



## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-580-888]

### Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to certain producers and exporters of certain carbon and alloy steel cut-to-length plate (CTL plate) from the Republic of Korea (Korea) during the period of review (POR) January 1, 2022, through December 31, 2022. In addition, Commerce is rescinding this review with respect to 48 companies. Interested parties are invited to comment on these preliminary results of review.

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

**FOR FURTHER INFORMATION CONTACT:** Faris Montgomery or Laurel Smalley,  
AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade  
Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington,  
DC 20230; telephone: (202) 482-1537 or (202) 482-3456, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On May 25, 2017, Commerce published a countervailing duty (CVD) order on CTL plate from Korea.<sup>1</sup> On July 12, 2023, Commerce published a notice of initiation of an administrative

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<sup>1</sup> See *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Countervailing Duty Order*, 82 FR 24103 (May 25, 2017) (*Order*).

review of the *Order*.<sup>2</sup> We initiated an administrative review of 50 producers/exporters of CTL plate from Korea for the POR. On August 15, 2023, Commerce selected POSCO Co., Ltd. (POSCO) as the sole mandatory respondent in this administrative review.<sup>3</sup> On December 20, 2023, Commerce extended the deadline for the preliminary results of this review to no later than May 24, 2024.<sup>4</sup>

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.<sup>5</sup> A list of topics discussed in the Preliminary Decision Memorandum is included at Appendix I. The Preliminary Decision Memorandum is a public document and is on file electronically 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 accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### **Scope of the *Order***

The merchandise covered by the *Order* is CTL plate. For a complete description of the scope of the *Order*, *see* the Preliminary Decision Memorandum.

### **Rescission of Administrative Review, in Part**

On September 14, 2023, Commerce notified interested parties that we intended to rescind this administrative review for 48 companies for which the record information shows no suspended entries of subject merchandise during the POR.<sup>6</sup> No parties commented on the notification of the intent to rescind the review, in part. Therefore, we find that there were no

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<sup>2</sup> *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 44262, 44271 (July 12, 2023).

<sup>3</sup> *See* Memorandum, "Respondent Selection," dated August 15, 2023.

<sup>4</sup> *See* Memorandum, "Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review; 2022," dated December 20, 2023.

<sup>5</sup> *See* Memorandum, "Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review of Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea; 2022: ," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>6</sup> *See* Memorandum, "Notice of Intent to Rescind Review, in Part," dated September 14, 2023.

entries of subject merchandise during the POR by the 48 companies listed in Appendix II. As a result of our finding, we are rescinding this review, in part, pursuant to 19 CFR 351.213(d)(3) with respect to these companies. For further information regarding this determination, *see* “Rescission of Administrative Review, In Part” section in the Preliminary Decision Memorandum.

## Methodology

Commerce is conducting this CVD administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>7</sup> For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

## Preliminary Results of Review

As a result of this review, we preliminarily determine the following net countervailable subsidy rate exists for the POR, January 1, 2022, through December 31, 2022:

Manufacturer/Exporter	Countervailable Subsidy Rate (percent <i>ad valorem</i> )
POSCO <sup>8</sup>	1.47

### Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public

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<sup>7</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>8</sup> As discussed in the Preliminary Decision Memorandum, Commerce preliminarily finds the following companies to be cross-owned with POSCO: POSCO Chemical Co., Ltd.; POSCO Holdings Inc.; POSCO Mobility Solution Co., Ltd.; POSCO M-Tech Co., Ltd.; and POSCO Nippon Steel RHF Joint Venture Co., Ltd. The subsidy rate applies to all cross-owned companies. We note that POSCO has an affiliated trading company through which it exported certain subject merchandise during the POR, POSCO International (aka POSCO International Corporation). POSCO International was not selected as a mandatory respondent but was examined in the context of POSCO. Therefore, there is not an established CVD rate for POSCO International; POSCO International’s subsidies are accounted for in POSCO’s total subsidy rate. Instead, entries of subject merchandise exported by POSCO International will receive the rate of the producer listed on the U.S. Customs and Border Protection (CBP) entry form. Thus, the subsidy rate applied to POSCO and POSCO’s cross-owned affiliates is also applied to POSCO International for entries of subject merchandise produced by POSCO.

announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

### **Public Comment**

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of this notice.<sup>9</sup> 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>10</sup> Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>11</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>12</sup> Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>13</sup>

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<sup>9</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>10</sup> See 19 CFR 351.309(d)(1) and (2).

<sup>11</sup> See 19 CFR 351.309 (c)(2) and (d)(2).

<sup>12</sup> We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>13</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023).

Pursuant to 19 CFR 251.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, using Enforcement and Compliance's ACCESS system within 30 days of publication of this notice.<sup>14</sup> Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date.

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS<sup>15</sup> and must be served on interested parties.<sup>16</sup> Electronically filed documents must be received successfully in their entirety by 5:00 p.m. Eastern Time on the established deadline.

### **Final Results**

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised by the parties in any written briefs, no later than 120 days after the date of publication of these preliminary results.

### **Assessment Rates**

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily assigned subsidy rates in the amounts shown above for the producers/exporters shown above. Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review, for the above-listed companies.

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<sup>14</sup> See 19 CFR 351.310(c).

<sup>15</sup> See 19 CFR 351.303.

<sup>16</sup> See 19 CFR 351.303(f).

For the companies for which this review is rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2022, through December 31, 2022, in accordance with 19 CFR 351.212(c)(1)(i). We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this notice in the *Federal Register*.

For the companies remaining in the review, we intend to issue assessment instructions to CBP no earlier than 35 days after the date of 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 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**

Pursuant to section 751(a)(2)(C) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts calculated in the final results for the companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review, except, where the rate calculated in the final results is zero or *de minimis*, no cash deposit will be required. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most

recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit instructions, when imposed, shall remain in effect until further notice.

**Notification to Interested Parties**

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: May 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 I

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

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Period of Review
- V. Diversification of Korea's Economy
- VI. Rescission of the Administrative Review, In Part
- VII. Subsidies Valuation Information
- VIII. Benchmarks and Interest Rates
- IX. Analysis of Programs
- X. Recommendation

## Appendix II

### Companies for Which Commerce Is Rescinding the Review

1. Ajin Industrial Co., Ltd.
2. BDP International
3. Blue Track Equipment
4. Boxco, Inc.
5. Bukook Steel Co., Ltd.
6. Buma CE Co., Ltd.
7. China Chengdu International Techno-Economic Cooperation Co., Ltd.
8. Daehan I.M. Co., Ltd.
9. Daehan Tex Co., Ltd.
10. Daelim Industrial Co., Ltd.
11. Daesam Industrial Co., Ltd.
12. Daesin Lighting Co., Ltd.
13. Daewoo International Corp.
14. Dong Yang Steel Pipe
15. DKC
16. DK Corporation
17. DK Dongshin Co., Ltd.
18. Dongbu Steel Co., Ltd.
19. Dongkuk Industries Co., Ltd.
20. Dongkuk Steel Mill Co., Ltd.
21. EAE Automotive Equipment
22. EEW KHPC Co., Ltd.
23. Eplus Expo Inc.
24. GS Global Corp.
25. Haem Co., Ltd.
26. Han Young Industries
27. Hyosung Corp.
28. Hyundai Steel Co.
29. Jinmyung Fricttech Co., Ltd.
30. Khana Marine Ltd.
31. Kindus Inc.
32. Korean Iron and Steel Co., Ltd.
33. Kyoungil Precision Co., Ltd.
34. LG Electronics Inc.
35. Menics
36. Qian'an Rentai Metal Products Co., Ltd.
37. Samsun C&T Corp.
38. Samsung Electronics Co., Ltd.
39. Shinko
40. Shipping Imperial Co., Ltd.
41. Sinchang Eng Co., Ltd.
42. SK Networks Co., Ltd.
43. SNP Ltd.
44. Steel N People Ltd.
45. Summit Industry
46. Sungjin Co., Ltd.
47. Wonbang Tech Co., Ltd.
48. Young Sun Steel

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