Random Access Memory Semiconductors from Taiwan (SRAMS from Taiwan) 62 FR 51442, (Oct. 1, 1997), decision confirmed in *Final Determination of SRAMS from Taiwan,* and *Queen's Flowers de Columbia* v. *United States,* Slip Op. 97–120 (CIT Aug. 25, 1997) (the use of adverse ''best information available'' was unwarranted where the respondent did not receive a questionnaire the Department sent to an incorrect address). In this review, Kwangshin Rope's questionnaire was returned because the company was closed. Therefore, in accordance with our practice, it would be inappropriate to assign an adverse facts available rate to a company which is not capable of rebutting an inference of adverse facts available. For the final results, we have continued to apply the all others rate as facts available for Kwangshin Rope.

Final Results of Review

We determine the following margins exist for the period March 1, 1997, through February 28, 1998:

Manufacturer/exporter	Margin (percent)
Dong–Il Steel Manufacturing Co., Ltd.	*136.72
Dong Young	*136.72
Jinyang Wire Rope, Inc.	*136.72
Kumho Wire Rope Mfg. Co., Ltd.	0.25
Kwangshin Rope	**1.51
Sungsan Special Steel Processing	*136.72
Yeonsin Metal	*136.72

*Adverse facts available rate based on information provided in petition

** Non-adverse facts available rate based on the all others rate.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212 (b)(1), we have calculated importer-specific assessment rates by dividing the dumping margin found on the subject merchandise examined by the entered value of such merchandise. We will direct the Customs Service to assess antidumping duties by applying the assessment rate to the entered value of the merchandise entered during the POR, except where the assessment rate is de minimis (*see* 19 CFR 351.106(c)(2)). The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the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 rates for the other reviewed companies will be those rates established above (except that, if the rate for a firm is *de minimis, i.e.,* less than 0.5 percent, a cash deposit of zero will be required for that firm); (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, a prior 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 or any previous review or the LTFV investigation, the cash deposit rate will be 1.51 percent, the ''all others'' rate established in the LTFV investigation (58 FR 11029).

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final 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 notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the 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 determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 7, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–9195 Filed 4–12–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–502]

Certain Welded Carbon Steel Pipes and Tubes From Thailand: Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipes and Tubes From Thailand.

SUMMARY: In response to requests by two importers, Ferro Union Inc. (''Ferro Union''), and ASOMA Corp. (''ASOMA''), and four domestic producers, Allied Tube and Conduit Corporation, Sawhill Tubular Division—Armco, Inc., Wheatland Tube Company, and Laclede Steel Company (collectively, the ''domestic producers'' or ''petitioners''), the Department of Commerce (''the Department'') is conducting an administrative review of the antidumping duty order on certain welded carbon steel pipes and tubes from Thailand. This review covers Saha Thai Steel Pipe Co., Ltd. (''Saha Thai''), a Thai manufacturer and its affiliated exporter of the subject merchandise to the United States. The period of review (POR) is March 1, 1997 through February 28, 1998.

We have preliminarily determined that the respondent sold subject merchandise at less than normal value (''NV'') during the POR. If these preliminary results are adopted in our final results, we will instruct U.S. Customs to assess antidumping duties based on the differences between the export price and NV.

Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding should also submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument.

EFFECTIVE DATE: April 13, 1999.

FOR FURTHER INFORMATION CONTACT: John Totaro, AD/CVD Enforcement Group III, Office VII, Room 7866, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–1374.

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 (''URAA''). In addition, unless otherwise indicated, all citations to the Department's regulations are to those codified at 19 CFR Part 351 (1998).

SUPPLEMENTARY INFORMATION:

Background

On March 11, 1986, the Department published in the **Federal Register** an antidumping duty order on welded carbon steel pipes and tubes from Thailand (51 FR 8341). On March 11, 1998, the Department published a notice of opportunity to request an administrative review of this order covering the period March 1, 1997 through February 28, 1998 (63 FR 11868).

Timely requests for an administrative review of the antidumping order with respect to sales by Saha Thai during the POR were filed by Ferro Union and ASOMA, and by domestic producers. The Department published a notice of initiation of this antidumping duty administrative review on April 24, 1998 (63 FR 20378).

Because the Department determined that it was not practicable to complete this review within statutory time limits, on November 27, 1998, we published in the **Federal Register** our notice of extension of time limits for this review (63 FR 65573). As a result, we extended the deadline for these preliminary results. The deadline for the final results will continue to be 120 days after publication of these preliminary results.

Scope of the Review

The products covered by this administrative review are certain welded carbon steel pipes and tubes from Thailand. The subject merchandise has an outside diameter of 0.375 inches or more, but not exceeding 16 inches. These products, which are commonly referred to in the industry as ''standard pipe'' or ''structural tubing,'' are hereinafter designated as ''pipe and tube.'' The merchandise is classifiable under the Harmonized Tariff Schedule (HTS) item numbers 7306.30.1000, 7306.30.5025, 7306.30.5032, 7306.30.5040, 7306.30.5055, 7306.30.5085 and 7306.30.5090. Although the HTS subheadings are provided for convenience and Customs purposes, our written description of the scope of the order is dispositive. This review covers sales by Saha Thai during the period March 1, 1997 through February 28, 1998.

Verification

As provided in section 782(i) of the Act, we verified sales information provided by the respondent Saha Thai from January 25 through January 29, 1999, using standard verification procedures, including examination of relevant financial records and analysis of original documentation used by Saha Thai to prepare responses to requests for information from the Department. Our verification results are outlined in the public version of the verification report (Memorandum to the File from Steve Bezirganian and Marlene Hewitt, February 24, 1999) (''Saha Thai Verification Report'').

Tolling Operations

Saha Thai claimed that, during the POR, it converted coil into pipe pursuant to a tolling arrangement with a home market trading company. However, sales of the alleged tolled merchandise are not subject to this review because entries did not occur during the POR. *See* Memorandum to the File from John Totaro, March 31, 1999.

Date of Sale

As in previous segments of this proceeding, Saha Thai reported invoice date as the date of sale. We examined whether invoice date was the appropriate date of sale, i.e., whether the material terms of sale were established on an earlier date. During verification, Saha Thai officials reported that in fact price and quantity were established at the date of the purchase order. We examined the record evidence and found that Saha Thai's statement at verification is not entirely supported by the record. Given the inconclusive record evidence and the potential problems associated with changing date of sale at this juncture in the proceeding, we find that invoice date is the appropriate date of sale. *See* Preamble to the Final Regulations, 62 FR 27296, 27348–50 (May 19, 1997).

Affiliation and Collapsing Determinations

In the 1996–1997 administrative review, we found Saha Thai affiliated under section 771(33)(F) of the Act with Thai Tube Co., Ltd. (''Thai Tube''), Thai Hong Steel Pipe Import Export Co., Ltd (''Thai Hong'') and the Siam Steel Group, a member of which, Siam Matsushita Steel Co., Ltd., is a producer of PVC lined and coated steel pipes. We examined whether it was appropriate to collapse each of these affiliated producers with Saha Thai for margin calculation purposes, in accordance with 19 CFR 351.401(f). We found insufficient evidence to collapse Saha Thai with any of these affiliated producers. No new factual information has been presented to warrant changing these previous findings for the instant review. Saha Thai did present certain new factual information regarding Thai Tube and Thai Hong, but it had no impact on our findings. *See* Memorandum to the File from John Totaro, (March 31, 1999) (''Thai Tube/Thai Hong Memorandum'').

Also in the previous administrative review, the Department found that Saha Thai was affiliated under section 771(33)(F) of the Act with three resellers of the foreign like product. The facts on the record in the instant review relating to this affiliation determination are unchanged from those on the record of the previous review, and support our finding of affiliation under section 771(33)(F) of the Act between Saha Thai and these three resellers. However, because Saha Thai's sales to these resellers accounted for less than five percent of Saha Thai's total home market sales, the Department did not require Saha Thai to report the downstream sales by these resellers. *See* Memorandum to the File, March 31, 1999 (''Downstream Sales Memorandum'').

Fair Value Comparisons

To determine whether sales of steel pipes and tubes from Thailand to the United States were made at less than normal value (NV), we compared the export price (EP) to the NV for Saha Thai as specified in the ''Export Price'' and ''Normal Value'' sections of this notice. In accordance with section 777A(d)(2), we calculated monthly weighted-average prices for NV and compared these to individual U.S. transactions.

Export Price

We classified all Saha Thai sales to United States customers as EP sales because Saha Thai is not affiliated with its U.S. distributors, which are the first purchasers in the United States. *Certain Welded Carbon Steel Pipes and Tubes From Thailand: Final Results of Antidumping Duty Administrative Review*, 61 FR 56515, 56517 (November 1, 1996). In this review, the record evidence presents no factual circumstances warranting a change from this prior analysis. Accordingly, we calculated the EP based on the price from Saha Thai to the first unaffiliated purchaser in the United States in accordance with section 772(a) of the Act. Where appropriate, in accordance with section 772(c)(2) of the Act, we made deductions from the starting price

for ocean freight to the U.S. port, foreign inland freight, foreign brokerage and handling, foreign inland insurance, and bill of lading charge. We denied Saha Thai's request for a duty drawback adjustment because we were unable to verify that the claimed adjustment accurately reflects the actual amount of duty drawback received.

Normal Value

In order to determine whether there is a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared the volume of Saha Thai's home market sales of the foreign like product to the volume of U.S. sales of subject merchandise, in accordance with section 773(a)(1) of the Act. Based on this comparison, we determined that the aggregate volume of Saha Thai's home market sales of the foreign like product is greater than five percent of the aggregate volume of Saha Thai's U.S. sales. Thus, we determined that Saha Thai had a viable home market during the POR. Consequently, we based NV on home market sales.

As discussed above, we found Saha Thai and its three home market resellers affiliated under section 771(33)(F) of the Act. Based on this finding, we applied the standard arm's length test to Saha Thai's sales to these affiliated resellers. However, as stated above, we did not require Saha Thai to report the resellers' downstream sales. Therefore, where Saha Thai's sales to these resellers were not made at arm's length prices, we excluded these sales from our home market normal value calculation. See Memorandum to File from Marlene Hewitt, March 31, 1999 (''Downstream Sales Memorandum'').

Pursuant to section 773(b)(2)(A)(ii) of the Act, there were reasonable grounds to believe or suspect that Saha Thai had made home market sales at prices below its cost of production (''COP'') in this review because the Department had disregarded sales below the COP in the 1996–1997 administrative review (i.e., the most recently completed review at the time we issued our antidumping questionnaire). As a result, the Department initiated an investigation to determine whether Saha Thai made home market sales during the POR at prices below its COP. We calculated the COP based on the sum of respondent's cost of materials and fabrication for the foreign like product, plus amounts for SG&A and packing costs, in accordance with section 773(b)(3) of the Act.

We used respondent's reported COP amounts with certain adjustments to compute weighted-average COPs during the POR. Specifically, we did not allow Saha Thai's request to amortize certain portions of its POR exchange rate losses over five years because these losses were incurred on short-term foreign currency debt for terms shorter than five years and Saha Thai booked the entire amount of these losses on its financial statements. To incorporate this change we recalculated Saha Thai's net interest expense rate, general and administrative expenses rate, and materials cost calculation. In addition, we recalculated Saha Thai's hot-rolled coil cost calculation to correct an error identified at verification.

We compared the COP figures to home market sales of the foreign like product as required under section 773(b) of the Act, in order to determine whether these sales had been made at prices below the COP. On a product-specific basis, we compared the COP to home market prices, less any applicable movement charges, discounts and credit notes.

In determining whether to disregard home market sales made at prices below the COP, we examined (1) whether, within an extended period of time, such sales were made in substantial quantities, and (2) whether such sales were made at prices which permitted the recovery of all costs within a reasonable period of time in the normal course of trade.

Pursuant to section 773(b)(2)(C) of the Act, where less than 20 percent of the respondent's sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made in ''substantial quantities.'' Where 20 percent or more of the respondent's sales of a given product during the POR were at prices less than the COP, we determined such sales to have been made in substantial quantities within an extended period of time in accordance with section 773(b)(1)(A) of the Act. In such cases, we also determined that such sales were not made at prices which would permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(1)(B) of the Act. Therefore, we disregarded the below-cost sales.

Where appropriate, we adjusted Saha Thai's home market sales for discounts, credit expenses, inland freight, inland insurance, and warehousing. We also adjusted the home market sales made by reseller Company B for credit notes. In addition, in accordance with section 773(a)(6), we deducted home market packing costs and added U.S. packing costs.

In accordance with section 773(e) of the Act, we calculated CV based on the sum of Saha Thai's cost of materials, fabrication, SG&A, profit, and U.S. packing costs. We made certain adjustments to CV which are detailed in the COP section, above. In accordance with section 773(e)(2)(A) of the Act, we based SG&A expenses and profit on the amounts incurred and realized by Saha Thai in connection with the production and sale of the foreign like product in the ordinary course of trade, for consumption in the foreign country. For selling expenses, we used the average of the selling expenses reported for home market sales that passed the cost test, weighted by the total quantity of those sales. For actual profit, we first calculated the difference between the home market sales value and home market COP, and divided the difference by the home market COP. We then multiplied this percentage by the COP for each U.S. model to derive an actual profit.

Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act and in the SAA, to the extent practicable, we determine NV based on sales in the comparison market at the same level of trade as the EP or the CEP. The NV level of trade is that of the starting-price sales in the comparison market or, when NV is based on CV, that of the sales from which we derive selling, general and administrative expenses and profit. For EP, the U.S. level of trade is the level of the starting-price sale, which is usually from exporter to importer.

To determine whether NV sales are at a different level of trade than EP or CEP, we examine stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. If the comparison-market sales are at a different level of trade, and the difference affects price comparability, as manifested in a pattern of consistent price differences between the sales on which NV is based and comparison-market sales at the level of trade of the export transaction, we make a level of trade adjustment under section 773(a)(7)(A) of the Act. *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from South Africa,* 62 FR 61731 (November 19, 1997).

For the U.S. market, Saha Thai reported only one level of trade for its EP sales. This single level of trade represents large volume sales to unaffiliated trading companies/distributors in the U.S. In the home market as well, Saha Thai claimed that it made sales at one level of trade. These sales were made to unaffiliated trading

companies and distributors (made at the same level of trade as U.S. sales). There are no differences in the selling functions Saha Thai performs for these customers in the home market or in the U.S. Therefore, we conclude that EP and NV sales are made at the same LOT and no adjustment is warranted.

Currency Conversion

We made currency conversions into U.S. dollars in accordance with section 773A of the Act, based on exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank. Section 773A(a) of the Act directs the Department to use a daily exchange rate in order to convert foreign currencies into U.S. dollars unless the daily rate involves a fluctuation. It is the Department's practice to find that a fluctuation exists when the daily exchange rate differs from the benchmark rate by 2.25 percent. The benchmark is defined as the moving average of rates for the past 40 business days. When we determine a fluctuation to have existed, we substitute the benchmark rate for the daily rate, in accordance with established practice. *See* Change in Policy Regarding Currency Conversions, 61 FR 9434 (March 8, 1996).

Our preliminary analysis of Federal Reserve dollar-baht exchange rate data shows that the value of the Thai baht in relation to the U.S. dollar fell on July 2, 1997 by more than 18 percent from the previous day and did not rebound significantly in a short time. This decline was many times more severe than any single-day decline during several years prior to that date. Had the baht rebounded quickly enough to recover all or almost all of the loss, the Department might have been inclined to view this decline as nothing more than a momentary drop, despite the magnitude of that drop. However, there was no significant rebound. Therefore, we have preliminarily determined that the decline in the baht from July 1, 1997 to July 2, 1997 was of such a magnitude that the dollar-baht exchange rate cannot reasonably be viewed as having simply fluctuated at this time, i.e., as having experienced only a momentary drop in value, relative to the normal benchmark. Therefore, for exchange rates between July 2 and August 27, 1997, the Department relied on the standard exchange rate model, but used as the benchmark rate a (stationary) average of the daily rates over this period. In this manner we used a post-precipitous drop benchmark, but at the same time avoided undue daily fluctuations in exchange rates. For the period after August 27, 1997, we used the standard (rolling 40-day average) benchmark.

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margins exist:

Manufacturer/exporter	Period	Margin (percent)
Saha Thai	3/1/97–2/28/98	12.83

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 30 days of publication. Any hearing, if requested, will be held 37 days after the date of publication or the first business day thereafter. Case briefs and/or other written comments from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 35 days after the date of publication of this notice. The Department will publish the final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days from the date of publication of these preliminary results.

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we calculated importer-specific ad valorem duty assessment rates for the class or kind of merchandise based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the POR to the total customs value of the sales used to calculate those duties. This rate will be assessed uniformly on all entries that particular importer made during the POR. Upon completion of this review, the Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit rates will be effective upon the publication of the final results of these administrative reviews for all shipments of circular welded carbon steel pipes and tubes from Thailand 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 rate for the reviewed company will be that established in the final results of this review; (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 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; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 15.67 percent, the ''All Others'' rate made effective by the LTFV investigation. These requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) 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.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: March 31, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–9193 Filed 4–12–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–423–806]

Cut-to-Length Carbon Steel Plate From Belgium; Amended Final Results of Countervailing Duty Administrative Review

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

ACTION: Notice of Amended Final Results of Countervailing Duty Administrative Review.

FOR FURTHER INFORMATION CONTACT: Gayle Longest or Eva Temkin, Group II, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–2786.