

MESSAGE NO: 2025301 MESSAGE DATE: 01/25/2012
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: INI-Initiation of Review PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: 77 FR 3447 FR CITE DATE: 01/24/2012

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-982

EFFECTIVE DATE: 01/24/2012 COURT CASE #:

PERIOD OF REVIEW: 01/01/2011 TO 12/31/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: Initiation of Countervailing Duty Investigation of Utility Scale Wind Towers from the People's Republic of China (C-570-982)

1. ON 01/24/2012, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS INITIATION OF THE COUNTERVAILING DUTY INVESTIGATION OF UTILITY SCALE WIND TOWERS FROM THE PEOPLE'S REPUBLIC OF CHINA (77 FR 3447).

2. THE MERCHANDISE COVERED BY THE INVESTIGATION ARE CERTAIN WIND TOWERS, WHETHER OR NOT TAPERED, AND SECTIONS THEREOF. CERTAIN WIND TOWERS ARE DESIGNED TO SUPPORT THE NACELLE AND ROTOR BLADES IN A WIND TURBINE WITH A MINIMUM RATED ELECTRICAL POWER GENERATION CAPACITY IN EXCESS OF 100 KILOWATTS AND WITH A MINIMUM HEIGHT OF 50 METERS MEASURED FROM THE BASE OF THE TOWER TO THE BOTTOM OF THE NACELLE (I.E., WHERE THE TOP OF THE TOWER AND NACELLE ARE JOINED) WHEN FULLY ASSEMBLED.

A WIND TOWER SECTION CONSISTS OF, AT A MINIMUM, MULTIPLE STEEL PLATES ROLLED INTO CYLINDRICAL OR CONICAL SHAPES AND WELDED TOGETHER (OR OTHERWISE ATTACHED) TO FORM A STEEL SHELL, REGARDLESS OF COATING, END-FINISH, PAINTING, TREATMENT, OR METHOD OF MANUFACTURE, AND WITH OR WITHOUT FLANGES, DOORS, OR INTERNAL OR EXTERNAL COMPONENTS (E.G., FLOORING/DECKING, LADDERS, LIFTS, ELECTRICAL BUSS BOXES, ELECTRICAL CABLING, CONDUIT, CABLE HARNESS FOR NACELLE GENERATOR, INTERIOR LIGHTING, TOOL AND STORAGE LOCKERS) ATTACHED TO THE WIND TOWER SECTION. SEVERAL WIND TOWER SECTIONS ARE NORMALLY REQUIRED TO FORM A COMPLETED WIND TOWER.

WIND TOWERS AND SECTIONS THEREOF ARE INCLUDED WITHIN THE SCOPE WHETHER OR NOT THEY ARE JOINED WITH NONSUBJECT MERCHANDISE, SUCH AS NACELLES OR ROTOR BLADES, AND WHETHER OR NOT THEY HAVE INTERNAL OR EXTERNAL COMPONENTS ATTACHED TO THE SUBJECT MERCHANDISE.

SPECIFICALLY EXCLUDED FROM THE SCOPE ARE NACELLES AND ROTOR BLADES, REGARDLESS OF WHETHER THEY ARE ATTACHED TO THE WIND TOWER. ALSO EXCLUDED ARE ANY INTERNAL OR EXTERNAL COMPONENTS WHICH ARE NOT ATTACHED TO THE WIND TOWERS OR SECTIONS THEREOF.

MERCHANDISE COVERED BY THE INVESTIGATION ARE CURRENTLY CLASSIFIED IN THE HARMONIZED TARIFF SYSTEM OF THE UNITED STATES (HTSUS) UNDER SUBHEADINGS 7308.20.0020 OR 8502.31.0000. PRIOR TO 2011, MERCHANDISE COVERED BY THIS INVESTIGATION WAS CLASSIFIED IN THE HTSUS UNDER SUBHEADING 7308.20.0000 AND MAY CONTINUE TO BE TO SOME DEGREE. WHILE THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THE INVESTIGATION IS DISPOSITIVE.

FOOTNOTES:

(A) WIND TOWERS ARE CLASSIFIED UNDER HTSUS 7308.20.0020 WHEN IMPORTED AS A TOWER OR TOWER SECTION(S) ALONE.

(B) WIND TOWERS MAY ALSO BE CLASSIFIED UNDER HTSUS 8502.31.0000 WHEN IMPORTED AS PART OF A WIND TURBINE (I.E., ACCOMPANYING NACELLES AND/OR ROTOR BLADES).

3. THIS INVESTIGATION HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-982.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O3:KJ).

5. 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