

withdrawn from warehouse, for consumption on or after July 29, 1999, the date of publication of the preliminary determinations in the **Federal Register**. Because the ITC did not find that critical circumstances exist with respect to imports of subject merchandise from Japan, the Department will direct U.S. Customs to refund all cash deposit amounts collected on imports of certain cut-to-length carbon-quality steel plate products from Japan entered, or withdrawn from warehouse, during the 90-day period prior to the publication of the preliminary antidumping duty determination for Japan (*i.e.*, from April 30, 1999 through July 28, 1999). Moreover, because the Department found a *de minimis* final weighted-average margin for ILVA S.p.A., a respondent in the Italian investigation which received a margin in excess of *de minimis* in the preliminary determination, the Department has directed U.S. Customs to terminate the suspension of liquidation for shipments of certain cut-to-length carbon-quality steel plate products produced/exported by ILVA S.p.A. entered, or withdrawn from warehouse, for consumption on or after July 29, 1999, and to release any bond or other security, and refund any cash deposit obtained in connection with the antidumping duty investigation. Finally, because the Department found a *de minimis* final weighted-average margin for Pohang Iron & Steel Co., Ltd. ("POSCO"), a respondent in the Korean investigation which also received a *de minimis* margin in the preliminary determination, there are no cash deposit requirements for POSCO.

On or after the date of publication of this notice in the **Federal Register**, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties, cash deposits based on the rates listed below. Where applicable, the Department will reduce the cash deposit rates listed below by the export subsidy rate found in the companion final determination of the countervailing duty investigation.

Exporter/manufacturer	Margin percentage
France:	
Usinor .....	10.41
All Others .....	10.41
India:	
SAIL .....	72.49
All Others .....	72.49
Indonesia:	
Gunawan/Jaya Pari .....	50.80
PT Krakatau Steel .....	52.42
All Others .....	50.80
Italy:	

Exporter/manufacturer	Margin percentage
Palini and Bertoli S.p.A. ....	7.85
All Others .....	7.85
Japan:	
Kawasaki Steel Corporation .....	10.78
Kobe Steel, Ltd. ....	59.12
Nippon Steel Corporation .....	59.12
NKK Corporation .....	59.12
Sumitomo Metal Industries, Ltd. ....	59.12
All Others .....	10.78
Republic of Korea:	
Dongkuk Steel Mill Co., Ltd. ....	2.98
All Others .....	2.98

This notice constitutes the antidumping duty orders with respect to certain cut-to-length carbon-quality steel plate products from France, India, Indonesia, Italy, Japan, and the Republic of Korea, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

These orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211.

Dated: February 3, 2000.

**Holly A. Kuga,**

*Acting Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-427-817, C-533-818, C-560-806, C-475-827, C-580-837]

#### Notice of Amended Final Determinations: Certain Cut-to-Length Carbon-Quality Steel Plate From India and the Republic of Korea; and Notice of Countervailing Duty Orders: Certain Cut-To-Length Carbon-Quality Steel Plate From France, India, Indonesia, Italy, and the Republic of Korea

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

**EFFECTIVE DATE:** February 10, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Cynthia Thirumalai at (202) 482-4087 (France), Robert Copyak at (202) 482-2209 (India), Eva Temkin at (202) 482-1167 (Indonesia), Kristen Johnson at (202) 482-4406 (Italy), and Stephanie Moore at (202) 482-3692 (Korea), Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

## The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act effective January 1, 1995 ("the Act"). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations codified at 19 CFR Part 351 (1999).

## Scope of Orders

The products covered by these antidumping duty orders are certain hot-rolled carbon-quality steel: (1) Universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a nominal or actual thickness of not less than 4 mm, which are cut-to-length (not in coils) and without patterns in relief), of iron or non-alloy-quality steel; and (2) flat-rolled products, hot-rolled, of a nominal or actual thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are cut-to-length (not in coils). Steel products to be included in the scope of these orders are of rectangular, square, circular or other shape and of rectangular or non-rectangular cross-section where such non-rectangular 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. Steel products that meet the noted physical characteristics that are painted, varnished or coated with plastic or other non-metallic substances are included within this scope. Also, specifically included in the scope of these orders are high strength, low alloy ("HSLA") steels. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. Steel products to be included in this scope, regardless of Harmonized Tariff Schedule of the United States ("HTSUS") definitions, are products in which: (1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is two percent or less, by weight; and (3) none of the elements listed below is equal to or exceeds the quantity, by weight, respectively indicated: 1.80 percent of manganese, or 1.50 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of

lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.41 percent of titanium, or 0.15 percent of vanadium, or 0.15 percent zirconium. All products that meet the written physical description, and in which the chemistry quantities do not equal or exceed any one of the levels listed above, are within the scope of these orders unless otherwise specifically excluded. The following products are specifically excluded from these orders: (1) Products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances; (2) SAE grades (formerly AISI grades) of series 2300 and above; (3) products made to ASTM A710 and A736 or their proprietary equivalents; (4) abrasion-resistant steels (*i.e.*, USS AR 400, USS AR 500); (5) products made to ASTM A202, A225, A514 grade S, A517 grade S, or their proprietary equivalents; (6) ball bearing steels; (7) tool steels; and (8) silicon manganese steel or silicon electric steel.

The merchandise subject to these orders is classified in the HTSUS under subheadings: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.40.3050, 7225.40.7000, 7225.50.6000, 7225.99.0090, 7226.91.5000, 7226.91.7000, 7226.91.8000, 7226.99.0000.

Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the merchandise covered by these orders is dispositive.

#### Amended Final Determinations

##### India

On December 29, 1999, the final determination in the countervailing duty investigation of certain cut-to-length carbon-quality steel plate from India was published in the **Federal Register** (64 FR 73131). On January 10, 2000, petitioners in the investigation alleged that the Department made ministerial errors in calculating the estimated net countervailable subsidy rate. We agree with petitioners and have corrected our calculations. As a result, the estimated net countervailable subsidy rate attributable to the Steel Authority of India ("SAIL") increased

from 11.25 percent *ad valorem* to 12.82 percent *ad valorem*; this rate also serves as the "all others" rate. These corrections are explained in the memorandum to Holly A. Kuga, Acting Deputy Assistant Secretary, Group II, Import Administration ("Allegations of Ministerial Errors in the Final Affirmative Countervailing Duty Determination: Certain Cut-to-Length Carbon-Quality Steel Plate from India"). The memorandum is on file in public version form in the Central Records Unit ("CRU"), (room B-099 of the Main Commerce Building).

##### Republic of Korea

On December 29, 1999, the final determination in the countervailing duty investigation of certain cut-to-length carbon-quality steel plate from South Korea was published in the **Federal Register** (64 FR 73176). On January 10, 2000, petitioners and respondents in the investigation alleged that the Department made ministerial errors in calculating the estimated net countervailable subsidy rates applicable to certain respondents. We agree that certain ministerial errors were made and we have corrected our calculations. As a result, the estimated net countervailable subsidy rate attributable to Pohang Iron and Steel Company ("POSCO") decreased from 0.95 percent *ad valorem* to 0.82 percent *ad valorem*, and the estimated net countervailable subsidy rate attributable to Dongkuk Steel Mill, Ltd. ("DSM") increased from 2.21 percent *ad valorem* to 3.26 percent *ad valorem*; this rate also serves as the "all others" rate. These corrections are explained in the memorandum to Holly A. Kuga, Acting Deputy Assistant Secretary, Group II, Import Administration ("Ministerial Errors in the Final Affirmative Countervailing Duty Determination: Certain Cut-to-Length Carbon-Quality Steel Plate from Korea"). The memorandum is on file in public version form in the CRU.

##### Countervailing Duty Orders

In accordance with section 705(d) of the Act, on December 29, 1999, the Department published its final determinations in the countervailing duty investigations of certain cut-to-length carbon-quality steel plate from France (64 FR 73277), India (64 FR 73131), Indonesia (64 FR 73155), Italy (64 FR 73244), and Korea (64 FR 73176). On February 2, 2000, the International Trade Commission ("ITC") notified the Department of its final determination, pursuant to section 705(b)(1)(A)(i) of the

Act, that an industry in the United States suffered material injury as a result of subsidized imports of certain cut-to-length carbon-quality steel plate from France, India, Indonesia, Italy, and Korea.

Therefore, countervailing duties will be assessed on all unliquidated entries of certain cut-to-length carbon-quality steel plate from France, India, Indonesia, Italy, and Korea entered, or withdrawn from warehouse, for consumption on or after July 26, 1999, the date on which the Department published its preliminary affirmative countervailing duty determinations in the **Federal Register**, and before November 23, 1999, the date the Department instructed the U.S. Customs Service to discontinue the suspensions of liquidation in accordance with section 703(d) of the Act, and on all entries and withdrawals of subject merchandise made on or after the date of publication of these countervailing duty orders in the **Federal Register**. Section 703(d) states that the suspension of liquidation pursuant to a preliminary determination may not remain in effect for more than four months. Entries of certain cut-to-length carbon-quality steel plate made on or after November 23, 1999, and prior to the date of publication of these orders in the **Federal Register** are not liable for the assessment of countervailing duties due to the Department's discontinuation, effective November 23, 1999, of the suspensions of liquidation.

In accordance with section 706 of the Act, the Department will direct U.S. Customs officers to reinstitute the suspension of liquidation effective the date of publication of this notice in the **Federal Register** and to assess, upon further advice by the Department pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rate for the subject merchandise.

On or after the date of publication of this notice in the **Federal Register**, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the countervailable subsidy rates noted below. The All Others rates apply to all producers and exporters of certain cut-to-length carbon-quality steel plate from France, India, Indonesia, Italy, and Korea not specifically listed below. The cash deposit rates are as follows:

	Net Subsidy Rate
<b>Producer/Exporter: France</b>	
Usinor Group .....	5.56 percent ad valorem.
GTS Industries S.A. ....	6.86 percent ad valorem.
All Others .....	6.80 percent ad valorem.
<b>Producer/Exporter: India</b>	
Steel Authority of India (SAIL) .....	12.82 percent ad valorem.
All Others .....	12.82 percent ad valorem.
<b>Producer/Exporter: Indonesia</b>	
P.T. Krakatau Steel .....	47.71 percent ad valorem.
All Others .....	15.90 percent ad valorem.
<b>Producer/Exporter: Italy</b>	
ILVA S.p.A. and ILVA Lamiera e. Tubi S.p.A .....	26.12 percent ad valorem.
All Others .....	26.12 percent ad valorem.
<b>Producer/Exporter: Korea</b>	
Dongkuk Steel Mill, Ltd. ....	3.26 percent ad valorem.
All Others .....	3.26 percent ad valorem.

The Indonesian steel producers P.T. Gunawan Steel and P.T. Jaya Pari are excluded from the Indonesian order because they received a *de minimis* net subsidy of 0.00 percent *ad valorem*. The Italian steel producer Palini and Bertoli S.p.A is excluded from the Italian order because it received a *de minimis* net subsidy of 0.12 percent *ad valorem*. The Korean steel producer POSCO is excluded from the Korean order because it received a *de minimis* net subsidy rate of 0.82 percent *ad valorem*.

This notice constitutes the countervailing duty orders with respect to certain cut-to-length carbon-quality steel plate from France, India, Indonesia, Italy, and Korea, pursuant to section 706(a) of the Act. Interested parties may contact the CRU, for copies of an updated list of countervailing duty orders currently in effect.

These countervailing duty orders and amended final determinations are published in accordance with section 706(a) and 705 of the Act and 19 CFR 351.211 and 351.224.

Dated: February 3, 2000.

**Holly A. Kuga,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 99-00007.

**SUMMARY:** The Department of Commerce has issued an Export Trade Certificate of Review to John L. Koenig. This notice summarizes the conduct for which certification has been granted.

**FOR FURTHER INFORMATION CONTACT:** Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, 202-482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (1999).

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

## Description of Certified Conduct

### Export Trade

#### 1. Products

All goods and services.

#### 2. Technology Rights

All intellectual property rights associated with Products, including, but not limited to: Patents, trademarks, service marks, copyrights, trade secrets and know-how.

#### 3. Export Trade Facilitation Services (as they Relate to the Export of Products and Technology Rights)

Export Trade Facilitation Services, including, but not limited to: consulting; international market research; marketing and trade promotion; trade show participation; insurance; legal assistance; transportation, trade documentation and freight forwarding; communication and processing of export orders; warehousing; foreign exchange; financing; taking title to goods; professional services in areas of government relations and assistance with state and federal programs and foreign trade and business protocol.

### Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).