

June 27, 2024

**SENT BY TITAN FILE**

**PUBLIC**

Trade and Anti-Dumping Programs Directorate  
SIMA Registry and Disclosure Unit  
Canada Border Services Agency  
100 Metcalfe Street, 11<sup>th</sup> Floor  
Ottawa, ON K1A 0L8

Dear Registry:

**RE: Carbon Steel Welded Pipe 2 – Response to TPP’s Request for NVR**

This letter is filed with the Canada Border Services Agency (“CBSA”) on behalf of Nova Steel Inc. and Nova Tube Inc. (collectively “Nova”) with respect to Thai Premium Pipe Co., Ltd.’s (“TPP”) letter dated May 30, 2024, requesting that the CBSA initiate a normal value review (“NVR”). TPP is a Thai producer of carbon steel welded pipe (“CSWP”) and any exports of CSWP to Canada are subject to the *Carbon Steel Welded Pipe 2* finding (“CSWP2”). It currently does not have normal values and is subject to the “all others” rate of 54.2%.

Nova submits that a NVR for TPP is not warranted at this time.

One of the factors the CBSA takes into account when determining whether to initiate a NVR is “the elapsed time since values were last issued”.<sup>1</sup> The CBSA concluded a re-investigation to update the normal values for CSWP2 Subject Country exporters in October 2023.<sup>2</sup> All exporters – including TPP – were able to participate in this re-investigation; TPP did not. Initiating a NVR for an exporter that could have participated in the CSWP2 re-investigation only eight months later is not an appropriate use of CBSA’s resources. Another factor considered by the CBSA is the

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<sup>1</sup> *Re-investigation and Normal Value Review Policy – Special Import Measures Act (SIMA)*, Memorandum D14-1-8 (October 21, 2022) at para 12(b).

<sup>2</sup> *Carbon Steel Welded Pipe 2*, CSWP2 2023 RI, Notice of Conclusion of a Re-Investigation (October 6, 2023). +

“timing of the next expiry review”.<sup>3</sup> In February 2024, the CBSA concluded that the expiry of the CSWP2 order is likely to result in the continuation of dumping from the Subject Countries, including Thailand. The CITT’s evidentiary portion of the expiry review has concluded and its determination on the likelihood of resumed injury will be issued by June 26, 2024. In short, if there is a positive CITT finding, the next expiry review will be in 5 years.

Additionally, Nova notes that the volatility of steel prices, which continue to decline, is not conducive to a stabilized market. The tables below depict the declining trend in hot-rolled coil (“HRC”) prices. There is no publication that tracks CSWP pricing, but HRC is the primary input in the production of CSWP and is a reasonable proxy for CSWP price trends.

**Table 1:**  
**HRC Prices 2020-2024 (US\$/MT)<sup>4</sup>**

<b>Market</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Jan-May 2024</b>
U.S. Midwest	[				
Germany					
Italy					
United Kingdom					
China					
India					
<b>Average</b>					]

<sup>3</sup> *Re-investigation and Normal Value Review Policy – Special Import Measures Act (SIMA)*, Memorandum D14-1-8 (October 21, 2022) at para 12(n).

<sup>4</sup> Confidential Attachment 1: CRU Prices for HRC for January 2020 to May 2024.

**Table 2:**  
**HRC Prices year over year % change 2020-2024<sup>5</sup>**


<b>y-o-y % change</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Jan-May 2024</b>
U.S. Midwest		[			
Germany					
Italy					
United Kingdom					
China					
India					
<b>Average</b>					]

HRC pricing has been steadily declining every year since 2021 in [ ]. On average, HRC pricing has decreased by [ ]% in 2022 and [ ]% in 2023, with a continuing declining trend in January-May 2024. Additionally, U.S. Midwest pricing, which closely follows Canadian pricing trends, remains the [ ] priced market.

Nova submits that due to the volatile nature of prices, any new normal values would not reflect stabilized market pricing. Updating normal values during a time where prices are unstable could cause injury to the domestic industry by setting normal values too low once the market recovers.

Nova therefore requests that the CBSA not initiate a NVR for TPP.

Yours truly,



Anne-Marie Oatway  
Conlin Bedard LLP

<sup>5</sup> Confidential Attachment 1: CRU Prices for HRC for January 2020 to May 2024.

### **List of Attachments**

<b>Attachment #</b>	<b>Description</b>
Confidential Attachment 1	CRU HRC Pricing from January 2020 to May 2024.

Carbon Steel Welded Pipe 2

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**Public Summary of  
Confidential Attachment 1**  
to the Response Letter to TPP request for NVR  
from Nova Tube Inc. and Nova Steel Inc.

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**Confidential Attachment 1** contains  
CRU hot-rolled sheet prices for January  
2020 to May 2024.

CRU is a subscription-based, copyrighted  
publication. The disclosure of this  
information which would cause financial  
harm to Nova Tube Inc.

**NON-CONFIDENTIAL**