order.'' (*See* section II.B.2 of the *Sunset Policy Bulletin*.) The Department finds that the recent surge in import volumes of subject merchandise in 1995 and 1996 accompanied by the dramatic increase in dumping margins by Avesta is sufficient cause for the Department to select a more recently calculated margin in this case.

In conclusion, consistent with the policy, we determine that the 5.22 percent rate, the first ''new shipper's'' rate calculated by the Department is probative of the behavior of Uddeholm. With respect to Avesta, the Department determines that a more recently calculated margin is probative of the behavior of Avesta if the finding were to be revoked.

Final Results of Review

As a result of this review, the Department finds that revocation of the antidumping finding would be likely to lead to continuation or recurrence of dumping at the levels indicated below.

Manufacturer/exporter	Margin (percent)
Avesta	24.67
Uddeholm	5.22
All Others	5.22

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 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 five-year (''sunset'') review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: December 1, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–32538 Filed 12–7–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–811]

Notice of Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review: Steel Wire Rope from the Republic of Korea

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

SUMMARY: In response to a request by the petitioner, the Committee of Domestic Steel Wire Rope & Specialty Cable Manufacturers, the Department of Commerce is conducting an administrative review of the antidumping duty order on steel wire rope from Korea. The review covers 16 manufacturers/exporters of the subject merchandise. The period of review is March 1, 1997, through February 28, 1998.

We have preliminarily found that, for certain producers/exporters, sales of subject merchandise have been made below normal value. If these preliminary results are adopted in our final results of this administrative review, we will instruct the Customs Service to assess antidumping duties based on the difference between the export price and the normal value.

Interested parties are invited to comment on these preliminary results. Parties who submit case briefs in this proceeding should provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited.

EFFECTIVE DATE: December 8, 1998.

FOR FURTHER INFORMATION CONTACT: James Kemp, at (202) 482–1276, or John Brinkmann, at (202) 482–5288, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION:

The 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 Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to the regulations codified at 19 CFR Part 351, as published in the **Federal Register** on May 19, 1997 (62 FR 27296).

Case History

On March 26, 1993, the Department published in the **Federal Register** an antidumping duty order on steel wire rope from the Republic of Korea. *See* 58 FR 16397. On March 11, 1998, the Department published a notice providing an opportunity to request an administrative review of this antidumping duty order for the period March 1, 1997, through February 28, 1998 (POR). *See* 63 FR 11868. On March 31, 1998, the petitioner requested an administrative review of 19 manufacturers/exporters of steel wire rope from Korea. Since we had revoked the orders for three of the named companies (Chung Woo Rope Co. Ltd., Ssang Yong Cable Manufacturing Co. Ltd., and Sun Jin Company) in a prior segment of this proceeding, we excluded these three companies and initiated a review of the other 16 companies. *See Steel Wire Rope from the Republic of Korea; Final Results of Antidumping Duty Administrative Review and Revocation in Part of Antidumping Duty Order*, 63 FR 17986, 17990 (April 13, 1998) (*Steel Wire Rope Fourth Review Final*). We published a notice of initiation of this administrative review on April 24, 1998. *See* 63 FR 20378.

We initiated this administrative review for the following 16 producers and exporters of steel wire rope from Korea: Boo Kook, Dae Heung Industrial (Dae Heung), Dae Kyung Metal (Dae Kyung), Dong Il Steel (Dong Il), Dong Young, Hanboo Wire Rope (Hanboo), Jinyang Wire Rope (Jinyang), Korea Sangsa, Kumho Wire Rope (Kumho), Kwangshin Rope, Myung Jin, Seo Hae Industrial Co. Ltd. (Seo Hae), Seo Jin Wire Rope (Seo Jin), Sungsan Special Steel Processing (Sungsan), TSK Korea, and Yeonsin Metal (Yeonsin).

On May 15,1998, we issued an antidumping questionnaire to each of the respondents, except for Kwangshin Rope and Seo Hae (for whom we did not find addresses). After locating the mailing addresses of Kwangshin Rope and Seo Hae, we issued an antidumping questionnaire to them on May 26, 1998.

Between May 21 and July 7, 1998, we received letters from Korea Sangsa, Myung Jin, Dae Heung, Dae Kyung, and HI–LEX Corporation (on behalf of its Korean affiliate, TSK Korea) stating that they had no shipments of subject merchandise to the United States during the period of review (POR). On June 19, 1998, we received a letter from Sungsan stating that it had purchased steel wire rope in Korea and exported it to the United States during the POR. The Department received a questionnaire

response from Kumho on June 22, 1998. A supplemental questionnaire was issued to Kumho on September 1, 1998, and a response was received on September 18, 1998.

Scope of Review

The product covered by this review is steel wire rope. Steel wire rope encompasses ropes, cables, and cordage of iron or carbon steel, other than stranded wire, not fitted with fittings or made up into articles, and not made up of brass-plated wire. Imports of these products are currently classifiable under the following Harmonized Tariff Schedule (HTSUS) subheadings: 7312.10.9030, 7312.10.9060, and 7312.10.9090. Excluded from this review is stainless steel wire rope, *i.e.*, ropes, cables and cordage other than stranded wire, of stainless steel, not fitted with fittings or made up into articles, which is classifiable under HTSUS subheading 7312.10.6000. Although HTSUS subheadings are provided for convenience and the Customs Service purposes, the written description of the scope of this review is dispositive.

Non-Responding Companies

We did not receive responses from nine of the 16 companies to whom we sent questionnaires. For four respondents (Dong-Il, Jinyang, Yeonsin, and Dong Young), while we have confirmed that the questionnaires were delivered to the companies (Dong Young refused to accept the questionnaire), none responded. Accordingly, we are assigning to these companies a margin based on adverse facts available. *See Use of Facts Available* section of the notice below.

For four other respondents which the U.S. Embassy had indicated were closed (Boo Kook, Hanboo, Kwangshin Rope and Seo Jin), the questionnaires were undelivered and returned to the Department. As Customs Service data indicates that these companies, except for Kwangshin Rope, had no shipments during the POR, we are rescinding the review with respect to these companies, except for Kwangshin Rope. *See Partial Rescission* section of this notice below. With respect to Kwangshin Rope, since the Customs Service data indicates that the company had shipments of subject merchandise to the United States during the POR, we have assigned a margin based on the facts available. *See Use of Facts Available* section of this notice below.

For one respondent (Seo Hae) which the U.S. Embassy indicated had closed, although our records show that the questionnaire was in fact received and that Seo Hae did not respond, the Customs Service data confirms that this company did not have shipments during the POR. Accordingly, we are terminating the review for this company. *See Partial Rescission* section of this notice below.

Partial Rescission

As noted above, between April and August 1998, Dae Heung, Dae Kyung, Korea Sangsa, Myung Jin, and TSK Korea informed the Department that they had no shipments of the subject merchandise to the United States during the POR. In addition, information on the record shows that Boo Kook, Hanboo, Seo Hae and Seo Jin were no longer in operation and that we were unable to deliver our questionnaire (except for Seo Hae). Using information from the Customs Service, we have preliminarily confirmed that none of these companies had shipments of subject merchandise to the United States during the POR. Therefore, in accordance with section 351.213(d)(3) of the Department's regulations and consistent with Departmental practice, we are rescinding preliminarily our review of Boo Kook, Dae Heung, Dae Kyung, Hanboo, Korea Sangsa, Myung Jin Co., Seo Hae, Seo Jin and TSK Korea. *See, e.g., Certain Welded Carbon Steel Pipe and Tube from Turkey: Final Results and Partial Rescission of Antidumping Administrative Review,* 63 FR 35191 (June 29, 1998) (*Turkish Pipe and Tube*) and *Certain Fresh Cut Flowers From Colombia; Final Results and Partial Rescission of Antidumping Duty Administrative Review,* 62 FR 53287, 53288 (October 14, 1997).

Use of Facts Available

We preliminarily find, in accordance with section 776(a) of the Act, that the use of facts available is appropriate for Dong-Il, Dong Young, Jinyang, Kwangshin Rope, Yeonsin, and Sungsan since they did not respond to our antidumping questionnaire. As noted above Dong-Il, Dong Young, Jinyang, and Yeonsin received, but did not respond to, the Department's questionnaire. Although the questionnaire to Kwangshin Rope was undeliverable, the record shows that the company did have shipments to the United States during the POR. With respect to Sungsan, on June 19, 1998, Sungsan submitted a letter to the Department stating that it had purchased subject merchandise in Korea and sold it in the United States during the POR. It also stated that the supplier did not have knowledge that the merchandise it sold to Sungsan was destined for the United States at the time of sale. Based on Sungsan's June 19, 1998, letter, we determined that Sungsan was the appropriate respondent and requested, in a July 1, 1998, letter, that the company complete the antidumping questionnaire. There was no further response from Sungsan.

Section 776(a) of the Act requires the Department to resort to facts available if necessary information is not available on the record or when an interested party or any other person ''fails to provide [requested] information by the deadlines for submission of the information or in the form and manner requested, subject to subsections (c)(1) and (e) of section 782.'' As provided in section 782(c)(1) of the Act, if an interested party ''promptly after receiving a request from [the Department] for information, notifies [the Department] that such party is unable to submit the information requested in the requested form and manner,'' the Department may modify the requirements to avoid imposing an unreasonable burden on that party. Because Dong-Il, Dong Young, Jinyang, Kwangshin Rope, Yeonsin, and Sungsan did not provide any notification or information to the Department, they have failed to comply with subsections (c)(1) and (e). Accordingly, we preliminarily find, in accordance with section 776(a) of the Act, that the use of facts available is appropriate for Dong-Il, Dong Young, Jinyang, Kwangshin Rope, Yeonsin, and Sungsan.

With respect to Kwangshin Rope, we preliminarily find that the use of facts available is appropriate. Although the U.S. Embassy in Seoul, Korea, confirmed that Kwangshin Rope is now closed, information from the Customs Service indicates that Kwangshin Rope had shipments of subject merchandise to the United States during the POR. Since Kwangshin Rope closed before it had an opportunity to respond to the antidumping questionnaire, as facts available, we are assigning Kwangshin Rope the ''All Others'' rate from the less than fair value (LTFV) investigation, 1.51 percent, which has been used in prior segments of this proceeding as facts available. *See Steel Wire Rope Fourth Review Final* at 17990.

Where the Department must resort to facts available because a respondent failed to cooperate to the best of its ability, section 776(b) of the Act authorizes the use of an inference adverse to the interests of that respondent in selecting from among the facts available. The failure of Dong-Il, Dong Young, Jinyang, Yeonsin, and Sungsan to respond to our antidumping questionnaire demonstrates that they have failed to act to the best of their

ability to comply with requests for information. Accordingly, we have preliminarily determined that an adverse inference with respect to Dong-Il, Dong Young, Jinyang, Yeonsin, and Sungsan is warranted.

Section 776(b) of the Act also authorizes the Department to use as adverse facts available information derived from the petition, the final determination in the antidumping investigation, a previous administrative review, or any other information placed on the record. We have preliminarily assigned Dong-Il, Dong Young, Jinyang, Yeonsin, and Sungsan the rate of 13.79 percent, which is a simple average of rates from the petition, as adverse facts available.

Section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action (SAA) provides that ''corroborate'' means simply that the Department will satisfy itself that the secondary information has probative value. (*See* H.R. Doc. 316, Vol. 1, 103d Cong., 2d sess. 870 (1994)).

To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information to be used. However, in an administrative review, the Department does not update the petition to reflect the prices and costs that are found during the current review. Rather, in corroborating petition figures, the Department determines whether the significant elements used to derive a margin in a petition are reliable. With respect to the relevance aspect of corroboration, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin not relevant. Where circumstances indicate that the selected margin is not appropriate as adverse facts available, the Department will disregard the margin and determine an appropriate margin. *See, e.g., Fresh Cut Flowers from Mexico: Final Results of Antidumping Duty Administrative Review*, 61 FR 6812 (February 22, 1996).

The adverse facts available rate being applied in this review, which is a simple average of rates from the petition, was established in the prior review. To corroborate the export prices in the petition, we examined the Customs Service import statistics from 1991 for the HTSUS subheadings 7312.10.9030, 7312.10.9060, and 7312.10.9090. However, we concluded that the Customs Service data were not comparable to the prices in the petition, because the Customs Service data encompass a wide range of steel wire rope products, while the sales in the petition consist of a small number of specific product types. With regard to the normal values used in the petition's margin calculation, we were provided with no useful information by interested parties, and are aware of no other independent sources of information, which would assist us in this aspect of the corroboration process. Notwithstanding the difficulties encountered in our attempts to corroborate the information from the petition, the Department has no evidence that suggests the petition does not continue to have probative value. Accordingly, we determine that the information from the petition is the most appropriate basis for adverse facts available.

Export Price

For sales to the United States, the Department used export price (EP) as defined in section 772(a) of the Act for Kumho, because the subject merchandise was sold to unaffiliated U.S. purchasers prior to the date of importation and the use of constructed export price was not otherwise indicated by the facts of record.

We calculated EP based on packed, c.i.f. and c&f prices to unaffiliated purchasers in the United States. Where appropriate, we made deductions from the starting price for domestic inland freight, brokerage and handling, ocean freight, marine insurance, terminal handling charges, wharfage expenses, bill of lading issuing fees, container taxes, and container freight station expenses, in accordance with section 772(c)(2)(A) of the Act.

The merchandise involved in certain U.S. and home market sales reported by Kumho was produced by unaffiliated suppliers. We included these sales by Kumho in our analysis because we determined that the suppliers did not know at the time of sale that the subject merchandise was to be exported to the United States. We compared these U.S. sales to the appropriate home market sales of merchandise produced by the same suppliers and sold by Kumho.

Kumho claimed a duty drawback adjustment based on a fixed rate amount per U.S. dollar exported. Consistent with our practice in previous reviews of steel wire rope from Korea, we did not allow the duty drawback adjustments claimed by Kumho because it did not demonstrate a connection between payment of import duties and receipt of duty drawback on exports of steel wire rope, and because they did not demonstrate that they had sufficient imports of raw materials to account for the duty drawback received on exports of the manufactured product. *See Steel Wire Rope from the Republic of Korea; Preliminary Results of Antidumping Duty Administrative Review and Intent to Revoke Antidumping Duty Order in Part*, 62 FR 64354, 64357 (December 5, 1997).

Normal Value

Based on a comparison of the aggregate quantity of home market and U.S. sales, we determined that the quantity of foreign like product Kumho sold in the exporting country was sufficient to permit a proper comparison with the sales of the subject merchandise to the United States. *See* section 773(a) of the Act. Because Kumho had sales in its home market that were greater than five percent of its sales in the U.S. market, we based normal value (NV) on the prices at which the foreign like product was first sold for consumption in the exporting country. *See* section 773(a)(1)(B)(i) of the Act.

Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual transactions to the monthly weighted-average price of sales of the foreign like product. We compared EP sales to sales in the home market of identical merchandise.

We based NV on the price at which the foreign like product is first sold for consumption in the exporting country, in the usual commercial quantities, in the ordinary course of trade, and at the same level of trade as the EP, in accordance with section 773(a)(1)(B)(i) of the Act. We increased home market price by the amount of U.S. packing costs in accordance with section 773(a)(6)(A) of the Act and reduced it by the amount of home market packing costs in accordance with section 773(a)(6)(B) of the Act.

We calculated NV based on delivered prices to unaffiliated customers. Where appropriate, we made adjustments for movement expenses consistent with section 773(a)(6)(B) of the Act. In addition, pursuant to section 773(a)(6)(C)(iii) of the Act and section 353.56 of the Department's regulations, we made circumstance-of-sale adjustments to NV. Specifically, we deducted home market credit expenses and, where appropriate, added U.S. postage fees, U.S. letter of credit fees, U.S. credit expenses, export recommendation fees, delayed payment charges, and document handling charges.

Currency Conversion

Our preliminary analysis of Federal Reserve dollar-won exchange rate data shows that the won declined rapidly at the end of 1997, losing over 40% of its value between the beginning of November and the end of December. The decline was, in both speed and magnitude, many times more severe than any change in the dollar-won exchange rate during the previous eight years. Had the won rebounded quickly enough to recover all or almost all of the initial loss, the Department might have been inclined to view the won's decline at the end of 1997 as nothing more than a sudden, but only momentary, drop, despite the magnitude of that drop. As it was, however, there was no significant rebound. Therefore, we have preliminarily determined that the decline in the won at the end of 1997 was so precipitous and large that the dollar-won exchange rate cannot reasonably be viewed as having simply fluctuated during this time, i.e., as having experienced only a momentary drop in value. Therefore, in making this preliminary determination, the Department used daily rates exclusively for currency conversion purposes for home market sales matched to U.S. sales occurring between November 1 and December 31, 1997. For U.S. sales occurring between January 1 and February 28, 1998, we determined the exchange rates based upon our normal practice, with the exception of using the average of the January 1 through February 28, 1998, exchange rate as a benchmark. *See Emulsion Styrene-Butadiene Rubber from the Republic of Korea: Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination,* 63 FR 59514 (November 4, 1998). We invite the interested parties to comment on this issue.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following margin exists for the period March 1, 1997, through February 28, 1998:

Manufacturer/exporter	Margin (percent)
Dong-Il Steel Manufacturing Co., Ltd.	*13.79
Dong Young	*13.79
Jinyang Wire Rope, Inc.	*13.79
Kumho Wire Rope Mfg. Co., Ltd.	0.25
Kwangshin Rope	1.51
Sungsan Special Steel Processing	*13.79
Yeonsin Metal	*13.79

*Adverse Facts Available Rate.

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. Any interested party may request a hearing within thirty days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Parties who submit argument in this proceeding are requested to submit with each argument: (1) a statement of the issues, and (2) a brief summary of the arguments. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will issue a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments or at the hearing, within 120 days from the publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. For Kumho, for duty assessment purposes, we calculated importer-specific assessment rates by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total entered value of those same sales. In order to estimate the entered value, we subtracted international movement expenses from the gross sales value. This specific rate calculated for each importer will be used for the assessment of antidumping duties on the relevant entries of subject merchandise during the POR.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of steel wire rope from Korea entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for the reviewed companies will be the rates established in the final results of this administrative review (except no cash deposit will be required for those companies whose weighted-average margin is zero or *de minimis*, *i.e.*, less than 0.5 percent); (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received an individual rate; (3) if the exporter is not a firm covered in this review, the previous review, or the original 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 or any previous reviews, the cash deposit rate will be 1.51 percent, the ''all others'' rate established in the LTFV investigation (58 FR 16397, March 26, 1993).

This notice serves as a preliminary reminder to importers of their responsibility to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this 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 administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 1, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–32541 Filed 12–7–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–041]

Final Results of Expedited Sunset Review on Synthetic Methionine from Japan

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

ACTION: Notice of final results of expedited sunset review: synthetic methionine from Japan.

SUMMARY: On August 3, 1998, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping finding on synthetic methionine from Japan (63 FR 41227) pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). On the basis of a notice of intent to participate and a complete substantive