

**DEPARTMENT OF COMMERCE****International Trade Administration****Villanova University; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW., Washington, DC.

*Docket Number:* 03-035. *Applicant:* Villanova University, Villanova, PA 19085. *Instrument:* fNO<sub>x</sub>500 Fast CLD System for NO analysis. *Manufacturer:* Cambustion Ltd, United Kingdom. *Intended Use:* See notice at 68 FR 48341, August 13, 2003.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* The foreign instrument provides extremely fast measurement of NO<sub>x</sub> gas components using an electrical photomultiplier detector with a 10–90% response time of 2.0 ms for use in automotive emissions research. The Southwest Research Institute advised August 26, 2003 that (1) this capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-122-815]

**Pure Magnesium and Alloy Magnesium from Canada: Final Results of Countervailing Duty Administrative Reviews**

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

**ACTION:** Notice of final results of countervailing duty administrative reviews.

**SUMMARY:** On May 12, 2003, the Department of Commerce published in the **Federal Register** the preliminary results of the administrative reviews of the countervailing duty orders on pure magnesium and alloy magnesium from Canada for the period January 1, 2001 through December 31, 2001. We gave interested parties an opportunity to comment on the preliminary results.

Our analysis of the comments received on the preliminary results did not lead to any changes of the net subsidy rate. Therefore, the final results do not differ from the preliminary results. The final net subsidy rate for the reviewed company is listed below in the section entitled "Final Results of Reviews."

**EFFECTIVE DATE:** September 15, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Melanie Brown, AD/CVD Enforcement, Office 1, Group 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4987.

**SUPPLEMENTARY INFORMATION:****Background**

On May 12, 2003, the Department of Commerce ("the Department") published the preliminary results of these administrative reviews (see *Pure Magnesium and Alloy Magnesium From Canada: Preliminary Results of Countervailing Duty Administrative Reviews*, 68 FR 25339 (May 12, 2003) ("Preliminary Results"). The respondent, Norsk Hydro Canada, Inc. ("NHCI"), submitted a case brief on June 11, 2003. On June 16, 2003, U.S. Magnesium, LLC., ("the petitioner") filed a rebuttal brief.

**Scope of the Reviews**

The products covered by these reviews are shipments of pure and alloy magnesium from Canada. Pure magnesium contains at least 99.8 percent magnesium by weight and is sold in various slab and ingot forms and sizes. Magnesium alloys contain less than 99.8 percent magnesium by weight with magnesium being the largest metallic element in the alloy by weight, and are sold in various ingot and billet forms and sizes.

The pure and alloy magnesium subject to review is currently classifiable under items 8104.11.0000 and 8104.19.0000, respectively, of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the

HTSUS subheadings are provided for convenience and customs purposes, the written descriptions of the merchandise subject to the orders are dispositive.

Secondary and granular magnesium are not included in the scope of these orders. Our reasons for excluding granular magnesium are summarized in *Preliminary Determination of Sales at Less Than Fair Value: Pure and Alloy Magnesium From Canada*, 57 FR 6094 (February 20, 1992).

**Period of Review**

The period of review for which we are measuring subsidies is from January 1, 2001 through December 31, 2001.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to these administrative reviews are addressed in the September 9, 2003, *Issues and Decision Memorandum for the Final Results of the Tenth Countervailing Duty Administrative Reviews of Pure and Alloy Magnesium from Canada* ("Decision Memorandum") from Jeffrey May, Deputy Assistant Secretary, Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, which is hereby adopted by this notice. Attached to this notice as Appendix I is a list of the issues which parties have raised and to which we have responded in the Decision Memorandum. Parties can find a complete discussion of this issue raised in these reviews and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room B-099 of the Department. In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Internet at <http://www.ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

**Changes Since the Preliminary Results**

Based on our analysis of the record and comments received, we have made no changes to the preliminary results net subsidy rate.

**Final Results of Reviews**

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for each producer/exporter subject to these reviews. For the period January 1, 2001 through December 31, 2001, we determine the net subsidy rate for the reviewed company to be as follows: