



INSTRUCTION BOOKLET

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS FOR COMMISSION QUESTIONNAIRES

CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM INDIA, INDONESIA, ITALY, JAPAN, AND KOREA Investigation Nos. 701-TA-388-391 and 731-TA-817-821 (Second Review)

Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this proceeding, you may contact the following members of the Commission's staff (Fax 202-205-3205):

*Angela Newell, investigator (202-708-5409; E-mail angela.newell@USITC.GOV)
regarding general questions and trade and related information;*

*Mary Klir, auditor (202-205-3247; E-mail mary.klir@USITC.GOV)
regarding financial information; and*

*Aimee Larsen, economist (202-205-3179; E-mail aimee.larsen@USITC.GOV)
regarding pricing, market, and related information.*

GENERAL INFORMATION

Background.-- On December 29, 1999, the Department of Commerce issued countervailing duty orders on imports of cut-to-length carbon-quality steel plate from France (64 FR 73277), India (64 FR 73131), Indonesia (64 FR 73155), Italy (64 FR 73244), and Korea (64 FR 73176).¹ On February 10, 2000, the Department of Commerce issued antidumping duty orders on imports of cut-to-length carbon-quality steel plate from France, India, Indonesia, Italy, Japan, and Korea (65 FR 6585).

On January 3, 2005, the Commission instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (70 FR 110). Following five year reviews by Commerce and the Commission, effective December 6, 2005, Commerce issued a continuation of the countervailing and antidumping duty orders on cut-to-length carbon-quality steel plate from all subject countries other than France (70 FR 72607). Effective February 10, 2005, Commerce issued a revocation of the antidumping duty order on cut-to-length carbon-quality steel plate from France (70 FR 72787, December 7, 2005).

On November 1, 2010, the Commission instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the subject orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (75 FR 67108). Each order for which the Commission and Commerce make affirmative determinations will remain in place. If the Commission or Commerce makes a negative determination on a particular order, the Department of Commerce will revoke that order.

Questionnaires and other information pertinent to this proceeding are available at http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2011/cut-to-length_carbon_steel_plate/reviewphase.htm. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this proceeding via the Commission's TDD terminal (202-205-1810).

Due date of questionnaire(s).-- Please submit the completed questionnaire(s) to the United States International Trade Commission so as to be received by no later than **August 10, 2011**. Because Commission staff might contact you with questions during the course of the proceeding, save the final version of the document(s) and retain all files and worksheets associated with the completed questionnaire(s). Please also retain a copy of any paper original document that you submit.

¹The countervailing duty orders on imports of cut-to-length carbon-quality steel plate from India and Korea were amended on February 10, 2000. (65 FR 6587). The countervailing duty order on imports of cut-to-length carbon-quality steel plate from France was revoked by the U.S. Department of Commerce on November 7, 2003 (68 FR 64858).

GENERAL INFORMATION--Continued

Service of questionnaire response(s).--In the event that your firm is a party to this proceeding, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

Confidentiality.--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

Verification.--**The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your worksheets and supporting documents used in the preparation of the questionnaire response(s).**

Release of information.--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the review, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this proceeding or other import-injury proceedings or reviews conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

INSTRUCTIONS

Answer all questions.-- Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates. If your firm is completing more than one questionnaire in connection with this proceeding (i.e., a producer, importer, and/or purchaser questionnaire), you need not respond to duplicated questions in the questionnaires.

Consolidate all U.S. establishments.--Report the requested data for your establishment(s) located in the United States. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

Electronic completion.--Your firm is encouraged (but not required) to complete the questionnaire electronically in MS Word format. The MS Word versions of all the questionnaires in this proceeding are available online at the ITC web page or may be obtained directly from the Commission's Investigator, Angela Newell (202-708-5409, angela.newell@usitc.gov).

Electronic submission.--To the degree that it is possible and not overly burdensome, the Commission requests that responding firms submit their questionnaire responses electronically in MS Word format. The completion and receipt of questionnaire responses in the MS Word format allows the Commission to easily compile and analyze submitted data. There are three electronic submissions options detailed below. Paper submissions are also accepted.

SUBMISSION OPTIONS

- **Upload via Secure Drop Box.**—Upload the completed questionnaire in MS Word format along with a scanned copy of the signed certification page (page 1) through the Commission’s secure upload facility:

Web address: <https://dropbox.usitc.gov/oinv/> **Pin:** PLATE

- **E-mail.**—E-mail the completed questionnaire to Angela Newell (angela.newell@usitc.gov) in MS Word format and include a scanned copy of the signed certification page (page 1).²
- **Compact disc (CD).**—Copy your questionnaire onto a CD, include a signed certification page (page 1) (either in paper form or scanned PDF copied onto CD), and mail to the address below. *It is strongly recommended that you use an **overnight mail service**. U.S. mail sent to government offices undergoes additional processing which not only results in substantial delays in delivery but may also damage CDs.*
- **U.S. mail or overnight mail service.**—Mail to the following address:

**United States International Trade Commission
Office of Investigations, Room 615
500 E Street SW
Washington, DC 20024 (overnight)
Washington, DC 20436 (U.S. mail)**

- **Fax.**—Fax to 202.205.3205.

Note to parties: If you are a party to the proceeding, and service of the questionnaire is required, such service should be made in paper form pursuant to the applicable Commission rules for the purposes of service. However, all parties are instructed to encourage their clients to complete the questionnaires electronically and to forward any electronically completed questionnaires in the underlying MS Word format to the Commission’s Investigator (email or upload) at the time of service.

² Please note that submitting your questionnaire by e-mail may subject your firm’s business proprietary information to transmission over an unsecure environment and to possible disclosure. If you choose this option, the Commission warns you that any risk involving possible disclosure of such information is assumed by the submitter and not by the Commission.

DEFINITIONS

Cut-to-length carbon-quality steel plate (“CTL plate”).-- The products covered by this proceeding are certain hot-rolled carbon-quality steel:

(1) Universal mill plates (i.e., flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a nominal or actual thickness of not less than 4 mm, which are cut-to-length (not in coils) and without patterns in relief), of iron or non-alloy-quality steel; and

(2) flat-rolled products, hot-rolled, of a nominal or actual thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are cut-to-length (not in coils).

Steel products to be included in the scope are of rectangular, square, circular or other shape and of rectangular or non-rectangular cross-section where such non-rectangular cross-section is achieved subsequent to the rolling process (i.e., products which have been “worked after rolling”)—for example, products which have been beveled or rounded at the edges. Steel products that meet the noted physical characteristics that are painted, varnished or coated with plastic or other non-metallic substances are included within the scope.

Also, specifically included in the scope are high strength, low alloy (“HSLA”) steels. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. Steel products to be included in the scope, regardless of Harmonized Tariff Schedule of the United States (“HTSUS”) definitions, are products in which:

(1) Iron predominates, by weight, over each of the other contained elements,
(2) the carbon content is two percent or less, by weight, and
(3) none of the elements listed below is equal to or exceeds the quantity, by weight, respectively indicated:

1.80 percent of manganese, or
1.50 percent of silicon, or
1.00 percent of copper, or
0.50 percent of aluminum, or
1.25 percent of chromium, or
0.30 percent of cobalt, or
0.40 percent of lead, or
1.25 percent of nickel, or
0.30 percent of tungsten, or
0.10 percent of molybdenum, or
0.10 percent of niobium, or
0.41 percent of titanium, or
0.15 percent of vanadium, or
0.15 percent zirconium.

DEFINITIONS—Continued

All products that meet the written physical description, and in which the chemistry quantities do not equal or exceed any one of the levels listed above, are within the scope unless otherwise specifically excluded.³

The following products are specifically excluded from the orders:

- (1) Products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances;
- (2) SAE grades (formerly AISI grades) of series 2300 and above;
- (3) products made to ASTM A710 and A736 or their proprietary equivalents;
- (4) abrasion-resistant steels (i.e., USS AR 400, USS AR 500);
- (5) products made to ASTM A202, A225, A514 grade S, A517 grade S, or their proprietary equivalents;
- (6) ball bearing steels;
- (7) tool steels; and
- (8) silicon manganese steel or silicon electric steel.

Firm--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

Related firm--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

Establishment--Each facility of a firm in the United States involved in the production, importation, and/or purchase of CTL plate (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

United States--For purposes of this proceeding, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

Importer--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing CTL plate (as defined above) into the United States from a foreign manufacturer or through its selling agent.

DEFINITIONS—Continued

³ The merchandise subject to the orders is currently classifiable in the HTSUS under subheadings: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.40.3050, 7225.40.7000, 7225.50.6000, 7225.99.0090, 7226.91.5000, 7226.91.7000, 7226.91.8000, 7226.99.0000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the orders is dispositive.

Imports--Those products identified for Customs purposes as imports for consumption for which your firm was the importer of record (i.e., was responsible for paying any import duty) or consignee (i.e., to which the merchandise was first delivered).

Import quantities--Quantities reported should be net of returns.

Import values--Values reported should be landed, duty-paid values (but not including antidumping and/or countervailing duties) at the U.S. port of entry, including ocean freight and insurance costs, brokerage charges, and normal import duties (i.e., including all charges except inland freight in the United States and antidumping and/or countervailing duties).

Purchaser--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing CTL plate (as defined above) from another firm that produces, imports, or otherwise distributes CTL plate. A retail firm that is the importer of record may be considered a purchaser.

Purchases--Purchases from all sources, NOT including direct imports from foreign sources located outside of the United States (which should be reported in an importer questionnaire).

Purchase quantities--Quantities reported should be net of returns.

Purchase values--Values reported should be net values (i.e., gross purchase values less all discounts, allowances, rebates, and the value of returned goods), delivered to your U.S. receiving point.

Shipments--Shipments of products produced in or imported by your U.S. establishment(s). Include shipments to the contracting firm of product produced by your firm under a toll agreement.

Shipment quantities--Quantities reported should be net of returns.

Shipment values--Values reported should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment. The value of domestic shipments to the contracting firm under a toll agreement is the conversion fee (including profit).

Types of shipments:

U.S. shipments--Commercial shipments, internal consumption, and transfers to related firms within the United States.

Commercial shipments--Shipments, other than internal consumption and transfers to related firms, within the United States.

Internal consumption--Product consumed internally by your firm.

DEFINITIONS--Continued

Transfers to related firms.--Shipments made to related domestic firms.

Export shipments.--Shipments to destinations outside the United States, including shipments to related firms.

Inventories.--Finished goods inventory, not raw materials or work-in-progress.

The following definitions apply only to the PRODUCER QUESTIONNAIRE.

Average production capacity.--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

Toll agreement.--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

Production.--All production in your U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement.

PRWs.--Production and related workers, including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.

Average number employed.--Add the number of employees, both full-time and part-time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12. For the January-June periods, calculate similarly and divide by 6.

Hours worked.--Include time paid for sick leave, holidays, and vacation time. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight-time hours.

Wages paid.--Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.). Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

Fiscal year.--The 12-month period between settlement of your firm's financial accounts.

DEFINITIONS--Continued

Continued Dumping and Subsidy Offset Act (Byrd Amendment) funds received.--Funds disbursed by the Bureau of Customs and Border Protection under the Continued Dumping and Subsidy Offset Act of 2000 (the "Byrd Amendment"). The Byrd Amendment provides for the annual distribution of the duties collected pursuant to antidumping and countervailing duty orders. The distribution is available to "affected domestic producers for qualifying expenditures."

Purchases other than direct imports.--Purchases from U.S. producers, U.S. importers, and other U.S. sources.