

general expenses in Indonesia of 27.5 percent. The specific calculations underlying each of these methodologies are detailed in the tables attached to the AD/CVD checklist. Since the petitioner did not include an amount for profit within its CV calculation, we note that the estimated CV would be higher if an amount for profit were added. In accordance with 773 of the Act, the methodology used by the petitioner to derive NV compares with Department practice and petition requirements.

The comparisons of NV to net U.S. prices result in estimated dumping margins that range from 0.81 percent (highest CEP compared to lowest NV estimate) to 62 percent (lowest CEP to highest NV estimate).

#### Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of rubber thread from Indonesia are being, or are likely to be, sold in the United States at less than fair value.

#### Allegations of Subsidies

Section 702(b) of the Act requires the Department to initiate a countervailing duty proceeding whenever an interested party files a petition, on behalf of an industry, that (1) alleges the elements necessary for an imposition of a duty under section 701(a), and (2) is accompanied by information reasonably available to petitioner supporting the allegations. We are including in our investigation the following programs alleged in the petition to have provided subsidies to producers and exporters of the subject merchandise in Indonesia.

1. Export Financing
2. Import Duty Exemptions on Capital Equipment
3. Corporate Income Tax Holidays
4. Investment Credit for the Expansion of the Rubber Industry

#### Initiation of Antidumping and Countervailing Duty Investigations

The Department has examined the petition on rubber thread from Indonesia and has found that it complies with the requirements of sections 702(b) and 732(b) of the Act. Therefore, in accordance with sections 702(b) and 732(b), we are initiating antidumping and countervailing duty investigations to determine whether manufacturers, producers, or exporters of rubber thread from Indonesia are being, or are likely to be, sold in the United States at less than fair value and whether manufacturers, producers or exporters of rubber thread from Indonesia received subsidies. See Tab B accompanying the AD/CVD Checklist (public version) which is on file in room

B-099 of the main Commerce building. Unless the relevant deadline is extended, we will make our preliminary determinations for the countervailing duty investigation no later than June 24, 1998 and for the antidumping duty investigation no later than September 8, 1998.

#### Distribution of Copies of the Petitions

In accordance with sections 702(b)(4)(A)(i) and 732(b)(3)(A) of the Act, copies of the public version of the petition have been provided to the representatives of the Government of Indonesia. We will attempt to provide copies of the public version of the petition to all exporters named in the petition, as provided for in section 351.203(c)(2) of the Department's regulations.

#### ITC Notification

Pursuant to sections 702(d) and 732(d) of the Act, we have notified the ITC of these initiations.

#### Preliminary Determinations by the ITC

The ITC will determine by May 15, 1998, whether there is a reasonable indication that an industry in the United States is being materially injured, or is threatened with material injury, by reason of imports from Indonesia of rubber thread. A negative ITC determination will result in the investigation being terminated; otherwise, the investigations will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 777(i) of the Act.

Dated: April 20, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 98-11274 Filed 4-27-98; 8:45 am]

BILLING CODE 3510-DS-P

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-122-601]

#### Brass Sheet and Strip From Canada; Termination of Antidumping Duty Administrative Review

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

**ACTION:** Notice of termination of antidumping duty administrative review.

**SUMMARY:** On October 29, 1997, the Department of Commerce published in the **Federal Register** a notice of

termination of the administrative review of brass sheet and strip from Canada covering imports of subject merchandise for the period January 1, 1993 through December 31, 1993. Due to a procedural oversight by the Department of Commerce, the signature date of this notice of termination, October 21, 1997, was one day prior to the date of the respondent's formal written request for termination of the 1993 review, which was submitted to the Department of Commerce on October 22, 1997. In light of this procedural error, the Department of Commerce rescinded its termination of this review and reopened the administrative record of this proceeding for comments by interested parties on the question of termination of this review. After careful review of the comments submitted by interested parties, the Department of Commerce decided that this review should be terminated and hereby terminates this review.

**EFFECTIVE DATE:** April 28, 1998.

**FOR FURTHER INFORMATION CONTACT:** Paul Stolz or Thomas Futtner, 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) 482-4474 or (202) 482-3814, respectively.

**Applicable Statute and Regulations:** Unless otherwise stated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department of Commerce (the Department) published an antidumping duty order on brass sheet and strip from Canada on January 12, 1987 (52 FR 1217). On January 5, 1994, the Department published in the **Federal Register** a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order on brass sheet and strip from Canada (59 FR 564). On January 21, 1994, a manufacturer/exporter, Wolverine Tube (Canada) Inc., (Wolverine) requested an administrative review of its exports of the subject merchandise to the United States for the period of review (POR) January 1, 1993, through December 31, 1993. In accordance with 19 CFR 353.22(c), we initiated the review on February 17, 1994 (59 FR 7979). Wolverine was the only interested party to request this review. On or about October 17, 1997, Wolverine notified the Department by telephone of its

intent to request termination of this review. The Department then prepared a notice of termination for the **Federal Register** pending receipt of Wolverine's formal written request. This written request was dated and received by the Department on October 22, 1997. The notice of termination was published in the **Federal Register** on October 29, 1997 (62 FR 56150). However, due to a procedural oversight, the signature date of the notice was October 21, 1997, one day prior to actual receipt of the written request for termination. In the interest of procedural integrity, the Department rescinded its termination of this review in order to afford interested parties the opportunity to comment as to whether this review should have been terminated. Hussey Copper, Ltd.; The Miller Company; Olin Corporation; Revere Copper Products, Inc.; International Association of Machinists and Aerospace Workers; International Union, Allied Industrial Workers of America (AFL-CIO); Mechanics Educational Society of America, and United Steelworkers of America (AFL-CIO) (collectively, the petitioner) and the respondent both submitted comments and rebuttal comments within the time limits specified by the Department.

#### Comments

On January 16, 1998, Wolverine and the petitioner submitted comments regarding the issue of termination. On January 27, 1998, Wolverine and the petitioner submitted rebuttal comments with respect to the January 16, 1998, comments. The following is a summary and the Department's position on each of these comments.

*Comment 1: 1993 Review Virtually Completed, Completion Would Not Affect the Timing of the 1996 Review.* Wolverine claims that completing the 1993 review would further delay completion of the 1996 review. It further notes that termination would reduce the Department's administrative burden. The petitioner claims that the 1993 review was virtually completed and that the Department's resources would not be unduly taxed by completing the review. The petitioner further notes that completing the 1993 review would not cause additional delays or strain the Department's resources in completion of the 1996 review.

*Department Position:* Although the review process reached the preliminary results stage, many critical steps such as arriving at departmental positions and drafting a final analysis, remained to be completed. In addition, as in any review, the potential for allegations of clerical errors as well as the potential

for litigation and remands has to be considered a part of the administrative burden. Thus, the petitioner is incorrect in claiming that the review was essentially completed. Notwithstanding this fact, the Department does not believe that completion of the 1993 review would necessarily delay the completion of the 1996 review. However, for the reasons stated above, we determined that it was not required to complete the 1993 review, and that doing so would not have any affect on our determination with respect to the 1996 review.

*Comment 2: 1993 Review Result Could Affect Outcome of 1996 Review With Regard to Revocation.* The petitioner asserts that the final outcome of the 1993 review could affect the Department's pending determination with respect to revocation in the 1996 review. The petitioner asserts that completion of this review is necessary to support a historical record of dumping spanning beyond the three years of zero or de minimis margins on which the revocation request is based. The petitioner argues that an analysis of such an expanded time-frame would demonstrate that Wolverine cannot ship to the U.S. in significant commercial quantities without dumping. Wolverine notes that although the petitioner claims that the 1993 review could affect the outcome of the 1996 review, the Department bases each of its determinations on the factual record of the relevant segment of the proceeding.

*Department Position:* The Department cannot find merit in the petitioner's assertion, which was not supported by any compelling argument and/or factual information. The petitioner has not established on the record of this 1993 review the precise manner in which the completed results of this review would potentially have a bearing on the outcome of the revocation and other issues before the Department with respect to the 1996 review. Even were the record of the 1993 review to show a marked decline in U.S. shipments as Wolverine's dumping margins became zero or de minimis, this by itself would not necessarily lead the Department to determine that these shipments were not at less than commercial quantities, and would not in itself support denial of revocation as requested in the 1996 review.

*Comment 3: Department Obligated to Consider Petitioner's Interests.* The petitioner claims that the Department is obligated to consider the interests of the domestic industry, noting that the primary purpose of the antidumping statute is to protect domestic industry. Wolverine asserts that the petitioner's

claim that the Department is obligated to consider the interests of the domestic industry is not based on any authority, law, or regulation. Wolverine asserts that it was the only party to request the review and had subsequently requested termination. Wolverine states that it is the only party affected by termination and that the petitioner has no legal basis on which to object to termination. Finally, Wolverine notes that the petitioner was served by hand a copy of the request for termination on October 22, 1997, but did not object to termination until after publication of the termination notice in the **Federal Register**, seven days later.

*Department Position:* The fact that Wolverine was the only party to request the review has not been disputed and it has been the Department's practice to routinely terminate reviews at the request of an interested party when no other interested party has requested the review. In this case, Wolverine was the only party to request the review and subsequently requested that the review be terminated. Although Wolverine's request to terminate this review was submitted after the 90-day time limit for termination provided for at section 353.22(a)(5) of our regulations, that provision also states that the Secretary may extend this time limit if the Secretary determines it is reasonable to do so. In fact, it may be considered that the domestic industry's interest is being served in that upon termination of this review, liquidation of affected entries will be at 21.39 percent, the cash deposit rate in effect at the time of entry, whereas the dumping margin preliminarily determined in this review was 1.39 percent.

*Comment 4: Department Not Obligated to Notify Petitioner of Termination.* Wolverine notes that the Department was not required by its regulations to consult with interested parties or consider comments in its decision to terminate the review.

*Department Position:* We agree with Wolverine. The only party to request this review, Wolverine, subsequently requested that we terminate this review. In addition, the petitioner was duly served with a copy of the respondent's request to terminate this review on October 22, 1997, in advance of publication of our original termination notice on October 29, 1997. Upon the petitioner's October 30, 1997, objection to termination, although the Department was under no legal obligation to do so, in the interest of procedural integrity, the Department reopened the record of this review after the original termination to consider interested party comments regarding termination.

**Termination**

The Department has considered all comments submitted by interested parties and has determined that this review should be terminated. Because Wolverine was the only party to request this review, and subsequently withdrew its request, and because we find that there are no other compelling reasons to continue this review, we are terminating this review.

The Department shall instruct the Customs Service to liquidate all appropriate entries. Shipments entered, or withdrawn from warehouse, for consumption during the January 1, 1993 through December 31, 1993, POR will be liquidated at the cash deposit rate in effect at the time of entry. Insofar as the final results for the more current POR, January 1, 1995, through December 31, 1995, were published prior to this termination notice, the cash deposit instructions contained in the notice covering the January 1, 1995 through December 31, 1995, POR will continue to apply to all shipments to the United States of subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 8, 1997 (the date of publication of the final results of review covering the 1995 POR).

This notice also serves as final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning disposition of proprietary information disclosed under APO in accordance with section 353.34(d) of the Department's regulations. Timely within notification of the return or destruction of APO materials is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is published in accordance with section 751(a)(1) of the Act and 19 CFR 353.22(a)(5).

Dated: April 15, 1998.

**Maria Harris Tildon,**

*Acting Deputy Assistant Secretary, Import Administration.*

[FR Doc. 98-11277 Filed 4-27-98; 8:45 am]

BILLING CODE 3510-DS-M

**DEPARTMENT OF COMMERCE****International Trade Administration**

(A-351-817)

**Certain Cut-to-length Carbon Steel Plate From Brazil; Antidumping Duty Administrative Review; Extension of Time Limit**

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

**ACTION:** Notice of extension of time limit.

**SUMMARY:** The Department of Commerce (the Department) is extending the time limit of the preliminary results of the antidumping duty administrative review of Certain Cut-to-length Carbon Steel Plate From Brazil. This review covers the period August 1, 1996 through July 31, 1997.

**EFFECTIVE DATE:** April 28, 1998.

**FOR FURTHER INFORMATION CONTACT:** Helen Kramer or Linda Ludwig, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-0405 or 482-3833, respectively.

**SUPPLEMENTARY INFORMATION:** Due to the time required to verify whether shipments of merchandise covered by the antidumping order occurred during the period of review, it is not practicable to complete this review within the original time limit. See Decision Memorandum from Joseph A. Spetrini, Deputy Assistant Secretary, Enforcement Group III, to Robert S. LaRussa, Assistant Secretary for Import Administration, dated April 21, 1998. Therefore, the Department is extending the time limit for completion of the preliminary results until August 31, 1998, in accordance with Section 751(a)(3)(A) of the Trade and Tariff Act of 1930, as amended by the Uruguay Round Agreements Act of 1994. The deadline for the final results of this review will continue to be 120 days after publication of the preliminary results.

This extension is in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. § 1675 (a)(3)(A)).

Dated: April 21, 1998.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary, Enforcement Group III.*

[FR Doc. 98-11276 Filed 4-27-98; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-357-810]

**Oil Country Tubular Goods From Argentina; Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review**

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

**ACTION:** Extension of time limit for preliminary results of antidumping duty administrative review of oil country tubular goods from Argentina.

**SUMMARY:** The Department of Commerce ("the Department") is extending the time limit for the preliminary results of the second antidumping duty administrative review of the antidumping order on oil country tubular goods ("OCTG") from Argentina. This review covers Siderca S.A.I.C., an Argentine producer and exporter of OCTG, and Siderca Corporation, a U.S. importer and reseller of such merchandise, collectively referred to as "Siderca." The period of review is August 1, 1996 through July 31, 1997.

**EFFECTIVE DATE:** April 28, 1998.

**FOR FURTHER INFORMATION CONTACT:** Alain Letort or John R. Kugelman, AD/CVD Enforcement Group III "Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230, telephone (202) 482-4243 or 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:**

**Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Tariff Act of 1930 ("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. In addition, unless otherwise indicated, all citations to the Department's regulations are references to the provisions codified at 19 CFR Part 351.101, *et seq.* (62 FR 27296—May 19, 1997).

**Extension of Preliminary Results**

The Department initiated this administrative review on September 25, 1997 (62 FR 50292). Under section 751(a)(3)(A) of the Act, the Department may extend the deadline for completion of an administrative review if it determines that it is not practicable to complete the review within the