



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-412-824]

#### **Certain Cold-Rolled Steel Flat Products from the United Kingdom: Preliminary Results of Antidumping Duty Administrative Review; 2019-2020**

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily finds that the sole producer/exporter subject to this administrative review, Liberty Performance Steels, Ltd. (Liberty), made sales of certain cold-rolled steel flat products (CR steel) at less than normal value (NV) during the period of review (POR) September 1, 2019, through August 31, 2020. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC, 20230; telephone: (202) 482-3477.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

On September 20, 2016, we published in the *Federal Register* an antidumping duty (AD) order on CR steel from the United Kingdom.<sup>1</sup> On September 1, 2020, we published in the *Federal Register* a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> On October 30, 2020, based on timely requests for an administrative review, we initiated an

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<sup>1</sup> See *Certain Cold-Rolled Steel Flat Products from Brazil, India, the Republic of Korea, and the United Kingdom: Amended Final Affirmative Antidumping Determinations for Brazil and the United Kingdom and Antidumping Duty Orders*, 81 FR 64432 (September 20, 2016) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 85 FR 54349 (September 1, 2020).

administrative review of one company, Liberty.<sup>3</sup> On May 17, 2021, we extended the preliminary results by 30 days, to no later than July 2, 2021.<sup>4</sup>

### Scope of the Order

The products covered by the antidumping duty *Order* are CR steel products. A full description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.<sup>5</sup>

### Methodology

Commerce conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Constructed export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be found at <https://enforcement.trade.gov/frn/>. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice.

### Preliminary Results of the Administrative Review

We preliminarily determine that the following weighted-average dumping margin exists for Liberty for the period September 1, 2019, through August 31, 2019:

<b>Producer or Exporter</b>	<b>Weighted-Average Dumping Margin (Percent)</b>
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<sup>3</sup>See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 68840 (October 30, 2020) (*Initiation Notice*).

<sup>4</sup>See Memorandum, "Certain Cold-Rolled Steel Flat Products from the United Kingdom: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2019-2020," dated May 17, 2021.

<sup>5</sup>See Memorandum, "Certain Cold-Rolled Steel Flat Products from the United Kingdom: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2019-2020," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Producer or Exporter	Weighted-Average Dumping Margin (Percent)
Liberty Performance Steels, Ltd.	8.65

### Disclosure and Public Comment

We intend to disclose the calculations performed for the preliminary results of this administrative review to parties within five days after public announcement or publication of the preliminary results in accordance with 19 CFR 351.224(b).

Case briefs or other written comments on non-scope issues may be submitted to the Assistant Secretary for Enforcement and Compliance. Interested parties will be notified of the timeline for the submission of such case briefs and written comments at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.<sup>6</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Case and rebuttal briefs should be filed using ACCESS<sup>7</sup> and must be served on interested parties.<sup>8</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined.

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<sup>6</sup> See 19 CFR 351.309(d); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006, 17007 (March 26, 2020) (“To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).”)

<sup>7</sup> See 19 CFR 351.303 (for general filing requirements).

<sup>8</sup> See 19 CFR 351.303(f).

Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.<sup>9</sup> An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>10</sup>

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, unless extended, pursuant to section 751(a)(3)(A) of the Act.

#### Verification

On November 23, 2020, AK Steel Corporation (the petitioners) requested, pursuant to 19 CFR 351.307(b)(1)(v), that Commerce conduct verification of the questionnaire responses submitted in this administrative review by Liberty.<sup>11</sup> Commerce is currently unable to conduct on-site verification of the information relied upon in making its final results of this administrative review. Accordingly, we intend to take additional steps in lieu of on-site verification to verify the information. Commerce will notify interested parties of any additional documentation or information required.

#### Assessment Rate

Upon issuing the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.<sup>12</sup> If the respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.50 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping

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<sup>9</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>10</sup> See 19 CFR 351.310(c).

<sup>11</sup> See Petitioner's Letter, "Cold-Rolled Steel Flat Products from the United Kingdom/Request for Verification," dated November 23, 2020.

<sup>12</sup> See 19 CFR 351.212(b)(1).

calculated for each importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1).<sup>13</sup> If the respondent's weighted-average dumping margin is zero or *de minimis* in the final results, or an importer-specific assessment rate is zero or *de minimis*, then we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable.

For entries of subject merchandise during the POR produced by Liberty for which it did not know its merchandise was destined for the United States, we intend to instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue liquidation instructions to CBP no earlier than 35 days after publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the liquidation instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

#### Cash Deposit Requirements

The following deposit requirements for estimated antidumping duties will be effective upon publication of the notice of final results of this review for all shipments of CR steel from the United Kingdom entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for Liberty, subject to this review, will be equal to the weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by a company not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue

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<sup>13</sup> In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

to be the company-specific cash deposit rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior completed review, or the original less-than-fair-value (LTFV) investigation but the producer has been covered in a completed segment of this proceeding, then the cash deposit rate will be the company-specific cash deposit cash deposit rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 22.58 percent,<sup>14</sup> the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(4).

Dated: July 1, 2021.

Christian Marsh,  
Acting Assistant Secretary for Enforcement and Compliance.

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<sup>14</sup> See *Order*, 81 FR at 64434.

## **Appendix**

### **List of Topics Discussed in the Preliminary Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

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