FOREIGN PRODUCERS'/EXPORTERS' QUESTIONNAIRE

ACRYLONITRILE-BUTADIENE RUBBER (NBR) FROM FRANCE, MEXICO, AND SOUTH KOREA

This questionnaire must be received by the Commission by <u>April 1, 2022</u>

See last page for filing instructions.

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its antidumping investigations concerning acrylonitrile-butadiene rubber ("NBR") from France, Mexico, and South Korea (Inv. Nos. 731-TA-1567-1569 (Final)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII.

Name of fi		-								
Address										
Website										
Has your firr	n produced or	exported NBR (a	s defined on next page	e) at any	time	since Janua	ry 1, 20	19?		
☐ NO	(Sign the cert	fication below an	nd promptly return only t	his page o	of the	questionnaii	e to the	Commi	ssion)	
YES	(Complete all	parts of the ques	tionnaire, and return the	entire qu	uestior	naire to the	Commis	ssion)		
Data repor	ted in this que	stionnaire rela	ate to (Check one):							
	Fr	ance			□ S	outh Kore	a			
lge and belief (and understan	d that the infor	CERTIFICATION esponse to this quest mation submitted is s	ubject to	o aud	it and veri	fication	by the	Comm	nission
lge and belief of of this certifica tion provided i	and understand ation I also gr n this question	supplied in re that the infort ant consent fo	CERTIFICATION esponse to this quest	ubject to nd its en	o audi mploy	it and verig ees and c	fication ontract	by the	Comm	nission o use
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PART I.—GENERAL INFORMATION

Background.--This proceeding was instituted in response to a petition filed on June 30, 2021, by Zeon Chemicals L.P. and Zeon GP, LLC (collectively "Zeon"), Louisville, Kentucky. Antidumping duties may be assessed on the subject imports as a result of these proceedings if the Commission makes an affirmative determination of injury, threat, or material retardation, and if the U.S. Department of Commerce ("Commerce") makes an affirmative determination of dumping. Questionnaires and other information pertinent to this proceeding are available at

https://www.usitc.gov/investigations/701731/2022/acrylonitrile_butadiene_rubber_france_korea_and/final.htm

<u>Acrylonitrile-butadiene rubber ("NBR")</u> covered by these investigations is commonly referred to as acrylonitrile butadiene rubber or nitrile rubber (NBR). NBR is a synthetic rubber produced by the emulsion polymerization of butadiene and acrylonitrile with or without the incorporation of a third component selected from methacrylic acid or isoprene. This scope covers NBR in solid or nonaqueous liquid form. The scope also includes carboxylated NBR.

Excluded from the scope of this investigation is NBR in latex form (classified under Harmonized Tariff Schedule of the United States (HTSUS) subheading 4002.51.00). Latex NBR is commonly either (a) acrylonitrile/ butadiene polymer in latex form or (b) acrylonitrile/butadiene/ methacrylic acid polymer in latex form. The broader definition of latex refers to a water emulsion of a synthetic rubber obtained by polymerization.

Also excluded from the scope of this investigation is: (a) NBR containing additives incorporated during the compounding, mixing, molding, or use of NBR comprising greater than twenty percent of the total weight of the product. Additives would include, but are not limited to, fillers (e.g., carbon black, silica, clay); reinforcement agents (e.g., fibers, carbon black, silica); vulcanization agents (e.g., sulfur, sulfur complexes, peroxide); or NBR containing extension oils making up greater than forty percent of the total weight of the product. Such products would be generally classified under HTSUS subheading 4005; (b) NBR containing polyvinyl chloride (PVC) making up greater than twenty percent of total weight of the product; (c) hydrogenated NBR (commonly referred to as NBR) produced by subsequent dissolution and hydrogenation of NBR; and (d) reactive liquid polymers containing acrylonitrile and butadiene with amine, epoxy, carboxyl or methacrylate vinyl chemical functionality.

Subject merchandise includes material matching the above description that has been finished, packaged, or otherwise processed in a third country, including by modifying physical form or packaging with another product, or performing any other finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the NBR.

NBR is currently classified in subheading 4002.59.00 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS provisions are for convenience and customs purposes; the written description of the scope is dispositive.

<u>HNBR</u>.—HNBR stands for "hydrogenated NBR" and is a product that is produced using NBR as a raw material input through a dissolution and hydrogenation production process. This product is **not** part of the definition of NBR, and as such, data for HNBR should **not** be included in any of the data tables in this questionnaire.

<u>NIBR</u>.—NIBR stands for "acrylonitrile-isoprene-butadiene rubber" and is produced by incorporating isoprene during the production (polymerization) process of NBR. This product is included in the definition of NBR, and as such, data for NIBR should be included within all the data tables requesting information on NBR in this questionnaire.

XNBR.—XNBR stands for "carboxylated NBR" and is produced by incorporating methacrylic acid during the production (polymerization) process of NBR. This product is included in the definition of NBR, and as such, data for XNBR should be included within all the data tables requesting information on NBR in this questionnaire.

Reporting of information.--If information is not readily available from your records, provide carefully prepared estimates. If your firm is completing more than one questionnaire (i.e., a producer, importer, purchaser and/or foreign producer questionnaire), you need not respond to duplicated questions.

<u>Confidentiality</u>.--The commercial and financial data furnished in response to this questionnaire that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. §1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, general characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

<u>Verification</u>.--The information submitted in this questionnaire is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all files, worksheets, and supporting documents used in the preparation of the questionnaire response. Please also retain a copy of the final document that you submit.

Release of information.--The information provided by your firm in response to this questionnaire, as well as any other business proprietary information submitted by your firm to the Commission in connection with this proceeding, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this proceeding or other import-injury proceedings conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

<u>Valid number error messages.</u>—If you are completing this form in a country that uses periods (".") to delineate multiples of 1000 (e.g., one million would appear as \$1.000.000 rather than \$1,000,000), you may be unable to enter in numbers greater than 999 in numeric form fields. The solution to this data entry issue is to temporarily change your operating system's number formatting to be consistent with the U.S. number formatting system while you complete this form. Detailed instructions on how to resolve this issue is provided at the end of this questionnaire and is available upon request from Kristina Lara (202-205-3386, Kristina.Lara@usitc.gov).

Hou	ırs	Dollars	
ssues of and as lim 20 hours	concern nited as p per resp	are adequately a ossible. Public re	have been reviewed with market participants to ensiddressed and that data requests are sufficient, measorting burden for this questionnaire is estimated to the time for reviewing instructions, gathering dationnaire.
reducing to	the burde	en, and any sugge response or send	he accuracy of this burden estimate, suggestions for stions for improving this questionnaire. Please attach to the Office of Investigations, USITC, 500 E St. SW,
E stablish questionr		vered Provide t	ne name and address of establishment(s) covered by
France, N		parate from) suc	ing auxiliary facilities operated in conjunction with (w h facilities. Firms operating more than one establishm uld combine the data for all establishments into a sin
rance, N		parate from) suc	h facilities. Firms operating more than one establishm
France, M report.	lexico, or	parate from) suc South Korea sho Does your firm	h facilities. Firms operating more than one establishm
France, M report.	lexico, or	parate from) suc South Korea sho Does your firm o produce NBR in	or any related firm produce, have the capability to protect the United States or other countries? ame the firm(s) and country(ies) below and, if U.S. asure that they complete the Commission's produce.
France, M report. Related p	producers ny plans t	Does your firm o produce NBR in producer(s), each	or any related firm produce, have the capability to protect the United States or other countries? ame the firm(s) and country(ies) below and, if U.S. asure that they complete the Commission's produce.
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I-5.	I-4 are publicly tr	ormation If your firm aded in the United Stat g American Depository I	es, please specify the	e stock exchange a	•
I-6.		If your firm or paren please specify the name	•	•	
	Law firm:				
	Lead attorney(s)):			
I-7.		Please provide the namest U.S. importers of you	•		
	Importer's name	Contact person	Email	Telephone	Share of your firm's 2021 U.S exports (%)
1					
2					
3					
4					
5					
<u> </u>					
Fur		LATED INFORMATION nis part of the question Supply all data reques			ra (202-205-3386,
II-1	•	tionPlease identify th may contact that indiv	-		•
	Name				
	Title				
	Email				
	Telephone				

II-2a. <u>Changes in operations.</u>--Please indicate whether your firm has experienced any of the following changes in relation to the production of NBR since January 1, 2019.

(check as many as appropriate)		(If checked, please describe the nature, date(s), and significance of any such reported changes as well as the business reasons for them; leave completely blank if not applicable)
	Plant openings	
	Plant closings	
	Relocations	
	Expansions	
	Acquisitions	
	Consolidations	
	Prolonged shutdowns or production curtailments	
	Revised labor agreements	
	Weather related events	
	other (e.g., technology)	

II-2b.	COVID-19 pandemic.—Since January 1, 2020, has the COVID-19 pandemic or have any
	government actions taken to contain the spread of the COVID-19 virus resulted in changes in
	your firm's supply chain arrangements, production, and shipments (including exports to the
	United States) relating to NBR?

No	Yes	supply chain impact United States) impact Include in this discus	e changes including a separate discussion of the (a), (b) production and sales (including exports to the ct of the COVID-19 pandemic for the specified periods. ssion an indication of the timing and duration of the er and how your firm has adapted to these impacts.
		January 1, 2020 – December 31, 2020	
		January 1, 2021 – December 31, 2021	

II-2c. <u>Anticipated changes in operations.</u>—Does your firm anticipate any changes in the character of its operations or organization (as noted above) relating to the production of NBR in the future?

No	If yes, supply details as to the time, nature, and significance of such changes and provide underlying assumptions.

II-3a. **Production using same machinery**.--Please report your firm's production of products using the same equipment, machinery, or employees as used to produce NBR, and the combined production capacity on this shared equipment, machinery, or employees in the periods indicated.

"Overall production capacity" or "capacity" –The level of production that your establishment(s) could reasonably have expected to attain during the specified periods for all products manufactured in that establishment using the same manufacturing equipment. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup).

Note.--If your firm does not produce any out-of-scope merchandise on the same machinery and equipment as scope merchandise then the "overall production capacity" numbers reported in this question should be exactly equal to the "average production capacity" numbers reported in question II-8. If, however, your firm does produce out-of-scope merchandise using the same machinery and equipment as scope merchandise, then the "average production capacity" reported in question II-8 should exclude the portion of "overall production capacity" that was used to produce this out-of-scope merchandise.

"Production" -- All production in your establishment(s) in France, Mexico, or South Korea including production consumed internally within your firm.

Quantity (in 1,000 pounds)							
	Calendar year						
Item	2019	2020	2021				
Overall production capacity ¹							
Production of: NBR ²	0	0	0				
Out-of-scope production Latex NBR ³							
Other products ⁴							
Subtotal, out-of-scope production	0	0	0				
Total production using same machinery or workers	0	0	0				

¹ Data reported for capacity (first line) should be greater than data reported for total production (last line).

² Data entered for production of NBR will populate here once reported in question II-8.

³ Only report latex NBR production that was **not** used as an input to produce in-scope product.

⁴ Please identify these products: _____

II-3b.	Operating parameters. The prooperating paramaters:	duction capacity reported in II-3	a is based on the following
	Hours per week	Weeks per year	
II-3c.		scribe the methodology used to oxplain any changes in reported ca	·
II-3d.	<u>Production constraints</u> Please production capacity.	describe the constraint(s) that se	et the limit(s) on your firm's

II-4.		shifting.—	
		•	able to switch production (capacity) between NBR and other products using the ment and/or labor?
	No	Yes	If yes—(i.e., have produced other products or are able to produce other products) Please identify other actual or potential products.
	ŀ	oetween pr	ribe the factors that affect your firm's ability to shift production capacity oducts (e.g., time, cost, relative price change, etc.), and the degree to which is enhance or constrain such shifts.
II-5.			at percentage of your firm's total sales in its most recent fiscal year was s of NBR? percent.
II-6a.	percenta	ge of total	are of production in France, Mexico or South KoreaPlease estimate the production of NBR in the country specified on the certification page accounted oduction in 2021 percent.
II-6b.	the Unite	ed States of	are of country's exportsPlease estimate the percentage of total exports to TNBR from the country specified on the certification page accounted for by in 2021 percent.
II-7.		-	actionsIs the NBR exported by your firm subject to ervailing duty/safeguard findings, remedies, or proceedings?
	No	Yes	If yesList the products(s), countries affected, and the date of such findings/remedies/proceedings.

II-8. <u>Trade data</u>.--Report your firm's production capacity, production, shipments, and inventories related to the production of NBR in your establishment(s) in France, Mexico, or South Korea during the specified periods. Do not include resales of NBR that your firm did not produce in this question; those data to the degree they are exported to the United States should only be reported in question II-10.

<u>Do not submit data by manufacturing facility if they are in the same country.</u> If your firm has multiple manufacturing establishments within one country, you are required to combine data for those establishments within one foreign producer questionnaire response.

<u>Do not submit data on multiple countries combined</u>. The establishments reported here should all be located in the country of the firm's address reported on the certification page. Multinational companies with production in multiple subject countries should submit separate foreign producer questionnaire responses for each subject country.

"Average production capacity" or "capacity" –The level of production that your establishment(s) could reasonably have expected to attain during the specified periods for all products manufactured in that establishment using the same manufacturing equipment. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

"Production" -- All production in your establishment(s) in France, Mexico, or South Korea, including production consumed internally within your firm.

"NIBR" — Acrylonitrile-isoprene-butadiene rubber, which is produced by the incorporation of isoprene during the polymerization process.

"XNBR" -- Carboxylated NBR, which is produced by the incorporation of methacrylic acid during the polymerization process.

"Shipments"--Shipments of products produced in your establishment(s) in France, Mexico, or South Korea. Quantities reported should be net of returns.

"Home market commercial shipments"--Shipments, other than internal consumption and transfers to related firms, within France, Mexico, or South Korea.

"Home market internal consumption/transfers to related firms"--Shipments made to related firms in France, Mexico, or South Korea, including product consumed internally by your firm.

"Export shipments"--Shipments to destinations outside of the country indicated on page 1 (France, Mexico, or South Korea), including shipments to related firms.

"Inventories"--Finished goods inventory, not raw materials or work-in-progress.

Note: As requested in Part I of this questionnaire, please keep all supporting documents/records used in the preparation of the trade data, as Commission staff may contact your firm regarding questions on the trade data. The Commission may also request that your company submit copies of the supporting documents/records (such as production and sales schedules, inventory records,

Business Proprietary

Foreign Producers' Questionnaire – Acrylonitrile-butadiene rubber (Final)

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etc.) used to compile these data.

II-8. <u>Trade data</u>.--Continued.

Quantity (in 1,000 pounds)							
	Ac	tual experience		Project	ions ¹		
		C	alendar year				
ltem	2019	2020	2021	2022	2023		
Average production capacity ² (A)							
Beginning-of-period inventories (B)							
Production: XNBR (quantity)							
NIBR (quantity)							
All other NBR (<i>quantity</i>)							
Total production (quantity) (C)	0	0	0	0	0		
Home market shipments: Internal consumption/ transfers (D)							
Commercial shipments (E)							
Exports to the United States (F)							
Exports to all other markets ³ (G)							
Total exports (H) (should equal F+G)	0	0	0	0	0		
Total shipments (I) (should equal D+E+F+G)	0	0	0	0	0		
End-of-period inventories (J)							
 Please explain the basis for your firm's p The production capacity reported is base methodology used to calculate production ca Identify principal other export markets. 	ed on operating pacity, and explain a			-	escribe the		

<u>RECONCILIATION OF SHIPMENTS, PRODUCTION, AND INVENTORY.</u>--Generally, the data reported for the end-of-period inventories (i.e., line J) should be equal to the beginning-of-period inventories (i.e., line B), plus production (i.e., line C), less total shipments (i.e., lines D, E, F, and G). Please ensure that any differences are not due to data entry errors in completing this form, but rather actually reflect your firm's records; and also provide any likely explanations for any differences (e.g., theft, loss, damage, record systems issues, etc.) if they exist.

	Actual experience Projections					
	Calendar year			ır		
Item	2019	2020	2021	2022	2023	
B + C - D - E - F - G - J = should equal						
zero ("0") or provide an explanation. ¹	0	0	0	0	0	

¹ Explanation if the calculated fields above are returning values other than zero (i.e., "0") but are nonetheless accurate:

II-10. <u>Continuous vs. batch production</u>.--Report your firm's shares of NBR production by production method in 2021.

"Continuous production" – NBR production process that relies on a series of linked reactors through which producers feed input monomers to generate NBR.

"Batch production" – NBR production process in which producers feed input monomers into separate reactors that are not linked in a series.

Calendar year 2021				
Item	Share of quantity (percent)			
Batch production ¹				
Continuous production ²				
Total (should sum to 100 percent)		0.0		
batch production:	n produces, identify which ones are produced using n produces, identify which ones are produced using			

II-11. Exports to the United States not produced by your firm.—Report your firm's exports to the United States of NBR that was produced in France, Mexico, or South Korea but not by your firm during the specified periods. Note these data should <u>not</u> be included in question II-8.

	Quanti	ty (in 1,000 pou	nds)			
	Actual experience		Projections			
	Calendar year					
Item	2019	2020	2021	2022	2023	
Exports of NBR to the United States not produced by your firm ¹						
¹ List the producer(s)			•			

II-12.	Other explanations.—If your firm would like to further explain a response to a question in Part II for which a narrative box was not provided, please note the question number and the explanation in the space provided below. Please also use this space to highlight any issues your firm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

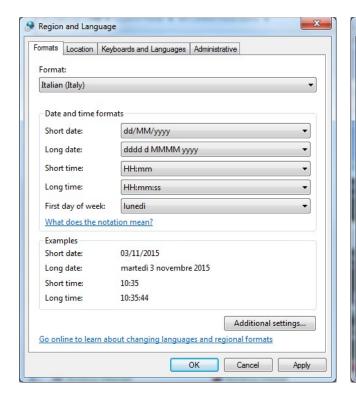
Correcting valid number error messages.—If you are completing this questionnaire in a country that uses periods (".") to delineate multiples of 1000 (i.e., one million would appear as \$1.000.000 instead of as \$1,000,000), you may be unable to enter in numbers greater than 999 in the numeric form fields. This issue stems from your computer's number formatting setting (i.e., not the MS Word document itself, but the computer from which you are opening up the document). In the United States commas (",") delineate multiples of 1000 and periods (".") delineate fractions less than one. Many EU and other countries use the reverse where multiples of 1000 are delineated with periods (".") and fractions less than one are delineated with commas (","). The U.S. International Trade Commission's questionnaires are set-up in the United States with the U.S. number formatting. When this formatting interacts with a computer set to EU or other country number formatting, we believe this may cause this issue.

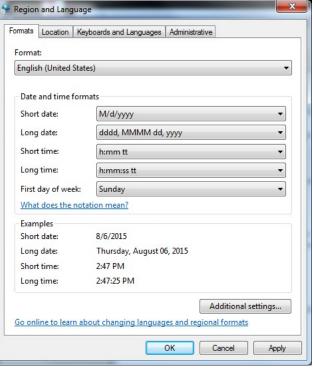
The solution to this data entry issue is to temporarily change your operating system's number formatting to be consistent with the U.S. number formatting system while you complete the questionnaire.

To temporarily change your computer's number settings to U.S. settings, please do the following (for Microsoft Windows Operating system):

- START
- Control Panel
- Region and Language (under Clock, Language, and Region category)
- Format tah
- Change the Format from your existing one (e.g., "Italian (Italy)") to "English (United States)" (see screen shots below)

When you do this the number "twelve million dollars and thirty five cents" would change from \$12.000.000,35 (Italy format) to \$12,000,000.35 (U.S. format), and then there will be no conflict with the USITC foreign producer questionnaire form. When you finish reporting the data then you can close the questionnaire and switch back to Italy (or your country) settings.





HOW TO FILE YOUR QUESTIONNAIRE RESPONSE

This questionnaire is available as a "fillable" form in MS Word format on the Commission's website at:

https://www.usitc.gov/investigations/701731/2022/acrylonitrile_butadiene_rubber_france_korea_and/final.htm

Please do not attempt to modify the format or permissions of the questionnaire document. Please submit the completed questionnaire using one of the methods noted below. If your firm is unable to complete the MS Word questionnaire or cannot use one of the electronic methods of submission, please contact the Commission for further instructions.

• <u>Upload via Secure Drop Box</u>.—Upload the MS Word questionnaire along with a scanned copy of the signed certification page (page 1) through the Commission's secure upload facility:

Web address: https://dropbox.usitc.gov/oinv/ Pin: NRUB

• E-mail.—E-mail your questionnaire to Kristina.Lara@usitc.gov; include a scanned copy of the signed certification page (page 1). Submitters are strongly encouraged to encrypt nonpublic documents that are electronically transmitted to the Commission to protect your sensitive information from unauthorized disclosure. The USITC secure drop-box system and the Electronic Document Information System (EDIS) use Federal Information Processing Standards (FIPS) 140-2 cryptographic algorithms to encrypt data in transit. Submitting your nonpublic documents by a means that does not use these encryption algorithms (such as by email) may subject your firm's nonpublic information to unauthorized disclosure during transmission. If you choose a non-encrypted method of electronic transmission, the Commission warns you that the risk of such possible unauthorized disclosure is assumed by you and not by the Commission.

If your firm did not produce or export this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.

<u>Parties to this proceeding</u>.—If your firm is a party to this proceeding, you are required to serve a copy of the completed questionnaire on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties may be obtained from the Commission's Secretary (202-205-1802). A certificate of service must accompany the completed questionnaire you submit (see 19 CFR § 207.7).