operating subsidies to local housing authorities; and by the Bureau of Labor Statistics to benchmark the government component in their monthly employment and earnings statistics program. Other users include state and local government executives and legislators, policy makers, economists, researchers, and the general public.

We are requesting that the survey be reinstated, with change after a brief lapse in clearance. The current OMB cleared expired September 30, 1998. Since the collection will not be conducted again until March 1999, this will not present a problem.

Affected Public: State, local, or tribal government, Federal government.

Frequency: Annually.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 USC, Section 161.

OMB Desk Officer: Nancy Kirkendall, (202) 395–7313.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482–3272, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Nancy Kirkendall, OMB Desk Officer, Room 10201, New Executive Office Building, Washington, DC 20503.

Dated: October 21, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 98–29107 Filed 10–29–98; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–824]

Corrosion-Resistant Carbon Steel Flat Products from Japan; Initiation of Anticircumvention Inquiry on Antidumping Duty Order

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

ACTION: Notice of Initiation of Anticircumvention Inquiry; Cut-to-Length Carbon Steel Plate from Japan.

SUMMARY: In response to a request from USS-POSCO Industries (''UPI''), the Department of Commerce (the Department) is initiating an anticircumvention inquiry to determine whether imports of boron-added hot-dipped and electrolytic corrosion-resistant carbon steel sheet, falling within the physical dimensions outlined in the scope of the order, are circumventing the antidumping duty order on corrosion-resistant carbon steel flat products from Japan (58 FR 44163, August 19, 1993).

EFFECTIVE DATE: October 30, 1998.

FOR FURTHER INFORMATION CONTACT: Maria Dybczak, or Rick Johnson, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230; telephone: (202) 482–1398, or (202) 482–3818, respectively.

Applicable Statute

Unless otherwise stated, 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 stated, all citations to the Department's regulations are references to the regulations as codified at 19 CFR part 351 (April 1998).

SUPPLEMENTAL INFORMATION:

Background

On September 11, 1998, petitioner USS-POSCO Industries (''UPI'') requested that the Department conduct an anticircumvention inquiry pursuant to section 781(c) of the Tariff Act to determine whether imports of boron-added Japanese hot-dipped and electrolytic corrosion-resistant steel sheet, falling within the physical dimensions outlined in the scope of the order, are circumventing the antidumping duty order on corrosion-resistant carbon steel sheet from Japan. *See Antidumping Duty Orders: Certain Corrosion Resistent Carbon Steel Flat Products from Japan,* 58 FR 44163 (August 19, 1993).

Petitioner alleges that Japanese exporters have been circumventing the order by exporting hot-dipped and eletrolytically zinc coated sheet to which small amounts of boron (0.0020 and 0.0025 percent by weight based on laboratory tests of two samples) have been added. Carbon steel sheet, as defined by the HTSUS, has a maximum boron content of less than 0.0008% by weight. If the boron content is even slightly higher, the products enter the U.S. as a hot-dipped or electrolytic alloy rather than carbon steel sheet, thereby circumventing the order.

Petitioner argues that import statistics indicate that imports of hot-dipped and electrolytic alloy sheet to West Coast ports have risen from 25,256 NT in 1996 to 50,478 NT for the first 6 months of 1998, while imports of the carbon sheet equivalent have decreased from 16,013 NT in 1996 to 5,975 NT for the first six months of 1998. In addition, petitioner alleges that the addition of boron is generally immaterial (if not detrimental) to the performance characteristics of the merchandise, and that other than the addition of boron, the overall characteristics of the alloy vis-a-vis the carbon product are virtually identical. In fact, petitioner claims that, in some circumstances, the addition of boron could, in fact, hamper the product's formability. Petitioner also states that it has never received a customer inquiry for any product with boron added for any application.

On September 29, 1998, in response to the Department's request for additional information, the petitioner submitted an amendment to the request for an anticircumvention inquiry. The petitioner identified the source of one of the samples tested. Provided with the supplemental response was an affidavit of Petitioner's Senior Metallurgical Engineer. The Senior Engineer evaluated the Japanese boron-added product, and concluded that the sample exhibited the same physical properties as a non-boron product of similar specification. In addition, the evaluator concluded that the ''physical properties exhibited by the sample were not a result of the boron addition.'' *See* Petitioner's September 29, 1998 submission, *Affidavit of Senior Metallurgical Engineer,* page 1.

UPI secured a second sample from a different customer, and claims that it also ''exhibited the physical characteristics one would expect to achieve using a steel with identical chemical analysis in all respects except the addition of boron.'' *See* Petitioner's September 29, 1998 submission, *Affidavit of Karl W. Heralla,* page 2.

The petitioner maintains that during the last three years, in discussions between UPI's sales and marketing staff and with their customers (which were identified in Exhibit 4 of the petition), UPI has ''been expressly or implicitly told that their customers do not need boron—and often do not know if boron is present'' in the merchandise in question. *See* Petitioner's September 29, 1998 submission, *Affidavit of Karl W. Heralla,* page 2.

In its request to initiate an anticircumvention inquiry, petitioner stated its belief that Nippon Steel Corporation, NKK Corporation, and Nisshin Steel Corporation are producers of the subject merchandise with boron added. In addition, petitioner further

claimed that Kawasaki Steel Corporation, Kobe Steel Corporation, and Sumitomo Corporation are capable of producing and exporting subject merchandise with boron to the United States. *See* September 11, 1998 submission, at page 11.

Scope

The scope language contained in the final determination and antidumping duty order, as amended by a partial revocation, (*see Certain Corrosion-Resistant Carbon Steel Flat Products from Japan: Final Determination of Changed Circumstances Antidumping Duty Administrative Review and Revocation in part of Antidumping Duty Order*, 62 FR 66848 (December 22, 1997)), describes the covered merchandise as follows:

Although the Harmonized Tariff Schedule of the United States (HTS) subheadings are provided for convenience and customs purposes, our written descriptions of the scope of these proceedings are dispositive. . . .

Corrosion-Resistant Carbon Steel Flat Products from Japan

These products include 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 HTSUS under item numbers 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.20.0000, 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, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090. Included in this review are corrosion-resistant 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 from this review 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 from this review 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 from this review 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. Also excluded from this review are certain corrosion-resistant carbon steel flat products meeting the following specifications: widths ranging from 10 millimeters (0.394 inches) through 100 millimeters (3.94 inches); thicknesses, including coatings, ranging from 0.11 millimeters (0.004 inches) through 0.60 millimeters (0.024 inches); and a coating that is from 0.003 millimeters (0.00012 inches) through 0.005 millimeters (0.000196 inches) in thickness and that is comprised of three evenly applied layers, the first layer consisting of 99% zinc, 0.5% cobalt, and 0.5% molybdenum, followed by a layer consisting of chromate, and finally a layer consisting of silicate. *See also Antidumping Duty Orders: Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate From Canada*, 58 FR 44163 (August 19, 1993).

UPI describes the merchandise that is the subject of this anticircumvention inquiry as hot-dipped and electrolytic carbon steel sheet to which boron has been added.

Initiation of Anticircumvention Proceeding

Section 781(c) of the Act states that the Department may find circumvention of an order when products which are of the class or kind of merchandise subject to an antidumping duty order have been ''altered in form or appearance in minor respects . . . whether or not included in the same tariff classification.'' The Department notes that, while the statute is silent as to what factors to consider in determining whether alterations are properly considered ''minor,'' the legislative history of this provision indicates that there are certain factors which should be considered before reaching an anticircumvention determination.

In conducting circumvention inquiries under section 781(c) of the Act, the Department has generally relied upon ''such criteria as the overall physical characteristics of the merchandise, the expectations of the ultimate users, the use of the merchandise, the channels of marketing and the cost of any modification relative to the total value of the imported products.'' S. Rep. No.71, 100th Cong., 1st Sess. 100 (1987) (''In applying this provision, the Commerce Department should apply practical measurements regarding minor alterations, so that circumvention can be dealt with effectively, even where such alterations to an article technically transform it into a differently designated article.'').

As discussed below, the petitioner has presented evidence with respect to each of these criteria. *See Anticircumvention Petition*, with attachments (September 11, 1998).

Overall Physical Characteristics

The current antidumping order covers corrosion-resistant carbon steel sheet from Japan. At issue is hot-dipped and electrolytic corrosion-resistant steel sheet, falling within the dimensions outlined in the scope of the order, to which boron has been added. The petitioner has tested two samples of Japanese origin, and determined that boron content ranged from 0.0020 to 0.0025 percent by weight. The petitioner claims that the addition of such small amounts of boron is immaterial to the performance characteristics of the final product. Continuing, the petitioner maintains that metallurgical considerations for the addition of boron would be to (1) increase the strength level in medium carbon sheets; (2) minimize earing in a low carbon specialty steel; or to (3) minimize secondary work embrittlement in ultra low carbon steels. Based on petitioner's experience of the end-uses of the product, and since all of the steel sheet at issue contains relatively higher levels of carbon (0.0349% and above), none of these considerations would be relevant, making the addition of boron metallurgically unnecessary.

Expectations of the Ultimate Users

According to petitioner's description of the sales and distribution process for

the merchandise in question, the boron-added material is sold to steel service centers, and is expected to be purchased by fabricators who would further process the steel. Petitioner maintains that consumers/fabricators of the product would not rely on or benefit from the presence of boron, and that the addition of the alloy into the carbon steel product offers no commercial advantage. In addition, petitioner notes that many fabricators, most of which are its own customers, are not aware of the presence of boron, and that it has never received any inquiry or request for boron-added carbon steel for any application. Finally, petitioner explains that in order to form the steel for specific uses, the product must have good ductility/formability characteristics. Thus, according to petitioner, the presence of high levels of boron would decrease the effectiveness of these characteristics, and would be counterproductive.

Use of the Merchandise

According to petitioner, there are two primary uses for the merchandise in question: (1) Hot-dipped galvanized steel sheet is used for metal studs, siding, roofing, decking, gutters, downspouts, culverts and other construction materials; (2) electrogalvanized sheet (primarily from Japan) and petitioner's hot-dipped sheet are used for computer chassis, frames and housing for gaming equipment. Petitioner maintains that there are no uses of hot-dipped or electrolytically coated low carbon steel sheet containing boron that cannot be fully met without boron. The addition of boron neither responds to a new need in the market nor improves the way existing technical needs are met.

Channels of Marketing

Petitioner states that it sells galvanized sheet without boron to virtually the same West Coast steel service centers that buy competing products from Japan with boron, and that since the boron-added and non-boron merchandise are used for precisely the same products on the West Coast, the sales channels in that region are the same. Petitioner also provided the names and addresses of service centers most likely to be involved in the distribution of the merchandise in question for the West Coast.

Cost of Modification

Petitioner alleges that the cost of adding boron to low carbon steel to attain a boron range of 0.0025 to 0.0045 percent by weight (similar to the sample examined by petitioner) is $0.55 per net ton, based on information obtained through one of its parent companies. This additional cost represents less than 0.1% of an approximate CIF value of $600.

Analysis

Other interested parties, Nippon Steel Corporation, NKK Corporation, Kawasaki Steel Corporation, and Sumitomo Metal Industries, Ltd., submitted comments arguing: (1) that the Department cannot initiate a ''minor alterations'' anticircumvention inquiry on a type of merchandise which the Department has previously determined to be outside the scope of that order; and (2) that the petitioner, UPI, does not have standing as a ''domestic interested party.''

These interested parties base their first argument on the decision of the Court of International Trade (CIT) in *Hylsa, S.A. v. United States*, Slip Op. 98–10 (February 3, 1998), which upheld the earlier decision of the CIT in *Wheatland Tube Co.* v. *United States*, 973 F. Supp. 149 (CIT 1997). The Department maintains that a determination under 19 CFR 353.29(i)(1) that merchandise is outside the scope of the order does not preclude the initiation of a ''minor alterations'' anticircumvention inquiry on the same merchandise [1]. For the reasons discussed in *Memorandum from Joseph Spetrini to Robert S. LaRussa, Anticircumvention Inquiry, Carbon Steel Plate from Canada*, (May 20, 1998) the Department believes that it is not precluded in initiating a ''minor alterations'' anticircumvention inquiry in the instant case. The interested parties have also argued that petitioner, UPI, does not have standing as a ''domestic interested party'', since one of the company's parents is a South Korean steel producer. However, we disagree with the parties' conclusions. As defined by section 771(9)(C) of the Act, an ''interested party'' is a manufacturer, producer, or wholesaler in the United States. Nippon Steel Corporation, et al. do not contest that UPI produces the subject merchandise in the United States. Therefore, the Department finds that UPI has standing under the statute. *See also Memorandum from Joseph Spetrini to Robert S. LaRussa*, October 26, 1998, Anticircumvention Inquiry, A–588–824, Corrosion-Resistant Carbon Steel Flat Products from Japan.

[1] *See* Memorandum from Joseph Spetrini to Robert S. LaRussa, May 20, 1998, Anticircumvention Inquiry, A–122–823, Carbon Steel Plate from Canada, at 5 and 6.

Based on our evaluation of the application, we determine that a formal inquiry is warranted. Accordingly, we are initiating a circumvention inquiry concerning the antidumping duty order on corrosion-resistant carbon steel flat products from Japan, pursuant to section 781(c) of the Tariff Act. In accordance with 19 CFR 351.225(l)(2), if we issue an affirmative preliminary determination, we will then instruct the Customs Service to suspend liquidation and require a cash deposit of estimated duties on the merchandise.

The Department will, following consultation with the interested parties, establish a schedule for questionnaires and comments on the issues. The Department intends to issue its final determination within 300 days of the date of publication of this initiation.

This notice is published in accordance with section 781(c) of the Tariff Act (19 U.S.C. 1677j(c)) and 19 CFR 351.225.

Dated: October 23, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–29161 Filed 10–29–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–833]

Stainless Steel Bar from Japan: Notice of Extension of Time Limits for Preliminary Results of Antidumping Administrative Review

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

ACTION: Notice of extension of time limits for preliminary results of antidumping duty administrative review.

EFFECTIVE DATE: October 30, 1998.

FOR FURTHER INFORMATION CONTACT: Minoo Hatten or Robin Gray, 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) 482–1690 or (202) 482–4023, respectively.

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.