affirmed by the CIT. Therefore, CEMEX argues, a margin established by the Department in remand results may not serve as the basis for first or second-tier BIA unless they are affirmed. CEMEX asserts that the Department's use of the 61.85 percent rate continues to be the appropriate margin upon which to base first-tier BIA.

Department's Position

We agree with Petitioners and CEMEX. As noted in our response to comment four, the Department is applying a first-tier BIA rate of 109.43 percent, (the results from the second court ordered remand). This rate has been approved by the CIT. *See CEMEX, S.A.* v. *United States*, Slip Op. 96–179 (CIT Oct. 24, 1996), *appeal pending*, Appeal No. 97–1151 (Fed. Cir.)

Final Results of Review

As a result of our review, we determine the weighted-average dumping margin for CEMEX, S.A. for the period August 1, 1993, through July 31, 1994, to be 109.43 percent and the all other rate to be 61.35. The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service. Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of review, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company will be the rate listed above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will be 61.35 percent (LFTV remand results). These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of return/destruction of APT materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of the APT is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: April 2, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97–9258 Filed 4–9–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–834–802, A–835–802, A–844–802]

Agreement Suspending the Antidumping Investigation on Uranium from Kazakstan, Kyrgyzstan and Uzbekistan

AGENCY: Import Administration, International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of price determination on Uranium from Kazakstan, Kyrgyzstan and Uzbekistan.

SUMMARY: Pursuant to Section IV.C.1. of the antidumping suspension agreement on uranium from Kazakstan, Kyrgyzstan, and Uzbekistan, the Department of Commerce (the Department) calculated a price for uranium of $15.34/lb. On the basis of this price, the export quota for uranium pursuant to Section IV.A. of the Kazakstani agreement, as amended on March 27, 1995, is 700,000 lbs. for the period April 1, 1997, through September 30, 1997. The export quota for uranium pursuant to Section IV.A. of the Uzbek agreement, as amended on October 13, 1995, remains 940,000 lbs. for the period October 13, 1996, through October 12, 1997. Exports pursuant to other provisions of these agreements are not affected by this price.

EFFECTIVE DATE: April 1, 1997.

FOR FURTHER INFORMATION CONTACT: Alexander Braier or Cindy Sonmez, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482–3818 or (202) 482–0961, respectively.

PRICE CALCULATION:

Background

Section IV.C.1. of the antidumping suspension agreements on uranium from Kazakstan, Kyrgyzstan, and Uzbekistan specifies that the Department will issue its observed market price on April 1, 1997, and use it to determine the quota applicable to exports from Kazakstan and Kyrgyzstan during the period April 1, 1997, to September 30, 1997 and from Uzbekistan during the period of October 13, 1996 to October 12, 1997. Consistent with the February 22, 1993, letter of interpretation, the Department provided interested parties with the preliminary price determination on March 12, 1997.

Calculation Summary

Section IV.C.1. of these agreements specifies how the components of the market price are reached. In order to determine the spot market price, the Department utilized the monthly average of the Uranium Price Information System Spot Price Indicator (UPIS SPI) and the weekly average of the Uranium Exchange Spot Price (Ux Spot). In order to determine the long-term market price, the Department utilized the weighted-average long-term price as determined by the Department on the basis of information provided by market participants and a simple average of the UPIS U.S. Base Price for the months in which there were new contracts reported. The Department's letters to market participants provided a contract summary sheet and directions requesting the submitter to report his/her best estimate of the future price of merchandise to be delivered in accordance with the contract delivery schedules (in U.S. dollars per pound U_3O_8 equivalent). Using the information reported in the proprietary summary sheets, the Department calculated the present value of the prices reported for any future deliveries assuming an annual inflation rate of 2.34 percent, which was derived from a rolling average of the annual GDP Implicit Price Deflator index from the past four years. The Department used the base quantities reported on the summary sheet for the purpose of weight-averaging the prices of the long-term contracts submitted by market participants. The Department then calculated a simple average of the UPIS U.S. Base Price and the long-term price as determined by the Department.

Weighting

The Department used the average spot and long-term volumes of U.S. utility and domestic supplier purchases, as reported by the Energy Information Administration (EIA), to weight the spot and long-term components of the observed price. We have continued to use data which reflects the period from 1992–1995, as no more recent data is available. During this period, the spot market accounted for 73.74 percent of total purchases, and the long-term market for 26.26 percent. As in previous determinations, the Department used the Energy Information Administration's (EIA) Uranium Industry Annual to determine the available average spot- and long-term volumes of U.S. utility purchases. We have continued to use data which reflects the period 1992 through 1995. The EIA has withheld certain contracting data from the public versions of the Uranium Industry Annual 1993, Uranium Industry Annual 1994, and the Uranium Industry Annual 1995 (the most recent edition) because this data was business proprietary. The EIA, however, provided this data to the Department and the Department has used it to update its weighting calculation. Accordingly, it may only be released under Administrative Protective Order.

Calculation Announcement

The Department determined, using the methodology and information described above, that the observed market price is $15.34. This reflects an average spot market price of $14.97, weighted at 73.74 percent, and an average long-term contract price of $16.38, weighted at 26.26 percent. The decrease in the observed market price from our preliminary determination reflects the correction of clerical errors, as discussed below, and our inclusion in the calculation of one other contract that was received after our preliminary price calculation. Since this price is between $15.00/lb and $15.99/lb expressed in Appendix A of the suspension agreement with Kazakstan, as amended, Kazakstan receives a quota of 700,000 lbs for the period April 1, 1997, to September 30, 1997. The suspension agreement with Uzbekistan, as amended, specifies that Uzbekistan shall have access to its Appendix A quota of 940,000 lbs for the period of October 13, 1996 to October 12, 1997, provided that the calculated price is at or above $12.00 per pound.

Comments

Consistent with the February 22, 1993, letter of interpretation, the Department provided interested parties the preliminary price determination for this period on March 12, 1997. One interested party submitted comments.

UPIS Index Used

Comment 1: The Ad Hoc Committee of Domestic Uranium Producers (the producers) request that the Department correct a minor data error in its spot price segment of the calculation. According to the producers, the Department inadvertently used the UPIS Short-Term Price Indicator data rather than the UPIS Spot Price Indicator data, which is consistent with previous calculations.

Department's Position: The Department agrees with the producers and has corrected the data error.

Long-Term UPIS Indicators

Comment 2: The producers claimed that the Department erred in its calculation of the simple average of the long-term UPIS indicators.

Department's Position: The Department agrees with the producers and has corrected the clerical error in question.

Long-Term Contract

Comment 3: The producers request that the Department carefully review its calculation of the price for contract #2 because the reported price is higher than prices seen in the UPIS indicator and other similar transactions. The producers request the Department to review the terms of the contract to determine whether the contract is a renegotiated contract, whether the transaction was part of or related to another transaction which was not reported, and whether the reported contract is between related parties. The Department was also asked to verify whether an appropriate deflator has been used in reporting prices with respect to this particular transaction.

Department's Position: In response to the producers' comments, the Department contacted the respondent and confirmed that the survey response contained accurate information, that the contract in question was not a renegotiated contract, was not part of or related to another transaction, did not involve related parties, and that an industry standard deflater was used. Therefore, the Department continues to use price-related information regarding contract #2 in its long-term price determination.

Finally, the Department corrected a clerical error regarding a delivery year in its calculation of the long-term price for contract #3. The Department notes that its response to the producer's third comment applies to this contract as well.

After the analysis of the above comments, the Department has determined that the observed market price for uranium, effective April 1, 1997, is $15.34/lb.

Dated: April 1, 1997.

Joseph A. Spetrini,

Deputy Assistant Secretary for Antidumping Countervailing Duty—Group III.

[FR Doc. 97–9259 Filed 4–9–97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–502]

Certain Welded Carbon Steel Pipes and Tubes From Thailand: Preliminary Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of preliminary results of antidumping duty administrative review; Certain welded carbon steel pipes and tubes from Thailand.

SUMMARY: In response to requests by Thai Union Steel Co., Ltd. (''Thai Union''), Saha Thai Steel Pipe Co., Ltd. (''Saha Thai'') and its affiliated exporter, S.A.F. Pipe Export Co., Ltd., (''SAF''), respondents, and two importers, Ferro Union Inc. (''Ferro Union''), and ASOMA Corp. (''ASOMA''), the Department of Commerce (''the Department'') is conducting an administrative review of the antidumping duty order on certain welded carbon steel pipes and tubes from Thailand. This review covers the following manufacturers/exporters of the subject merchandise to the United States: Saha Thai/SAF and Thai Union. The period of review (POR) is March 1, 1995 through February 29, 1996.

We have preliminarily determined that respondents sold subject merchandise at less than normal value (NV) during the POR. If these preliminary results are adopted in our final results, we will instruct U.S. Customs to assess antidumping duties equal to the differences between the export price and NV.