

DEPARTMENT OF COMMERCE

International Trade Administration

[A-557-815]

Welded Stainless Pressure Pipe From Malaysia: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part; 2012-2013

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

SUMMARY: The Department of Commerce (“Department”) determines that welded stainless pressure pipe (“WSPP”) from Malaysia is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735 of the Tariff Act of 1930, as amended (“the Act”). The final weighted-average dumping margins of sales at LTFV are shown in the “Final Determination” section of this notice.

DATES: *Effective Date:* May 30, 2014.

FOR FURTHER INFORMATION CONTACT: Charles Riggle or Erin Kearney, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0650 or (202) 482-0167, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published its *Preliminary Determination* on January 7, 2014.¹ On January 28, 2014, we received a case brief from Bristol Metals, LLC, Felker Brothers Corp., and Outokumpu Stainless Pipe, Inc. (“Petitioners”).² We did not receive case or rebuttal briefs from any other interested party.

Period of Investigation

The period of investigation (“POI”) is April 1, 2012, through March 31, 2013.

Scope of the Investigation

The merchandise covered by this investigation is circular welded austenitic stainless pressure pipe not greater than 14 inches in outside diameter. For purposes of this investigation, references to size are in nominal inches and include all products

¹ See *Welded Stainless Pressure Pipe from Malaysia: Preliminary Determination of Sales at Less Than Fair Value, Affirmative Preliminary Determination of Critical Circumstances, in Part, and Postponement of Final Determination*, 79 FR 808 (January 7, 2014) (“*Preliminary Determination*”).

² See submission from Petitioners, “Welded Stainless Pressure Pipe from Malaysia: Petitioners’ Case Brief,” dated January 28, 2014.

within tolerances allowed by pipe specifications. This merchandise includes, but is not limited to, the American Society for Testing and Materials (ASTM) A-312 or ASTM A-778 specifications, or comparable domestic or foreign specifications. ASTM A-358 products are only included when they are produced to meet ASTM A-312 or ASTM A-778 specifications, or comparable domestic or foreign specifications.

Excluded from the scope are: (1) Welded stainless mechanical tubing, meeting ASTM A-554 or comparable domestic or foreign specifications; (2) boiler, heat exchanger, superheater, refining furnace, feedwater heater, and condenser tubing, meeting ASTM A-249, ASTM A-688 or comparable domestic or foreign specifications; and (3) specialized tubing, meeting ASTM A269, ASTM A-270 or comparable domestic or foreign specifications.

The subject imports are normally classified in subheadings 7306.40.5005, 7306.40.5040, 7306.40.5062, 7306.40.5064, and 7306.40.5085 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also enter under HTSUS subheadings 7306.40.1010, 7306.40.1015, 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of this investigation is dispositive.

Verification

The Department did not verify any of the three mandatory respondents in this investigation because all of the mandatory respondents ceased participating in the investigation prior to issuance of the *Preliminary Determination*.

Analysis of Comments Received

All issues raised in the case brief for this investigation are addressed in the Issues and Decision Memorandum.³ A list of the issues which parties raised and to which we responded in the Issues and Decision Memorandum is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized

³ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Issues and Decision Memorandum for the Final Determination in the Antidumping Duty Investigation of Welded Stainless Pressure Pipe from Malaysia,” dated May 22, 2014 (“Issues and Decision Memorandum”).

Electronic Service System (“IA ACCESS”). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a

complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

Final Determination

For the final determination, we made no changes to the *Preliminary Determination*. Therefore, we continue to determine that the following margins exist for the following entities for the POI:

Exporter or producer	Weighted-average dumping margin (percent)
Superinox Pipe Industry Sdn. Bhd./Superinox International Sdn. Bhd	167.11
Kanzen Tetsu Sdn. Bhd	167.11
Pantech Stainless & Alloy Industries Sdn. Bhd	167.11
All Others	22.70

Critical Circumstances

We made no changes to our critical circumstances analysis announced in the *Preliminary Determination*.⁴ Thus, pursuant to section 735(a)(3) of the Act, we continue to find that critical circumstances exist with respect to imports of WSPP from Malaysia from mandatory respondents Kanzen Tetsu Sdn. Bhd. (“Kanzen”), Pantech Stainless & Alloy Industries Sdn. Bhd. (“Pantech”), and Superinox Pipe Industry Sdn. Bhd./Superinox International Sdn. Bhd. (“Superinox”). We continue to find that critical circumstances do not exist with respect to imports of WSPP from exporters or producers in the “all others” group.

Disclosure

We disclosed the calculations used to determine the adverse facts available rate in the *Preliminary Determination* to parties in this proceeding, and we made no changes since the *Preliminary Determination*. Thus, no additional disclosure of calculations is necessary.

Continuation of Suspension of Liquidation

As noted above, the Department found that critical circumstances exist with respect to imports of the merchandise under consideration from Superinox, Kanzen, and Pantech. Therefore, in accordance with section 735(c)(4) of the Act, we will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all entries of WSPP from Malaysia from Superinox, Kanzen, and Pantech that were entered, or withdrawn from warehouse, for consumption on or after the date 90 days prior to publication of the *Preliminary Determination* in the **Federal Register** and require a cash deposit for such entries as noted below. Because we did not find that critical

circumstances exist with respect to exporters or producers in the “all others” group, in accordance with section 735(c)(1) of the Act, we will instruct CBP to continue to suspend liquidation of all other entries of WSPP from Malaysia entered, or withdrawn from warehouse, for consumption on or after the date of publication of the *Preliminary Determination* in the **Federal Register**. These suspension of liquidation instructions will remain in effect until further notice.

Pursuant to section 735(c)(1) of the Act and 19 CFR 351.210(d), the Department will instruct CBP to require cash deposits⁵ equal to the weighted-average dumping margins indicated in the table above. These cash deposit instructions will remain in effect until further notice.

International Trade Commission (“ITC”) Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of WSPP from Malaysia no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess antidumping duties on all imports of the merchandise

under investigation entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders (“APO”)

This notice also serves as a reminder to the parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This determination and notice are issued and published in accordance with sections 735(d) and 777(i)(1) of the Act and 19 CFR 351.210(c).

Dated: May 22, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Discussion of the Issues

Comment 1: Determination of the All Others Rate

- V. Recommendation

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⁵ See *Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations*, 76 FR 61042 (October 3, 2011).

⁴ *Preliminary Determination*, 79 FR at 810.

DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-816]

Welded Stainless Pressure Pipe From the Socialist Republic of Vietnam: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (“Department”) determines that welded stainless pressure pipe (“WSP”) from the Socialist Republic of Vietnam (“Vietnam”) is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735 of the Tariff Act of 1930, as amended (“the Act”). The final weighted-average dumping margins of sales at LTFV are shown in the “Final Determination” section of this notice.

DATES: *Effective Date:* May 30, 2014.

FOR FURTHER INFORMATION CONTACT: Lilit Astvatsatrian or Erin Kearney, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6412 or (202) 482-0167, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published its *Preliminary Determination* on January 7, 2014.¹ On March 20, 2014, we issued a post-preliminary analysis on the Vietnam-wide entity rate.² On March 27, 2014, we received case briefs from Bristol Metals, LLC, Felker Brothers Corp., and Outokumpu Stainless Pipe, Inc. (“Petitioners”) and Sonha International Corporation (“Sonha”).³ On March 31, 2014, we rejected Petitioners’ case brief because it contained untimely filed new factual information. On April 1, 2014, we received a refiled case brief from

¹ See *Welded Stainless Pressure Pipe from the Socialist Republic of Vietnam: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 79 FR 806 (January 7, 2014) (“*Preliminary Determination*”).

² See Memorandum from Abdelali Elouaradia, Office Director, AD/CVD Operations, Office IV, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Welded Stainless Pressure Pipe from the Socialist Republic of Vietnam: Post-Preliminary Analysis on the Vietnam-Wide Entity Rate,” dated March 20, 2014 (“*Post-Preliminary Analysis*”).

³ See submission from Sonha, “Sonha’s Direct Case Brief: Antidumping Duty Investigation of Welded Stainless Pressure Pipe from Vietnam (A-552-816),” dated March 27, 2014.

Petitioners, as requested by the Department.⁴ On April 3, 2014, we received rebuttal briefs from Petitioners and Sonha.⁵ Based on an analysis of the comments received, the Department has made changes from the *Preliminary Determination*.

Period of Investigation

The period of investigation (“POI”) is October 1, 2012, through March 31, 2013.

Scope of the Investigation

The merchandise covered by this investigation is circular welded austenitic stainless pressure pipe not greater than 14 inches in outside diameter. For purposes of this investigation, references to size are in nominal inches and include all products within tolerances allowed by pipe specifications. This merchandise includes, but is not limited to, the American Society for Testing and Materials (ASTM) A-312 or ASTM A-778 specifications, or comparable domestic or foreign specifications. ASTM A-358 products are only included when they are produced to meet ASTM A-312 or ASTM A-778 specifications, or comparable domestic or foreign specifications.

Excluded from the scope are: (1) Welded stainless mechanical tubing, meeting ASTM A-554 or comparable domestic or foreign specifications; (2) boiler, heat exchanger, superheater, refining furnace, feedwater heater, and condenser tubing, meeting ASTM A-249, ASTM A-688 or comparable domestic or foreign specifications; and (3) specialized tubing, meeting ASTM A269, ASTM A-270 or comparable domestic or foreign specifications.

The subject imports are normally classified in subheadings 7306.40.5005, 7306.40.5040, 7306.40.5062, 7306.40.5064, and 7306.40.5085 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also enter under HTSUS subheadings 7306.40.1010, 7306.40.1015, 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of this investigation is dispositive.

⁴ See submission from Petitioners, “Welded Stainless Pressure Pipe from Vietnam: Petitioners’ Case Brief,” dated April 1, 2014.

⁵ See submission from Petitioners, “Welded Stainless Pressure Pipe from Vietnam: Petitioners’ Rebuttal Brief,” dated April 3, 2014; see also submission from Sonha, “Sonha’s Rebuttal Case Brief: Antidumping Duty Investigation of Welded Stainless Pressure Pipe from Vietnam (A-552-816),” dated April 3, 2014.

Verification

As provided in section 782(i) of the Act, the Department verified the information submitted by Sonha for use in the final determination. The Department used standard verification procedures, including examination of relevant accounting and production records and original source documents provided by the respondent.⁶

Analysis of Comments Received

All issues raised in the case and rebuttal briefs for this investigation are addressed in the Issues and Decision Memorandum, which is dated concurrently with and hereby adopted by this notice.⁷ A list of the issues which parties have raised and to which we have responded in the Issues and Decision Memorandum is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (“IA ACCESS”). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov>; the Issues and Decision Memorandum is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://www.trade.gov/enforcement>. The signed version and electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Determination

- We valued electricity using the electricity price data for large industries, as published by the Central Electricity Authority in its publication, “Electricity Tariff & Duty and Average Rates of Electricity Supply in India.”⁸

⁶ See Memorandum to the File from Lilit Astvatsatrian and Erin Kearney, Senior International Trade Compliance Analysts, AD/CVD Operations, Office IV, “Verification of the Sales and Factors Responses of Sonha International Corporation in the Antidumping Investigation of Welded Stainless Steel Pipe from the Socialist Republic of Vietnam,” dated February 26, 2014 (“*Verification Report*”).

⁷ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Issues and Decision Memorandum for the Final Determination of the Antidumping Duty Investigation of Welded Stainless Pressure Pipe from the Socialist Republic of Vietnam,” dated May 22, 2014 (“*Issues and Decision Memorandum*”).

⁸ See Memorandum to the File, “Welded Stainless Pressure Pipe from the Socialist Republic of Vietnam: Analysis of the Final Determination

- We adjusted Sonha’s brokerage and handling surrogate value by Sonha’s own average shipment weight for a 20-foot container.⁹
- We used Sonha’s revised factors of production (“FOP”) database which reflects changes in the consumption rates of certain packing materials and

supplier distances as a result of minor corrections and findings at the verification.¹⁰

- We revised the market-economy purchase prices for certain FOPs as a result of minor corrections at the verification.¹¹

- We revised the Vietnam-wide rate to be the same as Sonha’s calculated margin.¹²

Final Determination

The Department determines that the following weighted-average dumping margins exist:

Exporter	Producer	Weighted-average dumping margin
Sonha International Corporation	Sonha International Corporation	16.25
Mejinson Industrial Vietnam Co., Ltd	Mejinson Industrial Vietnam Co., Ltd	16.25
Vietnam-Wide Entity	16.25

Disclosure

The Department intends to disclose calculations performed for this final determination to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all appropriate entries of WSPP from Vietnam as described in the “Scope of the Investigation” section, which were entered, or withdrawn from warehouse, for consumption on or after January 7, 2014, the date of publication of the *Preliminary Determination* in the **Federal Register**. CBP shall require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price as shown above. These instructions suspending liquidation will remain in effect until further notice.

International Trade Commission (“ITC”) Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of WSPP from Vietnam no later than 45

days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess antidumping duties on all imports of the merchandise under investigation entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders (“APO”)

This notice also serves as a final reminder to the parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This determination and notice are issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: May 22, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—Issues and Decision Memorandum

Summary

Case Issues

Scope of the Investigation

Discussion of the Issues

- Comment 1: Financial Ratios
- Comment 2: Date of Sale
- Comment 3: Electricity
- Comment 4: Valuation of Argon and Hydrogen
- Comment 5: Adjustment of Brokerage and Handling Charges
- Comment 6: Withdrawal of the Regulatory Provisions Governing Targeted Dumping in Less-Than-Fair-Value Investigations
- Comment 7: Differential Pricing Analysis

Recommendation

Attachment: Acronym and Abbreviation Table

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Margin Calculation for Sonha International Corporation, dated May 22, 2014 (“Final Analysis Memorandum”), at page 2 and Attachment 3; *see also* Issues and Decision Memorandum at Comment 3.

⁹ *See* Final Analysis Memorandum at page 2 and Attachments 3–4 and *see also* Issues and Decision Memorandum at Comment 5.

¹⁰ *See* Final Analysis Memorandum at page 1 and Attachment 1; *see also* Verification Report at pages 2–3.

DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-830]

Welded Stainless Pressure Pipe From Thailand: Final Determination of Sales at Less Than Fair Value

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

DATES: *Effective Date:* May 30, 2014.

SUMMARY: The Department of Commerce (“Department”) determines that welded

¹¹ See Final Analysis Memorandum at page 2 and Attachment 3.

¹² See Post-Preliminary Analysis.

stainless pressure pipe (“WSPP”) from Thailand is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735 of the Tariff Act of 1930, as amended (the “Act”). The final dumping margins for this investigation are listed in the “Final Determination” section below.

FOR FURTHER INFORMATION CONTACT: Brandon Farlander or Trisha Tran, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0182 or (202) 482–4852, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published its *Preliminary Determination* on January 7, 2014,¹ and its *Amended Preliminary Determination* on February 26, 2014.² On March 13, 2014, we received a case brief³ from Bristol Metals, LLC, Felker Brothers Corp., and Outokumpu Stainless Pipe, Inc. (“Petitioners”). On March 18, 2014, we received a rebuttal brief⁴ from Thai-German Products Public Company Limited (“TGP”). Based on an analysis of the comments received, the Department made changes from the *Preliminary Determination* and *Amended Preliminary Determination*.

Period of Investigation

The period of investigation (“POI”) is April 1, 2012, through March 31, 2013.

Scope of the Investigation

The merchandise covered by this investigation is circular welded austenitic stainless pressure pipe not greater than 14 inches in outside diameter. For purposes of this investigation, references to size are in nominal inches and include all products within tolerances allowed by pipe specifications. This merchandise includes, but is not limited to, the American Society for Testing and Materials (ASTM) A–312 or ASTM A–

778 specifications, or comparable domestic or foreign specifications. ASTM A–358 products are only included when they are produced to meet ASTM A–312 or ASTM A–778 specifications, or comparable domestic or foreign specifications.

Excluded from the scope are: (1) Welded stainless mechanical tubing, meeting ASTM A–554 or comparable domestic or foreign specifications; (2) boiler, heat exchanger, superheater, refining furnace, feedwater heater, and condenser tubing, meeting ASTM A–249, ASTM A–688 or comparable domestic or foreign specifications; and (3) specialized tubing, meeting ASTM A269, ASTM A–270 or comparable domestic or foreign specifications.

The subject imports are normally classified in subheadings 7306.40.5005, 7306.40.5040, 7306.40.5062, 7306.40.5064, and 7306.40.5085 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also enter under HTSUS subheadings 7306.40.1010, 7306.40.1015, 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the investigation is dispositive.

Verification

As provided in section 782(i) of the Act, from January 20, 2014 through January 24, 2014, the Department attempted to verify the sales information submitted by TGP for use in the final determination. The Department used standard verification procedures, including examination of relevant accounting and production records and original source documents provided by the respondent. At verification, the Department discovered that TGP did not report the vast majority of its home market sales.⁵ In light of that, we cancelled TGP’s cost verification.⁶

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues and Decision Memorandum.⁷ A list of

the issues raised by the parties and to which the Department responded in the Issues and Decision Memorandum is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (“IA ACCESS”). IA ACCESS is available to registered users at <http://iaaccess.trade.gov>, and is available to all parties in the Central Records Unit, which is in room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/index.html>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Determination and Amended Preliminary Determination

Based on our analysis of the comments received and our findings at verification:

- We applied total adverse facts available (“AFA”) to TGP and assigned to it the highest margin alleged in the petition, *i.e.*, 24.01 percent, as TGP’s AFA rate.⁸
- We revised the “All Others” rate.⁹

“All Others” Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated excluding any zero or *de minimis* and margins based entirely under section 776 of the Act. Pursuant to section 735(c)(5)(B) of the Act, if the estimated weighted-average dumping margins established for all exporters and producers individually examined are zero, *de minimis* or determined based entirely under section 776 of the Act, the Department may use any reasonable method to establish the estimated weighted-average dumping margin for all other producers or exporters. In the *Amended Preliminary Determination*, the Department calculated the “All Others” rate based

Determination in the Antidumping Duty Investigation of Welded Stainless Pressure Pipe (“WSPP”) From Thailand” (May 22, 2014) (“Issues and Decision Memorandum”).

⁸ See Issues and Decision Memorandum at Comments 1 and 2.

⁹ See Issues and Decision Memorandum at Comment 4.

¹ See *Welded Stainless Pressure Pipe From Thailand: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 79 FR 812 (January 7, 2014) (“*Preliminary Determination*”).

² See *Welded Stainless Pressure Pipe From Thailand: Amended Preliminary Determination of Sales at Less Than Fair Value*, 79 FR 10772 (February 26, 2014) (“*Amended Preliminary Determination*”).

³ See submission from Petitioners, “Welded Stainless Pressure Pipe From Thailand: Petitioners’ Case Brief,” dated March 13, 2014 (“*Petitioners’ Case Brief*”).

⁴ See submission from TGP, “Welded Stainless Steel Pressure Pipe From Thailand; Rebuttal Brief,” dated March 18, 2014 (“*TGP’s Rebuttal Brief*”).

⁵ See Memorandum From Trisha Tran and Brandon Farlander, Senior International Trade Compliance Analysts, AD/CVD Operations, Office IV, to the File, “Antidumping Duty Investigation of Welded Stainless Pressure Pipe From Thailand: Verification of the Questionnaire Responses of Thai-German Products Public Company Limited,” (March 5, 2014) (“*TGP Sales Verification Report*”).

⁶ See TGP’s Sales Verification Report.

⁷ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and

Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, “Issues and Decision Memorandum for the Final

on TGP's rate from the *Preliminary Determination*. In light of the Department's assignment of total AFA to TGP (and, previously to Ametai Co., Ltd. and Thareus Co., Ltd (Ametai/Thareus), the other mandatory respondent in this investigation), TGP's rate is no longer appropriate for the all others rate. In cases where there are no weighted-average dumping margins besides zero or *de minimis*, or where the rates established for individually investigated entities have been determined entirely under section 776 of the Act, the Department averages the margins calculated in the petition and applies the result to all other entities not individually examined.¹⁰ The average of the petition margins (*i.e.*, 23.77 percent and 24.01 percent) is 23.89 percent.¹¹ Therefore, the "All Others" rate applied to all other entities not individually examined is 23.89 percent.

Final Determination

The Department determines that the following final dumping margins exist for the POI:

Manufacturer/exporter	Dumping margin (percent)
Ametai Co., Ltd./Thareus Co., Ltd	* 24.01
Thai-German Products Public Company Limited	24.01
All Others	23.89

* Unchanged from the *Amended Preliminary Determination*.

Disclosure

The Department intends to disclose calculations performed for this final determination to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border

¹⁰ See *Steel Threaded Rod From Thailand: Preliminary Determination of Sales at Less Than Fair Value and Affirmative Preliminary Determination of Critical Circumstances*, 78 FR 79670, 79671 (December 31, 2013) ("*Steel Threaded Rod From Thailand*"); see also *Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite From the Federal Republic of Germany*, 73 FR 21909 (April 23, 2008); unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite From the Federal Republic of Germany*, 73 FR 38986 (July 8, 2008).

¹¹ See *Welded Stainless Pressure Pipe From Thailand Investigation Initiation Checklist*, dated June 5, 2013, at 8, citing *Welded Stainless Pressure Pipe From Thailand: Correction to Supplemental Response*, dated May 30, 2013, at Exhibit III-8.

Protection ("CBP") to continue to suspend liquidation of all appropriate entries of WSPP from Thailand as described in the "Scope of the Investigation" section, which were entered, or withdrawn from warehouse, for consumption on or after January 7, 2014, the date of publication of the *Preliminary Determination* in the **Federal Register**. CBP shall require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price as follows: (1) The rates for Ametai/Thareus and TGP will be the rates we have determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 23.89 percent, as discussed in the "All Others Rate" section, above. These instructions suspending liquidation will remain in effect until further notice.

U.S. International Trade Commission ("ITC") Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales for importation of WSPP from Thailand no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders ("APO")

This notice also serves as a reminder to the parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested.

Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: May 22, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

Issues for the Final Determination

- I. Summary
- II. Background
- III. POI
- IV. Scope
- V. Adverse Facts Available
- VI. Discussion of the Issues
 - Comment 1: Whether To Apply Total AFA With Respect to TGP
 - Comment 2: AFA Rate To Apply to TGP
 - Comment 3: Whether To Apply a Higher AFA Rate to Ametai/Thareus
 - Comment 4: Whether To Revise the "All Others" Rate and, If Yes, What Rate To Select Recommendation

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