

of these extensions, the Department intends to issue its preliminary results not later than February 18, 2000.

EFFECTIVE DATE: November 30, 1999.

FOR FURTHER INFORMATION CONTACT:

Mark D. Young or Melissa G. Skinner, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3207, or (202) 482-1560 respectively.

Extension of Preliminary Results

In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a sunset review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). The Department has determined that the sunset reviews of the following antidumping and countervailing duty orders and suspended investigations are extraordinarily complicated:

A-201-802 Grey Portland Cement and Cement Clinker from Mexico

A-307-803 Grey Portland Cement and Cement Clinker from Venezuela

C-122-815 Pure Magnesium from Canada

C-122-815 Alloy Magnesium from Canada

A-122-814 Pure Magnesium from Canada

A-821-802 Uranium from Russia

A-844-802 Uranium from Uzbekistan

Therefore, the Department is extending the time limit for completion of the preliminary results of these reviews until not later than February 18, 2000, in accordance with section 751(c)(5)(B) of the Act.

Dated: November 22, 1999.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-30964 Filed 11-29-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-412-810, C-412-811]

Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews

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

ACTION: Notice of final results of changed-circumstances antidumping and countervailing duty administrative reviews.

SUMMARY: On October 5, 1999, the Department of Commerce published a notice of initiation and preliminary results of changed-circumstances antidumping and countervailing duty administrative reviews of the antidumping and countervailing duty orders on hot-rolled lead and bismuth carbon steel products from the United Kingdom, in which we preliminarily determined that Niagara LaSalle (UK) Limited is the successor-in-interest to Glynwed Metals Processing Limited for purposes of determining antidumping and countervailing duty liability. We are now affirming our preliminary results.

EFFECTIVE DATE: November 30, 1999.

FOR FURTHER INFORMATION CONTACT:

Rebecca Trainor or Kate Johnson (Antidumping) or Dana Mermelstein (Countervailing), Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4007, (202) 482-4929, or (202) 482-3208, respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to the regulations at 19 CFR Part 351 (1998).

Background

On March 22, 1993, the Department published in the **Federal Register** the antidumping duty order on certain hot-rolled lead and bismuth carbon steel products from the United Kingdom (58 FR 15324). Also, on March 22, 1993, the Department published in the **Federal Register** the companion countervailing duty order (58 FR 15327).

On August 18, 1999, Niagara LaSalle (UK) Limited (Niagara) submitted a letter stating that it is the successor-in-interest to Glynwed Metals Processing Limited (Glynwed), and requested that the Department conduct a changed-circumstances review to determine whether Niagara should receive the same antidumping and countervailing duty treatment as is accorded Glynwed with respect to the subject merchandise.

Niagara requested that the result of the Department's changed-circumstances review be retroactive to May 21, 1999, the date of its acquisition of Glynwed.

On October 5, 1999, we published a notice of initiation and preliminary results of changed-circumstances antidumping and countervailing duty administrative reviews (64 FR 53994) in which we preliminarily found that Niagara is the successor-in-interest to Glynwed for purposes of determining antidumping and countervailing duty liability. We stated that this finding would be effective as of the publication date of our final results for the purposes of antidumping duties, and as of May 21, 1999 for purposes of countervailing duties, if affirmed in our final results. We received comments from Niagara on October 15, 1999.

Scope of the Review

The products covered by this review are hot-rolled bars and rods of nonalloy or other alloy steel, whether or not descaled, containing by weight 0.03 percent or more of lead or 0.05 percent or more of bismuth, in coils or cut lengths, and in numerous shapes and sizes. Excluded from the scope of this review are other alloy steels (as defined by the *Harmonized Tariff Schedule of the United States* (HTSUS) Chapter 72, note 1 (f)), except steels classified as other alloy steels by reason of containing by weight 0.4 percent or more of lead, or 0.1 percent or more of bismuth, tellurium, or selenium. Also excluded are semi-finished steels and flat-rolled products. Most of the products covered in this review are provided for under subheadings 7213.20.00.00 and 7214.30.00.00 of the HTSUS. Small quantities of these products may also enter the United States under the following HTSUS subheadings: 7213.31.30.00; 7213.31.60.00; 7213.39.00.30; 7213.39.00.60; 7213.39.00.90; 7213.91.30.00; 7213.91.45.00; 7213.91.60.00; 7213.99.00; 7214.40.00.10, 7214.40.00.30, 7214.40.00.50; 7214.50.00.10; 7214.50.00.30, 7214.50.00.50; 7214.60.00.10; 7214.60.00.30; 7214.60.00.50; 7214.91.00; 7214.99.00; 7228.30.80.00; and 7228.30.80.50. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this proceeding is dispositive.

Interested Party Comments

Niagara argues that, while the Department properly recognized that Niagara's antidumping deposit rate as of May 21, 1999, should be that of the former Glynwed, the preliminary notice

fails to apply the correct rate as of that date. Niagara argues that the Department's determination to apply Glynwed's antidumping duty deposit rate to Niagara prospectively from the publication date of the final results, is contrary to the Department's finding that Niagara is the successor-in-interest to Glynwed as of May 21, 1999, and inconsistent with the retroactive application of Glynwed's countervailing duty deposit rate to Niagara. Niagara states that this failure to retroactively apply Glynwed's antidumping deposit rate of 7.69 percent to Niagara unjustly subjects it to the higher all-others rate of 25.82 percent for the entire period from May 21, 1999, to the date on which the final results in this case are published.

Finally, Niagara asserts that it has no practical means of obtaining a refund of the higher deposits, since the costs of undertaking an administrative review would exceed the value of the excess deposits it was erroneously required to pay.

Department's Position

We disagree with Niagara that it has been treated inconsistently with respect to the applicable cash deposit rates under the antidumping and countervailing duty orders. The basis for Niagara's apparent misunderstanding is that it fails to recognize that Glenwyd, the predecessor company to Niagara, was excluded, *ab initio*, from the countervailing duty order, but has always been subject to the antidumping duty order. As such, Glenwyd, and now its successor-in-interest Niagara, was never liable for any estimated cash deposits under the countervailing duty order. Thus, with the Department's determination that Niagara is the successor-in-interest to Glenwyd, Niagara (like Glenwyd) is not now, and never was subject to the countervailing duty order. Therefore, with respect to the countervailing duty order, it is appropriate to apply the changed circumstances-determination retroactively to May 21, 1999, the date Glenwyd became Niagara. (This is analogous to revocation, which may also apply retroactively. See, e.g., *Certain Fresh Cut Flowers From Ecuador: Final Results of Changed Circumstances Antidumping Duty Administrative Review; Revocation of Order; Termination of Administrative Reviews*, 64 FR 56327, Oct. 9, 1999.)

However, with respect to the antidumping duty order, it is appropriate to change the estimated cash deposit rate for Niagara only as of the effective date of the Department's final changed-circumstances determination. Because Glenwyd was

always subject to the antidumping duty order, it was always potentially liable for estimated cash deposits. Further, any new company under the antidumping duty order in question, even if it were subsequently determined to be the successor-in-interest to an existing company, would also be subject to estimated cash deposits.

In this instance, subject merchandise was entered under the name of Niagara, a company not heretofore assigned its own rate. Accordingly, its entries were properly subject to the all-others cash deposit rate at the time of entry. The all-others rate is by its very nature a prospective rate in that it is simply an estimate of the amount of duties to be paid by importers on future entries. It is not the assessment rate. Furthermore, in accordance with section 751(a)(2)(C) of the Act, a company's estimated cash deposit rate is only changed as the result of an administrative review. Thus, until the Department makes a final determination that a company subject to this antidumping duty order should be assigned a different cash deposit rate, the cash deposit rate assigned to its entries is the rate in effect at the time of entry.

Accordingly, in this instance, it is appropriate that the applicable cash deposit rate for Niagara's entries prior to these final results is the all-others cash deposit rate. That rate will, of course, be changed prospectively to Glenwyd's previous rate upon the effective date of this notice because the Department has determined that Niagara is, in fact, the successor-in-interest to Glenwyd. However, because cash deposits are only estimates of the amount of antidumping duties that will be due, changes in cash deposit rates are not made retroactive. Any given cash deposit rate may, ultimately, be too high or too low. If Niagara believes that the deposits paid exceed the actual amount of dumping, it is entitled to request a review of those entries to determine the proper assessment rate and receive a refund of any excess deposits. This is the normal operation of our retrospective system.

Final Results

We determine that Niagara is the successor-in-interest to Glynwed for purposes of determining antidumping and countervailing duty liability. Because Glynwed is excluded from the countervailing duty order, we will instruct the Customs Service to liquidate, without regard to countervailing duties, all shipments of the subject merchandise produced and sold by Niagara (formerly Glynwed) entered, or withdrawn from warehouse,

for consumption on or after May 21, 1999, the date of Niagara's acquisition of Glynwed. With regard to antidumping duties, a cash deposit rate of 7.69 percent will be effective for Niagara (formerly Glynwed) 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 this changed-circumstances review.

We are issuing and publishing this determination and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and section 351.216 of the Department's regulations.

Dated: November 19, 1999.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-31098 Filed 11-29-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A-427-098

Anhydrous Sodium Metasilicate From France: Notice of Final Results of the Antidumping Duty Administrative Review

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

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On August 23, 1999, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on anhydrous sodium metasilicate from France for the period January 1, 1998, through December 31, 1998. We gave interested parties an opportunity to comment on the preliminary results of review but received no comments. Therefore, these final results of review have not changed from those presented in the preliminary results of review, in which we applied total adverse facts available.

EFFECTIVE DATE: November 30, 1999.

FOR FURTHER INFORMATION CONTACT: Stacey King or Richard Rimlinger, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-1757/4477.

SUPPLEMENTARY INFORMATION: