

**Charge 1 15 CFR 764.2(a)—  
Reexporting Item to Iran Without the  
Required U.S. Government  
Authorization**

On one occasion in June 2003, Lincoln engaged in conduct prohibited by the Regulations by reexporting a system containing specialized software ("system"), an item subject to the Regulations (ECCN<sup>3</sup> 5D002), from the United Kingdom ("UK") to Iran without the required U.S. Government authorization. Pursuant to Section 746.7(a)(2)(ii) of the Regulations, the reexport of the system to Iran required a license from BIS. Pursuant to Section 746.7(a)(3), in order to comply with the provisions of the EAR, transactions subject to both the EAR and the Iranian Transactions Regulations<sup>4</sup> maintained by the Office of Foreign Assets Control, U.S. Department of the Treasury ("OFAC"), require OFAC authorization. The reexport of the system to Iran required authorization from OFAC pursuant to 31 CFR. Part 560.205, and no such authorization was obtained. In failing to obtain such authorization from OFAC, Lincoln committed one violation of Section 764.2(a) of the Regulations.

**Charge 2 15 CFR 764.2(e)—Unlicensed  
Transfer of Item to Iran Knowing That  
a Violation of the Regulations Would  
Occur**

In connection with the reexport transaction described above, Lincoln transferred a system, an item subject to the Regulations, from the UK to Iran knowing that a violation of the Regulations would occur. At all times relevant thereto, Lincoln knew that the system required authorization from the U.S. Government for reexport from the UK to Iran and that authorization for the reexport would not be obtained. Specifically, Lincoln received instructions in 2002 from Buehler United Kingdom's parent company, Buehler Limited, that items such as the system which contain specialized software could not be sold to Iran from any Buehler locations. He was also made aware that selling such items to Iran was barred by U.S. law. In so doing, Lincoln committed one violation of Section 764.2(e) of the Regulations.

Whereas, BIS and Lincoln have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the

terms and conditions set forth therein, and

Whereas, I have approved the terms of such Settlement Agreement;

*It Is Therefore Ordered:*

First, that for a period of seven years from the date of entry of this Order, Stephen Lincoln, 21 Durrell Drive, Rugby, Warwickshire, England CV22 7GW, and when acting for or on behalf of Lincoln, his representatives, assigns, or agents ("Denied Person") may not, directly or indirectly, participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Lincoln by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

Fourth, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

Fifth, that the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

Sixth, that this Order shall be served on the Denied Person and on BIS, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 2nd day of April 2007.

**Darryl W. Jackson,**

*Assistant Secretary of Commerce for Export Enforcement.*

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**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**

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

**SUMMARY:** On October 23, 2006, the Department of Commerce published the preliminary results of the antidumping duty administrative review of certain

<sup>3</sup> "ECCN" refers to "Export Control Classification Number." See Supp. 1 to 15 CFR 774.

<sup>4</sup> The Iranian Transactions Regulations are currently codified in the Code of Federal Regulations at 31 CFR part 560 (2006).

hot-rolled carbon steel flat products from Romania. This review covers sales of subject merchandise made by Mittal Steel Galati S.A. The period of review is November 1, 2004, through October 31, 2005. Based on our analysis of comments received, we have made a change to our calculations; this change did not result in a change to the margin for Mittal Steel Galati S.A. Therefore, these final results are the same as our preliminary results. The final results are listed below in the "Final Results of Review" section.

**EFFECTIVE DATE:** April 11, 2007.

**FOR FURTHER INFORMATION CONTACT:** Dave Dirstine or Richard Rimlinger, 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 or (202) 482-4477, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 23, 2006, 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*, 71 FR 62082 (October 23, 2006) (*Preliminary Results*)). The review covers one manufacturer, Mittal Steel Galati S.A. (MS Galati).

We invited parties to comment on our preliminary results of review. MS Galati and one domestic interested party, Nucor Corporation, filed case briefs on January 19, 2007. MS Galati and a domestic interested party, United States Steel Corporation, filed rebuttal briefs on January 26, 2007. Nucor Corporation filed a rebuttal brief on January 29, 2007.

On February 26, 2007, 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 April 6, 2007 (*Notice of Extension of Time Limit for the Final Results of Antidumping Duty Administrative Review: Certain Hot-Rolled Carbon Steel Flat Products from Romania*, 72 FR 8348 (February 26, 2007)).

**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; silicomanganese (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.

**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 Memorandum) from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated April 6, 2007, 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 Memorandum is available on the Internet at <http://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 comments received, we have made a methodological change to our calculations as reflected in our *Preliminary Results* (see Comment 2 of the Decision Memorandum).

### 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, 2004, through October 31, 2005:

Manufacturer/exporter	Margin (percent)
Mittal Steel Galati S.A.	0.00

### Assessment Rate

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. We intend to issue appropriate assessment instructions directly to CBP 15 days after publication of these final results of review. In accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate. We will direct CBP to liquidate the appropriate entries at this rate. See 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).

### 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 0.00 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 further notice.

### 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: April 4, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

### Appendix

*Comment 1: Date of Sale*

*Comment 2: Sales and Cost Data from Different Periods*

*Comment 3: Calculation of Credit Expense*

*Comment 4: Offsetting of Negative Margins*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-580-825)

### Oil Country Tubular Goods, Other Than Drill Pipe, from Korea: Amended Final Results of Antidumping Duty Administrative Review

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

**EFFECTIVE DATE:** April 11, 2007.

**FOR FURTHER INFORMATION CONTACT:** Scott Lindsay or Dara Iserson, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0780 or (202) 482-4052.

### SUPPLEMENTARY INFORMATION:

#### Amendment to Final Results of Review

In accordance with section 735(a) of the Tariff Act of 1930, as amended, (the Act), on March 6, 2007, the Department of Commerce (the Department) published its notice of final results of the administrative review of the antidumping duty order on oil country tubular goods ("OCTG"), other than drill pipe, from Korea for the period ("POR") August 1, 2004 through July 31, 2005. See *Oil Country Tubular Goods, Other Than Drill Pipe, from Korea: Final Results of Antidumping Duty Administrative Review*, 72 FR 9224