

liquidate all entries at the appropriate rates.

This notice is published in accordance with sections 751(a)(1) and 777(i) of the Tariff Act of 1930, as amended.

Dated: March 4, 2009.

**Ronald K. Lorentzen,**  
Acting Assistant Secretary for Import  
Administration.

[FR Doc. E9-5665 Filed 3-13-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-580-816)

#### **Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Final Results of the Fourteenth Administrative Review and Partial Rescission**

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

**SUMMARY:** On September 9, 2008, the Department of Commerce (the Department) published the preliminary results of the antidumping duty administrative review for certain corrosion-resistant carbon steel flat products (CORE) from the Republic of Korea (Korea). See *Certain Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Notice of Preliminary Results of the Antidumping Duty Administrative Review*, 73 FR 52267 (September 9, 2008) (*Preliminary Results*). This review covers seven manufacturers and exporters (collectively, the respondents) of the subject merchandise: LG Chem., Ltd. (LG), Haewon MSC Co. Ltd. (Haewon), Dongkuk Industries Co., Ltd. (Dongkuk), Dongbu Steel Co., Ltd. (Dongbu), Hyundai HYSCO (HYSCO), Pohang Iron & Steel Co., Ltd. (POSCO) and Pohang Coated Steel Co., Ltd. (POCOS) (collectively, the POSCO Group), and Union Steel Manufacturing Co., Ltd. (Union) (collectively, respondents).<sup>1</sup> The period of review (POR) is August 1, 2006, through July 31, 2007.

As a result of our analysis of the comments received, these final results

differ from the *Preliminary Results*. For our final results, we find that Dongbu, HYSCO, the POSCO Group, and Union, made sales of subject merchandise at less than normal value (NV). In addition, based on the final results for the respondents selected for individual review, we have determined a weighted-average margin for those companies that were not selected for individual review. Further, we find that the single sale made by Haewon during the POR was covered by the new shipper review published in the **Federal Register** on June 23, 2008,<sup>2</sup> and thus, Haewon should be rescinded from the instant review.

**EFFECTIVE DATE:** March 16, 2009.

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

Jolanta Lawska (Union), Cindy Robinson (Dongbu), Christopher Hargett (HYSCO) and Victoria Cho (the POSCO Group, and non-selected companies), AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-8362, (202) 482-3797, (202) 482-4161, and (202) 482-5075, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On September 9, 2008, the Department published the *Preliminary Results*. In the *Preliminary Results*, the Department determined that during the POR, Dongbu, HYSCO, the POSCO Group, and Union, made sales of subject merchandise at less than normal value (NV). In addition, based on the preliminary results for the respondents selected for individual review, the Department calculated a weighted-average margin for those companies that were not selected for individual review. On November 12, 2008, the Department extended the time limits for the final results of this review until no later than March 9, 2009. See *Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Extension of Time Limits for the Final Results of Antidumping Duty Administrative Review*, 73 FR 66841 (November 12, 2008).

##### **Comments from Interested Parties**

We invited parties to comment on our *Preliminary Results*. On October 9, 2008, ArcelorMittal Steel Inc. (Mittal), United States Steel Corporation (US Steel), and Nucor Corporation (Nucor)

filed case briefs concerning all four mandatory respondents. On the same day, the four mandatory respondents and Haewon filed case briefs. On October 17, 2008, Mittal, US Steel, and Nucor filed rebuttal briefs concerning all of the mandatory respondents. The four mandatory respondents filed rebuttal briefs on the same day.

##### **Scope of the Order**

This order covers cold-rolled (cold-reduced) carbon steel flat-rolled carbon steel products, of rectangular shape, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090. Included in this order are corrosion-resistant 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 order are flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (terne plate), or both chromium and chromium oxides (tin-free steel), whether or not painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating. Also excluded from this order are clad products in straight

<sup>1</sup> As noted in the *Preliminary Results*, on December 6, 2007, the Department selected Dongbu, HYSCO, the POSCO Group and Union as mandatory respondents in this review. See Memorandum from Christopher Hargett, International Trade Compliance Analyst, through James Terpstra, Program Manager, to Melissa Skinner, Director, Office 3, entitled "2006-2007 Antidumping Duty Administrative Review of Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Selection of Respondents for Individual Review," dated December 6, 2007.

<sup>2</sup> See *Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Final Results of Antidumping Duty New Shipper Review*, 73 FR 35366 (June 23, 2008).

lengths of 0.1875 inch or more in composite thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness. Also excluded from this order are certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 millimeters in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%-60%-20% ratio.

These HTSUS item numbers are provided for convenience and customs purposes. The written descriptions remain dispositive.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice. A list of the issues which parties have raised, and to which we have responded in the Issues and Decision Memorandum, is attached to this notice as an Appendix. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

### Partial Rescission of Review

Pursuant to 19 CFR 351.214(j), the Department may rescind an administrative review, in whole or only with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, the merchandise sold in the U.S. was subject to a new shipper review, pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act). The merchandise sold by Haewon during the current review is the same merchandise that was examined by the Department in a new shipper review. *See Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Final Results of Antidumping Duty New Shipper Review*, 73 FR 35366 (June 23, 2008) (*Haewon New Shipper Review*). Therefore, we are rescinding this review with respect to Haewon in accordance with 19 CFR 351.214(j). The cash-deposit rate for Haewon will remain the rate established in the final results of the new shipper review. *See Haewon New Shipper Review*.

### Final Results of Review

We determine that the following weighted-average margins exist:

| Manufacturer/exporter                                                                                            | Percent margin |
|------------------------------------------------------------------------------------------------------------------|----------------|
| Dongbu .....                                                                                                     | 1.85           |
| HYSKO .....                                                                                                      | 1.57           |
| The POSCO Group .....                                                                                            | 0.53           |
| Union .....                                                                                                      | 7.56           |
| Review-Specific Average Rate<br>Applicable to the Following<br>Companies <sup>3</sup> : LG, and<br>Dongkuk ..... | 5.01           |

<sup>3</sup>This rate is based on the weighted average of the margins calculated for those companies selected for individual review, excluding *de minimis* margins or margins based entirely on adverse facts available.

### Assessment

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, pursuant to 19 CFR 351.212(b). The Department calculated importer-specific duty assessment rates on the basis of the ratio of the total antidumping duties calculated for the examined sales to the total entered value of the examined sales for that importer. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification applies to POR entries of subject merchandise produced by companies examined in this review (*i.e.*, companies for which a dumping margin was calculated) where the companies did not know that their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of CORE from Korea entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a) of the Act: (1) for companies covered by this review, the cash deposit rate will be the rate listed above; (2) for previously reviewed or investigated companies

other than those covered by this review, the cash deposit rate will be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the producer is a firm covered in this review, a prior review, or the investigation, the cash deposit rate will be 17.70 percent, the all-others rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

### Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent increase in antidumping duties by the amount of antidumping and/or countervailing duties reimbursed.

### Administrative Protective Order

This notice also is the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

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

Dated: March 9, 2009.

**Ronald K. Lorentzen,**  
Acting Assistant Secretary for Import Administration.

### Appendix I

List of Comments in the Accompanying Issues and Decision Memorandum

#### A. General Issues

*Comment 1: Model-Match Methodology and Laminated Products*

*Comment 2:* Treatment of Negative Dumping Margins (Zeroing)

*Comment 3:* Recalculation of General and Administrative ("G&A") and Financial Expense Ratios

*B. Company-Specific Issues*

*Dongbu*

*Comment 4:* Exclusion of Gains and Losses on Currency Forward Contracts

*Comment 5:* Exclusion of Losses on the Disposal of Accounts Receivable from Short Term Interest Rate Calculation

*Union*

*Comment 6:* Inclusion of Union's U.S. Warehousing Expenses in the Calculation of International Movement Expense

*Comment 7:* The Department's Treatment of Union's Purchases of Steel Substrate from Affiliated and Unaffiliated Parties

*POSCO*

*Comment 8:* Whether to Collapse the POSCO Group and Union for the Final Results

*Comment 9:* The POSCO Group's Inland Freight from Plant to Port Incurred by POSCO for Its U.S. Sales

*Comment 10:* The Department's Calculation of POCOS' Loans in the Calculation of the Home Market Interest Rate

*Comment 11:* The Department's Calculation of the POSCO Group's U.S. Indirect Selling Expense (INDIRSU)

*Comment 12:* The POSCO Group's Reporting of POCOS' Home Market Warranty

*Comment 13:* The POSCO Group's Transaction-Specific Reporting of Expenses

*Comment 14:* The POSCO Group's Transaction-Specific Reporting of Other Transportation Expenses

*Hyundai HYSCO*

*Comment 15:* Inclusion of Sales to Affiliates in the CEP Profit Calculation

*Comment 16:* Recalculation of Net Interest Expense

*Comment 17:* HYSCO's Window Period

*Comment 18:* HYSCO's Date of Sale

*Haewon*

*Comment 19:* Haewon's Cash Deposit Rate

[FR Doc. E9-5631 Filed 3-13-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

C-475-819

#### Certain Pasta from Italy: Extension of Time Limit for Preliminary Results of the 12th (2007) Countervailing Duty Administrative Review

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

**EFFECTIVE DATE:** March 16, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Andrew McAllister or Shelly Atkinson, AD/CVD Operations, Office 1, 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) 482-0116, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On July 24, 1996, the Department of Commerce ("the Department") published a countervailing duty order on certain pasta from Italy. *See Notice of Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination: Certain Pasta From Italy*, 61 FR 38544 (July 24, 1996). On July 11, 2008, the Department published a notice of "Opportunity to Request Administrative Review" of this countervailing duty order for calendar year 2007, the period of review ("POR"). *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 73 FR 39948 (July 11, 2008). In accordance with 19 CFR 351.221(c)(1)(i), we published a notice of initiation of the review on August 26, 2008, for the POR. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 73 FR 50308 (August 26, 2008). The preliminary results for this review are currently due no later than April 2, 2009.

#### Extension of Time Limits for Preliminary Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested and the final results of review within 120 days after the date on which the preliminary results are published. If it is not practicable to complete the review within the time period, section

751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

We are awaiting supplemental information from the respondent and the Government of Italy in this review. Because the Department will require additional time to review and analyze this supplemental information and may issue further supplemental questionnaires, it is not practicable to complete this review within the originally anticipated time limit (*i.e.*, by April 2, 2009). Therefore, the Department is extending the time limit for completion of the preliminary results to not later than June 1, 2009, in accordance with section 751(a)(3)(A) of the Act.

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

Dated: March 10, 2009.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-475-818)

#### Certain Pasta from Italy: Extension of Time Limits for the Preliminary Results of Twelfth Antidumping Duty Administrative Review

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

**FOR FURTHER INFORMATION CONTACT:**

Christopher Hargett, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington, DC 20230; telephone (202) 482-4161

#### Background

On August 26, 2008, the U.S. Department of Commerce ("Department") published a notice of initiation of the administrative review of the antidumping duty order on certain pasta from Italy, covering the period July 1, 2007 to June 30, 2008. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 73 FR 50308 (August 26, 2008). The preliminary results of this review are currently due no later than April 2, 2009.