

SUMMARY: Under the United States Grain Standards Act (Act), GIPSA has amended the designation of North Dakota Grain Inspection Service, Inc. (North Dakota), to include the former Southern Illinois area.

DATE: Effective on April 26, 1999.

ADDRESSES: USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Ave., S.W., Washington, DC 20250-3604.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart, telephone 202-720-8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the March 3, 1999, **Federal Register** (64 FR 10270), GIPSA announced the designation of North Dakota to provide official inspection services under the Act effective July 1, 1999, and ending March 31, 2002. North Dakota asked GIPSA to amend their geographic area to include the former Southern Illinois area, due to the purchase of the designated corporation, Southern Illinois Grain Inspection Services, Inc. (Southern Illinois).

Section 7A(c)(2) of the Act authorizes GIPSA's Administrator to designate an agency to provide official services within a specified geographic area, if such agency is qualified under section 7(f)(1)(A) of the Act. GIPSA evaluated all available information regarding the designation criteria in Section 7(f)(1)(A) of the Act, and determined that North Dakota is qualified.

GIPSA announces designation of North Dakota to provide official inspection services under the Act, in the former Southern Illinois, area effective April 26, 1999, and ending March 31, 2002, concurrently with the end of North Dakota's current designation.

Pursuant to section 7(f)(2) of the Act, the following additional geographic area, in the State of Illinois, is assigned to North Dakota.

Bounded on the East by the eastern Cumberland County line; the eastern Jasper County line south to State Route 33; State Route 33 east-southeast to the Indiana-Illinois State line; the Indiana-Illinois State line south to the southern Gallatin County line;

Bounded on the South by the southern Gallatin, Saline, and Williamson County lines; the southern Jackson County line west to U.S. Route 51; U.S. Route 51 north to State Route 13; State Route 13 northwest to State Route 149; State Route 149 west to State Route 3; State Route 3 northwest to State

Route 51; State Route 51 south to the Mississippi River; and

Bounded on the West by the Mississippi River north to the northern Calhoun County line;

Bounded on the North by the northern and eastern Calhoun County lines; the northern and eastern Jersey County lines; the northern Madison County line; the western Montgomery County line north to a point on this line that intersects with a straight line, from the junction of State Route 111 and the northern Macoupin County line to the junction of Interstate 55 and State Route 16 (in Montgomery County); from this point southeast along the straight line to the junction of Interstate 55 and State Route 16; State Route 16 east-northeast to a point approximately 1 mile northeast of Irving; a straight line from this point to the northern Fayette County line; the northern Fayette, Effingham, and Cumberland County lines.

Effective April 26, 1999, North Dakota's present geographic area is amended to include the area formerly assigned to Southern Illinois as described above. North Dakota's designation to provide official inspection services ends March 31, 2002. Official services in Illinois may be obtained by contacting North Dakota d.b.a. Illinois Official Grain Inspection at 618-632-1921.

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: May 4, 1999.

Neil E. Porter,

Director, Compliance Division.

[FR Doc. 99-11978 Filed 5-12-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-821-802]

Procedures for Delivery of HEU Natural Uranium Component in the United States

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

ACTION: Request for Comments.

SUMMARY: The Department of Commerce is hereby providing interested parties an opportunity to comment on the latest draft Revision of the Procedures for Delivery of HEU Natural Uranium Component in the United States. All comments are due, by close of business, to the Department of Commerce seven (7) days from the date of publication of this notice.

EFFECTIVE DATE: May 13, 1999.

FOR FURTHER INFORMATION CONTACT:

James C. Doyle, Karla Whalen, or Juanita H. Chen, Enforcement Group III, Office VII, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401

Constitution Avenue, NW, Washington, DC 20230, at telephone: 202-482-3793.

Background

As set forth in the USEC Privatization Act, the Department of Commerce ("the Department") has the responsibility for the administration and enforcement of the HEU Agreement. Pursuant to this Act, the Department established the Procedures for Delivery of HEU Natural Uranium Component in the United States ("HEU Procedures") (63 FR 36391, July 6, 1998) to enforce the USEC Privatization Act mandate. After requesting comments from parties on necessary or desirable changes to the HEU Procedures (63 FR 54108, October 8, 1998), the Department determined that revision and clarification of the HEU Procedures were warranted. Revised HEU Procedures were published on March 26, 1999, and parties were again invited to comment on necessary or desirable changes (64 FR 14697, March 26, 1999). As the Department has made substantive changes, in part as a result of parties' comments, the Department has determined that comments on this latest revision of the HEU Procedures are again appropriate.

Opportunity to Submit Comments

Parties wishing to comment on this latest revision of the HEU Procedures have the opportunity to participate on the record. Parties may submit comments with respect to these revised HEU Procedures by close of business seven (7) days from publication of this notice. Seven copies of the comments should be submitted to: Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, Attention: Roland L. MacDonald.

All comments provided to the Department in response to this notice will be subject to release under the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, *et seq.* (1998).

Dated: May 7, 1999.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

Draft Revised Procedures for Delivery of HEU Natural Uranium Component in the United States

The United States Enrichment Corporation Privatization Legislation, 42 U.S.C. 2297h, *et seq.* ("USEC Privatization Act"), directs the Secretary of Commerce to administer and enforce Russian origin uranium delivery limitations set forth in 42 U.S.C. 2297h-10(b)(5). Accordingly, the U.S.

Department of Commerce ("Department") is implementing § 2297h-10 of the USEC Privatization Act by issuing these revised HEU Procedures. The authority to implement the HEU Procedures does not derive from the Tariff Act of 1930, as amended. Therefore, these revised HEU Procedures are not subject to the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation ("Russian Suspension Agreement"), 57 FR 79235 (October 30, 1992), as amended.

A. Coverage

The uranium covered by these revised HEU Procedures is the U_3O_8 or UF_6 component of the low-enriched uranium derived from the highly enriched uranium ("HEU") taken from dismantled nuclear warheads, deemed under United States law for all purposes to be of Russian origin, and delivered to the Russian Executive Agent pursuant to the USEC Privatization Act ("HEU Natural Uranium Component").

B. Definitions

1. Account Administrator—means the party that administers an account into which the Russian Executive Agent or a Designated Agent takes delivery of, and provides account balance information for, the HEU Natural Uranium Component prior to its sale pursuant to the USEC Privatization Act.

2. Annual Maximum Deliveries—means the delivery limitations to End-Users as set forth at 42 U.S.C. 2297h-10(b)(5):

| ANNUAL MAXIMUM DELIVERIES TO END-USERS | |
|---|---|
| Year: | (Millions lbs. U_3O_8 equiv- alent) |
| 1998 | 2 |
| 1999 | 4 |
| 2000 | 6 |
| 2001 | 8 |
| 2002 | 10 |
| 2003 | 12 |
| 2004 | 14 |
| 2005 | 16 |
| 2006 | 17 |
| 2007 | 18 |
| 2008 | 19 |
| 2009 and each year thereafter | 20 |

3. Consumption—means for use as nuclear fuel.

4. Designated Agent—means any party that has been authorized by the Ministry of Atomic Energy of the Russian Federation ("MINATOM") to

sell the HEU Natural Uranium Component.

5. Designated Agent's Account—means the account held in the name of the Designated Agent, into which only the HEU Natural Uranium Component is delivered prior to its transfer pursuant to the USEC Privatization Act.

6. End-User—means an entity that purchases natural uranium for consumption in a nuclear reactor in the United States, owned or operated by itself or a parent, subsidiary, or other entity under common ownership or control.

7. Executive Agent—means either the United States or Russian Federation executive agent with the authority to implement the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, dated February 19, 1993.

8. Secretary—means the Secretary of Commerce or a designee. The Secretary has responsibility for the administration and enforcement of the limitations set forth in 42 U.S.C. 2297h-10(b)(5).

9. U_3O_8 to (UF_6 Conversion)—1 KgU in UF_6 2.61283 lbs. U_3O_8

10. Verification—The process by which the Department examines the records of the party that provided the information being examined, and interviews company personnel who prepared such information and who are familiar with the sources of the data in the information, in order to establish the adequacy and accuracy of submitted information.

11. Importer of Record—means the person by whom, or for whose account, subject merchandise is imported.

C. Record Procedures and Commercial Confidentiality

1. Public Record and Access

a. HEU Record: A separate record for documents and information generated under the HEU Procedures shall be created under the identifying title "HEU File" and maintained in the Central Records Unit.

b. Central Records Unit: Import Administration's Central Records Unit is located at B-099, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street, NW, Washington, DC 20230. The office hours of the Central Records Unit are between 8:30 A.M. and 5:00 P.M. on business days.

c. The Central Records Unit is responsible for maintaining a public and an official record for the HEU File. The public record will consist of all material contained in the official record that the Secretary determines is subject to

release under the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, et seq. (1998), and disclosed to the general public in the Central Records Unit. The Secretary will charge an appropriate fee for providing copies of documents. The official record will contain the foregoing information and information for which the submitter has claimed an exemption to release under FOIA. Such official record will be accessible only to authorized Commerce Department employees.

d. FOIA Release and Treatment of Commercial and Financial Information: Documents submitted to the Department are fully releasable under FOIA, unless a party claims protection from release under a FOIA exemption. A party making a submission may not claim its own identity as protected from release under FOIA. In order to claim protection from release, a party must specify the appropriate exemption applicable to the information which the party seeks to protect from release, and bracket such information. See § 4.7 of the Department's FOIA regulations, set forth in 15 C.F.R. part 4 (1998). If the information in the submission is protected from release under an exemption to FOIA, the party submitting such documentation may provide a releasable public version along with the non-releasable version. Further information on FOIA may be accessed at <http://www.usdoj.gov/foia>.

e. Interim Record: The Department will create the public record of the HEU File. Within 90 days from publication of the final revised HEU Procedures, the Department will provide to parties that have already submitted information to the Department, pursuant to the January 7, 1998 HEU Procedures, the opportunity to claim that documents are exempt from release under FOIA and to create releasable versions of said documents. The Department will also transfer any documentation relating to the HEU Procedures from the record for the Russian Suspension Agreement (A-821-802) to the HEU File, or will return such documentation to the submitter, as appropriate.

2. Record Submission Instructions

a. Where to file: For the Department to consider a submission to the record, persons must address and submit all documents to: The Secretary of Commerce, Attention: Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230. Submissions may be made between 8:30 AM and 5:00 PM on business days. Courtesy copies addressed to the appropriate employee, and designating

the employee's mail stop room number, may be delivered to Room 1874 (Courier Delivery Entrance).

b. Required Header Information: Any submission made to the HEU File must contain the following information in the upper right hand corner of the document in the order presented below:

HEU File

Number of Pages

Fully Releasable under FOIA, or, Not

Fully Releasable under FOIA

Attn: Uranium Program, Room 7866

c. Number of Copies: Each submission to the Department must be accompanied by three copies of the submission.

Where claim of exemption from release under FOIA is made, the specific portion(s) of the submission for which exemption is claimed must be clearly identified when the submission is made. Upon receipt, the Central Records Unit will stamp the official date of filing on the submission.

D. Allocation of Annual Maximum Deliveries to End-Users

The Department recognizes that MINATOM may allocate the Annual Maximum Deliveries of HEU Natural Uranium Component among any Designated Agent(s) which it authorizes to sell the HEU Natural Uranium Component. For each Designated Agent receiving a delivery allocation, MINATOM will issue a certificate identifying such Designated Agent, the duration of time for which the allocation is valid, and the maximum annual amount to be delivered under that certificate. The certificate(s) will also contain a statement that the material to be delivered to the Designated Agent may be sold in the United States in accordance with 42 U.S. C. 2297h-10. No such certificate shall be valid and effective until such time as the Department receives a copy of such certificate. The cumulative quantities authorized by all such certificates for each year may not exceed the Annual Maximum Deliveries for such year.

E. Re-allocation

Annual deliveries allocated to a Designated Agent may be re-allocated to any other Designated Agent or to MINATOM within the same annual period subject to the Annual Maximum Deliveries, provided that MINATOM submits to the Department a copy of the amended and/or terminated certificate(s) from which annual delivery allocation is to be withdrawn and a copy of the new certificate(s) re-allocating annual delivery allocation.

F. Delivery Forfeit and Flexibility

On December 31 of each year, any portion of the Annual Maximum Deliveries not delivered in that year will be forfeited. In the unlikely event that there are transfer, transportation, or other difficulties beyond the control of the Designated Agent, the Department may provide for a 30 day grace period to complete the delivery. The Department must be notified in writing of a request for a 30 day grace period, detailing the reasons for the delivery delay.

G. Swaps, Exchanges, Loans, or Resales of Material

1. Swaps, Exchanges or Loans: Swaps, exchanges or loans of HEU Natural Uranium Component may be conducted solely for the purpose of facilitating delivery, further processing, and end-use as nuclear fuel. Notification of such permitted swaps, exchanges, or loans is required to be provided to the Department at the time of the transactions, in the format set forth in Attachment One; however, no prior approval by the Department is required to proceed. Examples of such permitted swaps, exchanges, or loans are those designed to avoid transportation costs. The Department considers swaps, exchanges, or loans that will result in sales for Consumption in the United States, directly or indirectly, in excess of the Annual Maximum Deliveries to be circumvention. Swaps, exchanges or loans are subject to verification by the Department at any time and at its discretion.

2. Resale.

a. The Department will permit End-Users to resell the HEU Natural Uranium Component. If the HEU Natural Uranium Component is resold, the End-User (or any other entity) making the resale must notify the Department of the date of the resale, the entity to whom it was sold, and the volume resold, in the format provided in Attachment One; however, no prior approval by the Department is required to proceed.

b. If an End-User resells the HEU Natural Uranium Component to any party other than another End-User, the material must be held in a separate account and quarterly reports on the account balance, in the format provided in Attachment Two, are required from the purchaser of the resold material. The material must be tracked in a separate account, and quarterly reports on the account balance must be provided for all subsequent resales except those to an End-User.

c. An End-User may purchase HEU Natural Uranium Component on re-sale

only from another End-User or an entity utilizing a separate account and providing quarterly reports to the Department as noted in Paragraph H.2.b. above.

d. Resales remain subject to the requirements of § 2297h-10 of the USEC Privatization Act, these HEU Procedures, and are also subject to verification by the Department at any time and at its discretion.

H. Post-Delivery Notification

For all deliveries of HEU Natural Uranium Component, Designated Agents must submit to the Department, within ten (10) days of receipt, copies of all delivery confirmations provided to the Designated Agents from the appropriate Account Administrator. Such confirmations must contain the identity of the account holders from and to which the material was transferred, the quantity transferred, the contract number pursuant to which such delivery is made, and the date of delivery.

I. Quarterly Reports

1. Designated Agents

Designated Agents must submit for the HEU File quarterly reports and certifications detailing all activity relating to the movement of HEU Natural Uranium Component into and out of their respective accounts, in the format set forth in Attachment Two. These reports must be submitted on May 1, August 1, November 1, and February 1 of each year for the quarters ending March 31, June 30, September 30, and December 31, respectively.

2. Account Administrators

Account Administrators must submit quarterly reports regarding the accounts holding the HEU Natural Uranium Component, in the format set forth in Attachment Three. These reports must be submitted on May 1, August 1, November 1, and February 1 of each year for the quarters ending March 31, June 30, September 30, and December 31, respectively.

J. Verification

The Department reserves the right to verify any information submitted to the Department relating to deliveries under the USEC Privatization Act. Furthermore, the Department may restrict future deliveries from any account in which the reported activity is found to be in violation of these revised HEU Procedures and/or the Annual Maximum Deliveries if such violations are not rectified to the satisfaction of the Department and MINATOM.

K. Consultations

Upon request, MINATOM and the Department will hold consultations subsequent to the filing of the quarterly reports due February 1 of each year for the purpose of exchanging/reviewing all data pertaining to deliveries of HEU Natural Uranium Component under these revised HEU Procedures during the previous year. Consultations may be held at other times as necessary.

L. Re-Importation Requirements ¹

1. HEU Natural Uranium Component previously sold to an End-User, exported from the United States for further processing, and subsequently re-imported:

The End-user or its agent must submit a notification letter and certifications as set forth in Attachment Four.

2. HEU Natural Uranium Component sold for delivery outside the territory of the United States to an End-User and subsequently imported to be consumed by an End-User in accordance with Annual Maximum Delivery Limitations:

The End-User or its agent must submit a notification letter and certifications as set forth in Attachment Four.

3. HEU Natural Uranium Component sold for consumption outside the United States to be imported into the United States for further processing and exportation:

The entity or importer of record must provide the information set forth in Attachment Five. In addition, the owner of this material must certify to the Department that the material will not be swapped, exchanged, or loaned while in the United States and that it will not (and has not) circumvented the Annual Maximum Delivery Limitations. The owner must also provide the Department with the expected quantity (U₃O₈ equivalent, less any processing losses) that will be exported from the United States. There shall be no time or quantity limitations on the import of HEU Natural Uranium Component under this provision.

4. In all cases noted above, the owner of the HEU Natural Uranium Component or its agent must provide the Department with the required information ten (10) days prior to its expected entry into the United States. Within ten (10) days of receipt of the required information, the Department shall provide the United States Customs Service with the appropriate instructions to clear this shipment. The Department will notify the importer of record of the issuance of such instructions.

M. Enforcement

If the Department finds that a Designated Agent has directly or indirectly exceeded its delivery allocation, the Department will require

the Account Administrator or the appropriate entity to withhold any further release of HEU Natural Uranium Component from the Designated Agent's Account, until the issue has been satisfactorily resolved among the Department, MINATOM, and the relevant Designated Agent. The Department will notify both the Account Administrator and the affected Designated Agent in writing of its enforcement action.

N. Future Revisions

Any future revisions to these HEU Procedures will be made only after public notice in the **Federal Register** and an opportunity for interested party comment.

Attachment One—Swaps, Exchanges, Loans, and Resales Notification Format

For each swap, exchange, loan, or resale under a provision of the HEU Procedures, provide the following information to the Department:

- 1. The quantity and origin(s) of the material.
- 2. The location(s) of the transaction.
- 3. The parties involved in the transaction.
- 4. The purpose of the transaction.

Attachment Two ² Designated Agent Quarterly Report Form

Quarterly Delivery Report for (INSERT DATES AND DESIGNATED AGENT) HEU Natural Uranium Component
Beginning Balance (in U₃O₈ equivalent): ____

| Transaction date | Delivered from | Delivered to | Quantity (in UF ₆ and U ₃ O ₈ equivalent) | Transaction description | Comments |
|------------------|----------------|--------------|--|-------------------------|----------|
| | | | | | |

Ending Balance (in U₃O₈ equivalent): ____
(DESIGNATED AGENT) certifies that it holds an HEU Natural Uranium Component account at (STATE NAME OF ENTITY(IES)) and that all HEU Natural Uranium Component transferred from or into this (these) account(s) during calendar quarter (INDICATE DATES) has been transferred for one of the following reasons: (1) for use under an approved matched sale under 42 U.S.C. § 2297h-10(b) of the USEC Privatization Act and Article IV of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended; (2) for use in overfeeding in U.S. enrichment facilities pursuant to 42 U.S.C. § 2297h-10(b)(7); (3) for delivery to a United States End-User for

Consumption, within the Annual Maximum Deliveries set forth in the USEC Privatization Act, at 42 U.S.C. § 2297h-10(b)(5); (4) for export out of the United States; or (5) for further processing on behalf of (NAME OF ENTITY).
(DESIGNATED AGENT) further certifies that, for the time period in which the material was in its possession or control, none of the HEU Natural Uranium Component transferred from or into the account(s) during the calendar quarter (INDICATE DATES) has been loaned, swapped, exchanged or used in any arrangement that directly or indirectly circumvents the limitations set forth in 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act, the Agreement Suspending

the Antidumping Investigation on Uranium from the Russian Federation, as amended, or the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

Signature: _____
Printed Name: _____
Title: _____

Attachment Three—Account Administrator Quarterly Report Form

Quarterly Report for (INSERT DATES AND ACCOUNT ADMINISTRATOR) HEU Natural Uranium Component
Beginning Balance (in U₃O₈ equivalent): ____

¹ The certifications required under this Paragraph are independent of the general importer certification requirements of the Agreements Suspending the Antidumping Duty Investigations on Uranium, as amended ("the Agreements"). Certification number 3 on Attachment Four (page two) and certification numbers 2 and 4 on

Attachment Five (page two) will continue to be required only to the extent they are applicable. At such a time when the Agreements are no longer in existence, the certifications required under this Paragraph will be amended to reflect the absence of the Agreements.

² The Department will amend this certification to reflect changes, if any, in the existence of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation.

| Transaction date | Delivered from | Delivered to | Quantity (in UF ₆ and U ₃ O ₈ equivalent) | Transaction description | Comments |
|------------------|----------------|--------------|--|-------------------------|----------|
| | | | | | |

Ending Balance (in U₃O₈ equivalent): _____
 (ACCOUNT ADMINISTRATOR) certifies that to the best of its knowledge, the foregoing information is true and correct.
 Signature: _____
 Printed Name: _____
 Title: _____

Attachment Four (Page One)—Re-importation Notification Form and Certifications

TOPIC: Re-importation of Uranium under 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act.

Pursuant to Paragraph L of the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised, we hereby submit information describing the re-importation of Russian origin uranium subject to the delivery limitations set forth in the USEC Privatization Act, at 42 U.S.C. § 2297h-10(b)(5):

Export:

2. Quantity of HEU Natural Uranium Component (U₃O₈ equivalent) exported out of U.S.:

3. Date of Export out of U.S. (if available):

Re-Importation:

1. (NUMBER) lbs. of U₃O₈ equivalent contained in (NUMBER) KgU with enrichment assay (NUMBER) wt % and tails assay (NUMBER) wt %, as applicable:

2. Port of Re-Importation:

3. Importer of Record:

4. Planned Date of Re-Importation:

5. End User:

6. Vessel/Airline Name:

Also, please find attached the importer of record declaration regarding country of origin, anti-circumvention and qualification of this material under 42 U.S.C. § 2297h-10(b) of the USEC Privatization Act. We also agree to verification of this information if requested.

Attachment Four (Page Two)—Importation Notification Form and Certifications

Certifications To U.S. Customs Service

1. (END-USER or IMPORTER OF RECORD) hereby certifies that the HEU Natural Uranium Component of the uranium being imported into the United States is derived from Russian highly enriched uranium pursuant to the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons. The uranium being imported was converted in (INSERT COUNTRY), and/or enriched in (INSERT COUNTRY) and/or fabricated in (INSERT COUNTRY)

2. (END-USER or IMPORTER OF RECORD) hereby certifies that the material being

imported was not obtained under any arrangement, swap, exchange, or other transaction designed to circumvent the delivery limitations set forth in 42 U.S.C. § 2297h-10(b) of the USEC Privatization Act, 42 U.S.C. § 2297h, *et seq.*, and the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

3. (END-USER or IMPORTER OF RECORD) hereby certifies that the material being imported was not obtained under any arrangement, swap, exchange, or other transaction designed to circumvent any of the agreements suspending the antidumping investigations on uranium, as amended.

4. (END-USER or IMPORTER OF RECORD) hereby certifies that the uranium being imported into the United States is for consumption in the United States and is in compliance with 42 U.S.C. § 2297h-10(b) of the USEC Privatization Act, 42 U.S.C. § 2297h, *et seq.* The material being imported represents (NUMBER) lbs. U₃O₈ equivalent of (NUMBER) lbs. U₃O₈ equivalent exported for further processing on (DATE) or delivered to an End-User outside the United States.

Signature: _____

Printed Name: _____

Title: _____

Attachment Five (Page One)—Importation Notification Form and Certifications

TOPIC: Importation of Uranium under 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act—Consumption Outside the United States.

Pursuant to Paragraph L of the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised, we hereby submit information describing our scheduled importation of Russian origin uranium into the United States for subsequent export:

1. Scheduled Date of Re-importation:

2. (NUMBER) lbs. Of U₃O₈ in (NUMBER) KgU with enrichment assay (NUMBER) wt % and tails assay (NUMBER) wt % (if applicable):

3. Port of Re-importation:

4. Importer of Record:

5. Vessel/Airline:

6. Parties Providing Further Processing and/or storage:

7. Anticipated Date of Export out of U.S. (if available):

8. End-User:

Also, please find attached the importer of record declaration regarding country of origin, anticircumvention, and qualification of the material under 42 U.S.C. § 2297h-10(b) of the USEC Privatization Act. We also agree to verification of this information if requested.

Attachment Five (Page Two)—Importation Notification Form and Certifications

Certifications To U.S. Customs Service

1. (OWNER or IMPORTER OF RECORD) hereby certifies that the HEU Natural Uranium Component of the uranium being imported into the United States is derived from Russian highly enriched uranium pursuant to the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons. The uranium being imported was converted in (INSERT COUNTRY), and/or enriched in (INSERT COUNTRY), and/or fabricated in (INSERT COUNTRY) and is not intended for consumption in the United States.

2. (OWNER or IMPORTER OF RECORD) hereby certifies that the material being imported was not obtained under any arrangement, swap, exchange, or other transaction designed to circumvent any of the agreements suspending the antidumping investigations on uranium, as amended

3. (OWNER or IMPORTER OF RECORD) hereby certifies that the material being imported was not obtained under any arrangement, swap, exchange, or other transaction designed to circumvent the delivery limitations set forth in 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act, 42 U.S.C. § 2297H, *et seq.*, and the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

Further, the material being imported will not be swapped, exchanged, or loaned or otherwise used in any other transaction designed to circumvent any of the agreements suspending the antidumping investigations on uranium, as amended.

Further, the material being imported will not be swapped, exchanged, or loaned or otherwise used in any other transaction designed to circumvent or the delivery limitations set forth in 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act, 42 U.S.C. § 2297h, *et seq.* and the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

Signature: _____

Printed Name: _____

Title: _____

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