire is required, such service should be made in paper form.

## **DEFINITIONS**

**Ferrovandium**-- all ferrovandium regardless of grade, chemistry, form, shape, or size. Ferrovandium is an alloy of iron and vanadium that is used chiefly as an additive in the manufacture of steel. The merchandise is commercially and scientifically identified as vanadium. It specifically excludes vanadium additives other than ferrovandium, such as nitride vanadium, vanadium- aluminum master alloys, vanadium chemicals, vanadium oxides, vanadium waste and scrap, and vanadium-bearing raw materials such as slag, boiler residues and fly ash.

Ferrovandium is classified under the following Harmonized Tariff Schedule of the United States (“HTSUS”) statistical reporting number 7202.92.00. HTSUS statistical reporting numbers 2850.00.2000, 8112.40.3000,<sup>1</sup> and 8112.40.6000<sup>1</sup> are specifically excluded. Although the HTSUS item number is provided for convenience and Customs purposes, the written description of the scope of these orders remains dispositive.

**Firm**--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

**Related firm**--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

**Establishment**--Each facility of a firm in subject country involved in the production of ferrovandium (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States**--For purposes of this review, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

**Importer**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing ferrovandium (as defined above) into the United States from a foreign manufacturer or through its selling agent.

**Average production capacity**--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

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<sup>1</sup> HTSUS statistical reporting numbers 8112.40.3000 and 8112.40.6000 were deleted from the HTSUS effective February 3, 2007. The new, corresponding HTSUS statistical reporting numbers are: 8112.92.0600; 8112.92.7000; and 8112.99.2000.

**DEFINITIONS--Continued**

**Production**--All production in your establishment(s) in each subject country, including production consumed internally within your firm.

**Shipments**--Shipments of products produced in your establishment(s) in the subject countries (listed on page 1).

**Shipment quantities**.—Quantities reported should be net of returns.

**Shipment values**.—Values reported should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods) in U.S. dollars, f.o.b. your point of shipment in each subject country (listed on page 1).

**Home market commercial shipments**--Shipments, other than internal consumption and transfers to related firms, within each subject country (listed on page 1).

**Home market internal consumption/transfers to related firms**--Shipments made to related firms in each subject country (listed on page 1), including product consumed internally by your firm.

**Export shipments**--Shipments to destinations outside each subject country (listed on page 1), including shipments to related firms.

**Inventories**--Finished goods inventory, not raw materials or work-in-progress.