

Notices

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Tuesday, June 27, 1995

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.

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Access Board; Meeting

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of meeting.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has scheduled its regular business meetings to take place in Washington, DC on Tuesday and Wednesday, July 11–12, 1995 at the times and location noted below.

DATES: The schedule of events is as follows:

Tuesday, July 11, 1995

9:00–12 Noon Vision Statement Work Group.

1:00–5:30 pm Rulemaking Priorities and Strategy Work Group (closed meeting).

Wednesday, July 12, 1995

10:00–11:30 am Technical Programs Committee.

1:30–3:30 pm Board Meeting.

ADDRESSES: The meetings will be held at: Marriott at Metro Center, 775 12th Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: For further information regarding the meetings, please contact Lawrence W. Roffee, Executive Director, (202) 272–5434 ext. 714 (voice) and (202) 272–5449 (TTY).

SUPPLEMENTARY INFORMATION: At the Board meeting, the Access Board will consider the following agenda items:

- Approval of the Minutes of the May 12, 1995 Board Meeting.
- Executive Director's Report.
- Vision Statement Work Group Status Report.
- Report on Rulemaking Priorities and Strategy Work Group.

- Federal Facilities Rulemaking—Objective, Strategy, and Priority.
- Rulemaking Plan.
- Fiscal Years 1994 and 1995 Research Projects.
- Fiscal Year 1996 Research Planning.
- Removal of Obsolete Rule on Employee Responsibilities and Conduct.

Some meetings or items may be closed to the public as indicated above. All meetings are accessible to persons with disabilities. Sign language interpreters and an assistive listening system are available at all meetings.

Lawrence W. Roffee,
Executive Director.

[FR Doc. 95–15698 Filed 6–26–95; 8:45 am]

BILLING CODE 8150–01–M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 751]

Expansion of Foreign-Trade Zone 9, Oahu, Hawaii

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the Department of Business, Economic Development & Tourism of the State of Hawaii, grantee of Foreign-Trade Zone 9, for authority to expand its general-purpose zone to include three sites on the island of Oahu, Hawaii, was filed by the Board on August 24, 1994 (FTZ Docket 28–94, 59 FR 46390, 9/8/94); and

Whereas, notice inviting public comment was given in **Federal Register** and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board has found that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 9 is approved, subject to the Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 19th day of June 1995.

Susan G. Esserman,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

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

[FR Doc. 95–15609 Filed 6–26–95; 8:45 am]

BILLING CODE 3510–DS–P

[Docket 32–95]

Foreign-Trade Zone 49, Newark, NJ; Proposed Foreign-Trade Subzone; Bayway Refining Company (Oil Refinery), Linden, NJ

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Port Authority of New York and New Jersey, grantee of FTZ 49, requesting special-purpose subzone status for the oil refinery complex of Bayway Refining Company (Bayway) (subsidiary of Tosco Corporation), located in Linden, New Jersey. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on June 19, 1995.

The refinery complex (1,250 acres) is located at 1400 Park Avenue, Linden (Union County), New Jersey, some 10 miles south of Newark. The refinery (220,000 barrels of crude oil per day; 950 employees) is used to produce fuels and petrochemical feedstocks. Fuels produced include gasoline, jet fuel, diesel fuel, fuel oil, kerosene, and naphtha. Petrochemical feedstocks include butane, butylene, propane, ethylene, propylene, and petroleum gas. Refinery by-products include petroleum coke. All of the crude oil (80% of inputs), some feedstocks and some blendstocks are sourced abroad.

Zone procedures would exempt Bayway from Customs duty payments on the foreign products used in its exports. On domestic sales, the company would be able to choose the finished product duty rate (nonprivileged foreign status—NPF) on certain petrochemical feedstocks and refinery by-products (duty-free). The duty on crude oil ranges from 5.25 to 10.5/barrel. The application indicates that the savings from zone procedures

would help improve the refinery's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is August 28, 1995.

Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to September 11, 1995).

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 District Office, Room 3718, Federal Office Building, 26 Federal Plaza, New York, NY 10278

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW., Washington, DC 20230.

Dated: June 19, 1995.

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 95-15608 Filed 6-26-95; 8:45 am]

BILLING CODE 3510-DS-P

International Trade Administration

[A-588-707]

Granular Polytetrafluoroethylene Resin from Japan; Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of final results of Antidumping Duty Administrative Review.

SUMMARY: On January 30, 1995, the Department of Commerce (the Department) published in the **Federal Register** the preliminary results of its 1992-93 administrative review of the antidumping duty order on granular polytetrafluoroethylene (PTFE) resin from Japan (60 FR 5622). The review covers one manufacturer/exporter. The review period is August 1, 1992, through July 31, 1993. We gave interested parties an opportunity to comment on our preliminary results. Based upon our analysis of the comments received we have changed

the margin calculation. The final margin for Daikin Industries (Daikin) is listed below in the section "Final Results of Review."

EFFECTIVE DATE: June 27, 1995.

FOR FURTHER INFORMATION CONTACT: Charles Riggle or Michael Rill, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 1995, the Department published in the **Federal Register** the preliminary results of its 1992-93 administrative review of the antidumping duty order on granular PTFE resin from Japan. There was no request for a hearing. The Department has now conducted this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Applicable Statutes and Regulations

Unless otherwise stated, all citations to the statutes and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Scope of the Review

The antidumping duty order covers granular PTFE resins, filled or unfilled. The order explicitly excludes PTFE dispersions in water and PTFE fine powders. During the period covered by this review, such merchandise was classified under item number 3904.61.90 of the Harmonized Tariff Schedule (HTS). We are providing this HTS number for convenience and Customs purposes only. The written description of scope remains dispositive.

The review covers one manufacturer/exporter of granular PTFE resin, Daikin. The review period is August 1, 1992, through July 31, 1993.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received a case brief from petitioner, E. I. Du Pont de Nemours & Company (Du Pont), and case and rebuttal briefs from Daikin.

Issues Raised by Du Pont

Comment 1: Du Pont argues that, although the Department determined that Daikin's U.S. sales included both purchase price and exporter's sales price (ESP) transactions, the Department

should treat all of Daikin's U.S. sales as ESP transactions. Du Pont claims that Daikin's wholly-owned U.S. subsidiary, Daikin America, Inc. (DAI), is actively involved in all critical aspects of Daikin's U.S. sales process. Du Pont claims that DAI has become a full-fledged sales, marketing and technical services organization, and that DAI now runs Daikin's PTFE business in the United States. Du Pont claims that DAI's activities and responsibilities go beyond the more limited "paper pusher" role of a related party in purchase price transactions.

Daikin argues that the Department correctly determined that some of Daikin's U.S. sales were purchase price sales, and that the facts surrounding Daikin's purchase price sales are easily distinguishable from those sales treated as ESP transactions. Daikin argues that, as in the first review, the Department applied its three-prong test for determining whether a transaction should be treated as a purchase price or as an ESP sale. Daikin notes that, as in the first review, the Department determined that sales meeting the criteria set forth in the test were properly treated as purchase price sales. See *Granular Polytetrafluoroethylene Resin From Japan; Final Results of Antidumping Duty Administrative Review*, 58 FR 50343 (September 27, 1993) (*PTFE I*).

DOC Position: We agree with Daikin. In reaching our preliminary results of review, we examined DAI's role to determine whether Daikin's sales were purchase price or ESP. See *Granular Polytetrafluoroethylene Resin From Japan; Preliminary Results of Antidumping Duty Administrative Review*, 60 FR 5622 (January 30, 1995). We applied a three-part test, as outlined in the preliminary results, and in *PTFE I*, 58 FR at 50344. For certain sales, DAI merely facilitated the sales process, which was handled directly by Daikin in Japan. Daikin controlled pricing and selling decisions, while DAI acted as a communication link between Daikin and unrelated commission agents responsible for making sales. There is no evidence that would indicate that DAI performed more than routine selling functions with regard to these sales, which we therefore continue to regard as purchase price transactions.

For other sales we found that DAI had inventoried the subject merchandise in warehouses in the United States based upon anticipated demand.

We determined that these sales were ESP sales, which Daikin has not challenged.

Comment 2: Du Pont claims that the Department failed to include several