

Notification Regarding APOs

This notice also serves as a reminder to parties subject to administrative protective orders ("APOs") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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 terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with section 777(i) of the Tariff Act of 1930, as amended and 19 CFR 351.213(d)(4).

Dated: December 13, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

[FR Doc. E4-3715 Filed 12-16-04; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration**

[C-580-835]

Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Final Results of Expedited Sunset Review of Countervailing Duty Order

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

SUMMARY: The Department of Commerce ("the Department") initiated a sunset review of the countervailing duty ("CVD") order on stainless steel sheet and strip in coils from the Republic of Korea ("Korea"). See *Initiation of Five-Year ("Sunset") Reviews*, 69 FR 30874 (June 1, 2004). On the basis of a notice of intent to participate, an adequate substantive response filed on behalf of domestic interested parties, and inadequate substantive responses filed by respondent interested parties, the Department conducted an expedited sunset review. In conducting this sunset review, the Department finds that revocation of the CVD order is likely to lead to continuation or recurrence of a countervailable subsidy. The net countervailable subsidy is identified in the "Final Results of Review" section of this notice.

EFFECTIVE DATE: December 17, 2004.

FOR FURTHER INFORMATION CONTACT:

Martha V. Douthit, Office of Policy, Import Administration, International

Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5050.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to this order is certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness, and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (*i.e.*, cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing.

The subject merchandise is currently classifiable in the Harmonized Tariff Schedule of the United States ("HTS") at subheadings: 7219.13.00.31, 7219.13.00.51, 7219.13.00.71, 7219.13.00.81, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise is dispositive.

Excluded from the scope of this order are the following: (1) Sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled; (2) sheet and strip that is cut to length; (3) plate (*i.e.*, flat-rolled

stainless steel products of a thickness of 4.75 mm or more); (4) flat wire (*i.e.*, cold-rolled sections, with a prepared edge, rectangular in shape, of a width of not more than 9.5 mm); and (5) razor blade steel. Razor blade steel is a flat-rolled product of stainless steel, not further worked than cold-rolled (cold-reduced), in coils, of a width of not more than 23 mm and a thickness of 0.266 mm or less, containing, by weight, 12.5 to 14.5 percent chromium, and certified at the time of entry to be used in the manufacture of razor blades.¹

In response to comments by interested parties, the Department has determined that certain specialty stainless steel products are also excluded from the scope of this order. These excluded products are described below.

Flapper valve steel is defined as stainless steel strip in coils containing, by weight, between 0.37 and 0.43 percent carbon, between 1.15 and 1.35 percent molybdenum, and between 0.20 and 0.80 percent manganese. This steel also contains, by weight, phosphorus of 0.025 percent or less, silicon of between 0.20 and 0.50 percent, and sulfur of 0.020 percent or less. The product is manufactured by means of vacuum arc remelting, with inclusion controls for sulfide of no more than 0.04 percent and for oxide of no more than 0.05 percent. Flapper valve steel has a tensile strength of between 210 and 300 ksi, yield strength of between 170 and 270 ksi, plus or minus 8 ksi, and a hardness (Hv) of between 460 and 590. Flapper valve steel is most commonly used to produce specialty flapper valves for compressors.

Also excluded is a product referred to as suspension foil, a specialty steel product used in the manufacture of suspension assemblies for computer disk drives. Suspension foil is described as 302/304 grade or 202 grade stainless steel of a thickness between 14 and 127 microns, with a thickness tolerance of plus-or-minus 2.01 microns, and surface glossiness of 200 to 700 percent Gs. Suspension foil must be supplied in coil widths of not more than 407 mm, and with a mass of 225 kg or less. Roll marks may only be visible on one side, with no scratches of measurable depth. The material must exhibit residual stresses of 2 mm maximum deflection, and flatness of 1.6 mm over 685 mm length.

Certain stainless steel foil for automotive catalytic converters is also excluded from the scope of this order. This stainless steel strip in coils is a specialty foil with a thickness of between 20 and 110 microns used to

¹ See Chapter 72 of the HTSUS, "Additional U.S. Note" 1(d).

produce a metallic substrate with a honeycomb structure for use in automotive catalytic converters. The steel contains, by weight, carbon of no more than 0.030 percent, silicon of no more than 1.0 percent, manganese of no more than 1.0 percent, chromium of between 19 and 22 percent, aluminum of no less than 5.0 percent, phosphorus of no more than 0.045 percent, sulfur of no more than 0.03 percent, lanthanum of between 0.002 and 0.05 percent, and total rare earth elements of more than 0.06 percent, with the balance iron.

Permanent magnet iron-chromium-cobalt alloy stainless strip is also excluded from the scope of this order. This ductile stainless steel strip contains, by weight, 26 to 30 percent chromium, and 7 to 10 percent cobalt, with the remainder of iron, in widths 228.6 mm or less, and a thickness between 0.127 and 1.270 mm. It exhibits magnetic remanence between 9,000 and 12,000 gauss, and a coercivity of between 50 and 300 oersteds. This product is most commonly used in electronic sensors and is currently available under proprietary trade names such as "Arnokrome III."²

Certain electrical resistance alloy steel is also excluded from the scope of this order. This product is defined as a non-magnetic stainless steel manufactured to American Society of Testing and Materials (ASTM) specification B344 and containing, by weight, 36 percent nickel, 18 percent chromium, and 46 percent iron, and is most notable for its resistance to high temperature corrosion. It has a melting point of 1390 degrees Celsius and displays a creep rupture limit of 4 kilograms per square millimeter at 1000 degrees Celsius. This steel is most commonly used in the production of heating ribbons for circuit breakers and industrial furnaces, and in rheostats for railway locomotives. The product is currently available under proprietary trade names such as "Gilphy 36."³

Certain martensitic precipitation-hardenable stainless steel is also excluded from the scope of this order. This high-strength, ductile stainless steel product is designated under the Unified Numbering System (UNS) as S45500-grade steel, and contains, by weight, 11 to 13 percent chromium, and 7 to 10 percent nickel. Carbon, manganese, silicon and molybdenum each comprise, by weight, 0.05 percent or less, with phosphorus and sulfur each comprising, by weight, 0.03 percent or less. This steel has copper,

niobium, and titanium added to achieve aging, and will exhibit yield strengths as high as 1700 Mpa and ultimate tensile strengths as high as 1750 Mpa after aging, with elongation percentages of 3 percent or less in 50 mm. It is generally provided in thicknesses between 0.635 and 0.787 mm, and in widths of 25.4 mm. This product is most commonly used in the manufacture of television tubes and is currently available under proprietary trade names such as "Durphynox 17."⁴

Finally, three specialty stainless steels typically used in certain industrial blades and surgical and medical instruments are also excluded from the scope of this order. These include stainless steel strip in coils used in the production of textile cutting tools (*i.e.*, carpet knives).⁵ This steel is similar to ASTM grade 440F, but containing, by weight, 0.5 to 0.7 percent of molybdenum. The steel also contains, by weight, carbon of between 1.0 and 1.1 percent, sulfur of 0.020 percent or less, and includes between 0.20 and 0.30 percent copper and between 0.20 and 0.50 percent cobalt. The second excluded stainless steel strip in coils is similar to AISI 420-J2 and contains, by weight, carbon of between 0.62 and 0.70 percent, silicon of between 0.20 and 0.50 percent, manganese of between 0.45 and 0.80 percent, phosphorus of no more than 0.025 percent and sulfur of no more than 0.020 percent. This steel has a carbide density on average of 100 carbide particles per square micron. An example of this product is "GIN5" steel. The third specialty steel has a chemical composition similar to AISI 420 F, with carbon of between 0.37 and 0.43 percent, molybdenum of between 1.15 and 1.35 percent, but lower manganese of between 0.20 and 0.80 percent, phosphorus of no more than 0.025 percent, silicon of between 0.20 and 0.50 percent, and sulfur of no more than 0.020 percent. This product is supplied with a hardness of more than Hv 500 guaranteed after customer processing, and is supplied as, for example, "GIN6."⁶

Background

On June 1, 2004, the Department initiated a sunset review of the CVD order on SSSS from Korea pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). *See Initiation of Five-Year ("Sunset") Reviews*, 69 FR 30874 (June 1, 2004). The Department received a "Notice of Intent to

Participate" from the domestic interested parties Allegheny Ludlum Corporation, Nucor Corporation, United Steelworkers of America (AFL-CIO/CLC), Local 3303 United Auto Workers (formerly the Butler Armco Independent Union, and the Zanesville Armco Independent Organization, Inc., (collectively "the domestic interested parties") within the deadline specified in section 351.218(d)(1)(I) of the Department's regulations ("Sunset Regulations"). The domestic interested parties claimed interested party status under sections 771(9)(C) and (D) of the Act. We received a complete substantive responses from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). In addition, we received a complete substantive response from INI Steel Company ("INI"), formerly Incheon Iron and Steel Company, Ltd., and BNG Steel Company ("BNG"), formerly Sammi Steel Co., Ltd. ("Sammi") (collectively, "respondent interested parties"), within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).

On July 21, 2004, the Department determined that respondent interested parties response constituted an inadequate response to the notice of initiation.⁷ *See Memorandum for Ronald K. Lorentzen, Re: Stainless Steel Sheet and Strip from South Korea, Adequacy of Respondent Interested Parties' Response to the Notice of Initiation* (July 21, 2004). The Department notified the ITC of inadequate respondent responses to the notice of initiation, and conducted an expedited sunset review of this antidumping duty order. *See Letter to ITC, Inadequate Respondent Response*, July 21, 2004, pursuant to sections 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(c)(2).

The final results of this sunset review was originally scheduled for September 29, 2004; however, the Department extended the final results until November 15, 2004. *See Notice of Extension of Time Limit for the Final Results of Sunset Reviews of Antidumping and Countervailing Duty Orders: Stainless Steel Sheet and Strip*

⁷ A complete substantive response was submitted to the Department on behalf of respondents INI Steel Company and BNG Steel Company, however, in accordance with section 351.218(d)(3)(v) of the Department's regulations, information is required to be filed by the foreign government in a CVD sunset review. In this CVD proceeding the Government of Korea did not respond to the Department's notice of initiation. Pursuant to section 351.218(e)(1)(ii)(C) of the Department's regulations, the Department conducted an expedited sunset review under section 751(c)(3)(B) of the Act.

² "Arnokrome III" is a trademark of the Arnold Engineering Company.

³ "Gilphy 36" is a trademark of Imphy, S.A.

⁴ "Durphynox 17" is a trademark of Imphy, S.A.

⁵ This list of uses is illustrative and provided for descriptive purposes only.

⁶ "GIN4 Mo", "GIN5" and "GIN6" are the proprietary grades of Hitachi Metals America, Ltd.

in Coils from Germany, Italy, Japan, Korea, Taiwan and the United Kingdom.

Analysis of Comments Received

All issues raised in this case are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Ronald K. Lorentzen, Acting Director, Office of Policy, Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, dated December 10, 2004, which is hereby adopted by this notice. The issues discussed in the Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail if the order were to be revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in room B-099 of the main Commerce Building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>, under the heading "December 2004." The paper copy and electronic version of the Decision Memo are identical in content.

Final Results of Review

The Department determines that revocation of the CVD order on SSSS from Korea is likely to lead to continuation or recurrence of countervailable subsidies at the following net subsidy rates:

| Manufacturers/Producers/Exporters | Net Subsidy Rate (percent) |
|-----------------------------------|----------------------------|
| INI/BNG | 0.54 |
| Dai Yang Metal Company | 0.67 |
| Taihan | 4.64 |
| All Others | 0.63 |

Nature of the Subsidy

Consistent with section 752(a)(6) of the Act, the Department will provide to the ITC information concerning the nature of the subsidy, and whether the subsidy is a subsidy described in Article 3 or Article 6.1 of the Subsidies Agreement. Because some programs not falling within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement could be found to be inconsistent with Article 6 if the net countervailable subsidy exceeds five percent (as measured in accordance with Annex IV of the Subsidies Agreement), we are providing the ITC with program descriptions in our Decision Memo. We note that as of January 1, 2000, Article 6.1 has ceased

to apply (see Article 31 of the Subsidies Agreement).

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

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: December 10, 2004.

James J. Jochum,
Assistant Secretary for Import
Administration.

[FR Doc. E4-3711 Filed 12-16-04; 8:45 am]

Billing Code 3510-DS-S

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No. 041119324-4324-01]

Request for Technical Input—U.S.-China Workshop on Standards and Conformity Assessment

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Request for workshop recommendations.

SUMMARY: The National Institute of Standards and Technology (NIST) invites interested parties to submit recommendations for focus areas in a US-China Workshop on Standards and Conformity Assessment.

Recommendations should include general policy issues and specific sectors and topics where information exchange about the U.S. and Chinese systems of standards development, conformity assessment, and metrology may facilitate trade. The prospective workshop is tentatively scheduled as a two or three day program to be held in late August or early September 2005. This notice is not an invitation for proposals to fund grants, contracts or cooperative agreements of any kind. NIST will consider recommendations based upon which workshop focus areas would be most useful to intended audiences.

DATES: Recommendations must be submitted to NIST no later than 5 p.m., EST, January 15, 2005.

ADDRESSES: All recommendations must be submitted to Dr. Ajit Jillavenkatesa via e-mail (ajit.jilla@nist.gov) or by mail to 100 Bureau Drive, Stop 2100, Gaithersburg, MD 20899.

FOR FURTHER INFORMATION CONTACT: Ajit Jillavenkatesa (301) 975-5089, ajit.jilla@nist.gov.

SUPPLEMENTARY INFORMATION: The proposed fourth US-China Workshop on Standards and Conformity Assessment expands the continuing dialog between the U.S. and China to address issues related to development of standards, their adoption and/or implementation, and conformity assessment procedures impacting trade between the two countries. The workshop is designed to provide timely information and facilitate dialog between U.S. and Chinese industry and government experts on developments both in general policy matters and issues in specific sectors, and to explore means for future collaboration.

The proposed workshop is a two or three day program offering an overview of the roles of the Government and private sector in both the United States and China, and regional and international organizations engaged in standards development and conformity assessment practices. Specific workshop objectives are to: (1) Familiarize participants with practices in the U.S. and China in the areas of metrology, standardization, and conformity assessment; (2) describe and understand the roles of the U.S. and Chinese governments and the private sector in developing and implementing standards; (3) develop professional contacts as a basis for strengthening technical ties and enhancing trade; and (4) discuss specific standards and conformity assessment-related technical barriers.

Workshop recommendations (maximum 3 pages) must address at minimum the following points, in the order noted and labeled accordingly:

1. Name and description of the recommending organization. Provide the primary mailing address and a brief description of the organization, including the name, telephone number and e-mail address of the primary point of contact.

2. Industry sector for workshop focus. Provide a description of the suggested industrial sector and focus area for break-out sessions during the workshop. Consider the goals and potential benefits. Also, identify standards and conformity assessment related issues