

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

[A-485-806]

**Certain Hot-Rolled Carbon Steel Flat Products from Romania: Final Results of Antidumping Duty Administrative Review and Rescission in Part of Administrative Review**

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

**SUMMARY:** On December 8, 2005, the Department of Commerce published the preliminary results of the antidumping duty administrative review of certain hot-rolled carbon steel flat products from Romania. This review initially covered two manufacturers/exporters of the subject merchandise, Mittal Steel Galati S.A. and Metalexport Import, S.A. The period of review is November 1, 2003, through October 31, 2004. Based on our analysis of comments received, we have made changes in the margin calculation for Mittal Steel Galati S.A. Therefore, these final results differ from the preliminary results. The final results are listed below in the "Final Results of Review" section. We are also rescinding the review with respect to Metalexport Import S.A. because this firm had no entries, exports, or sales of the subject merchandise during this period of review.

**EFFECTIVE DATE:** May 30, 2006.

**FOR FURTHER INFORMATION CONTACT:** Dave Dirstine or Dunyako Ahmadu, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4033 and (202) 482-0198, respectively.

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

On December 8, 2005, the Department of Commerce (the Department) published the preliminary results of the antidumping duty administrative review of certain hot-rolled carbon steel flat products from Romania (*Certain Hot-Rolled Carbon Steel Flat Products From Romania: Preliminary Results of the Antidumping Duty Administrative Review and Notice of Intent to Rescind in Part*, 70 FR 72984 (Dec. 8, 2005) (*Preliminary Results*)). We had initiated reviews of two manufacturers/exporters, Mittal Steel Galati S.A. (MS Galati) and Metalexport Import S.A. (MEI).

We invited parties to comment on our preliminary results of review. MS Galati and domestic interested parties, United

States Steel Corporation and Nucor Corporation, filed case briefs on January 17, 2006, and rebuttal briefs on January 30, 2006. Further, in response to our February 27, 2006, request MS Galati filed a supplemental questionnaire response dated March 8, 2006, to which USSC filed comments on March 17, 2006.

On March 29, 2006, the Department published in the **Federal Register** a notice extending the due date for the final results of the administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products from Romania until no later than May 22, 2006 (*Notice of Extension of Time Limit for the Final Results of Antidumping Duty Administrative Review: Certain Hot-Rolled Carbon Steel Flat Products from Romania*, 71 FR 15696 (Mar. 29, 2006)).

**Scope of the Order**

The products covered by the order are certain hot-rolled carbon steel flat products of a rectangular shape, of a width of 0.5 inch or greater, neither clad, plated, nor coated with metal and whether or not painted, varnished, or coated with plastics or other non-metallic substances, in coils (whether or not in successively superimposed layers), regardless of thickness, and in straight length, of a thickness of less than 4.75 mm and of a width measuring at least 10 times the thickness. Universal mill plate (*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 thickness of not less than 4.0 mm, not in coils and without patterns in relief) of a thickness not less than 4.0 mm is not included within the scope of this order.

Specifically included within the scope of this order are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (IF)) steels, high strength low alloy (HSLA) steels, and the substrate for motor lamination steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium or niobium (also commonly referred to as columbium), or both, added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, vanadium, and molybdenum. The substrate for motor lamination steels contains micro-alloying levels of elements such as silicon and aluminum.

Steel products to be included in the scope of this order, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS),

are products in which: (i) Iron predominates, by weight, over each of the other contained elements; (ii) the carbon content is 2 percent or less, by weight; and (iii) none of the elements listed below exceeds the quantity, by weight, respectively indicated: 1.80 percent of manganese, 2.25 percent of silicon, 1.00 percent of copper, 0.50 percent of aluminum, 1.25 percent of chromium, 0.30 percent of cobalt, 0.40 percent of lead, 1.25 percent of nickel, 0.30 percent of tungsten, 0.10 percent of molybdenum, 0.10 percent of niobium, 0.15 percent of vanadium or 0.15 percent of zirconium.

All products that meet the physical and chemical description provided above are within the scope of this order unless otherwise excluded. The following products, by way of example, are outside or specifically excluded from the scope of this order: Alloy hot-rolled steel products in which at least one of the chemical elements exceeds those listed above (including, *e.g.*, American Society for Testing and Materials (ASTM) specifications A543, A387, A514, A517, A506). Society of Automotive Engineers (SAE)/American Iron & Steel Institute (AISI) grades of series 2300 and higher. Ball bearing steels, as defined in the HTSUS. Tool steels, as defined in the HTSUS. Silico-manganese (as defined in the HTSUS) or silicon electrical steel with a silicon level exceeding 2.25 percent. ASTM specifications A710 and A736. USS abrasion-resistant steels (USS AR 400, USS AR 500). All products (proprietary or otherwise) based on an alloy ASTM specification (sample specifications: ASTM A506, A507). Non-rectangular shapes, not in coils, which are the result of having been processed by cutting or stamping and which have assumed the character of articles or products classified outside chapter 72 of the HTSUS.

The merchandise subject to this order is classified in the HTSUS at the following subheadings: 7208.10.15.00, 7208.10.30.00, 7208.10.60.00, 7208.25.30.00, 7208.25.60.00, 7208.26.00.30, 7208.26.00.60, 7208.27.00.30, 7208.27.00.60, 7208.36.00.30, 7208.36.00.60, 7208.37.00.30, 7208.37.00.60, 7208.38.00.15, 7208.38.00.30, 7208.38.00.90, 7208.39.00.15, 7208.39.00.30, 7208.39.00.90, 7208.40.60.30, 7208.40.60.60, 7208.53.00.00, 7208.54.00.00, 7208.90.00.00, 7211.14.00.90, 7211.19.15.00, 7211.19.20.00, 7211.19.30.00, 7211.19.45.00, 7211.19.60.00, 7211.19.75.30, 7211.19.75.60, and 7211.19.75.90. Certain hot-rolled carbon steel flat

products covered by this order, including vacuum degassed fully stabilized, high strength low alloy, and the substrate for motor lamination steel, may also enter under the following tariff numbers: 7225.11.00.00, 7225.19.00.00, 7225.30.30.50, 7225.30.70.00, 7225.40.70.00, 7225.99.00.90, 7226.11.10.00, 7226.11.90.30, 7226.11.90.60, 7226.19.10.00, 7226.19.90.00, 7226.91.50.00, 7226.91.70.00, 7226.91.80.00, and 7226.99.00.00. Subject merchandise may also enter under 7210.70.30.00, 7210.90.90.00, 7211.14.00.30, 7212.40.10.00, 7212.40.50.00, and 7212.50.00.00.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this proceeding is dispositive.

#### Rescission of the Review in Part

In the *Preliminary Results*, we stated our intent to rescind the administrative review with respect to MEI which reported no entries, exports, or sales of merchandise subject to this review. See *Preliminary Results*, 70 FR at 72985. Because we continue to find no evidence of sales to the United States by MEI during the period of review, we are rescinding the review with respect to this firm. See 19 CFR 351.213(d)(3).

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the "Issues and Decision Memorandum" (Decision Memo) from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated May 22, 2006, which is hereby adopted by this notice. A list of the issues which the parties have raised and to which we have responded is attached to this notice as an appendix. Parties can find a complete discussion of all issues raised in this review and corresponding recommendations in this public memorandum which is on file in Import Administration's Central Records Unit, Room B-099 of the main Department building. In addition, a complete version of the Decision Memo is available on the Internet at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memo are identical in content.

#### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made methodological changes to our calculations as reflected in the Decision Memo. These changes

are discussed in the Final Results Analysis Memorandum from the case analyst to the File dated May 22, 2006.

#### Final Results of Review

As a result of our review, we determine that the following weighted-average percentage margin exists for the period November 1, 2003, through October 31, 2004:

Manufacturer/exporter	Margin (percent)
Mittal Steel Galati S.A. ....	1.59

#### Assessment Rate

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212(b)(1). Also, in accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate. For the sales in the United States through the respondent's affiliated U.S. party, we divided the total dumping margin for the reviewed sales by the total entered value of those reviewed sales. We will direct CBP to assess the resulting percentage margin against the entered customs values for the subject merchandise on each of the entries during the review period consistent with 19 CFR 351.212(b)(1).

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by the company included in these final results of review for which the reviewed company did not know its 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). We will issue appropriate assessment instructions directly to CBP within 15 days of publication of these final results of review.

#### Cash-Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of administrative review, as provided by section 751(a) of the Tariff Act of 1930, as amended (the Act): (1) the cash-deposit rate for MS Galati will be 1.59

percent; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a previous segment of this proceeding, the cash-deposit rate will continue to be the company-specific rate published in the prior segment of the proceeding in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review or in any previous segment of this proceeding but the manufacturer is, the cash-deposit rate will be that established for the manufacturer of the merchandise in these final results of review or in the most recent segment of the proceeding in which that manufacturer participated; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash-deposit rate will be the "All Others" rate made effective on June 14, 2005, which is 17.84 percent. See *Certain Hot-Rolled Carbon Steel Flat Products From Romania: Final Results of Antidumping Duty Administrative Review*, 70 FR 34448, 34450 (June 14, 2005). These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

#### Notification

This notice also serves as the final 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 in the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO.

These final results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 22, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

#### Appendix

*Comment 1:* U.S. Indirect Selling Expense - Treatment of Bonus Expenses

*Comment 2:* U.S. Indirect Selling Expense - Treatment of Sales-Agency Fees

*Comment 3:* U.S. Indirect Selling Expense - Treatment of Bad-Debt Expenses

*Comment 4:* U.S. Indirect Selling Expense - Treatment of Sidex Trading's Expenses

*Comment 5:* U.S. Indirect Selling Expense - Treatment of Interest Expenses

*Comment 6:* U.S. Indirect Selling Expense - Treatment of Corporate Expenses

*Comment 7:* U.S. Date of Sale

*Comment 8:* U.S. Credit Expense

*Comment 9:* Universe of Sales in the United States

*Comment 10:* Exchange Rates

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-580-829)

#### Stainless Steel Wire Rod from the Republic of Korea: Notice of Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review

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

**EFFECTIVE DATE:** May 30, 2006.

**FOR FURTHER INFORMATION CONTACT:** Karine Gziryan or Malcolm Burke, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-4081 and (202) 482-3584, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 25, 2005, the Department of Commerce (the Department) published a notice of initiation of an administrative review of the antidumping duty order on stainless

steel wire rod from the Republic of Korea, covering the period September 1, 2004, through August 31, 2005. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 70 FR 61601 (October 25, 2005). The preliminary results are currently due no later than June 2, 2006.

#### Extension of Time Limit for Preliminary Results of Review

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order or finding for which a review is requested and a final determination within 120 days after the date on which the preliminary determination is published. However, if it is not practicable to complete a review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the 245-day time limit for the preliminary determination to a maximum of 365 days and the time limit for the final determination to 180 days (or 300 days if the Department does not extend the time limit for the preliminary determination) from the date of publication of the preliminary determination.

The Department has determined that it is not practicable to complete the preliminary results of this review within the original time limit because the review involves examining a number of complex issues regarding affiliation and post sales price adjustments. Therefore, the Department is fully extending the time limit for completion of the preliminary results of this review by 120 days. The preliminary results of review will now be due on October 2, 2006, which is the first business day after the 120-day extension (the 120th day falls on a weekend). The deadline for the final results of this administrative review continues to be 120 days after publication of the preliminary results of review.

This notice is issued and published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: May 22, 2006.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-844]

#### Steel Concrete Reinforcing Bars from the Republic of Korea: Extension of the Time Limit for the Preliminary Results of Antidumping Duty Administrative Review

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

**EFFECTIVE DATE:** May 30, 2006.

**FOR FURTHER INFORMATION CONTACT:** Thomas Martin at (202) 482-3936, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 21, 2005, Dongkuk Steel Mill Co. Ltd., a Korean producer of subject merchandise, requested an administrative review of the antidumping duty order on Steel Concrete Reinforcing Bars from Korea. On September 30, 2005, the petitioners in the proceeding, the Rebar Trade Action Coalition and its individual members, also requested an administrative review of the antidumping order.<sup>1</sup> On October 25, 2005, the Department published a notice of initiation of the administrative review, covering the period September 1, 2004, through August 31, 2005. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 70 FR 61601 (October 25, 2005) ("*Initiation Notice*"). The preliminary results are currently due no later than June 2, 2006.

##### Statutory Time Limits

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department of Commerce (the Department) to complete 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 within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for (1) the preliminary results to a

<sup>1</sup> The Rebar Trade Action Coalition comprises Gerdau AmeriSteel, CMC Steel Group, Nucor Corporation, and TAMCO.