

Notices

Federal Register

Vol. 66, No. 93

Monday, May 14, 2001

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

[A-508-809; C-508-810; A-821-813]

Notice of Postponement of Final Antidumping Determination and Extension of Provisional Measures and Postponement of Final Countervailing Duty Determination: Pure Magnesium From Israel; and Notice of Postponement of Final Antidumping Determination: Pure Magnesium From the Russian Federation

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

EFFECTIVE DATE: May 14, 2001.

FOR FURTHER INFORMATION CONTACT: Craig Matney (Israel) or James Nunno (Russian Federation), Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1778 and (202) 482-0783, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930 ("the Act"), as amended, 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, all citations to the Department's regulations are to 19 CFR Part 351 (April 2000).

Postponement of Final Determinations and Extension of Provisional Measures

On April 23, 2001, the Department issued its affirmative preliminary determination in the antidumping duty investigation of pure magnesium from Israel (*see Notice of Preliminary Determination of Sales at Less Than Fair Value: Pure Magnesium from Israel*,

66 FR 21325 (April 30, 2001) and its negative preliminary determination in the antidumping duty investigation of pure magnesium from the Russian Federation ("Russia") (*see Notice of Preliminary Determination of Sales at Not Less Than Fair Value: Pure Magnesium from the Russian Federation*, 66 FR 21319 (April 30, 2001)). These notices stated we would issue our final determinations in these investigations not later than 75 days after the date of the preliminary determinations.

On April 25, 2001, in accordance with section 735(a)(2)(B) of the Act and section 351.210(b)(2)(i) of the Department's regulations, the petitioners in this investigation (*i.e.*, Magnesium Corporation of America, the United Steelworkers of America, Locals 482 and 8319, and Concerned Employees of Northwest Alloys, Inc.), requested a 60-day postponement of the final determination in the investigation of pure magnesium from Russia. Because the preliminary determination for Russia was negative, the petitioners' request serves as an adequate basis upon which the Department may extend the final determination.

In addition, on May 1, 2001, in accordance with 16 CFR 351.210(b)(2)(ii), Dead Sea Magnesium Ltd. (DSM), the respondent in the Israel investigation, requested that the Department grant a 60-day postponement of the final determination in that case. DSM also requested that the Department extend provisional measures to a period not to exceed six months, in accordance with section 733(d) of the Act and section 351.210(e)(2) of the Department's regulations. Because the preliminary determination for Israel was affirmative, DSM's request serves as an adequate basis upon which the Department may extend the final determination.

As no compelling reasons exist for denying the requests for postponement in either case, we are extending these final determinations to not later than 135 days after the date of publication of the preliminary determinations (*i.e.*, until September 12, 2001). Suspension of liquidation for Israel will be extended accordingly.

Further, because the final determination in the countervailing duty investigation of pure magnesium from Israel has been aligned with the

final determinations in the antidumping duty investigations of pure magnesium from Israel, Russia, and the People's Republic of China (*see Notice of Postponement of Preliminary Determinations of Sales at Less Than Fair Value: Pure Magnesium From Israel, the Russian Federation, and the People's Republic of China and Alignment of Final Countervailing Duty Determination With Final Antidumping Duty Determinations: Pure Magnesium from Israel*, 66 FR 14546 (March 13, 2001)), we are postponing the final determination in the countervailing duty investigation until September 12, 2001, accordingly.

This notice of postponement is published pursuant to section 735(a) of the Act and 19 CFR 351.210(g).

Dated: May 7, 2001.

Richard W. Moreland,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 01-12062 Filed 5-11-01; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

A-201-802

Gray Portland Cement and Clinker from Mexico; Notice of Amended Final Results of Antidumping Duty Administrative Review

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

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

SUMMARY: On March 14, 2001, the Department of Commerce published the final results of administrative review of the antidumping duty order on gray portland cement and clinker from Mexico. The review covers one manufacturer/exporter, CEMEX, S.A. de C.V. (CEMEX), and its affiliate, Cementos de Chihuahua, S.A. de C.V. (CDC). The period of review is August 1, 1998, through July 31, 1999. Based on a correction of a ministerial error, we have changed the antidumping duty margin from 39.34 to 38.65 percent.

EFFECTIVE DATE: May 14, 2001.

FOR FURTHER INFORMATION CONTACT: Dave Dirstine, AD/CVD Enforcement,

Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4033.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR Part 351 (2000).

Background

On March 14, 2001, the Department published the final results of administrative review of the antidumping duty order on gray portland cement and clinker from Mexico (66 FR 14889) (Final Results). The review covered one manufacturer/exporter and the period August 1, 1998, through July 31, 1999.

After publication of our final results, we received a timely allegation from the respondent, CEMEX, S.A. de C.V. (CEMEX), that we had made two ministerial errors in calculating the final results. CEMEX alleged that: 1) the Department used an incorrect conversion factor at one of four places where the computer program converted short tons to metric tons; and 2) the Department did not include the general and administrative (G&A) and interest fields for the calculation of constructed value. We also received a timely submission from the petitioner, The Southern Tier Cement Committee, in which it agreed with the first alleged ministerial error, but opposed the second alleged ministerial error. We agree with the petitioner and have corrected the first error which was the result of using an incorrect conversion factor. As to the second alleged ministerial error, we disagree with the respondent that we did not correctly calculate constructed value. The respondent proposes to introduce data which is not on the record in this review and add it to the programming language that we used to calculate the weighted-average margins for the final results. We conclude that the computer-programming language we used to calculate the weighted-average antidumping duty margin for the final results does not contain a ministerial error and correctly calculates constructed value. See the Amended Final Analysis Memorandum from the

analyst to the file, dated April 27, 2001, for a description of the change we made to correct the conversion-factor error.

Amended Final Results of Review

As a result of the correction of the ministerial error and amended margin calculations, the following weighted-average margin exists for the collapsed parties, CEMEX and CDC, for the period August 1, 1998, through July 31, 1999:

Company	Margin (percent)
CEMEX/CDC	38.65

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. We will also direct the Customs Service to collect cash deposits of estimated antidumping duties on all appropriate entries in accordance with the procedures discussed in the final results of review (66 FR 14889) and as amended by this determination. The amended deposit requirements are effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and shall remain in effect until publication of the final results of the next administrative review.

We are issuing and publishing this determination and notice in accordance with sections 751(h) and 777(i)(1) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: May 4, 2001.

Bernard T. Carreau,
Deputy Assistant Secretary, Import Administration.

[FR Doc. 01-12065 Filed 5-11-01; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-427-819]

Notice of Preliminary Affirmative Countervailing Duty Determination and Alignment with Final Antidumping Duty Determination: Low Enriched Uranium from France

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

ACTION: Notice of Preliminary Affirmative Countervailing Duty Determination.

EFFECTIVE DATE: May 14, 2001.

FOR FURTHER INFORMATION CONTACT: Michael Grossman at (202) 482-2786, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Preliminary Determination

The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to certain producers and exporters of low enriched uranium (subject merchandise) from France. For information on the estimated countervailing duty rates, please see the "Suspension of Liquidation" section of this notice.

SUPPLEMENTARY INFORMATION:

Petitioners

The petition in this investigation was filed by USEC Inc., its wholly owned subsidiary, United States Enrichment Corporation (USEC) and the Paper, Allied-Industrial, Chemical and Energy Workers International Union, AFL-CIO, CLC, and Local 5-550 and Local 5-689 (collectively PACE) (the petitioners).

Case History

Since the publication of the notice of initiation in the **Federal Register** (see *Notice of Initiation of Countervailing Duty Investigations: Low Enriched Uranium from France, Germany, the Netherlands, and the United Kingdom*, 66 FR 1085 (January 5, 2001) (*Initiation Notice*)), the following events have occurred: On January 11, 2001, we issued countervailing duty questionnaires to the Government of France (GOF) and to Eurodif, S.A. (Eurodif), the producer/exporter of subject merchandise cited in the December 7, 2000 petition. On March 20, 2001, we received questionnaire responses from Eurodif, S.A. and its majority owner, Compagnie Generale des Matieres Nucleaires (COGEMA), and the GOF. COGEMA acts as a sales agent for Eurodif's exports to the United States. On March 27 and April 10, 2001, we issued supplemental questionnaires to Eurodif/COGEMA and the GOF (collectively respondents). On April 26, 2001, we issued an additional supplemental questionnaire to Eurodif/COGEMA. On April 5 (amended on April 9), April 25, and May 1, 2001, we received supplemental questionnaire responses from respondents.

On February 21, 2001, we issued an extension of the due date for this preliminary determination from March 2, 2001 to May 7, 2001. See *Low Enriched Uranium from France*,