

U.S. Customs and Border Protection



JUDGEMENT

Slip Op. 12–91

UNITED STATES STEEL CORPORATION, Plaintiff, and NUCOR CORPORATION, Intervenor-Plaintiff, v. THE UNITED STATES, Defendant, and ESSAR STEEL, LIMITED, Intervenor-Defendant.

Thomas J. Aquilino, Jr., Senior Judge
Court No. 08–00216

AQUILINO, Senior Judge:

This court’s slip opinion 11–66, 35 CIT (2011), having granted plaintiff’s and intervenor-plaintiff’s motions for judgment on the agency record compiled *sub nom.* *Certain Hot-Rolled Carbon Steel Flat Products from India: Notice of Final Results of Antidumping Duty Administrative Review*, 73 Fed.Reg. 31,961 (June 5, 2008), (“*Final Results*”), to the extent of remand to the International Trade Administration, U.S. Department of Commerce (“ITA”) to clarify or reconsider its analysis of intervenor-defendant Essar Steel Limited’s entitlement to duty-drawback adjustment within the meaning of 19 U.S.C. §1677a(c)(1)(B); and the defendant having filed ITA’s Final Results of Redetermination Pursuant to Court Remand, upon which each of the parties to this case filed with the court written comments; and the court in its slip opinion 12–48, 36 CIT (2012), having further remanded the matter to the ITA to correct a ministerial error in computer programming and to adjust normal value by adding exempted duties to the intervenor-defendant’s cost of production or explain why the agency’s new practice of allowing such adjustment was inapplicable herein; and the defendant having now filed ITA’s Final Results of Redetermination Pursuant to Second Court Remand (May 22, 2012), concluding that “the dumping margin for Essar for th[e] period of review is 9.01 percent”; and none of the parties having since taken issue with this result; Now therefore, after due deliberation, it is

ORDERED, ADJUDGED, and DECREED that the ITA’s Final Results of Redetermination Pursuant to Second Court Remand (May 22, 2012) be, and they hereby are, affirmed.

Dated: New York, New York
June 28, 2012

/s/ Thomas J. Aquilino, Jr.
SENIOR JUDGE