



## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-819]

### Steel Concrete Reinforcing Bar from the Republic of Türkiye: Final Results of Countervailing Duty Administrative Review; 2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that certain producers and exporters of steel concrete reinforcing bar (rebar) from the Republic of Türkiye (Türkiye) received countervailable subsidies during the period of review (POR) January 1, 2021, through December 31, 2021.

**DATES:** Applicable [Insert date of publication in the *Federal Register*].

**FOR FURTHER INFORMATION CONTACT:** Nicholas Czajkowski, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202)-482-1395.

#### Background

On December 7, 2023, Commerce published in the *Federal Register* the *Preliminary Results* of the 2021 administrative review of the countervailing duty order on rebar from the Republic of Türkiye and invited comments from interested parties.<sup>1</sup> On March 21, 2024, Commerce extended the deadline for issuing the final results until April 25, 2024.<sup>2</sup> For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and

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<sup>1</sup> See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Preliminary Results of Countervailing Duty Administrative Review and Rescission of Administrative Review, in Part; 2021*, 88 FR 85234 (December 7, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, “Extension of Deadline for Final Results of the Countervailing Duty Administrative Review,” dated March 21, 2024.

Decision Memorandum.<sup>3</sup> Commerce conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act).

### Scope of the Order

The product covered by the order is rebar from Türkiye. For a full description of the scope of the order, *see* the Issues and Decision Memorandum.

### Analysis of Comments Received

All issues raised by the interested parties in their case and rebuttal briefs are addressed in the Issues and Decision Memorandum. The topics discussed and the issues raised by parties to which we responded in the Issues and Decision Memorandum are listed in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duties Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Changes Since the *Preliminary Results*

Based on comments received from interested parties, we made certain changes regarding the attribution of subsidies to Kaptan Demir Celik Endustrisi ve Ticaret A.S., however, this did not result in a change to the calculation of subsidy benefits for Kaptan. For a full description of these revisions, *see* the Issues and Decision Memorandum.

### Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Act. For each of the subsidy programs found countervailable, we determine that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the

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<sup>3</sup> *See* Memorandum, "Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Steel Concrete Reinforcing Bar from the Republic of Türkiye; 2021," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

recipient, and that the subsidy is specific.<sup>4</sup> For a full description of the methodology underlying Commerce's conclusions, including any determination that relied upon the use of adverse facts available (AFA) pursuant to sections 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

#### Final Results of the Administrative Review

We find the following net countervailable subsidy rates for the period January 1, 2021, through December 31, 2021:

<b>Producer/Exporter</b>	<b>Subsidy Rate (percent <i>ad valorem</i>)</b>
Kaptan Demir Celik Endustrisi ve Ticaret A.S., Kaptan Metal Dis Ticaret ve Nakliyat A.S., and their cross-owned affiliates <sup>5</sup>	5.54
Colakoglu Metalurji A.S. and Colakoglu Dis Ticaret A.S.	0.03 ( <i>de minimis</i> )

#### Disclosure

Normally, Commerce discloses to interested parties the calculations of the final results of an administrative review within five days of a public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the *Federal Register*, in accordance with 19 CFR 351.224(b). However, because we have made no changes to the calculations in the *Preliminary Results*, there are no calculations to disclose.

#### Assessment

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. Commerce intends to issue assessment 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 assessment instructions will direct CBP not to liquidate relevant entries

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<sup>4</sup> *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>5</sup> Commerce finds the following companies to be cross-owned with Kaptan: Kaptan Geri Donusum Teknolojileri Tic. A.S. and Nur Gemicilik ve Tic. A.S.

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

In accordance with section 751(a)(1) of the Act, we also intend to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for the companies listed above for shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the 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 violation subject to sanction.

#### Notification to Interested Parties

The final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 24, 2024.

**Ryan Majerus,**

*Deputy Assistant Secretary*

*for Policy and Negotiations,*

*performing the non-exclusive functions and duties*

*of the 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 *Order*
  - IV. Subsidies Valuation
  - V. Use of Facts Otherwise Available and Adverse Inferences
  - VI. Analysis of Programs
  - VII. Discussion of the Issues
    - Comment 1: Whether Commerce Should Revise its Attribution Findings for Kaptan
    - Comment 2: Whether Commerce Should Use Kaptan's Land Benchmark, Not the Petitioner's Land Benchmark
    - Comment 3: Whether Commerce Should Continue to Find BITT Exemptions Countervailable
    - Comment 4: Whether Commerce Should Apply AFA to Kaptan's BITT Exemptions Found During Verification
    - Comment 5: Whether the Social Security Support under Law 4447 Program is Countervailable
    - Comment 6: Whether the Social Security Support under Law 27256 Program is Countervailable
    - Comment 7: Whether Commerce Should Have Rejected Kaptan's Submission and Applied AFA for the Social Security Support under Laws 4446 and 27256 Programs
    - Comment 8: Whether the Social Security Support under Law 5510/6661 Program is Countervailable
  - VIII. Recommendation
- [FR Doc. 2024-09371 Filed: 4/30/2024 8:45 am; Publication Date: 5/1/2024]