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September 30, 2020

Petitions Summary – Utility Scale Wind Towers from India, Malaysia and Spain

I. INTRODUCTION

This memorandum summarizes the Petitions by the Wind Tower Trade Coalition, filed on September 30, 2020, with the U.S. Department of Commerce and the U.S. International Trade Commission, for the Imposition of Antidumping Duties on Utility Scale Wind Towers from India, Malaysia and Spain, and Countervailing Duties on Utility Scale Wind Towers from India and Malaysia.

II. SCOPE OF THE INVESTIGATION

The merchandise covered by these petitions consists of certain wind towers, whether or not tapered, and sections thereof. Certain wind towers support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (*i.e.*, where the top of the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell,

regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (*e.g.*, flooring/decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with non-subject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof, unless those components are shipped with the tower sections.

III. U.S. TARIFF CLASSIFICATION

Wind towers are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7308.20.0020 and 8502.31.0000. Wind towers of iron or steel are classified under HTSUS 7308.20.0020 when imported separately as a tower or tower section(s). Wind towers may be classified under HTSUS 8502.31.0000 when imported as combination goods with a wind turbine (*i.e.*, accompanying nacelles and/or rotor blades).

IV. PETITIONER

The members of the Wind Tower Trade Coalition include the following Arcosa Wind Towers Inc. and Broadwind Towers, Inc. The Petitioner is a coalition of producers of the domestic like product in the United States and is thus an interested party within the meaning of 19 U.S.C. §§ 1677(9)(E) and 1677(9)(C), and 19 C.F.R. § 351.102(b)(17).

V. NAMED PRODUCERS/EXPORTERS

Please contact our office for a list of Foreign Producers of subject utility scale wind towers.

VI. NAMED IMPORTERS

Please contact our office for a list of U.S. Importers of subject utility scale wind towers.

VII. ALLEGED DUMPING MARGIN

India: 71.80%

Malaysia: 55.88%

Spain: 83.66%

VIII. ALLEGED SUBSIDIES

- Provision of steel plate for less than adequate remuneration

- Upstream subsidies to steel producers
- Provision of land and utilities for less than adequate remuneration
- Grants
- Tax breaks
- Import duty exemptions
- Discounted loans