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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–122–822, A–122–823]

Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate From Canada: Amended Final Results of Antidumping Duty Administrative Reviews

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

EFFECTIVE DATE: May 18, 1998.

FOR FURTHER INFORMATION CONTACT: Rick Johnson, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue N.W., Washington, D.C. 20230; telephone: (202) 482–3818.

Scope of This Review

The products covered by these administrative reviews constitute two separate ''classes or kinds'' of merchandise: (1) Certain corrosion-resistant steel and (2) certain cut-to-length plate.

The first class or kind, certain corrosion-resistant steel, includes flat-rolled carbon steel products of rectangular shape, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule (HTS) under item numbers 7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.60.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.22.5000, 7217.23.5000, 7217.29.1000, 7217.29.5000, 7217.32.5000, 7217.33.5000, 7217.39.1000, and 7217.39.5000. Included are flat-rolled products of non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e., products which have been worked after rolling)—for example, products which have been beveled or rounded at the edges. Excluded are flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate''), or both chromium and chromium oxides (''tin-free steel''), whether or not painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating. Also excluded are clad products in straight lengths of 0.1875 inch or more in composite thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness. Also excluded are certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 millimeters in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The second class or kind, certain cut-to-length plate, includes hot-rolled carbon steel universal mill plates (i.e., flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coils and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the HTS under item numbers 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included are flat-rolled products of non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e., products which have been worked after rolling) —for example, products which have been beveled or rounded at the edges. Excluded is grade X–70 plate. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The period of review (POR) is August 1, 1995, through July 31, 1996.

Amendment of Final Results

On March 16, 1998, the Department of Commerce (''the Department'') published the final results of administrative reviews of the antidumping duty order on certain corrosion-resistant carbon steel flat products and certain cut-to-length carbon steel plate from Canada (63 FR 12725) (''Final Results''). These reviews cover five manufacturers/exporters of the subject merchandise to the United States during the period August 1, 1995, through July 31, 1996. We received comments on the final results from Algoma, Inc. (''Algoma''), Stelco Inc. (''Stelco''), and from the petitioners.

Interested Party Comments

Algoma

Comment 1: Algoma alleges that the Department made a ministerial error in its adjustment of certain U.S. commission amounts. Specifically, Algoma contends that the Department should not have applied a ''facts available'' methodology for certain U.S. commissions calculated on a semi-annual basis for several reasons. First, Algoma argues that this methodology was accepted in prior segments of this proceeding. Second, Algoma argues that it received no opportunity from the Department to clarify the record or change its existing reporting methodology.

Petitioners did not comment on this issue.

Department's Position: We disagree with Algoma that the Department made a ministerial error in its calculation of certain U.S. commission amounts. The purpose of this amended final is solely to correct ministerial errors, and not to re-consider other decisions. A ministerial error is defined in 19 C.F.R. section 353.28(d) as ''an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the Secretary considers ministerial.'' (Designated in the Department's new regulations as 19 C.F.R. 351.224(f).) As the Department noted in Comment 4 of the *Final Results* notice, while ''it was appropriate for Algoma to report commissions on a customer-specific basis over a period of time....(however), it is also clear that commissions were paid by Algoma based on monthly shipments, and not semi-annually. Therefore, Algoma should have reported its U.S. commissions on a monthly basis instead of a semi-annual basis.'' *See Final Results* at 12728. Algoma does not dispute the mathematical application of the Department's decision but instead has expressed its disagreement with the Department's decision in this instance. Therefore, we reject Algoma's allegation because it does not address an alleged error which is ministerial in nature.

Stelco

Comment 2: In a letter to the Department dated March 27, 1998, Stelco alleges that the Department failed to apply the Baycoat, Z-Line, and iron ore supplier adjustment to home market VCOMs (variable cost of manufacture) in its model-match computer program for corrosion-resistant steel. Stelco argues that based on the Department's statement in the footnote of the final analysis memorandum (*See Stelco Final Results Analysis Memorandum for Corrosion-Resistant Steel Products* at page 3), the Department clearly intended to apply these supplier adjustments to TCOM and VCOM.

Petitioners did not comment on this issue.

Department's Position: We agree with Stelco. The Department erroneously compared adjusted U.S. VCOMS to unadjusted home market VCOMS. To ensure accurate product comparisons, we have recalculated VCOMH in the model match program for corrosion-resistant steel so that adjusted figures are used on both sides of the comparison. *See Analysis of Alleged Ministerial Errors for Corrosion-Resistant Products* at page 1.

Comment 3: Stelco argues that in its final margin calculation program for corrosion-resistant products, the Department incorrectly calculated GNACV and INTEXCV using the variable TOTCOM rather than the revised variable TCOM in its computer programs for corrosion-resistant steel.

Petitioners allege that the Department inadvertently used the variable TOTCOM in its model match program for plate rather than the correct term TCOM.

Department's Position: We agree with Stelco and petitioners. We have corrected the final margin program for corrosion-resistant steel to calculate GNACV and INTEXCV using the revised variable TCOM. *See Id.* at page 2. Additionally, we have corrected the model match program for plate to use the variable TCOM. *See Analysis of Alleged Ministerial Errors for Plate* at page 2.

Comment 4: Stelco alleges that, for corrosion-resistant steel, the Department applied cost adjustments intended for only those orders processed by Baycoat to orders which had not been serviced by Baycoat. Stelco argues that the computer programming language used by the Department to apply these Baycoat adjustments to unpainted, code 4 control numbers resulted in non-Baycoat serviced merchandise being incorrectly adjusted for Baycoat services.

Petitioners did not comment on this issue.

Department's Position: We agree with Stelco. The Department erroneously applied the Baycoat adjustment to sales of class 4 merchandise that were not serviced by Baycoat. The Department has amended the programming language in its model match and margin calculation programs for corrosion-resistant steel to remedy this error. *See Analysis of Alleged Ministerial Errors for Corrosion-Resistant Steel Products* at page 2.

Comment 5: Stelco alleges that for corrosion-resistant steel the Department inappropriately recalculated the credit expense for all U.S. sales using a U.S. short-term borrowing rate though the Canadian dollar was the currency of certain U.S. sales. Similarly, Stelco alleges that the Department overlooked the fact that certain home market sales were incurred in U.S. dollars. Stelco argues that the Department should recalculate the credit expense for those home market sales for which the currency of the transaction was U.S. dollars using the U.S. short-term borrowing rate.

Petitioners did not comment on this issue.

Department's Position: We agree with Stelco. The Department's policy bulletin 98.2 states that the short term interest rate should be tied to the currency in which the sales are denominated. We have inserted language into the final programs for corrosion-resistant steel which ties the short-term interest rate to the currency in which the sale is denominated. *See Analysis of Alleged Ministerial Errors for Corrosion-Resistant Steel Products* at pages 3 and 4.

Comment 6: Stelco argues that the Department's use of the date of the final results as the pay date for those U.S. sales that had not yet been paid by the time of Stelco's submission was a ministerial error. Stelco maintains that it is generally the Department's policy to substitute the date of the last submission or the date on which the respondent had an opportunity to provide updated information as the pay date.

Petitioners argue that the Department's use of the date of the final results as the surrogate pay date does not constitute a ministerial error. Citing to the Department's final analysis memorandum, petitioners note that the Department stated that it ''used the date of the final determination of March 9, 1998 as the pay date'' for those sales for which Stelco had not yet been paid. *See Stelco Final Results Analysis Memorandum for Corrosion-Resistant Steel Products* at page 16. Petitioners argue that the Department must reject Stelco's allegation of ministerial error as the Department clearly intended to use the date of the final results in its credit calculation.

Department's Position: We agree with petitioners. The error Stelco alleges does not meet the Department's criteria of a ministerial error within the meaning of 19 C.F.R. section 353.28(d) as cited in the recommendation to Comment 1

above. Stelco does not dispute the mathematical application of the Department's decision but instead has expressed its disagreement with the Department's decision in this instance. The Department explicitly intended to use the date of the final results in its credit calculation. Therefore, we reject Stelco's allegation of ministerial error.

Comment 7: Petitioners allege that the Department inadvertently used an incorrect dataset for the concordance data in the margin calculation program for plate. The model match program creates a concordance dataset named CONCORD; however, the margin calculation program uses the term CONCORDP. Petitioners argue that the Department should use the dataset name CONCORD in its margin calculation program.

Stelco did not comment on this issue.

Department's Position: We agree with petitioners. Because this error is typographical in nature, it falls within the Department's definition of ministerial error. We have corrected the margin calculation program for plate to use the proper concordance dataset. *See Analysis of Alleged Ministerial Errors for Plate* at page 2.

Comment 8: Petitioners allege that the Department failed to exclude general sales tax (''GST'') and provincial sales tax (''PST'') from home market credit expenses in its final programs for both corrosion-resistant steel and plate. They note that the Department stated in its *Final Results* notice that it ''corrected Stelco's home market credit expenses to exclude both GST and PST'' (*see Final Results* at 12742).

Stelco did not comment on this issue.

Department's Position: We agree with petitioners. We have amended the final programs for both corrosion-resistant steel and plate to exclude GST and PST from the calculation of home market credit expenses. *See Analysis of Alleged Ministerial Errors for Corrosion-Resistant Steel Products* at pages 3 and 4. *See* also *Analysis of Alleged Ministerial Errors for Plate* at page 3.

Amended Final Results of Review

As a result of our review, we have determined that the following margins exist:

Manufacturer/exporter	Margin (percent)
Corrosion—Resistant Steel:	
Dofasco	0.72.
CCC	0.54.
Stelco	1.55.
Cut-to-Length Plate:	
Algoma	0.44 (*de minimis*).
MRM	0.00.
Stelco	0.35 (*de minimis*).

Pursuant to section 353.28 of the Department's regulations, parties to the proceeding will have five days after the date of publication of this notice to notify the Department of any new ministerial or clerical errors, as well as five days thereafter to rebut any comments by parties.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between sales to the United States and normal value may vary from the percentages stated above. The Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective, upon publication of this notice of amended final results of review, for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) the cash deposit rates for the reviewed companies will be the rates for those firms as stated above, except if the rate is less than .5 percent and therefore *de minimis,* the cash deposit will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the original less-than-fair-value (''LTFV'') investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this review, the cash deposit rate will be the ''all others'' rate made effective by the final results of the 1993–1994 administrative review of these orders (*see Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Steel Plate from Canada; Final Results of Antidumping Administrative Reviews,* 61 FR 13815 (March 28, 1996)). These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

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

This amendment of final results of administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: May 11, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–13138 Filed 5–15–98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–401–805]

Amended Final Results of Antidumping Duty Administrative Review: Certain Cut-to-Length Carbon Steel Plate From Sweden

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

ACTION: Amended final results of administrative review.

SUMMARY: On January 13, 1998, the United States Court of International Trade affirmed the Department of Commerce's final remand results affecting the final assessment rate for the 1993/94 administrative review in the case of certain cut-to-length carbon steel plate from Sweden. *SSAB Svenkst Stal AB* v. *United States,* Slip Op. 98–3 (CIT January 13, 1998). As there is now a final and conclusive court decision in this action, we are amending our final results of review, and we will instruct the U.S. Customs Service to liquidate entries subject to this review.

EFFECTIVE DATE: May 18, 1998.

FOR FURTHER INFORMATION CONTACT: Carrie Blozy or Stephen Jacques, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W. Washington, D.C. 20230; telephone: (202) 482–0374 or 482–1391, respectively.

Applicable Statue

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''the Tariff Act''), are references to the provisions in effect as of December 31, 1994. In addition, unless otherwise indicated, all citations