

20 August 2026

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Received 20 August 2026

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Public File

Investigation No. 688 – Certain flat rolled steel products (plate steel) exported from China and Korea

I. Introduction

BlueScope Steel Limited (**BlueScope**), the applicant in Investigation No. 688 and the sole Australian producer of like goods, refers to the submission lodged by Dongkuk Steel Mill Co., Ltd. (**Dongkuk**) dated 13 July 2026 in response to the Statement of Essential Facts, seeking an exemption from any anti-dumping measures for plate steel exceeding 3,200 mm in width.

For the reasons set out below, BlueScope submits that Dongkuk has not provided a sufficient evidentiary basis for the Commission to conclude that plate steel exceeding 3,200 mm in width is not like or directly competitive with domestically produced plate steel. The evidence relied upon by Dongkuk principally concerns manufacturing preferences, fabrication efficiencies and potential cost savings rather than demonstrating that narrower domestically supplied products are incapable of achieving the same functional outcome through recognised fabrication and processing practices.

BlueScope further submits that a broad width-based exemption may create a risk that the exemption could be used to circumvent the intended scope of the measures where products imported under the exemption are subsequently processed into dimensions that compete directly with Australian-produced plate steel, thereby enabling goods that would otherwise fall within the effective scope of the measures to enter Australia without those measures applying.

II. Procedural timing and reservation of rights

Dongkuk's exemption request was first advanced in its response to the Statement of Essential Facts dated 13 July 2026, at a late stage of Investigation No. 688. Dongkuk did not raise the exemption request in time for the Commission to examine the relevant factual matters through its earlier investigation and verification activities, and interested parties have had limited opportunity to consider and respond to the claims advanced by Dongkuk.

In those circumstances, BlueScope submits that the Commission should approach the exemption request with caution and ensure that any exemption recommendation is based on sufficient evidence establishing that goods exceeding 3,200 mm in width are not like or directly competitive with goods supplied by the Australian industry.

BlueScope reserves the right to make further submissions and provide additional evidence should the exemption request be considered further.

III. Dongkuk must provide a sufficient evidentiary basis demonstrating that the exemption criteria are satisfied

BlueScope submits that Dongkuk must provide sufficient evidence to enable the Commission and the Minister to be satisfied that plate steel exceeding 3,200 mm in width is not like or directly competitive with goods offered for sale in Australia and that the statutory requirements for an exemption are satisfied.

The assertions advanced in Dongkuk's submission concerning end-use requirements, fabrication efficiencies, reduced welding and manufacturing preferences do not establish that wider products are uniquely required, nor that domestically supplied products are incapable of achieving the same functional outcome.

Further, dimensional differences do not, of themselves, establish the absence of direct competition. Products may differ in dimensions, specifications or other characteristics while nevertheless remaining commercially substitutable and directly competitive in relevant end-use applications. The fact that a wider plate product may reduce welding requirements, fabrication effort or production costs does not establish that narrower domestically supplied plate products are incapable of satisfying the relevant end-use requirements. At most, such factors demonstrate a relative efficiency advantage in some applications rather than the absence of substitutability or direct competition.

IV. Joining and welding of narrower plate products is a recognised and accepted fabrication practice

A central premise of Dongkuk's exemption request is that wider plate products are required because narrower plate products may require additional welding, joining or fabrication in downstream manufacturing processes.

BlueScope submits that this proposition does not establish that the exemption criteria are satisfied.

Cutting, forming, joining and welding are established fabrication methods used throughout the steel fabrication industry to produce steel components in the dimensions and configurations required by end users.

The existence of a weld or fabricated joint does not establish that a product is unsuitable, structurally deficient or commercially unacceptable. Nor does it demonstrate that narrower plate products cease to be reasonable substitutes for wider products.

While wider plate products may reduce fabrication effort, welding requirements, material loss or manufacturing costs in some circumstances, those considerations do not establish that narrower domestically supplied products are incapable of achieving the same functional outcome.

The relevant question is not whether a wider imported product may be preferred by some users, nor whether it may generate efficiencies in particular applications. Rather, the question is whether domestically supplied plate products constitute like or directly competitive goods notwithstanding those claimed efficiencies.

BlueScope submits that Dongkuk has not provided evidence demonstrating that plate steel exceeding 3,200 mm in width is uniquely required from a technical or engineering perspective, nor has it demonstrated that fabricated alternatives are incapable of satisfying the relevant performance requirements or achieving the same functional outcome in the relevant end-use application. Nor has Dongkuk demonstrated that dimensional differences alone are sufficient to prevent narrower plate products from remaining directly competitive in the relevant applications.

V. Dongkuk has not established that plate steel exceeding 3,200 mm in width is not like or directly competitive with Australian-produced plate

BlueScope accepts that some users may prefer wider plate products in particular applications. However, a preference for a particular dimension does not establish that domestically supplied products are unavailable, unsuitable or non-substitutable.

Much of Dongkuk's submission appears to conflate:

- a preferred manufacturing input;
- a more efficient manufacturing input; and
- a necessary manufacturing input.

These are fundamentally different concepts. The existence of a preferred or more efficient manufacturing input does not mean alternative products cease to be like or directly competitive goods. Many purchasing decisions necessarily involve trade-offs between acquisition cost, fabrication cost, yield, efficiency and processing requirements.

Dongkuk places significant reliance upon the fact that plate steel exceeding 3,200 mm in width differs dimensionally from plate steel offered by the Australian industry. However, that dimensional difference does not demonstrate that domestically supplied plate products are not substitutable for, or directly competitive with, the plate steel exceeding 3,200 mm in width in the relevant end-use applications.

Similarly, Dongkuk's reliance upon an asserted distinction between goods offered for sale and goods capable of being produced does not assist its application. The relevant question remains whether products supplied by the Australian industry are like or directly competitive with the plate steel exceeding 3,200 mm in width. The existence of dimensional differences, or claims regarding production capability, do not establish that plate steel exceeding 3,200 mm in width is not directly competitive where domestically supplied products remain capable of achieving the same functional outcome through recognised fabrication and processing practices.

Nor do the exemption decisions and discussion relied upon by Dongkuk support the exemption sought in this case. Whether an exemption is warranted depends upon the facts and evidence of the particular matter. The existence of dimensional differences alone does not establish the absence of substitutability or direct competition.

Accordingly, BlueScope submits that Dongkuk has not established that plate steel exceeding 3,200 mm in width constitutes a distinct category of goods for which like or directly competitive Australian products are unavailable. Domestically supplied plate products remain capable of achieving the same functional outcomes as plate steel exceeding 3,200 mm in width through established fabrication and processing methods and therefore remain directly competitive with those products. Dongkuk has not demonstrated that dimensional differences alone are sufficient to prevent that competitive overlap from existing.

VI. Circumvention risks associated with a broad width-based exemption

BlueScope further submits that a broad exemption based solely upon width would create a risk that the exemption could be used to circumvent the intended scope of the measures, particularly where exempt goods may subsequently be processed into dimensions or forms that compete directly with Australian-produced plate steel.

Plate steel exceeding 3,200 mm in width may subsequently be cut, processed or fabricated into dimensions that compete directly with Australian-produced plate steel. Accordingly, a width-based exemption may create a pathway through which goods that would otherwise fall within the effective scope of the measures may enter Australia without those measures applying, notwithstanding that those goods may subsequently compete directly with goods supplied by the Australian industry.

BlueScope submits that this potential circumvention risk weighs strongly against the granting of the exemption sought by Dongkuk.

VII. Conclusion

Dongkuk has not established, through evidence, that plate steel exceeding 3,200 mm in width is not like or directly competitive with plate steel supplied by the Australian industry.

At most, the evidence relied upon by Dongkuk demonstrates that certain users may prefer wider plate products because they reduce fabrication effort, welding requirements or manufacturing costs. Those considerations do not establish that plate steel exceeding 3,200 mm in width is uniquely required, nor do they establish that narrower domestically supplied products are incapable of achieving the same functional outcome.

BlueScope submits that Dongkuk has not established that plate steel exceeding 3,200 mm in width constitutes a distinct category of goods for which like or directly competitive Australian products are unavailable. Dongkuk has not demonstrated that dimensional differences alone prevent domestically supplied plate products from remaining directly competitive with the plate steel exceeding 3,200 mm in width, particularly where recognised fabrication and processing methods enable those products to achieve the same functional outcome.

Accordingly, Dongkuk has not provided a sufficient evidentiary basis demonstrating that the statutory requirements for an exemption are satisfied and the exemption request should be refused.

For and on behalf of BlueScope.