

MESSAGE NO: 4224305 MESSAGE DATE: 08/12/2014
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-850

EFFECTIVE DATE: 12/14/1999 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/12/2014

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope determination on Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan (A-588-850)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from U.S. Metals, Inc. (USM). Commerce issued a final scope determination on 07/24/2014 that USM's American Society for Testing and Materials (ASTM) A-335 ferritic alloy steel pipe (specifically, Grades P5, P9, and P11) which USM imports is not within the scope of the antidumping duty order on Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan (A-588-850). The specific grades and sizes for which USM requested a scope ruling are:

- 8" SCH 80S A/SA335-P11 SMLS - US Tariff # 7304.59.2060;
- 10" NPS 80T A/SA335-P11 SMLS - US Tariff # 7304.59.2060;
- 12" NPS 80T A/SA335-P11 SMLS - US Tariff # 7304.59.2070;
- 6" SCH 80S A/SA335-P5 SMLS - US Tariff # 7304.59.2030;
- 10" NPS 80T A/SA335-P9 SMLS - US Tariff # 7304.59.2030; and,
- 12" NPS 80T A/SA335-P9 SMLS - US Tariff # 7304.59.2030

2. Commerce determined that USM's ASTM A-335 ferritic alloy steel pipe (specifically, Grades P5, P9, and P11, as detailed in paragraph 1) is outside the scope of the order because USM demonstrated that its pipe meets the exclusion under the scope of the order for ASTM A-335. The scope of the order excludes pipe produced to ASTM- A-335 specification, unless it is used in an application that would normally use ASTM A-106 (among other grades). USM demonstrated that its pipe is produced to the ASTM A-335 specification and also that its pipe is not intended for use in applications that would normally utilize ASTM A-106 pipe. For instance, USM demonstrated that its pipe is intended for use at temperatures above 1000 degrees Fahrenheit (the scope indicates ASTM A-106 operates below 1000 degrees Fahrenheit) and in areas of refineries and power plants where the temperature exceeds that which ASTM A-106 can withstand. Therefore, USM's ASTM A-335 ferritic alloy steel pipe (specifically, Grades P5, P9, and P11) is not within the scope of the antidumping duty order on Certain Large Diameter Carbon and Alloy Seamless

Standard, Line, and Pressure Pipe from Japan.

3. For all entries of USM's ASTM A-335 ferritic alloy steel pipe (specifically, Grades P5, P9, and P11) not within scope, as described above, that remain unliquidated on or after 12/14/1999, CBP shall terminate suspension and liquidate such entries which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to USM's ASTM A-335 ferritic alloy steel pipe (specifically, Grades P5, P9, and P11) described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of USM's ASTM A-335 ferritic alloy steel pipe (specifically, Grades P5, P9, and P11) entered, or withdrawn from warehouse, for consumption on or after 12/14/1999.
6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
7. Unless instructed otherwise, for all other shipments of Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI:JS.)
9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party