



## FACT SHEET

### **Commerce Initiates Antidumping Duty (AD) Investigations of Utility Scale Wind Towers from the People's Republic of China (China) and the Socialist Republic of Vietnam (Vietnam) and a Countervailing Duty (CVD) Investigation of Utility Scale Wind Towers from China**

- On January 18, 2012, the Department of Commerce (Commerce) initiated AD and CVD investigations of imports of utility scale wind towers from China (AD/CVD) and Vietnam (AD).
- For the purpose of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than fair value. For the purpose of CVD investigations, countervailable subsidies are financial assistance from foreign governments that benefit the production of goods from foreign companies and are limited to specific enterprises or industries, or are contingent either upon export performance or upon the use of domestic goods over imported goods.
- The petitioner for these investigations is the Wind Tower Trade Coalition. The Wind Tower Trade Coalition is comprised of the following member companies: Broadwind Towers, Inc. (Manitowoc, WI); DMI Industries (Fargo, ND); Katana Summit LLC (Columbus, NE); and Trinity Structural Towers, Inc. (Dallas, TX).
- The merchandise covered by these investigations is utility scale wind towers which are the steel towers that support the nacelle (an enclosure for an engine) and rotor blades for use in wind turbines that have electrical power generation capacities in excess of 100 kilowatts.
- 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.
- Imports of the subject merchandise are provided for under the following categories of the Harmonized Tariff Schedule of the United States (HTSUS): (HTSUS 7308.20.0000, 7308.20.0020, and 8502.31.0000). Some HTSUS subheadings include basket categories and may cover both subject and non-subject merchandise. Note: Prior to 2011, subject merchandise was classified under HTS 7308.20.0000 and may continue to be to some degree. These HTSUS numbers are provided for convenience and Customs purposes only; the written description of the scope is dispositive.
- In 2010, imports of utility scale wind towers from China and Vietnam were valued at an estimated \$103.6 million and \$51.9 million, respectively.

#### **NEXT STEPS**

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determinations on or about February 13, 2012.

- If the ITC determines that there is a reasonable indication that imports from China and Vietnam are materially injuring, or threatening material injury to, the domestic industry, the investigations will continue, and Commerce will be scheduled to make its CVD and AD preliminary determinations in March and June 2012, respectively.

### ALLEGED DUMPING MARGINS:

COUNTRY	MARGIN
CHINA	213.54 percent
VIETNAM	140.54 – 143.29 percent

### ESTIMATED SUBSIDY RATE:

COUNTRY	SUBSIDY RATE
CHINA	Above <i>de minimis</i> *

\* *de minimis* = less than 1% for developed countries, less than 2% for developing countries.

### CASE CALENDAR:

EVENT	AD INVESTIGATIONS	CVD INVESTIGATION
Petitions Filed	December 29, 2011	December 29, 2011
DOC Initiation Date	January 18, 2012	January 18, 2012
ITC Preliminary Determination*	February 13, 2012 <sup>†</sup>	February 13, 2012 <sup>†</sup>
DOC Preliminary Determinations**	June 6, 2012	March 23, 2012
DOC Final Determinations**	August 20, 2012	June 6, 2012
ITC Final Determination***	October 4, 2012	July 23, 2012
Issuance of Orders****	October 11, 2012	July 30, 2012

\* If the ITC makes a negative preliminary determination of injury, the investigations are terminated.

<sup>†</sup> Where the deadline falls on a weekend/holiday, the appropriate date is the next business day.

\*\*These deadlines may be extended under the governing statute.

\*\*\*This will take place only in the event of final affirmative determinations from Commerce.

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**IMPORT STATISTICS:**

<b>CHINA</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Value (US\$)</b>	<b>210,417,000</b>	<b>177,732,000</b>	<b>103,572,000</b>
<b>VIETNAM</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Value (US\$)</b>	<b>85,607,000</b>	<b>67,741,000</b>	<b>51,852,000</b>

**Source:** U.S. Bureau of Census, accessed through Global Trade Atlas. (HTSUS 7308.20.0000, 7308.20.0020, and 8502.31.0000). Some HTSUS subheadings include basket categories and may cover both subject and non-subject merchandise. Note: Prior to 2011, subject merchandise was classified under HTS 7308.20.0000.