

and U.S. Steel Group, a unit of USX Corporation, of no further interest in continuing the order with respect to corrosion-resistant carbon steel flat products measuring 0.97 mm in thickness and 20 mm in width consisting of carbon steel coil, SAE 1010 or 1012, with a two-layer lining, the first layer consisting of a copper-lead-tin alloy powder that is 76%–80% copper, 9%–11% tin, 9%–11% lead, and under 1% zinc and meeting the requirements of SAE standard 792 for Bearing and Bushing Alloys, the second layer consisting of 45%–55% lead, 38%–50% PTFE, and 3%–5% molybdenum disulfide, we are initiating this changed circumstances review. We are also initiating a changed circumstances review, based on affirmative statements, by the domestic producers listed above, of no further interest in continuing the order with respect to corrosion-resistant carbon steel flat products measuring 1.84 mm in thickness and 43.6 mm or 16.1 mm in width consisting of carbon steel coil (SAE 1008) clad with an aluminum alloy that is balance aluminum, 20% tin, 1% copper, 0.3% silicon, 0.15% nickel less than 1% other materials and meeting the requirements of SAE standard 783 for Bearing and Bushing Alloys. Furthermore, we determine that expedited action is warranted, and we preliminarily determine that continued application of the order with respect to corrosion-resistant carbon steel flat products falling within the descriptions above is no longer of interest to domestic interested parties. Because we have concluded that expedited action is warranted, we are combining these notices of initiation and preliminary results. Therefore, we are hereby notifying the public of our intent to revoke in part the antidumping duty order on certain corrosion-resistant carbon steel flat products from Japan with respect to imports of the above-specified products.

If the final revocation, in part, occurs, we intend to instruct the U.S. Customs Service (Customs) to liquidate without regard to antidumping duties, as applicable, and to refund any estimated antidumping duties collected for all unliquidated entries of corrosion-resistant carbon steel flat products, with the dimensions and chemical composition of coatings indicated above, not subject to final results of administrative review as of the date of publication in the **Federal Register** of the final results of this changed circumstances review in accordance with 19 CFR 351.222. We will also instruct Customs to pay interest on such

refunds in accordance with section 778 of the Act. The current requirement for a cash deposit of estimated antidumping duties on corrosion-resistant carbon steel flat products, with the dimensions and coatings indicated above, will continue unless and until we publish a final determination to revoke in part.

#### Public Comment

Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. Parties to the proceedings may request a hearing within 14 days of publication. Any hearing, if requested, will be held no later than 2 days after the deadline for the submission of rebuttal briefs, or the first workday thereafter. Case briefs may be submitted by interested parties not later than 14 days after the date of publication of this notice. Rebuttal briefs, limited to the issues raised in the case briefs, may be filed not later than 5 days after the deadline for submission of case briefs. All written comments shall be submitted in accordance with 19 CFR 351.303 and shall be served on all interested parties on the Department's service list in accordance with 19 CFR 351.303. Persons interested in attending the hearing should contact the Department for the date and time of the hearing. The Department will publish the final results of this changed circumstances review, including the results of its analysis of issues raised in any written comments.

This notice is published in accordance with section 751(b)(1) of the Act and 19 CFR 351.216 and 351.222.

Dated: August 30, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-23209 Filed 9-3-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-485-803]

#### Certain Cut-to-Length Carbon Steel Plate From Romania: 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.

**SUMMARY:** In response to a request from one respondent and the petitioners, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain cut-to-length carbon steel plate from Romania. This review covers one manufacturer/exporter of the subject merchandise. The period of review (POR) is August 1, 1997 through July 31, 1998.

We preliminarily determine that sales have been made below normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will instruct the U.S. Customs Service to assess antidumping duties equal to the difference between export price (EP) and NV.

Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument: (1) a statement of the issue; and (2) a brief summary of the argument.

**EFFECTIVE DATE:** September 7, 1999.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker or Robert James, Enforcement Group III—Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-2924 (Baker), (202) 482-5222 (James).

#### SUPPLEMENTARY INFORMATION:

##### 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 (URAA). In addition, unless otherwise indicated, all references to the Department's regulations are to Part 351 of 19 CFR (1998).

##### Background

The Department published an antidumping duty order on certain cut-to-length carbon steel plate from Romania on August 19, 1993 (58 FR 44167). The Department published a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order for the 1997/98 review period on August 11, 1998 (63 FR 42821). On August 31, 1998, respondents Windmill International

PTE Ltd. of Singapore, Windmill International Romania Branch, and Windmill International Ltd. (USA), (collectively "Windmill") requested that the Department conduct an administrative review. On August 31, 1998, we also received a request for an administrative review from Bethlehem Steel Corporation and U.S. Steel Group, a Unit of USX Corporation (petitioners). We published a notice of initiation of the review on September 29, 1998 (63 FR 51893).

Under the Act, the Department may extend the deadline for completion of administrative reviews if it determines that it is not practicable to complete the review within the statutory time limit of 365 days. On March 26, 1999, the Department extended the time limit for the preliminary results in this case. See *Cut-to-Length Carbon Steel Plate from Romania; Extension of Time Limits for Preliminary Results of Antidumping Duty Administrative Review*, 64 FR 14689.

The Department is conducting this administrative review in accordance with section 751(a) of the Act.

#### Scope of the Review

The products covered in this review include hot-rolled carbon steel universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coil and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the HTS under item numbers 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included in this review are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*,

products which have been "worked after rolling")—for example, products which have been bevelled or rounded at the edges. Excluded from this review is grade X-70 plate.

These HTS item numbers are provided for convenience and customs purposes. The written description remains dispositive.

The POR is August 1, 1997 through July 31, 1998. This review covers sales of certain cut-to-length carbon steel plate by Windmill International PTE Ltd. of Singapore (Windmill Singapore.) Windmill's supplier during the POR was the unaffiliated producer C.S. Sidex S.A (Sidex).

#### Verification

As provided in section 782(i) of the Act, we verified information provided by the respondent using standard verification procedures, including on-site inspection of the manufacturer's facilities, the examination of relevant sales and financial records, and selection of original documentation containing relevant information. Our verification results are outlined in the public version of the Department's *Verification of the Information Submitted by Windmill International PTE Ltd., Windmill International Romania Branch, and Windmill USA in the 1997-98 Administrative Review of the Antidumping Duty Order on Cut-to-Length Carbon Steel Plate from Romania Report (Verification Report)* dated August 31, 1999, on file in room B-099 of the Department of Commerce Building.

#### Separate Rates Determination

Windmill International Romania Branch (Windmill Romania) is a liaison office wholly-owned by Windmill Singapore. It is registered by the Romanian government as a branch office of Windmill Singapore, not authorized to trade for its own account, but only to support Windmill Singapore's foreign trade activities. It does not keep its own financial records, and has no financial statements or chart of accounts. All of its costs are included in Windmill Singapore's accounting records. Furthermore, it makes its sales through Windmill Singapore. Moreover, there is no Romanian ownership of Windmill Romania. Therefore, we determine that no separate rates analysis is required for this third-country reseller because we consider the Singapore-based parent to be the respondent exporter in the proceeding and because it is beyond the jurisdiction of the Romanian government. See, *e.g.*, *Final Results of Antidumping Duty Administrative Review: Porcelain on Steel Cookware*

*from the People's Republic of China*; 63 FR 27262, 27263 (May 18, 1998) and *Final Determination of Sales at Less Than Fair Value: Disposable Pocket Lighters from the People's Republic of China*; 60 FR 22359, 22361 (May 5, 1995) and *Final Determination of Sales at Less Than Fair Value: Melamine Institutional Dinnerware Products from the People's Republic of China*; 62 FR 1708, 1709 (January 13, 1997).

#### Export Price

We calculated the price of United States sales based on EP, in accordance with section 772(a) of the Act. We based EP on the price from Windmill to its unaffiliated U.S. customer, because Sidex sold the merchandise to Windmill without knowing that the ultimate destination of the merchandise was the United States.

We calculated EP based on packed prices to unaffiliated customers in the United States. Where appropriate, we made deductions from the starting price for foreign inland freight, international freight, marine insurance, shipment inspection fee, other U.S. transportation expenses, and U.S. Customs Service duty. The foregoing expenses were all reported by Windmill in its questionnaire response. We also made an adjustment for four additional expenses not reported by Windmill that we found at the verification. These four expenses were: (1) A bank fee and "miscellaneous expense" associated with the foreign inland freight; (2) payment of a bank fee associated with the shipment inspection; (3) an expense recorded in a miscellaneous account; and (4) the purchase of a Customs bond for exporting the merchandise to the United States. For a description of these four expenses, see the *Verification Report*, at pages 22, 26, 28, and 29, respectively.

Windmill reported the invoice date (as kept in the ordinary course of business) as the date of sale. However, that invoice date was after the date of shipment and the contract date, and we found no evidence suggesting that the terms of sale were altered between the contract date and the invoice date. Therefore, we used the contract date as the date of sale because the terms of sale did not change after that date.

#### Normal Value

For merchandise exported from an NME country, section 773(c)(1) of the Act provides that the Department shall determine normal value (NV) using a factors of production method if (1) the merchandise is exported from an NME and (2) available information does not permit the calculation of NV using

home market or third-country prices under section 773(a) of the Act. The Department has treated Romania as an NME country in all previous antidumping cases. In accordance with section 771(18)(C)(i) 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 Romanian steel industry is a market-oriented industry. Consequently, we have no basis to determine that the available information would permit the calculation of NV using Romanian prices or costs. Therefore, 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 factors of production method, 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 determined that Indonesia is at a level of economic development comparable to that of Romania. We also found that Indonesia is a significant producer of cut-to-length carbon steel plate. Therefore, for this review, we have used Indonesian prices to value the factors of production except where the factor was purchased from a market economy supplier and paid for in a market economy currency. For a further discussion of the Department's selection of a surrogate country, see the memorandum from Jeff May to Richard O. Weible: "Cut-to-Length Carbon Steel Plate ("CLCSP") from Romania: Nonmarket Economy Status and Surrogate Country Selection," dated March 1, 1999 and the memorandum from Jeff May to Richard O. Weible: "Your Request for Additional Surrogate Countries in the Administrative Review of Cut-to-Length Carbon Steel Plate ("CLCSP") from Romania" dated April 27, 1999.

We selected, where possible, publicly available values from Indonesia which were: (1) average non-export values; (2) representative of a range of prices within the POR or most contemporaneous with the POR; (3) product specific; and (4) tax-exclusive. We valued the factors of production as follows:

- **Raw Materials.** We valued low volatile coking coal, medium volatile coking coal, high volatile coking coal, lime, limestone, iron ore fines, iron ore lumps, iron ore pellets, iron ore concentrate, dolomite, and coke fines using U.N. Commodity Trade Statistics.

We did not use the barter transactions provided by Windmill to value medium volatile coking coal, high volatile coking coal, iron ore fines, and iron ore lumps because Windmill could not specifically quantify the value of the items that it bartered for those production inputs. (See *Verification Report* at pages 18–20.)

- **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 listed for Romania on Import Administration's internet website at [www.ita.doc.gov/import\\_admin/records/wages](http://www.ita.doc.gov/import_admin/records/wages). The source for the wage rate data used in the regression analysis is "Expected Wages of Selected NME Countries—1997 Income Data," 1998 *Year Book of Income Data*, International Labor Office, (Geneva: 1998) Chapter 5B: Wages in Manufacturing.

- **Energy.** We valued electricity and natural gas using the International Energy Agency's *Asia Electric Study* (1997).

- **Selling, General and Administrative Expenses (SG&A), Overhead, and Profit.** We calculated SG&A, overhead, and profit based on information obtained from the 1997 annual report of PT Krakatau Steel, the largest integrated steel producer in Indonesia. From this statement we were able to calculate factory overhead as a percentage of the total cost of manufacturing, SG&A as a percentage of the total cost of manufacturing, and the profit rate as a percentage of the cost of manufacturing plus SG&A.

For a complete description of the factor values used, see the preliminary results analysis memorandum dated August 31, 1999, a public version of which is available in the public file.

We also made an offset, where appropriate, for byproducts sold. However, we denied Windmill's claimed offset adjustments for sinterized dolomite, recovered lime, lime powder, carbon dioxide, raw water, and industrial water because we found at the verification that these products were not byproducts of the production process of subject merchandise, but were products held in inventory for use in the production process. Thus, the sales of such products constituted sales of excess inventory, and not sales of byproducts.

#### Currency Conversion

We made currency conversions in accordance with Section 773A(a) of the Act. For currency conversions involving the Indonesian rupiah, we used exchange rates published in the International Monetary Fund in *International Financial Statistics*. For all

other conversions, we used daily exchange rates published by the Federal Reserve.

#### Preliminary Results of the Review

As a result of this review, we preliminarily determine that a weighted-average dumping margin of 20.62 percent exists for Windmill for the period August 1, 1997 through July 31, 1998.

Within five days of the date of publication of this notice, in accordance with 19 CFR 351.224, the Department will disclose its calculations. Any interested party may request a hearing within 30 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first working day thereafter. Interested parties may submit written comments (case briefs) no later than 30 days after the date of publication. Rebuttal comments (rebuttal briefs), which must be limited to issues raised in the case briefs, may be filed no later than 37 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, not to exceed five pages in length. The Department will publish a notice of the final results of the administrative review, which will include the results of its analysis of issues raised by the parties, within 120 days of publication of these preliminary results.

#### Assessment and Cash Deposit

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Upon completion of this review, the Department will issue appraisal instructions directly to the U.S. Customs Service. The final results of this review shall be the basis for the assessment of antidumping duties on entries covered by this review and for future deposits of estimated duties. We will instruct the Customs Service to assess antidumping duties on all appropriate entries covered by this review if any assessment rate calculated in the final results of this review is above *de minimis* (i.e., at or above 0.5 percent) (see 19 CFR 351.106(c)(2)). For assessment purposes, if applicable, we intend to calculate an importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales and dividing by the total quantity sold.

Furthermore, 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)(2)(C) of the Act: (1) the cash deposit rate for Windmill will be the rate established in the final results of this administrative review; (2) for all other Romanian exporters, the cash deposit rate will be the Romania-wide rate made effective by the final determination in the less-than-fair-value investigation (*see Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from Romania*, 58 FR 37209 (July 9, 1993)); (3) for non-Romanian exporters of subject merchandise from Romania, the cash deposit rate will be the rate applicable to the Romanian 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 19 CFR 351.402(f) 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.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 31, 1999.

**Richard W. Moreland,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 99-23215 Filed 9-3-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-809]

#### **Certain Cut-to-Length Carbon Steel Plate From Mexico: 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.

**SUMMARY:** In response to requests from a respondent and the petitioners, the Department of Commerce (the Department) is conducting an

administrative review of the antidumping duty order on certain cut-to-length (CTL) carbon steel plate from Mexico. This review covers one manufacturer/exporter of the subject merchandise. The period of review (POR) is August 1, 1997 through July 31, 1998. We preliminarily determine that sales have been made below normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will instruct the U.S. Customs Service to assess antidumping duties on entries of subject merchandise from the manufacturer/exporter reviewed.

Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument: (1) A statement of the issue and (2) a brief summary of the argument.

**EFFECTIVE DATE:** September 7, 1999.

#### **FOR FURTHER INFORMATION CONTACT:**

Thomas Killiam, Michael Heaney, or Robert James, Enforcement Group III, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-3019 (Killiam), (202) 482-4475 (Heaney), (202) 482-5222 (James).

#### **SUPPLEMENTARY INFORMATION:**

##### **Applicable Statute**

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

##### **Background**

The Department published an antidumping duty order on certain CTL carbon steel plate from Mexico on August 19, 1993 (58 FR 44165). The Department published a notice of opportunity to request an administrative review of the antidumping duty order for the 1997-1998 review period on August 11, 1998 (63 FR 42821). On August 31, 1998, respondent Altos Hornos de Mexico (AHMSA) requested that the Department conduct an administrative review of the antidumping duty order on certain CTL carbon steel plate from Mexico. On August 31, 1998, the petitioners (Bethlehem Steel Corporation, Geneva Steel, Gulf Lakes Steel, Inc., of Alabama,

Inland Steel Industries Inc., Lukens Steel Company, Sharon Steel Corporation, and U.S. Steel Group (a unit of USX Corporation)) requested a review of AHMSA. We published a notice of initiation of the review on September 29, 1998 (63 FR 51893).

Under the Act, the Department may extend the deadline for completion of administrative reviews if it determines that it is not practicable to complete the review within the statutory time limit of 365 days. On March 17, 1999, the Department extended the time limit for the preliminary results in this case. *See Certain Cut-to-Length (CTL) Carbon Steel Plate from Mexico; Antidumping Duty Administrative Review; Extension of Time Limits*, 64 FR 14690 (March 26, 1999).

The Department is conducting this administrative review in accordance with section 751 of the Act.

##### **Scope of the Review**

The products covered in this review include hot-rolled carbon steel universal mill plates (i.e., flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coil and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule (HTS) under item numbers 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included in this review are flat-rolled products of non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e., products which have been "worked after rolling"); for example, products which have been beveled or rounded at the edges. Excluded from this review is grade X-70 plate.