

*Carbon Steel Flat Products from Argentina*, 67 FR 31181 (May 9, 2002) (*Preliminary Determination*).

#### Ministerial-Errors Allegation

On May 9, 2002, the Department issued its affirmative preliminary determination in this proceeding. See Preliminary Determination. There is one respondent manufacturer/exporter, Siderar, in this investigation.

On May 3, 2002, the Department received timely allegations of ministerial errors (in accordance with section 351.224(c)(2) of the Department's regulations) in the *Preliminary Determination* from Siderar. Siderar alleged that the Department made an inadvertent programming error in calculating Siderar's interest expense by misplacing a decimal point in the calculations. Siderar also alleged that, although intended by the Department, non-prime home-market sales were inadvertently not excluded from the margin calculation.

The Department has reviewed its preliminary calculations and agrees that the errors which Siderar alleged do constitute ministerial errors within the meaning of 19 CFR 351.224(f). Furthermore, we determine that the change in the margin resulting from correcting these errors is significant pursuant to 19 CFR 351.224(g)(1). We are amending the *Preliminary Determination* to reflect the correction of these ministerial errors pursuant to 19 CFR 351.224(e). See the Siderar Amended Preliminary Calculation Memorandum from J. David Dirstine to the File, dated May 30, 2002.

The collection of bonds or cash deposits and suspension of liquidation will be revised accordingly.

#### Amended Preliminary Determination

As a result of our correction of the ministerial errors, we have determined that the following dumping margins apply. In accordance with section 733(d)(2) of the Act, we are directing the Customs Service to continue to suspend liquidation of all imports of subject merchandise. We will instruct the Customs Service to require a cash deposit or the posting of a bond equal to the weighted-average amounts as indicated in the chart below for subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. These suspension-of-liquidation instructions will remain in effect until further notice. The weighted-average dumping margins are as follows:

Exporter/manufacture	Weighted-average percentage margin
Siderar .....	43.46
All Others .....	43.46

\*\* As Siderar was the only respondent that we investigated, we used Siderar's margin as the all-others rate.

#### International Trade Commission Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our amended preliminary determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of the preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

#### Public Comment

Case briefs for this investigation must be submitted to the Department no later than seven days after the date of the final verification report issued in this proceeding. Rebuttal briefs must be filed five days from the deadline date for case briefs. A list of authorities used, a table of contents, and an executive summary of issues should accompany any briefs submitted to the Department. Executive summaries should be limited to five pages total, including footnotes. Section 774 of the Act provides that the Department will hold a public hearing to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs, provided that such a hearing is requested by an interested party. If a request for a hearing is made in this investigation, the hearing will tentatively be held two days after the rebuttal-brief deadline date at the U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs.

We will make our final determination no later than September 23, 2002.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act.

Dated: June 12, 2002

**Richard W. Moreland,**

*Acting Assistant Secretary for Import Administration.*

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-821-815]

#### Postponement of the Final Determination of the Less-Than-Fair-Value Investigation of Certain Cold-Rolled Carbon Steel Flat Products from the Russian Federation

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

**ACTION:** Notice of postponement of the final determination of the less-than-fair-value investigation of certain cold-rolled carbon steel flat products from the Russian Federation.

**SUMMARY:** The Department of Commerce is postponing the final determination of the less-than-fair-value investigation of certain cold-rolled carbon steel flat products from the Russian Federation. The Department will make its final determination not later than September 23, 2002.

**EFFECTIVE DATE:** June 19, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Juanita H. Chen at 202-482-0409 or James C. Doyle at 202-482-0159, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

#### The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended ("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. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 C.F.R. Part 351 (2000).

#### Background

On May 9, 2002, the Department of Commerce ("Department") published the notice of preliminary determination of sales at less than fair value for certain cold-rolled carbon steel flat products

from the Russian Federation. *See Notice of Preliminary Determination of Sales at Less Than Fair Value: Certain Cold-Rolled Carbon Steel Flat Products From the Russian Federation*, 67 FR 31241 (May 9, 2002) ("Preliminary Determination"). The final determination of this investigation is currently due no later than July 23, 2002. Pursuant to section 735(a)(2) of the Act, on May 30, 2002, the Ministry of Economic Development and Trade of the Russian Federation ("MEDT") requested that the Department postpone its final determination in the investigation until 135 days after the date of the publication of the preliminary determination in the Federal Register. In addition, on June 3, 2002, MEDT requested that the Department extend the application of the provisional measures prescribed under 19 C.F.R. 351.210(e)(2) to not more than six months.

#### Postponement of Final Determination and Extension of Provisional Measures

In accordance with 19 C.F.R. 351.210(b), because (1) our preliminary determination is affirmative, (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise, and (3) no compelling reasons for denial exist, we are granting MEDT's request and are fully extending the time for the final determination, until no later than September 23, 2002. Suspension of liquidation will be extended accordingly.

Dated: June 12, 2002

**Richard W. Moreland,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 02-15481 Filed 6-18-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-810]

#### Notice of Amended Preliminary Determination of Sales at Less Than Fair Value; Certain Cold-Rolled Carbon Steel Flat Products From Turkey

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

**ACTION:** Notice of Amended Preliminary Determination of Sales at Less Than Fair Value.

**EFFECTIVE DATE:** June 19, 2002.

**FOR FURTHER INFORMATION CONTACT:** Melissa Blackledge, or Robert James,

Antidumping and Countervailing Duty Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, at (202) 482-3518, or (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Applicable Statute and Regulations:

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 Tariff Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations refer to the regulations codified at 19 CFR part 351 (2001).

##### Amendment to the Preliminary Determination

On April 26, 2002, the Department determined that certain cold-rolled carbon steel flat products (cold-rolled steel) from Turkey are being, or are likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735(a) of the Tariff Act. *See Notice of Preliminary Determination of Sales at Less Than Fair Value: Certain Cold-Rolled Carbon Steel Flat Products From Turkey*, 67 FR 31264 (May 9, 2002) (*Preliminary Determination*). On May 7, 2002, respondent Borcelik Celik Sanayii ve Ticaret A.S. (Borcelik) timely filed an allegation that the Department had made several ministerial errors in its preliminary determination. Borcelik requested that we correct the errors and publish a notice of amended preliminary determination in the **Federal Register**. See 19 CFR 351.224(e).

Borcelik's submission alleges the following errors:

- the Department inadvertently omitted programming language used to create a model data set for the home market sales file containing a single record for each CONNUM and month combination, thus obviating our intention to match sales by month;
- the Department inadvertently deducted billing adjustments 4 and 5 reported by affiliated reseller/service center Kerim Celik in the net price calculation when these adjustments should have been additions to revenue;
- for sales by Kerim Celik, total costs of producing the cold-rolled coil at Borcelik were unintentionally deducted by the Department rather than deducting the cost of further processing

performed by Kerim Celik, reported as TOTCOP, and scrap (SCRAP);

- the Department used inaccurate exchange rates;
- the Department incorrectly recalculated Borcelik's G&A expense ratio excluding miscellaneous adjustments to G&A expenses reported by respondent;
- the Department relied upon total cost of production, instead of total cost of manufacturing, in calculating the twenty percent difference-in-merchandise test; and
- the Department unintentionally used the Turkish lira prices to calculate normal value, instead of using the U.S. dollar prices negotiated for most home market sales.

*See Letter, Dickstein Shapiro Morin & Oshinsky LLP, May 7, 2002 passim.*

The Department's regulations define a ministerial error as one involving "addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication or the like, and any other similar type of unintentional error which the Secretary considers ministerial." 19 CFR 351.224(f). A significant ministerial error is defined as an error, the correction of which, singly or in combination with other errors, would result in (1) a change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original preliminary determination; or (2) a difference between a weighted-average dumping margin of zero or *de minimis* and a weighted-average dumping margin of greater than *de minimis* or vice versa. *See* 19 CFR 351.224(g).

After reviewing respondent's allegations we have determined, in accordance with 19 CFR 351.224(e), that the Preliminary Determination includes five ministerial errors, which together constitute significant ministerial errors. We agree that the following five allegations raised by Borcelik constitute significant ministerial errors: i) monthly model matching; ii) Kerim Celik's billing adjustments 4 and 5; iii) Kerim Celik's further processing costs; iv) improper exchange rates; and v) the calculation of differences in merchandise. *See Memorandum For Richard Weible; "Allegations of Ministerial Errors; Preliminary Determination in the Investigation of Certain Cold-Rolled Carbon Steel Flat Products From Turkey"* (Ministerial Errors Memorandum), dated June 12, 2002, a public version of which is on file in room B-099 of the main Commerce building, and the