



Pre-Sampling Questionnaire (Importer)
Anti-dumping/Subsidy Transition Review of anti-dumping and/or countervailing measures
Cases 0004 and 0005: Biodiesel originating in the United States of America and consigned from Canada

Period of Investigation:	1 July 2019 to 30 June 2020
Injury Period:	1 July 2016 to 30 June 2019
Deadline for response:	26 August 2020
Case Team Contact:	Josh Smith/Thomas Westlake at TD0004@traderemedies.gov.uk(dumping) or TS0005@traderemedies.gov.uk (subsidies)
Completed on behalf of:	Valero Energy Ltd

When you have completed this form, indicate the **confidentiality** of this document by placing an X in the relevant box below:

- Confidential
 Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version**. Both copies should be returned to TRID using the Trade Remedies Service (www.trade-remedies.service.gov.uk) by **26 August 2020**.

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The scope of this review

Goods subject to review

This review covers biodiesel originating in the United States of America and consigned from Canada, described as:

Fatty-acid mono-alkyl esters (FAME) and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, commonly known as biodiesel. In a pure form or in a blend containing by weight more than 20%, fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, originating in the United States of America and consigned from Canada.

These goods are currently classifiable within the following commodity codes:

Dumping and Subsidy:

- 1516 20 98 (TARIC 1516 20 98 21, 1516 20 98 29, 1516 20 98 30)
- 1518 00 91 (TARIC 1518 00 91 21, 1518 00 91 29, 1518 00 91 30)
- 1518 00 99 (TARIC 1518 00 99 21, 1518 00 99 29, 1518 00 99 30)
- 2710 19 43 (TARIC 2710 19 43 21, 2710 19 43 29, 2710 19 43 30)
- 2710 19 46 (TARIC 2710 19 46 21, 2710 19 46 29, 2710 19 46 30)
- 2710 19 47 (TARIC 2710 19 47 21, 2710 19 47 29, 2710 19 47 30)
- 2710 20 11 (TARIC 2710 20 11 21, 2710 20 11 29, 2710 20 11 30)
- 2710 20 16 (TARIC 2710 20 16 21, 2710 20 16 29, 2710 20 16 30)
- 3824 99 92 (TARIC 3824 99 92 10, 3824 99 92 12, 3824 99 92 20)
- 3826 00 10 (TARIC 3826 00 10 20, 3826 00 10 29, 3826 00 10 50, 3826 00 10 59, 3826 00 10 89, 3826 00 10 99)
- 3826 00 90 (TARIC 3826 00 90 11, 3826 00 90 19, and 3826 00 90 30)

These commodity codes are only given for information.

In this pre-sampling questionnaire, these goods will be referred to as the goods subject to review. Any reference to goods subject to review in this pre-sampling questionnaire refers to the goods description above, regardless of the commodity code under which they are imported.

Like goods

This pre-sampling questionnaire also asks for information about your company's imports and sales of goods which are like the goods subject to review. Any reference to 'like goods' in this pre-sampling questionnaire refers to goods produced in the UK or imported to the UK from a country other than the United States of America and/or Canada which are like the goods subject to review in all respects, or with characteristics closely resembling them.

Please follow the instructions for each question to provide the appropriate information regarding the goods subject to review or like goods.

Instructions

The Trade Remedies Investigations Directorate (TRID) of the United Kingdom's Department for International Trade will be carrying out a transition review of each trade remedy measure active under the EU system that the United Kingdom (UK) has decided to transition after EU exit. This transition review will consider whether the anti-dumping and/or countervailing measures for biodiesel originating in the United States of America and consigned from Canada are necessary or sufficient to offset dumping and/or subsidisation and whether there would be injury to the UK industry if these measures were removed.

I - Why you are being asked to complete this pre-sampling questionnaire

We are seeking your cooperation as a UK importer of the goods subject to review to inform our review of whether the current anti-dumping and/or countervailing measures should be maintained, varied or discontinued.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of UK importers complete this pre-sampling questionnaire, we will use the information each one provides to help us decide which companies we want to sample for further investigation. If you are sampled, we will send you a more detailed questionnaire to complete.

For more information about this case, you may refer to the Notice of Initiation published at: www.trade-remedies.service.gov.uk/public/cases.

II – Who should complete this form

You should complete this form if you are a UK importer of biodiesel originating in the United States of America and consigned from Canada (the goods subject to review).

III – Deadline for response

A completed pre-sampling questionnaire must be submitted to TRID by no later than **26 August 2020**. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact Josh Smith/Thomas Westlake at TD0004@traderemedies.gov.uk (dumping) or TS0005@traderemedies.gov.uk (subsidies).

IV – Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by the due date. Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header. It is your responsibility to ensure that the non-confidential version does not contain any confidential information.

Please see <https://www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/an-introduction-to-our-investigations-process#how-we-handle-confidential-information> for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

All information provided to TRID in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 46 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019) and will be stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on www.trade-remedies.service.gov.uk/public/cases.

V – Period of Investigation

The Period of Investigation (POI) referred to in this pre-sampling questionnaire is 1 July 2019 to 30 June 2020.

VI – Injury Period

The Injury Period referred to in this pre-sampling questionnaire is 1 July 2016 to 30 June 2019.

Section A – Activities of your company and any associated parties

A1 – Your company's activities

To determine whether your company is defined as an interested party or contributor for the purpose of this review, please select the activity/activities of your company below. For a definition of goods subject to review, please refer to the above section 'the scope of this review'.

- overseas exporter of the goods subject to review
- importer of the goods subject to review in the UK
- producer of the like goods in the UK
- trade or business association representing the interests of producers or exporters of the goods subject to review
- trade or business association representing the interests of UK importers of the goods subject to review
- trade or business association representing the interests of UK producers of the like goods
- other (please give details below)

If you have selected 'other', please describe the role of your company with regards to the goods subject to review or like goods:

Please answer here

Valero Energy Ltd is a subsidiary of Valero Energy Corporation (NYSE: VLO).

Valero Energy Corporation ("Valero"), through its subsidiaries, is an international manufacturer and marketer of transportation fuels, and a leader in the commercialisation of emerging low-carbon intensity biofuels. Valero is a Fortune 50 company based in San Antonio, Texas, and it operates 15 petroleum refineries located in the United States, Canada and the United Kingdom with a combined throughput capacity of approximately 3.2 million barrels per day and 14 ethanol plants with a combined production capacity of 1.73 billion gallons per year.

Valero owns 50% of Diamond Green Diesel ("DGD"), a joint venture whose facility in Louisiana, currently produces 18,000 barrels per day of renewable diesel. This plant is currently being expanded to raise total renewable diesel production to nearly 45,000 barrels per day.

In the UK, Valero Energy Ltd owns and operates Pembroke Refinery in south west Wales, which is one of Europe's largest and most complex refineries, has ownership interests in four major pipelines, nine fuel terminals and a large aviation fuels business.

Affordable low carbon liquid fuels will be essential to meeting the UK's goal of achieving Net Zero by 2050.

Valero Energy Ltd is interested in ensuring that trade barriers do not unnecessarily interfere with the market in order to provide the lowest cost, most efficient supply of biofuel to meet these objectives.

Please describe your interest in this case:

A2 – Associated parties and operational links

Please give details of all associated parties involved in the production and/or sales (export and/or domestic) of the goods subject to review or like goods during the POI. Both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of 'Related Persons' in [regulation 128 of the Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#).

Examples of activities could include manufacturing, exporting, purchasing, warehousing, sales (domestic), sales (export), further processing of the goods subject to review or like goods.

	Company name	Company location (city, country)	Activities	Relationship
Your company	Valero Energy Ltd	London, UK	Refining and marketing	
Associated Party 1	Valero Energy (Ireland) Limited	Dublin, Ireland	Marketing of fuels, including blended diesel from Valero Energy Ltd	Affiliate
Associated Party 2	Valero Marketing Ireland Limited	Dublin, Ireland	Marketing of fuels, including blended diesel purchased from Valero Energy (Ireland) Limited	Affiliate
Associated Party 3	Diamond Green Diesel LLC	San Antonio, Texas	Manufacture and marketing of renewable diesel	50% owned company ¹

+ Add additional rows as required

¹ An affiliate of Valero and an affiliate of a US company called Darling Ingredients, Inc. jointly own Diamond Green Diesel LLC, which owns a renewable diesel manufacturing plant near New Orleans, Louisiana, USA. Neither Valero nor Darling “control” Diamond Green Diesel LLC to the exclusion of the other, though an affiliate of Valero operates the Diamond Green Diesel plant.

Section B – Details of companies you import from

Please provide the contact details for each individual company you import from.

Exporter/Supplier name	Address	Contact Details
BP Oil International	20 Canada Square London E14 5NJ	Confidential
Vitol S.A.	Place des Bergues 3 1201 Geneva Switzerland	Confidential
Litasco SA	Rue du Conseil-General 9 1205 Geneva Switzerland	Confidential
Phillips 66 Limited	200-202 Aldgate Street London EC1A 4HD	Confidential
Greenergy	198 High Holborn London WC1V 7BD	Confidential

+ Add additional rows as required

Section C – Sales, imports and domestic purchases

C1 – Total company revenue

Please provide your company's total revenue and the revenue for the goods subject to review:

	Value in GBP (£)
Total revenue of your company in the POI	£[6,000,000,000 – 8,000,000,000]
Total revenue of your company for the goods subject to review in the POI	£[200,000,000 - 400,000,000] ²

C2 – Your imports of the goods subject to review

Please provide the total volume and value of the goods subject to review imported by your company from the United States of America and consigned from Canada in the POI (if you import both, please separate the totals).

	Volume (units)	Value in GBP (£)
The goods subject to review imported into the UK in the POI <i>(Sum of next three rows should match volume/value of this row)</i>	[10,000,000 – 14,000,000] litres	£[9,000,000 – 11,000,000] ³
The goods subject to review imported into the UK in the POI and resold in the UK	[500,000 – 1,500,000] litres	£[500,000 – 1,500,000]
The goods subject to review imported into the UK in the POI and consumed ⁴ by your own company	[10,000,000 – 14,000,000] litres	£[8,000,000 – 10,000,000]
The goods subject to review imported into the UK in the POI and exported	N/A	N/A

² Valero consumes nearly all of the goods subject to review by blending them into fossil diesel, and then selling the resultant blending into the liquid fuels market. The revenue figure is based on the value of the biodiesel component under market values taken from daily Argus Barges assessments

³ Calculated from market values taken from daily Argus Barges assessments

⁴ Valero interprets "consumed" to include blending of biodiesel into fossil diesel, such that the blended biodiesel is no longer capable of independent sale

C3 – Like goods purchased from a UK producer

If you have also purchased like goods from a UK producer during the POI, please provide the total sales volume and total sales value of your purchases in the table below.

	Volume (units)	Value in GBP (£)
Like goods purchased from UK producers in the POI <i>(Sum of next three rows should match volume/value of this row)</i>	[25,000,000 – 30,000,000] litres ⁵	£[24,000,000 – 28,000,000]
Like goods purchased from UK producers in the POI and resold in the UK market	N/A	N/A
Like goods purchased from UK producers in the POI and consumed by your own company	[25,000,000 – 30,000,000] litres	£[24,000,000 – 28,000,000]
Like goods purchased from UK producers in the POI and exported	N/A	N/A

⁵ Total goods purchased from either a UK production company, or from an affiliate of a trading company holding UK production assets. [10,000,000 – 14,000,000] litres were reported as having been derived from UK sourced feedstocks.

Section D – Additional information

Please provide any other relevant information which you think would be useful to help our investigation in the box below.

This may include:

- other interested parties you believe should receive a questionnaire;
- any initial views you have about the possible existence of a particular market situation in the domestic market of the exporting country or territory such as:
 - situations/distortions in the domestic market of the exporting country where prices are artificially low;
 - significant barter trade;
 - prices reflect non-commercial factors; or
 - any other reasonwhich means it is not appropriate to use the comparable price to determine the normal value of the goods subject to review; or
- the scope of the investigation
- anything else you consider relevant

Confidential

In addition, as part of this review, we will conduct an Economic Interest Test to assess whether a measure is in the economic interest of the UK. As part of this process, we would like your help to identify upstream and downstream industries which may wish to contribute to our review. If possible, please provide the names and contact information for any UK-based companies operating upstream or downstream of your business in the supply chain for the like goods.

Please answer here

Section E – Certification

By providing the information above, you acknowledge that your company may be asked to complete a detailed questionnaire and TRID may ask to visit your premises in order to verify the questionnaire response.

The undersigned certifies that the information supplied herein is correct and complete to the best of their knowledge and belief.

The undersigned certifies that they have the authority to supply the information contained herein on behalf of Valero Energy Ltd.

Signature (including e-signature):

A handwritten signature in blue ink, appearing to read "Lourdes Catrain", with a horizontal line underneath.

Name: Lourdes Catrain

Position at company: Partner, Hogan Lovells LLP, legal representative of the company

Date: 14 September 2020