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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-850

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/04/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN LARGE DIAMETER CARBON & ALLOY SEAMLESS STANDARD LINE & PRESSURE PIPE FM JAPAN (A-588-850)

MESSAGE NO: 0130209

DATE: 05 09 2000

CATEGORY: ADA

TYPE: FIN

REFERENCE:

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CASES: A - 588 - 850

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PERIOD COVERED: 05 04 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN LARGE DIAMETER CARBON & ALLOY SEAMLESS STANDARD LINE & PRESSURE PIPE FM JAPAN (A-588-850)

1. ON MAY 4, 2000, THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN LARGE DIAMETER CARBON AND ALLOY SEAMLESS STANDARD, LINE AND PRESSURE PIPE FROM JAPAN.

2. THE PRODUCTS COVERED ARE LARGE DIAMETER SEAMLESS CARBON AND ALLOY (OTHER THAN STAINLESS) STEEL STANDARD, LINE, AND PRESSURE

PIPES PRODUCED, OR EQUIVALENT, TO THE AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, AND THE AMERICAN PETROLEUM INSTITUTE (API) 5L SPECIFICATIONS AND MEETING THE PHYSICAL PARAMETERS DESCRIBED BELOW, REGARDLESS OF APPLICATION. THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES ALL OTHER PRODUCTS USED IN STANDARD, LINE, OR PRESSURE PIPE APPLICATIONS AND MEETING THE PHYSICAL PARAMETERS DESCRIBED BELOW, REGARDLESS OF SPECIFICATION, WITH THE EXCEPTION OF THE EXCLUSIONS DISCUSSED BELOW. SPECIFICALLY INCLUDED WITHIN THE SCOPE OF THIS INVESTIGATION ARE SEAMLESS PIPES GREATER THAN 4.5 INCHES (114.3 MM) UP TO AND INCLUDING 16 INCHES (406.4 MM) IN OUTSIDE DIAMETER, REGARDLESS OF WALL-THICKNESS, MANUFACTURING PROCESS (HOT FINISHED OR COLD-DRAWN), END FINISH (PLAIN END, BEVELED END, UPSET END, THREADED, OR THREADED AND COUPLED), OR SURFACE FINISH.

THE SEAMLESS PIPES SUBJECT TO THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER THE SUBHEADINGS 7304.10.10.30, 7304.10.10.45, 7304.10.10.60, 7304.10.50.50, 7304.31.60.50, 7304.39.00.36, 7304.39.00.40, 7304.39.00.44, 7304.39.00.48, 7304.39.00.52, 7304.39.00.56, 7304.39.00.62, 7304.39.00.68, 7304.39.00.72, 7304.51.50.60, 7304.59.60.00, 7304.59.80.30, 7304.59.80.35, 7304.59.80.40, 7304.59.80.45, 7304.59.80.50, 7304.59.80.55, 7304.59.80.60, 7304.59.80.65, AND 7304.59.80.70 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS).

SPECIFICATIONS, CHARACTERISTICS, AND USES: LARGE DIAMETER SEAMLESS PIPE IS USED PRIMARILY FOR LINE APPLICATIONS SUCH AS OIL, GAS, OR WATER PIPELINE, OR UTILITY DISTRIBUTION SYSTEMS. SEAMLESS PRESSURE PIPES ARE INTENDED FOR THE CONVEYANCE OF WATER,

STEAM, PETROCHEMICALS, CHEMICALS, OIL PRODUCTS, NATURAL GAS AND OTHER LIQUIDS AND GASSES IN INDUSTRIAL PIPING SYSTEMS. THEY MAY CARRY THESE SUBSTANCES AT ELEVATED PRESSURES AND TEMPERATURES AND

MAY BE SUBJECT TO THE APPLICATION OF EXTERNAL HEAT. SEAMLESS CARBON STEEL PRESSURE PIPE MEETING THE ASTM A-106 STANDARD MAY BE

USED IN TEMPERATURES OF UP TO 1000 DEGREES FAHRENHEIT, AT VARIOUS AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME) CODE STRESS LEVELS. ALLOY PIPES MADE TO ASTM A-335 STANDARD MUST BE USED IF TEMPERATURES AND STRESS LEVELS EXCEED THOSE ALLOWED FOR ASTM A-106. SEAMLESS PRESSURE PIPES SOLD IN THE UNITED STATES ARE COMMONLY PRODUCED TO THE ASTM A-106 STANDARD.

SEAMLESS STANDARD PIPES ARE MOST COMMONLY PRODUCED TO THE ASTM A-53 SPECIFICATION AND GENERALLY ARE NOT INTENDED FOR HIGH TEMPERATURE SERVICE. THEY ARE INTENDED FOR THE LOW TEMPERATURE AND PRESSURE CONVEYANCE OF WATER, STEAM, NATURAL GAS, AIR AND OTHER LIQUIDS AND GASSES IN PLUMBING AND HEATING SYSTEMS, AIR CONDITIONING UNITS, AUTOMATIC SPRINKLER SYSTEMS, AND OTHER RELATED USES. STANDARD PIPES (DEPENDING ON TYPE AND CODE) MAY CARRY LIQUIDS AT ELEVATED TEMPERATURES BUT MUST NOT EXCEED RELEVANT ASME CODE REQUIREMENTS. IF EXCEPTIONALLY LOW TEMPERATURE USES OR CONDITIONS ARE ANTICIPATED, STANDARD PIPE MAY BE MANUFACTURED TO ASTM A-333 OR ASTM A-334 SPECIFICATIONS.

SEAMLESS LINE PIPES ARE INTENDED FOR THE CONVEYANCE OF OIL AND NATURAL GAS OR OTHER FLUIDS IN PIPE LINES. SEAMLESS LINE PIPES ARE PRODUCED TO THE API 5L SPECIFICATION.

SEAMLESS WATER WELL PIPE (ASTM A-589) AND SEAMLESS GALVANIZED PIPE FOR FIRE PROTECTION USES (ASTM A-795) ARE USED FOR THE CONVEYANCE OF WATER.

SEAMLESS PIPES ARE COMMONLY PRODUCED AND CERTIFIED TO MEET ASTM A-106, ASTM A-53, API 5L-B, AND API 5L-X42 SPECIFICATIONS. TO AVOID MAINTAINING SEPARATE PRODUCTION RUNS AND SEPARATE INVENTORIES, MANUFACTURERS TYPICALLY TRIPLE OR QUADRUPLE CERTIFY THE PIPES BY MEETING THE METALLURGICAL REQUIREMENTS AND PERFORMING THE REQUIRED TESTS PURSUANT TO THE RESPECTIVE SPECIFICATIONS. SINCE DISTRIBUTORS SELL THE VAST MAJORITY OF THIS PRODUCT, THEY CAN THEREBY MAINTAIN A SINGLE INVENTORY TO SERVICE ALL CUSTOMERS.

THE PRIMARY APPLICATION OF ASTM A-106 PRESSURE PIPES AND TRIPLE OR QUADRUPLE CERTIFIED PIPES IN LARGE DIAMETERS IS FOR USE AS OIL AND GAS DISTRIBUTION LINES FOR COMMERCIAL APPLICATIONS. A MORE MINOR APPLICATION FOR LARGE DIAMETER SEAMLESS PIPES IS FOR USE IN PRESSURE PIPING SYSTEMS BY REFINERIES, PETROCHEMICAL PLANTS, AND CHEMICAL PLANTS, AS WELL AS IN POWER GENERATION PLANTS AND IN SOME OIL FIELD USES (ON SHORE AND OFF SHORE) SUCH AS FOR SEPARATOR LINES, GATHERING LINES AND METERING RUNS. THESE APPLICATIONS CONSTITUTE THE MAJORITY OF THE MARKET FOR THE SUBJECT SEAMLESS PIPES. HOWEVER, ASTM A-106 PIPES MAY BE USED IN SOME BOILER APPLICATIONS.

THE SCOPE OF THIS INVESTIGATION INCLUDES ALL SEAMLESS PIPE MEETING THE PHYSICAL PARAMETERS DESCRIBED ABOVE AND PRODUCED TO ONE OF THE SPECIFICATIONS LISTED ABOVE, REGARDLESS OF APPLICATION, WITH THE EXCEPTION OF THE EXCLUSIONS DISCUSSED BELOW, WHETHER OR NOT ALSO CERTIFIED TO A NON-COVERED SPECIFICATION. STANDARD, LINE, AND PRESSURE APPLICATIONS AND THE ABOVE-LISTED SPECIFICATIONS ARE DEFINING CHARACTERISTICS OF THE SCOPE OF THIS INVESTIGATION. THEREFORE, SEAMLESS PIPES MEETING THE PHYSICAL DESCRIPTION ABOVE, BUT NOT PRODUCED TO THE ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, AND API 5L SPECIFICATIONS SHALL BE COVERED IF USED IN A STANDARD, LINE, OR PRESSURE APPLICATION, WITH THE EXCEPTION OF THE SPECIFIC EXCLUSIONS DISCUSSED BELOW.

FOR EXAMPLE, THERE ARE CERTAIN OTHER ASTM SPECIFICATIONS OF PIPE WHICH, BECAUSE OF OVERLAPPING CHARACTERISTICS, COULD POTENTIALLY BE USED IN ASTM A-106 APPLICATIONS. THESE SPECIFICATIONS GENERALLY INCLUDE ASTM A-161, ASTM A-192, ASTM A-210, ASTM A-252, ASTM A-501, ASTM A-523, ASTM A-524, AND ASTM A-618. WHEN SUCH PIPES ARE USED IN A STANDARD, LINE, OR PRESSURE PIPE APPLICATION, SUCH PRODUCTS ARE COVERED BY THE SCOPE OF THIS INVESTIGATION.

SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE:

A. BOILER TUBING AND MECHANICAL TUBING, IF SUCH PRODUCTS

ARE NOT PRODUCED TO ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, AND API 5L SPECIFICATIONS AND ARE NOT USED IN STANDARD, LINE, OR PRESSURE PIPE APPLICATIONS.

- B. FINISHED AND UNFINISHED OIL COUNTRY TUBULAR GOODS (OCTG), IF COVERED BY THE SCOPE OF ANOTHER ANTIDUMPING DUTY ORDER FROM THE SAME COUNTRY. IF NOT COVERED BY SUCH AN OCTG ORDER, FINISHED AND UNFINISHED OCTG ARE INCLUDED IN THIS SCOPE WHEN USED IN STANDARD, LINE OR PRESSURE APPLICATIONS.

PRODUCTS PRODUCED TO THE A-335 SPECIFICATION UNLESS THEY ARE USED IN AN APPLICATION THAT WOULD NORMALLY UTILIZE ASTM A-53, ASTM A-106, ASTM A-333, ASTM A-334, ASTM A-589, ASTM A-795, AND API 5L SPECIFICATIONS.

LINE AND RISER PIPE FOR DEEPWATER APPLICATION, I.E., LINE AND RISER PIPE THAT IS (1) USED IN A DEEPWATER APPLICATION, WHICH MEANS FOR USE IN WATER DEPTHS OF 1,500 FEET OR MORE; (2) INTENDED FOR USE IN AND IS ACTUALLY USED FOR A SPECIFIC DEEPWATER PROJECT; (3) RATED FOR A SPECIFIED MINIMUM YIELD STRENGTH OF NOT LESS THAN 60,000 PSI; AND (4) NOT IDENTIFIED OR CERTIFIED THROUGH THE USE OF A MONOGRAM, STENCIL, OR OTHERWISE MARKED WITH AN API SPECIFICATION (E.G., "API 5L").

WITH REGARD TO THE EXCLUDED PRODUCTS LISTED ABOVE, THE DEPARTMENT

OF COMMERCE (DOC) WILL NOT INSTRUCT CUSTOMS TO REQUIRE END-USE CERTIFICATION UNTIL SUCH TIME AS PETITIONER OR OTHER INTERESTED PARTIES PROVIDE TO THE DOC A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT THE PRODUCTS ARE BEING UTILIZED IN A COVERED APPLICATION. IF SUCH INFORMATION IS PROVIDED, THE DOC WILL REQUIRE END-USE CERTIFICATION ONLY FOR THE PRODUCT(S) (OR SPECIFICATION(S)) FOR WHICH EVIDENCE IS PROVIDED THAT SUCH PRODUCTS ARE BEING USED IN A COVERED APPLICATION AS DESCRIBED

ABOVE. FOR EXAMPLE, IF, BASED ON EVIDENCE PROVIDED BY PETITIONER, THE DOC FINDS A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT SEAMLESS PIPE PRODUCED TO THE A-335 SPECIFICATION IS BEING USED IN AN A-106 APPLICATION, IT WILL REQUIRE END-USE CERTIFICATIONS FOR IMPORTS OF THAT SPECIFICATION. NORMALLY THE DOC WILL REQUIRE ONLY THE IMPORTER OF RECORD TO CERTIFY TO THE END USE OF THE IMPORTED MERCHANDISE. IF IT LATER PROVES NECESSARY FOR ADEQUATE IMPLEMENTATION, THE DOC MAY ALSO REQUIRE PRODUCERS WHO EXPORT SUCH PRODUCTS TO THE UNITED STATES TO PROVIDE SUCH CERTIFICATION ON INVOICES ACCOMPANYING SHIPMENTS TO THE UNITED STATES.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE MERCHANDISE SUBJECT TO THIS SCOPE IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-588-850.

4. FOR IMPORTS OF CERTAIN LARGE DIAMETER CARBON AND ALLOY SEAMLESS STANDARD, LINE AND PRESSURE PIPE FROM JAPAN, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER DECEMBER 14, 2000. EFFECTIVE MAY 4, 2000, CUSTOMS SHALL REQUIRE FOR ENTRIES A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

| MFR/PRODUCER EXPORTER | CUSTOMS ID NUMBER | MARGIN PERCENTAGE |
|----------------------------|----------------------|----------------------|
| NIPPON STEEL CORPORATION | | 107.80 |
| KAWASAKI STEEL CORPORATION | | 107.80 |
| SUMITOMO METAL INDUSTRIES | | 107.80 |
| ALL OTHERS | 68.88 | |

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS

OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED

PARTIES SHOULD CONTACT CONSTANCE HANDLEY, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)482-0631.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL

SCHWARTZ

Company Details

*Party Indicator Value:

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