

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce Export Assistance Center, 109 State Street, 4th Floor, Montpelier, Vermont 05609
Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce 14th & Pennsylvania Avenue, N.W., Washington, D.C. 20230.

Dated: June 5, 1997.

John J. Da Ponte, Jr.,
Executive Secretary.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-840]

Notice of Antidumping Duty Order and Amended Final Determination of Sales at Less Than Fair Value: Engineered Process Gas Turbo-Compressor Systems, Whether Assembled or Unassembled, and Whether Complete or Incomplete, From Japan

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

EFFECTIVE DATE: June 16, 1997.

FOR FURTHER INFORMATION CONTACT: David Genovese, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4697.

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 (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the **Federal Register** on May 11, 1995 (60 FR 25130).

Amended Final Determination

In accordance with section 735(a) of the Act, on April 24, 1997, the Department made its final determination that engineered process gas turbo-compressor systems (EPGTS), whether assembled or unassembled, and

whether complete or incomplete from Japan, are being, or are likely to be, sold in the United States at less than fair value (62 FR 24394, May 5, 1997). Subsequent to the final determination, on May 5, 1997, we received a submission, timely filed pursuant to 19 CFR 353.28(b), from the respondent, Mitsubishi Heavy Industries Ltd. (MHI), alleging ministerial errors in the Department's final determination. No ministerial error allegations were submitted by the petitioner. We received comments from the petitioner rebutting MHI's allegations on May 9, 1997.

We have determined, in accordance with 19 CFR 353.28(d), that ministerial errors were made in our margin calculations for MHI. Specifically, the Department made three ministerial errors in its final determination with respect to the following issues: 1) the indirect selling expenses incurred by Mitsubishi Corporation (MC); 2) the U.S. imputed credit expense; and 3) the calculation of the constructed value (CV) profit rate. For a detailed discussion of the above-cited ministerial errors and the Department's analysis, see Memorandum for Jeffrey Bialos from Irene Darzenta, *et al.*, dated May 26, 1997. In accordance with 19 CFR 353.28(c), we are amending the final determination of the antidumping duty investigation of EPGTS from Japan to correct these ministerial errors. The revised final weighted-average dumping margins are as follows:

Company	Weighted average margin percentage
Mitsubishi Heavy Industries, Ltd.	38.32
All-Others	38.32

Scope of Order

The products covered by this investigation are turbo-compressor systems (*i.e.*, one or more "assemblies" or "trains") which are comprised of various configurations of process gas compressors, drivers (*i.e.*, steam turbines or motor-gear systems designed to drive such compressors), and auxiliary control systems and lubrication systems for use with such compressors and compressor drivers, whether assembled or unassembled, and whether complete or incomplete. One or more of these turbo-compressor assemblies or trains, may be combined. The systems covered are only those used in the petrochemical and fertilizer industries, in the production of

ethylene, propylene, ammonia, urea, methanol, refinery and other petrochemical products. This order does not encompass turbo-compressor systems incorporating gas turbine drivers, which are typically used in pipeline transmission, injection, gas processing, and liquid natural gas service.

The scope of this order excludes spare parts that are sold separately from a contract for an EPGTS. Parts or components imported for the revamp or repair of an existing EPGTS, or otherwise not included in the original contract of sale for the EPGTS of which they are intended to be a part, are expressly excluded from the scope.

Compressors are machines used to increase the pressure of a gas or vapor, or mixture of gases and vapors. Compressors are commonly classified as reciprocating, rotary, jet, centrifugal, or axial (classified by the mechanical means of compressing the fluid), or as positive-displacement or dynamic-type (classified by the manner in which the mechanical elements act on the fluid to be compressed). Subject compressors include only centrifugal compressors engineered for process gas compression, *e.g.*, ammonia, urea, methanol, propylene, or ethylene service.

Turbines are classified (1) as steam or gas; (2) by mechanical arrangement as single-casing, multiple shaft, or tandem-compound (more than one casing with a single shaft); (3) by flow direction (axial or radial); (4) by steam cycle, whether condensing, non-condensing, automatic extraction, or reheat; and (5) by number of exhaust flows of a condensing unit. Steam and gas turbines are used in various applications. Only steam turbines dedicated for a turbo-compressor system are subject to this order.

A motor and gear box may be used as a compressor driver in lieu of a steam turbine. A control system is used to monitor and control the operation of a turbo-compressor system. A lubrication system is engineered to support a subject compressor and steam turbine (or motor/gear box).

A typical EPGTS consists of one or more compressors driven by a turbine (or in some cases a motor drive). A compressor is usually installed on a base plate and the drive is installed on a separate base plate. The turbine (or motor drive) base plate will typically also include any governing or safety systems, couplings, and a gearbox, if any. The lube and oil seal systems for the turbine and compressor(s) are usually mounted on a separate base plate.

The scope of this order covers both assembled and unassembled EPGTS from Japan. Because of their large size, EPGTS and their constituent parts are typically shipped partially assembled (or unassembled) to their destination where they are assembled and/or completed prior to their commissioning.

The scope of this order also covers "complete and incomplete" EPGTS from Japan. A "complete" EPGTS covered by the scope consists of all of the components of an EPGTS (*i.e.*, process gas compressor(s), driver(s), auxiliary control system(s) and lubrication system(s)) and their constituent parts, which are imported from Japan in assembled or unassembled form, individually or in combination, pursuant to a contract for a complete EPGTS in the United States. An "incomplete" EPGTS covered by the scope of this order consists of parts of an EPGTS imported from Japan pursuant to a contract for a complete EPGTS in the United States, which taken altogether, constitute at least 50 percent of the cost of manufacture of the complete EPGTS of which they are a part. (*See Comment 1* of the "Interested Party Comments" section of the final determination notice (62 FR 24394, May 5, 1997) for a discussion on the definition of "incomplete EPGTS" covered by the scope of this order and the methodology the Department will use to calculate the cost of manufacture.)

EPGTS imported from Japan as an assembly or train (*i.e.*, including turbines, compressors, motor and gear boxes, control systems and lubrication systems, and auxiliary equipment) may be classified under Harmonized Tariff Schedule of the United States ("HTSUS") subheading 8414.80.2015, which provides for centrifugal and axial compressors. The Customs Service may view the combination of turbine driver and compressor as "more than" a compressor and, as a result, classify the combination under HTSUS subheading 8419.60.5000.

Compressors for use in EPGTS, if imported separately, may also be classified under HTSUS subheading 8414.80.2015. Parts for such compressors, including rotors or impellers and housing, are classified under HTSUS subheading 8414.90.4045 and 8414.90.4055.

Steam turbines for use in EPGTS, if imported separately, may be classified under the following HTSUS subheadings: 8406.81.1020 (steam turbines, other than marine turbines, stationary, condensing type, of an output exceeding 40 MW); 8406.82.1010 (steam turbines, other than marine

turbines, stationary, condensing type, exceeding 7,460 Kw); 8406.82.1020 (steam turbines, other than marine turbines, stationary, condensing type, exceeding 7,460 Kw, but not exceeding 40 MW); 8406.82.1050 (steam turbines, other than marine turbines, stationary, other than condensing type, not exceeding 7,460 Kw); 8406.82.1070 (steam turbines, other than marine turbines, stationary, other than condensing type, exceeding 7,460 Kw, but not exceeding 40 MW). Parts for such turbines are classified under HTSUS subheading 8406.90.2000 through 8406.90.4580.

Control and other auxiliary systems may be classified under HTSUS 9032.89.6030 ("automatic regulating or controlling instruments and apparatus: complete process control systems").

Motor and gear box entries may be classified under HTSUS subheading 8501.53.4080, 8501.53.6000, 8501.53.8040, or 8501.53.8060. Gear speed changers used to match the speed of an electric motor to the shaft speed of a driven compressor, would be classified under HTSUS subheading 8483.40.5010.

Lubrication systems may be classified under HTSUS subheading 8414.90.4075.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Antidumping Duty Order

On June 10, 1997, the International Trade Commission (ITC) notified the Department of its final determination, pursuant to section 735(b)(1)(A)(i) of the Act, that an industry in the United States is materially injured by reason of imports of the subject merchandise from Japan.

In accordance with section 736(a)(1) of the Act, the Department will direct Customs officers to assess, upon further advice by the administering authority, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the constructed export price of the merchandise for all entries of EPGTS from Japan. These antidumping duties will be assessed on all unliquidated entries of EPGTS from Japan entered, or withdrawn from warehouse, for consumption on or after December 10, 1996, the date on which the Department published its preliminary determination in the **Federal Register** (61 FR 65013). On or after the date of publication of this notice in the **Federal Register**, Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated

weighted-average antidumping duty margins as noted below. The "All Others" rate applies to all exporters of EPGTS not specifically listed below.

The ad valorem weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Revised margin percentage
Mitsubishi Heavy Industries/ Mitsubishi Corporation	38.32
All Others	38.32

This notice constitutes the antidumping duty order with respect to EPGTS from Japan, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published pursuant to section 736(a) of the Act and 19 CFR 353.21.

Dated: June 10, 1997.

Robert S. LaRussa,
Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Secretarial Business Development Mission to Canada.

AGENCY: International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: This notice serves to inform the public of a Secretarial Business Development Mission to Canada, August 3-7, 1997 ("the mission" or "trade mission") and the opportunity to apply for participation in the mission; sets forth objectives, procedures, and participation criteria for the mission; and requests applications.

DATES: Applications should be submitted to Cheryl Bruner by Monday, June 30, 1997, in order to ensure sufficient time to obtain in-country appointments for applicants selected to participate in the mission. Applications received after that date will be considered only if space and scheduling constraints permit. The mission to Canada is scheduled August 3-7, 1997.

ADDRESSES: Request for and submission of applications—Applications are available from: Cheryl Bruner, Director of the Office of Business Liaison or Jennifer Johnson at 202-482-1360 or via