

# WORLD TRADE ORGANIZATION

G/SG/N/6/USA/7  
6 August 1999

(99-3347)

Committee on Safeguards

Original: English

## NOTIFICATION UNDER ARTICLE 12.1(A) OF THE AGREEMENT ON SAFEGUARDS ON INITIATION OF AN INVESTIGATION AND THE REASONS FOR IT

UNITED STATES

The following communication, dated 4 August 1999, has been received from the Permanent Mission of the United States.

Pursuant to Article 12.1(a) of the WTO Agreement on Safeguards, and in light of the format for notifications under the Agreement on Safeguards adopted by the Committee on Safeguards (G/SG/N/6, 7 February 1995), the United States notifies that its competent authorities have initiated a safeguards proceeding, as follows:

1. Date investigation was initiated: 29 July 1999, with an effective date of 30 July 1999.
2. Product subject to investigation: Welded carbon quality<sup>1</sup> line pipe of circular cross section, of a kind used for oil and gas pipelines, whether or not stencilled. Such line pipe is classified in subheadings 7306.10.10 and 7306.10.50 of the Harmonized Tariff Schedules of the United States.
3. Reasons for the initiation: The investigation was initiated on the basis of a petition filed on behalf of the domestic industry, and on the information and evidence contained therein. A copy of the notice of institution and scheduling of an investigation is being submitted together with this notification. A copy of the petition is also being submitted to the Committee, and will be available in the WTO Secretariat for inspection by government representatives.<sup>2</sup>

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<sup>1</sup>For purposes of this investigation, carbon quality is defined to mean: products in which (1) iron predominates, by weight, over each of the other contained elements, (2) the carbon content is 2 per cent or less, by weight, and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated: 1.80 per cent of manganese, or 2.25 per cent of silicon, or 1.00 per cent of copper, or 0.50 per cent of aluminum, or 1.25 per cent of chromium, or 0.30 per cent of cobalt, or 0.40 per cent of lead, or 1.25 per cent of nickel, or 0.30 per cent of tungsten, or 0.10 per cent of molybdenum, or 0.10 per cent of niobium, or 0.15 per cent of vanadium, or 0.15 per cent of zirconium.

<sup>2</sup> Interested delegations are requested to contact Miss S. Aspinall, Office 1028, Tel: 739 51 09.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. TA-201-70

CIRCULAR WELDED CARBON QUALITY LINE PIPE

AGENCY: United States International Trade Commission.

ACTION: Institution and scheduling of an investigation under section 202 of the Trade Act of 1974 (19 U.S.C. § 2252) (the Act).

SUMMARY: Following receipt of a petition filed on 30 June 1999, as amended on 2 July 1999, on behalf of Geneva Steel, IPSCO Tubulars, Inc., Lone Star Steel Company, Maverick Tube Corporation, Newport Steel, Northwest Pipe Company, Stupp Corporation, and the United Steelworkers of America, AFL-CIO, the Commission instituted investigation No. TA-201-70 under section 202 of the Act to determine whether welded carbon quality<sup>3</sup> line pipe of circular cross-section, of a kind used for oil and gas pipelines, whether or not stencilled, is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article. Such line pipe is classified in subheadings 7306.10.10 and 7306.10.50 of the Harmonized Tariff Schedule of the United States.

For further information concerning the conduct of this investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 206, subparts A and B (19 CFR part 206).

EFFECTIVE DATE: 30 June 1999.

FOR FURTHER INFORMATION CONTACT: Valerie Newkirk (202-205-3190), Office of Investigations, US International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov> or <ftp://ftp.usitc.gov>).

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<sup>3</sup> For purposes of this investigation, carbon quality is defined to mean: products in which (1) iron predominates, by weight, over each of the other contained elements, (2) the carbon content is 2 per cent or less, by weight, and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

- 1.80 per cent of manganese, or
- 2.25 per cent of silicon, or
- 1.00 per cent of copper, or
- 0.50 per cent of aluminium, or
- 1.25 per cent of chromium, or
- 0.30 per cent of cobalt, or
- 0.40 per cent of lead, or
- 1.25 per cent of nickel, or
- 0.30 per cent of tungsten, or
- 0.10 per cent of molybdenum, or
- 0.10 per cent of niobium, or
- 0.15 per cent of vanadium, or
- 0.15 per cent of zirconium

SUPPLEMENTARY INFORMATION:

Participation in the investigation and service list – Persons wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, not later than 21 days after publication of this notice in the *Federal Register*. The Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited disclosure of confidential business information (CBI) under an administrative protective order (APO) and CBI service list. Pursuant to section 206.17 of the Commission's rules, the Secretary will make CBI gathered in this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made not later than 21 days after the publication of this notice in the *Federal Register*. A separate service list will be maintained by the Secretary for those parties authorized to receive CBI under the APO.

Hearings on injury and remedy. The Commission has scheduled separate hearings in connection with the injury and remedy phases of this investigation. The hearing on injury will be held beginning at 9.30 a.m. on 30 September 1999, at the US International Trade Commission Building. In the event that the Commission makes an affirmative injury determination or is equally divided on the question of injury in this investigation, a hearing on the question of remedy will be held beginning at 9.30 a.m. on 10 November 1999. Requests to appear at the hearings should be filed in writing with the Secretary to the Commission on or before 23 September 1999, and 3 November 1999, respectively. All persons desiring to appear at the hearings and make oral presentations should attend prehearing conferences to be held at 9.30 a.m. on 27 September 1999 and 5 November 1999, respectively, at the US International Trade Commission Building. Oral testimony and written materials to be submitted at the hearing are governed by sections 201.6(b)(2) and 201.13(f) of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

Written submissions. Each party is encouraged to submit a prehearing brief to the Commission. The deadline for filing prehearing briefs on injury is 24 September 1999; that for filing prehearing briefs on remedy, including any commitments pursuant to 19 U.S.C. § 2252(a)(6)(B), is 3 November 1999. Parties may also file posthearing briefs. The deadline for filing posthearing briefs on injury is 6 October 1999; that for filing posthearing briefs on remedy is 17 November 1999. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the consideration of injury on or before 6 October 1999, and pertinent to the consideration of remedy on or before 17 November 1999. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain CBI must also conform with the requirements of section 201.6 of the Commission's rules.

In accordance with section 201.16(c) of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or CBI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

AUTHORITY: This investigation is being conducted under the authority of section 202 of the Trade Act of 1974; this notice is published pursuant to section 206.3 of the Commission's rules.

By order of the Commission.

Donna R. Koehnke (Signed)  
Secretary

Issued: 29 July 1999

Investigation No. TA-201-70

CIRCULAR WELDED CARBON QUALITY LINE PIPE

Staff Assigned

Investigator: .....	Valerie Newkirk (205-3190)
Commodity-Industry Analyst: .....	Tracy Quilter (205-3437)
Economist .....	James Fetzer (708-5403)
Accountant/Auditor: .....	David Boyland (708-4725)
Attorney: .....	Bill Gearhart (205-3091)
Supervisory Investigator: .....	Bob Carpenter (205-3172)

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Date

Receipt of petition..... 30 June 1999

Questionnaires:

Drafts to Supervisory Investigator .....	1 July
To the Commission .....	2 July
Mail .....	2 August
Return .....	19 August

Fieldwork ..... As needed

Prehearing report:

Draft to Supervisory Investigator.....	8 September
Draft to Senior Review .....	13 September
To the Commission .....	17 September

Prehearing briefs of Parties due<sup>4</sup> ..... 24 September

Prehearing conference..... 27 September: 9.30 a.m.

Hearing ..... 30 September: 9.30 a.m.

Posthearing briefs of Parties due<sup>4</sup> ..... 6 October

Report to the Commission:

Draft to Supervisory Investigator.....	8 October
Draft to Senior Review .....	14 October
To the Commission .....	21 October

Staff memoranda to the Commission.....<sup>5</sup>

Briefing and vote on injury (suggested date) ..... 28 October

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<sup>4</sup> If briefs contain business confidential information, a nonbusiness confidential version is due the following business day.

<sup>5</sup> Not later than 3 business days before the vote

Remedy (if injury vote is affirmative):

Prehearing briefs of Parties due <sup>4</sup> .....	3 November
Prehearing conference.....	5 November,; 9.30 a.m.
Hearing.....	10 November
Posthearing briefs of Parties due <sup>4</sup> .....	17 November
Memo on Section 203(a) and remedy considerations:	
Draft to Senior Review .....	23 November
To the Commission.....	1 December
Briefing and vote on remedy (suggested date).....	8 December

Final action (notification of the President) ..... 17 December 1999

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