to continuation or recurrence of material injury to an industry in the United States, the Department, pursuant to section 751(d)(2) of the Act, will revoke the antidumping finding on synthetic methionine from Japan. Pursuant to section 751(c)(6)(A)(iv) of the Act, this revocation is effective January 1, 2000. The Department will instruct the U.S. Customs Service to discontinue suspension of liquidation and collection of cash deposit rates on entries of the subject merchandise entered or withdrawn from warehouse on or after January 1, 2000 (the effective date). The Department will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

Dated: August 13, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–21713 Filed 8–19–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Preliminary Results of New Shipper Review

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

ACTION: Notice of preliminary results of new shipper review of tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China.

SUMMARY: In response to requests from Zhejiang Changshan Changhe Bearing Company and Weihai Machinery Holding (Group) Corporation Limited, the Department of Commerce is conducting a new shipper review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China. This review covers these companies' entries of tapered roller bearings and parts thereof, finished and unfinished, to the United States during the period June 1, 1998, through November 30, 1998.

We have preliminarily found that, during the period of review, Zhejiang Changshan Changhe Bearing Company and Weihai Machinery Holding (Group) Corporation Limited have not made sales of subject merchandise below normal value. If these preliminary results are adopted in our final results, we will instruct the Customs Service not to assess antidumping duties.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: August 20, 1999.

FOR FURTHER INFORMATION CONTACT: James Breeden or Zak Smith, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482–1174 and (202) 482-0189, respectively.

Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''the Act''), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, all references to the Department of Commerce's (''Department's'') regulations are to 19 CFR 351 (April 1998).

Background

On November 30, 1998, Zhejiang Changshan Changhe Bearing Company (''ZCCBC''), a producer and exporter, requested that we conduct a new shipper review. ZCCBC's request was followed by a similar request on December 30, 1998, by Weihai Machinery Holding (Group) Corporation Limited (''Weihai''), an exporter. We published the notice of initiation for this new shipper review on February 19, 1999 (64 FR 8312).

Scope of Review

Merchandise covered by this review includes tapered roller bearings (''TRBs'') and parts thereof, finished and unfinished, from the People's Republic of China (''PRC''); flange, take up cartridge, and hanger units incorporating tapered roller bearings; and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. This merchandise is classifiable under the Harmonized Tariff Schedule of the United States (''HTSUS'') item numbers 8482.20.00, 8482.91.00.50, 8482.99.30, 8483.20.40, 8483.20.80, 8483.30.80, 8483.90.20, 8483.90.30, 8483.90.80, 8708.99.80.15, and 8708.99.80.80. Although the HTSUS item numbers are provided for convenience and customs purposes, the written description of the scope of the order and this review is dispositive.

Separate Rates Determination

To establish whether a company operating in a state-controlled economy is sufficiently independent to be entitled to a separate rate, the Department analyzes each exporting entity under the test established in the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (''*Sparklers*''), as amplified by the *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) (''*Silicon Carbide*''). Under this policy, exporters in nonmarket economies (''NMEs'') are entitled to separate, company-specific margins if they can demonstrate an absence of government control, both in law and in fact, with respect to export activities. Evidence supporting, though not requiring, a finding of *de jure* absence of government control over export activities includes: (1) an absence of restrictive stipulations associated with the individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the government decentralizing control of companies. *De facto* absence of government control over exports is based on four factors: (1) whether each exporter sets its own export prices independently of the government and without the approval of a government authority; (2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding the disposition of profits or financing of losses; (3) whether each exporter has the authority to negotiate and sign contracts and other agreements; and (4) whether each exporter has autonomy from the government regarding the selection of management (*see Silicon Carbide*, 59 FR at 22587 and *Sparklers*, 56 FR at 20589).

With respect to Weihai, information submitted during this review indicates that Weihai is owned by its shareholders. These shareholders consist of the companies Weihai Machinery Industries Co. Ltd. (''MIC'') and United Collective Enterprises of Weihai (''UCE''). Record evidence indicates that MIC is owned ''by all the people of the People's Republic of China'' and that UCE is collectively owned by its employees.

An analysis performed by the CIA, which has been put on the record of this proceeding, states that although collectively owned enterprises (''collectives'') are theoretically owned by the company's workers rather than

''all the people,'' the Chinese consider collectives to be another form of public ownership. *See 1992 Central Intelligence Agency Report to the Joint Economic Committee, Hearings on Global Economic and Technological Change: Former Soviet Union and Eastern Europe and China, Pt. 2* (102 Cong., 2d Sess.). Thus, similar to companies that are owned ''by all the people,'' UCE belongs to the community of its employees who are ''entrusted with the management of the company.'' (*See Silicon Carbide*, 59 FR at 22586–7.) Based on these facts, the Department preliminary determines that Weihai is eligible to be considered for a separate rate.

As discussed below, Weihai and ZCCBC meet both the *de jure* and *de facto* criteria. Accordingly, we preliminarily determine to apply separate rates to Weihai and ZCCBC.

De Jure Analysis: Weihai and ZCCBC

The following laws indicate a lack of *de jure* government control over these companies, and establish that the responsibility for managing companies owned by ''all of the people'' and collectives has been transferred from the government to the enterprises themselves. These laws include: ''Law of the PRC on Industrial Enterprises Owned by the Whole People,'' adopted on April 13, 1988 (''1988 Law''); ''Regulations for Transformation of Operational Mechanism of State-Owned Industrial Enterprises,'' approved on August 23, 1992 (''1992 Regulations''); and the ''Temporary Provisions for Administration of Export Commodities,'' approved on December 21, 1992 (''Export Provisions''). The 1988 Law states that enterprises have the right to set their own prices (*see* Article 26). This principle was restated in the 1992 Regulations (*see* Article IX). Finally, the 1992 ''Temporary Provisions for Administration of Export Commodities'' list those products subject to direct government control. TRBs do not appear on this list and are not subject, therefore, to the constraints of these provisions.

With respect to ZCCBC, information submitted during this review indicates that it is a joint venture company formed under the laws of the PRC. The Chinese company participating in this joint venture is controlled by private shareholders and independent from national, provincial and local Chinese government entities (*see* ZCCBC questionnaire response dated June 22, 1999). Furthermore, the following laws, which have been placed on the record in this case, indicate a lack of *de jure* government control over joint venture companies, and establish that these companies are responsible for managing themselves. These laws include the ''Law of the PRC on Chinese-Foreign Cooperative Joint Ventures,'' adopted on April 13, 1988 (''Joint Venture Law'') and the ''Foreign Trade Law of the PRC,'' approved on May 12, 1994 (''Foreign Trade Law''). The Joint Venture Law states that a cooperative venture is to conduct its operations and management in accordance with its approved articles of association and that no interference with regard to the management autonomy of these enterprises is allowed (*see* Article 11). In addition, the Foreign Trade Law states that enterprises engaged in international trade shall enjoy full autonomy in their business operation and be responsible for their own profits and losses (*see* Article 11).

Therefore, consistent with Silicon Carbide, we preliminarily determine that the existence of these laws demonstrates that Weihai and ZCCBC are not subject to *de jure* government control with respect to export activities.

In light of reports indicating that laws shifting control from the government to the enterprises themselves have not been implemented uniformly,[1] an analysis of *de facto* control is critical in determining whether respondents are, in fact, subject to government control with respect to export activities.

De facto Analysis: Weihai and ZCCBC

The following record evidence, which is contained in Weihai's and ZCCBC's questionnaire responses, indicates a lack of *de facto* government control over the export activities of these companies.

Weihai's chairman and sales representatives authorized by the chairman, and ZCCBC's general manager have the right to contractually bind their respective companies concerning the sale of TRBs. Both Weihai and ZCCBC have stated that export decisions are not subject to any government review or approval and there are no government policy directives that affect these decisions.

Weihai's senior management is selected by the company's board of directors. The remaining managers are appointed by the general manager. The results of Weihai's senior management selections are recorded with the State Administration for Industry and Commerce. There is no evidence that this government authority controls the selection process or that it has rejected senior managers selected through the election process. The general manager of ZCCBC is appointed by the company's stockholders and ZCCBC does not notify the government of its management selections. Accordingly, there is no evidence that the government controls the selection process or that it has rejected a general manager selected.

Weihai's and ZCCBC's sources of funds are their own respective revenues or bank loans. They have sole control over, and access to, their bank accounts, which are held in Weihai's and ZCCBC's own names, respectively.

Furthermore, there are no restrictions on the use of the respondents' revenues or profits, including export earnings.

Based on the foregoing analysis of the evidence on the record, we find neither *de jure* nor *de facto* government control over the export activities of Weihai or ZCCBC. Accordingly, we preliminarily determine that Weihai and ZCCBC are not part of any ''PRC enterprise'' and are entitled to separate rates.

United States Sales

For sales made by Weihai and ZCCBC, we based the U.S. sales on export price (''EP''), in accordance with section 772(a) of the Act, because the subject merchandise was sold to unaffiliated purchasers in the United States prior to importation into the United States and because the constructed export price methodology was not indicated by other circumstances.

We calculated EP based on, as appropriate, the FOB or CIF port price to unaffiliated purchasers. From this amount we deducted amounts, where appropriate, for foreign inland freight, ocean freight, and marine insurance. We valued the deduction for foreign inland freight using Indian freight costs (*see* the *Normal Value* section of this notice for a discussion of our surrogate selection). Marine insurance and ocean freight were provided by PRC-owned companies. Therefore, we valued the deductions using amounts charged by international providers.

Normal Value

Section 773(c)(1) of the Act provides that the Department shall determine normal value (''NV'') using a factors-of-production (''FOP'') methodology if: (1) The merchandise is exported from an NME, and (2) the information does not permit the calculation of NV under section 773(a) of the Act. The Department has treated the PRC as an NME in all previous antidumping cases. In accordance with section 771(18)(C)(i)

[1] ''PRC Government Findings on Enterprise Autonomy,'' in Foreign Broadcast Information Service—China—93–133 (July 14, 1993), and 1992 Central Intelligence Agency Report to the Joint Economic Committee, Hearings on Global Economic and Technological Change: Former Soviet Union and Eastern Europe and China, Pt. 2 (102 Cong., 2d Sess.).

of the Act, any determination that a foreign country is an NME shall remain in effect until revoked by the administering authority. None of the parties to this proceeding has contested such treatment in this review. Moreover, parties to this proceeding have not argued that the PRC tapered roller bearing industry is a market-oriented industry. Consequently, we have no basis to determine that the information would permit the calculation of NV using PRC prices or costs. Therefore, except as noted below, we calculated NV based on factors of production in accordance with sections 773(c)(3) and (4) of the Act and section 351.408(c) of our regulations.

Under the FOP methodology, we are required to value the NME producer's inputs in a comparable market economy country that is a significant producer of comparable merchandise. We have relied on India as the primary surrogate for valuing the PRC producers' inputs. We have used Indonesia as a secondary source of values (*see* Memorandum to Susan Kuhbach from Jeff May: ''Tapered Roller Bearings (''TRBs'') from the People's Republic of China (''PRC''): Nonmarket Economy Status and Surrogate Country Selection,'' dated June 4, 1999, and Memorandum to Susan Kuhbach: ''Selection of a Surrogate Country and Steel Value Sources,'' dated August 10, 1999 (''Steel Values Memorandum''), for a further discussion of our surrogate selection). We note that, in past reviews of this order, we have found that both India and Indonesia are economically comparable to the PRC and are significant producers of TRBs (*see Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Preliminary Results of 1997–1998 Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review*, 64 FR 36853 (July 8, 1999) (''*Preliminary TRBs XI*'')).

We used Indian data to value the various factors of production with the exception of the following: hot-rolled alloy steel bars for the production of cups and cones, cold-rolled steel rods used in the production of rollers, and steel scrap from the production of cups, cones, and rollers. To value hot-rolled alloy steel bars for the production of cups and cones, we used data on imports into Indonesia. Specifically, we used Japanese export prices of cup and cone quality steel to Indonesia. Use of Japanese export data allowed us to identify bearing quality steel. To value cold-rolled steel rods used in the production of rollers, we used Indonesian import data. We valued scrap using information from the same country we used to value steel. In these instances where we used Indonesian data, we did so because we found the Indian data for those inputs to be unreliable. (*See* Steel Values Memorandum.)

All valuations were made using publicly available information, as described below. For a complete description of the factor values used, see the ''Memorandum to Susan Kuhbach: Factors of Production Values Used for the Preliminary Results,'' dated August 10, 1999.

1. Steel Inputs. For hot-rolled alloy steel bars used in the production of cups and cones, we used a weighted average of Japanese export values to Indonesia from the Harmonized Tariff Schedule (''HTS'') category 7228.30.900 obtained from Official Japan Ministry of Finance statistics. This is consistent with the approach followed in *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Final Results of 1996-1997 Antidumping Duty Administrative Review and New Shipper Review and Determination Not to Revoke Order in Part*, 63 FR 63842, 63845 (November 17, 1998) (''*TRBs X*''). For cold-rolled steel rods used in the production of rollers, we used Indonesian import data for Indonesian tariff subheading 7228.50000, as reported in *Biro Pusat Statistik, Republik Indonesia*. For cold-rolled steel sheet for the production of cages, we used Indian import data for Indian tariff subheading 7209.4200, as reported in the *Monthly Statistics of the Foreign Trade of India, Vol. II—Imports*. (For further discussion of selection of steel value sources, *see* Steel Values Memorandum).

As in previous administrative reviews, we eliminated from our calculation steel imports from NME countries and imports from market economy countries that were made in small quantities. For steel used in the production of cups, cones, and rollers, we also excluded imports from countries that do not produce bearing-quality steel (*see, e.g., TRBs X*).

We made adjustments to include freight costs incurred using the shorter of the reported distances from either the closest PRC port to the TRBs factory or the domestic supplier to the TRBs factory (*see Notice of Final Determination of Sales at Less Than Fair Value: Collated Roofing Nails From the People's Republic of China*, 62 FR 51410 (October 1, 1997), and *Sigma Corporation* versus *United States*, 117 F. 3d 1401 (Fed. Cir. 1997)). We also made adjustments to include freight costs incurred between primary producers and their subcontractors.

One producer in this review purchased steel sheet from a market economy supplier and paid for the steel with market economy currency. Thus, in accordance with section 351.408(c)(1) of our regulations, we valued this steel input using the actual price reported for directly imported inputs from a market economy.

To be consistent with the valuation of steel for cups, cones, and rollers, we valued scrap recovered from the production of cups, cones, and rollers using official Japanese government statistics on Japanese scrap exports to Indonesia from HTS category 7204.29.000. Similarly, scrap recovered from the production of cages was valued using import data from the Indian tariff subheading 7204.4100.

2. Labor. Section 351.408(c)(3) of our regulations requires the use of a regression-based wage rate. We have used the regression-based wage rate on Import Administration's internet website at www.ita.doc.gov/import__admin/records/wages.

3. Overhead, SG&A Expenses, and Profit. For factory overhead, we used information obtained from the fiscal year 1997–98 annual reports of six Indian bearing producers. We calculated factory overhead and selling, general and administrative (''SG&A'') expenses (exclusive of labor and electricity) as percentages of direct inputs (also exclusive of labor) and applied these ratios to each producer's direct input costs (exclusive of labor). For profit, we totaled the reported profit before taxes for the six Indian bearing producers and divided it by the total calculated cost of production (''COP'') of goods sold. This percentage was applied to each respondent's total COP to derive a company-specific profit value.

4. Packing. We used surrogate values for each packing material reported using values obtained from the *Monthly Statistics of the Foreign Trade of India, Vol. II—Imports by Commodity* (April 1997 through December 1997). We adjusted the values to reflect inflation using the Indian wholesale price index (''Indian WPI'').

5. Electricity. We used a simple average of 1995 regional electricity prices in India for large industries as reported in *India's Energy Sector*, published by the Centre for Monitoring Indian Economy Pvt. Ltd. (September 1996). We adjusted the value to reflect inflation using the Indian WPI.

6. Inland Freight. We valued truck freight using a rate derived from the April 20, 1994 issue of *The Times of*

India. We adjusted the rate to reflect inflation through the POR using the Indian WPI. We valued rail freight using rates published by the Indian Railway Conference Association in 1995. We calculated an average rate per kilometer and adjusted the rate to reflect inflation through the POR using the Indian WPI.

7. Ocean Freight. We calculated a value for ocean freight based on 1996 rate quotes from Maersk Inc. We adjusted the rate to the POR using the United States producer price index.

8. Marine Insurance. We calculated a value for marine insurance based on the CIF value of the TRBs shipped. We obtained the rate used through queries we made directly to an international marine insurance provider. Because the information obtained was from a period contemporaneous with the POR, no further adjustments were necessary.

Preliminary Results of the Review

We preliminarily determine that the following dumping margins exist for the period June 1, 1998, through November 30, 1998:

Manufacturer/exporter	Margin (percent)
Weihai	0.00
ZCCBC	0.00

Any interested party may request a hearing within 30 days of publication. A hearing, if requested, will be held 42 days after the publication of this notice, or the first workday thereafter.

Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication of this notice. Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument with an electronic version included.

The Department will publish the final results within 90 days after the date on which these results were issued. The final results will include our analysis of issues raised in the briefs or hearing.

If these preliminary results are adopted in the final results, we will instruct the Customs Service to liquidate the entries of the subject merchandise entered, or withdrawn from warehouse, for consumption during the POR, without regard to antidumping duties. The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) for the PRC companies named above, the cash deposit rates will be the rates for these firms established in the final results of this review, except that, for exporters with *de minimis* rates, *i.e.,* less than 0.50 percent, no deposit will be required; (2) for previously-reviewed PRC and non-PRC exporters with separate rates, the cash deposit rate will be the company-specific rate established for the most recent period; (3) for all other PRC exporters, the rate will be the PRC country-wide rate, which is 33.12 percent; and (4) for all other non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under section 351.402(f) of our regulations 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 10, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–21716 Filed 8–19–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 081699A]

Environmental Impact Statement (EIS) for the Proposed Fishery Management Plan (FMP) for the Coral Reef Ecosystem Fishery Management Plan of the Western Pacific Region (Coral Reef Ecosystem FMP); EIS for the FMP for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region; (Bottomfish and Seamount Groundfish Fisheries FMP)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of intent to prepare EISs; request for comments; notice of scoping meeting.

SUMMARY: NOAA announces its intention to prepare an EIS in accordance with the National Environmental Policy Act of 1969 for the proposed Coral Reef Ecosystem FMP, and an EIS for the Bottomfish and Seamount Groundfish Fisheries FMP. The Western Pacific Fishery Management Council (Council) will hold a public scoping hearing in Kona, Hawaii, on management alternatives to be analyzed under both EISs.

DATES: Written comments on the intent to prepare the EISs will be accepted on or before September 10, 1999. A public scoping meeting is scheduled for August 31, 1999.

ADDRESSES: Written comments on the intent to prepare the EISs or other aspects of the scoping documents, which contain suggested alternatives and potential impacts, should be sent to, and copies of the scoping documents are available from, Kitty M. Simonds, Executive Director, Western Pacific Regional Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813, and to Charles Karnella, Administrator, National Marine Fisheries Service, Pacific Islands Area Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu HI 96814.

The following location and time have been set for the scoping meeting: King Kamehameha's Kona Beach Hotel (phone 808–329–2911), 2–Elua Room, August 31, 1999, 6–8 p.m. Phone contact 808–522–8220 for information.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, at 808–522–8220.

SUPPLEMENTARY INFORMATION: A summary of the Coral Reef Ecosystem FMP will be presented including initial