# LOST SALES AND LOST REVENUE SURVEY

# CERTAIN CARBON AND ALLOY STEEL CUT-TO-LENGTH PLATE ("CTL PLATE") FROM AUSTRIA, BELGIUM, BRAZIL, CHINA, FRANCE, GERMANY, ITALY, JAPAN, KOREA, SOUTH AFRICA, TAIWAN, AND TURKEY

#### This survey must be received by the Commission by April 22, 2016

#### See last page for filing instructions.

The information called for in this survey is for use by the United States International Trade Commission in connection with its countervailing duty and antidumping investigations concerning CTL plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey (inv. Nos. 701-TA-559-561 and 731-TA-1317-1328 (Preliminary)). The information requested in the survey is requested under the authority of the Tariff Act of 1930, title VII. This report is mandatory and failure to reply as directed can result in a subpoena or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)). Further information on this survey can be obtained from Craig Thomsen (202-205-3236, Craig.Thomsen@usitc.gov).

Address	
City	State Zip Code
Website	
Has your fir	purchased <b>CTL plate</b> (as defined on next page) at any time since January 1, 2013?
Has your firi	purchased <b>CTL plate</b> (as defined on next page) at any time since January 1, 2013? (Sign the certification below and promptly return <b>only</b> this page of the survey to the Commission)

#### CERTIFICATION

I certify that the information herein supplied in this survey is complete and correct to the best of my knowledge and belief and understand that the information submitted is subject to audit and verification by the Commission.

By submitting this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this survey and throughout this proceeding in any other import-injury proceedings conducted by the Commission on the same or similar merchandise.

*I*, the undersigned, acknowledge that information submitted in response to this request for information and throughout this investigation or other proceeding may be disclosed to and used:

(i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or

(ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. I understand that all contract personnel will sign appropriate nondisclosure agreements.

Name of Authorized Official

Title of Authorized Official

Date

#### **GENERAL INFORMATION**

**Background.**--This proceeding was instituted in response to petitions filed on April 8, 2016, by ArcelorMittal USA LLC (Chicago, Illinois), Nucor Corporation (Charlotte, North Carolina), and SSAB Enterprises, LLC (Lisle, Illinois). Countervailing and/or antidumping duties may be assessed on the subject imports as a result of these proceedings if the Commission makes affirmative determinations of injury, threat, or material retardation, and if the U.S. Department of Commerce makes affirmative determinations of subsidization and/or dumping. U.S. producers of CTL plate have provided the USITC with allegations about sales or revenue that they have lost due to competition from imports of CTL plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey. One or more domestic producer(s) have named your firm in such an allegation.

<u>CTL plate</u> covered by these investigations is certain carbon and alloy steel hot-rolled or forged flat plate products not in coils, whether or not painted, varnished, or coated with plastics or other non-metallic substances. Subject merchandise includes plate that is produced by being cut-to-length from coils and plate that is rolled or forged into a discrete length. The products covered include (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 thickness of not less than 4 mm, which are not in coils and without patterns in relief), and (2) hot-rolled or forged flat steel products of a 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 not in coils, whether or not with patterns in relief. The covered products described above may be rectangular, square, circular or other shapes and include products of either 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", (*e.g.*, products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above, the following rules apply:

(1) where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above unless the product is already covered by an existing order (*e.g.*, orders on hot-rolled flat-rolled steel); and

(2) where the width and thickness vary for a specific product (*e.g.*, the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less by weight.

Subject merchandise includes cut-to-length plate that has been further processed in a third country, including but not limited to pickling, oiling, levelling, annealing, tempering, temper rolling, skin passing, painting, varnishing, trimming, cutting, punching, beveling, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the cut-to-length plate.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded or covered by the scope of an existing order. The following products are outside of, and/or specifically excluded from, the scope of these investigations:

(1) products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances;

(2) military grade armor plate made to a domestic (*e.g.*, MIL-DTL, MIL-S, NAV-SEA) or foreign (*e.g.*, IDF, CMS, Def-Stan 95) armor plate specification;

(3) stainless steel plate, containing 10.5 percent or more of chromium by weight.

(4) CTL plate meeting the requirements of ASTM A-829, Grade E 4340 that are over 12 inches (305 mm) thick.

(5) Alloy forged and rolled CTL plate greater than or equal to 6 inches (152.4 mm) thick meeting each of the following requirements:

(a) Electric Furnace melted, Ladle Refined & Vacuum degassed and having a chemical composition (expressed in weight percentages):

- Carbon 0.23-0.28,
- Silicon 0.05-0.20,
- Manganese 1.20-1.60,
- Nickel not greater than 1.0,
- Sulfur not greater than 0.007,
- Phosphorus not greater than 0.020,
- Chromium 1.0-2.5,
- Molybdenum 0.35-0.8,
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm,
- Nitrogen not greater than 60 ppm.

(b) With a Brinell hardness measured in all parts of the product including mid thickness in the range of:

(i) 270-300 HBW,(ii) 290-320 HBW, or(iii) 320-350 HBW;

(c) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.0, C not exceeding 0.5, D not exceeding 1.5; and

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 2 mm flat bottom hole.

(6) Alloy forged and rolled steel CTL plate over 16 inches (407 mm) in thickness and meeting the following requirements:

Made from Electric Arc Furnace melted, Ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):

- Carbon 0.23-0.28,
- Silicon 0.05-0.15,
- Manganese 1.2-1.50,
- Nickel not greater than 0.4,
- Sulfur not greater than 0.010,
- Phosphorus not greater than 0.020,
- Chromium 1.2-1.5,
- Molybdenum 0.35-0.55,
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm;

(b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.5, C not exceeding 1.0, D not exceeding 1.5;

(c) Having the following mechanical properties:

- (i) With a Brinell hardness not more than 237 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 75ksi min and UTS 95ksi or more, Elongation of 18% or more and Reduction of area 35% or more; having charpy V at -75 degrees F in the longitudinal direction equal or greater than 15 ft. lbs (single value) and equal or greater than 20 ft. lbs (average of 3 specimens) and conforming to the requirements of NACE MR01-75; or
- With a Brinell hardness not less than 240 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 90 ksi min and UTS 110 ksi or more, Elongation of 15% or more and Reduction of area 30% or more; having charpy V at -40 degrees F in the longitudinal direction equal or greater than 21 ft. lbs (single value) and equal or greater than 31 ft. lbs (average of 3 specimens);

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and

(e) Conforming to magnetic particle inspection in accordance with AMS 2301.

(7) Alloy forged and rolled steel CTL plate over 16 inches (407 mm) in thickness and meeting the following requirements:

- (a) Made from Electric Arc Furnace melted, Ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):
  - Carbon 0.25-0.30,
  - Silicon not greater than 0.25,
  - Manganese not greater than 0.50,
  - Nickel 3.0-3.5,
  - Sulfur not greater than 0.010,
  - Phosphorus not greater than 0.020,
  - Chromium 1.0-1.5,
  - Molybdenum 0.6-0.9,
  - Vanadium 0.08 to 0.12
  - Boron 0.002-0.004,
  - Oxygen not greater than 20 ppm,
  - Hydrogen not greater than 2 ppm, and
  - Nitrogen not greater than 60 ppm.

(b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.0(t) and 0.5(h), B not exceeding 1.5(t) and 1.0(h), C not exceeding 1.0(t) and 0.5(h), and D not exceeding 1.5(t) and 1.0(h);

(c) Having the following mechanical properties: A Brinell hardness not less than 350 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 145ksi or more and UTS 160ksi or more, Elongation of 15% or more and Reduction of area 35% or more; having charpy V at -40 degrees F in the transverse direction equal or greater than 20 ft. lbs (single value) and equal or greater than 25 ft. lbs (average of 3 specimens);

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and

(e) Conforming to magnetic particle inspection in accordance with AMS 2301.

At the time of the filing of the petitions, there was an existing antidumping duty order on certain cut-tolength carbon-quality steel plate products from Korea. See Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-To-Length Carbon-Quality Steel Plate Products from Korea, 64 Fed. Reg. 73,196 (Dep't Commerce Dec. 29, 1999), as amended, 65 Fed. Reg. 6,585 (Dep't Commerce Feb 10, 2000) ("1999 Korea AD Order"). The scope of the antidumping duty investigation with regard to CTL plate from Korea covers only (1) subject CTL plate not within the physical description of cut-to-length carbon quality steel plate in the 1999 Korea AD Order, regardless of producer or exporter; and (2) CTL plate produced and/or exported by those companies that were excluded or revoked from the 1999 Korea AD Order as of April 8, 2016. Those revoked or excluded companies are POSCO and any POSCO affiliates.

At the time of the filing of the petitions, there was an existing countervailing duty order on certain cutto-length carbon-quality steel plate from Korea. See Final Affirmative Countervailing Duty Determination: Certain Cut-to-Length Carbon-Quality Steel Plate From the Republic of Korea, 64 Fed. Reg. 73,176 (Dep't Commerce Dec. 29, 1999), as amended, 65 Fed. Reg. 6,587 (Dep't Commerce Feb. 10, 2000) ("1999 Korea CVD Order"). The scope of the countervailing duty investigation with regard to CTL plate from Korea covers only (1) subject CTL plate not within the physical description of cut-to-length carbon quality steel plate in the 1999 Korea CVD Order regardless of producer or exporter, and (2) CTL plate produced and/or exported by those companies that were excluded or revoked from the 1999 Korea CVD Order as of April 8, 2016. Those revoked or excluded companies are POSCO and any POSCO affiliates.

Excluded from the scope of the antidumping duty investigation on CTL plate from China are any products covered by the existing antidumping duty order on certain cut-to-length carbon steel plate from China. See Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate From the People's Republic of China; Termination of Suspension Agreement and Notice of Antidumping Duty Order, 68 Fed. Reg. 60,081 (Dep't Commerce Oct. 21, 2003), as amended, Affirmative Final Determination of the Antidumping Duty Order on Certain Cut-to-Length Carbon Steel Plate From the People's Republic of China, 76 Fed. Reg. 50,996, 50,996-97 (Dep't of Commerce Aug. 17, 2011).

The products subject to these investigations are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000.<sup>1</sup>

The products subject to the investigation may also enter under the following HTSUS item numbers: 7208.40.6060, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.19.1500, 7211.19.2000, 7211.19.4500, 7211.19.6000, 7211.19.7590, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7225.40.5110, 7225.40.5130, 7225.40.5160, 7225.40.7000, 7225.99.0010, 7225.99.0090, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.91.7000, 7226.91.8000, and 7226.99.0180.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigations is dispositive.

**<u>Reporting of information</u>**.-- If information is not readily available from your records, provide carefully prepared estimates.

**Confidentiality**.--The data furnished in response to this survey 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, general 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.

<sup>&</sup>lt;sup>1</sup> Effective January 1, 2016, HTS subheading number 7225.40.1115 and 7225.40.1190 were discontinued and were replaced by HTS subheading 7225.40.1180.

**Release of information**.--The information provided by your firm in response to this survey, as well as any other business proprietary information submitted by your firm to the Commission in connection with this proceeding, 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 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. Please also retain a copy of the final document that you submit.

<u>Contact information</u>.--Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in this survey. This may or may not be the person whose signature is at the bottom of page 1.

Name	
Title	
Email	
Telephone	

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# **PURCHASE INFORMATION**

1. **<u>Purchases</u>.**—Report your firm's total U.S. purchases of CTL plate. Estimates are acceptable.

ltem	2013	2014	2015
Purchases of CTL plate produced in	Qu	antity (in short to	ns)
United States			
Austria			
Belgium			
Brazil			
China			
France			
Germany			
Italy			
Japan			
Korea, POSCO & affiliates			
Korea, other than POSCO			
South Africa			
Taiwan			
Turkey			
All other countries: <sup>1</sup>			
Sources unknown			
Total purchases	0	0	0
<sup>1</sup> Please identify these countries:			

2. <u>Changes in purchasing patterns</u>.— Please indicate how the shares of your firm's purchases of CTL plate from different sources have changed since January 1, 2013.

Source of purchases	Did not purchase	Decreased	Increased	Constant	Fluctuated	Explanation for trend
United States						
Austria						
Belgium						
Brazil						
China						
France						
Germany						
Italy						
Japan						
Korea, POSCO & affiliates						
Korea, other than POSCO						
South Africa						
Taiwan						
Turkey						
All other countries						
Sources unknown						

3. <u>Major purchasing factors</u>.--Please list, in order of their importance, the main factors your firm considers in deciding from whom to purchase CTL plate.

1.			
2.			
3.			
Please li	Please list any other factors that are very important in your purchase decisions:		

#### 4. Purchasing subject imports rather than domestic products.-

(a) Since January 2013, did your firm purchase imports of CTL plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey instead of U.S.-produced CTL plate? Respond for each subject country.

	Yes	No (If "No" for all countries, skip to next
Source	(also respond to parts (b) and (c))	question)
Austria		
Belgium		
Brazil		
China		
France		
Germany		
Italy		
Japan		
Korea, POSCO & affiliates		
Korea, other than POSCO		
South Africa		
Taiwan		
Turkey		

(b) If you responded "Yes" to part (a), was the imported product priced lower than the domestic product?

Source	Yes	No
Austria		
Belgium		
Brazil		
China		
France		
Germany		
Italy		
Japan		
Korea, POSCO & affiliates		
Korea, other than POSCO		
South Africa		
Taiwan		
Turkey		

(c) If you responded "Yes" to part (a), was price a primary reason for the shift?

Source	Yes	If Yes, estimate the quantity of purchases that your firm shifted to imports since January 2013 because of price (in short tons)	No	If No, please indicate the reason for the shift
Austria				
Belgium				
Brazil				
China				
France				
Germany				
Italy				
Japan				
Korea, POSCO & affiliates				
Korea, other than POSCO				
South Africa				
Taiwan				
Turkey				

#### 5. U.S. producers and import competition.—

(a) Since January 1, 2013, in connection with a sale or offer to sell CTL plate to your firm, did U.S. producers reduce their prices of domestically produced CTL plate in order to compete with lower-priced imports of CTL plate from subject countries? Respond for each subject country.

	Yes (also respond to	No (If "No" for all countries,	
Source	question part (b))	skip to next question)	Don't know
Austria			
Belgium			
Brazil			
China			
France			
Germany			
Italy			
Japan			
Korea, POSCO & affiliates			
Korea, other than POSCO			
South Africa			
Taiwan			
Turkey			

(b) If your firm responded "yes" to any of the above countries, please provide an estimate of the reduction in U.S. producers' prices, and any additional explanations, such as timing (e.g., months/years), frequency of price reductions, or other market/competitive factors.

Source	Estimated reduction in U.S. prices (percent)	Additional explanation, including such information as timing (e.g., months/years), frequency of price reductions, or other market/competitive factors
Austria	%	
Belgium	%	
Brazil	%	
China	%	
France	%	
Germany	%	
Italy	%	
Japan	%	
Korea, POSCO & affiliates	%	
Korea, other than POSCO	%	
South Africa	%	
Taiwan	%	
Turkey	%	

#### 6. **Other explanations--**Please provide any additional comments in this box.

#### **OMB INFORMATION**

7. <u>OMB statistics</u>.--Please report the actual number of hours required and the cost to your firm of completing this survey.

Hours	Dollars

The questions in this survey have been reviewed with market participants to ensure that issues of concern are adequately addressed and that data requests are sufficient, meaningful, and as limited as possible. Public reporting burden for this survey is estimated to average 4 hours per response, including the time for reviewing instructions, gathering data, and completing and reviewing the survey.

We welcome comments regarding the accuracy of this burden estimate, suggestions for reducing the burden, and any suggestions for improving this survey. Please attach such comments to your response or send to the Office of Investigations, USITC, 500 E St. SW, Washington, DC 20436.

# HOW TO FILE YOUR SURVEY RESPONSE

**Please do not attempt to modify the format or permissions of the survey document**. Please submit the completed survey using one of the methods noted below. If your firm is unable to complete the MS Word survey or cannot use one of the electronic methods of submission, please contact the Commission for further instructions.

• <u>Upload via Secure Drop Box</u>.—Upload the MS Word survey along with a scanned copy of the signed certification page (page 1) through the Commission's secure upload facility:

- o Web address: <u>https://dropbox.usitc.gov/oinv/</u>
- Enter Investigation: Select "Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey" in the drop down menu
- o Pin: CTLP

• E-mail.—E-mail the MS Word survey to Craig.Thomsen@usitc.gov; include a scanned copy of the signed certification page (page 1). Submitters are strongly encouraged to encrypt nonpublic documents that are electronically transmitted to the Commission to protect your sensitive information from unauthorized disclosure. The USITC secure drop-box system and the Electronic Document Information System (EDIS) use Federal Information Processing Standards (FIPS) 140-2 cryptographic algorithms to encrypt data in transit. Submitting your nonpublic documents by a means that does not use these encryption algorithms (such as by email) may subject your firm's nonpublic information to unauthorized disclosure during transmission. If you choose a non-encrypted method of electronic transmission, the Commission warns you that the risk of such possible unauthorized disclosure is assumed by you and not by the Commission.

If your firm <u>did not</u> purchase this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.