

Determination

As a result of the determination by the Commission that revocation of the antidumping duty orders is not likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, and 19 CFR 351.222(i)(1), the Department hereby orders the revocation of the antidumping duty orders on circular welded non-alloy steel pipe and tube from Venezuela, small diameter standard and rectangular pipe and tube from Singapore, and OCTG from Canada and Taiwan.

The Department will instruct the U.S. Customs Service to discontinue the suspension of liquidation and collection of cash deposit rates on entries of the subject merchandise entered or withdrawn from warehouse on or after January 1, 2000. The effective date of revocation of these antidumping duty orders is January 1, 2000.

Dated: August 16, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

Appendix—Scope of the Orders

Venezuela—Circular Welded Non-Alloy Steel Pipe and Tube (A-307-805)

The subject merchandise covered in this review is circular welded non-alloy steel pipe and tube from Venezuela. The product consists of circular cross-section, not more than 406.4mm (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipe and tube are generally known as standard pipe and tube and are intended for the low-pressure conveyance of water, steam, natural gas, air and other liquids and gases in plumbing and heating systems, air-conditioning units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing applications, such as for fence tubing, and as structural pipe tubing used for framing and as support members for reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and other related industries. Unfinished conduit pipe is also included in this order. All carbon-steel pipe and tube within the physical description outlined above are included within the scope of this review, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished conduit. Standard pipe that is dual or triple certified/stenciled that enters the United States as line pipe of a kind used for oil and gas pipelines is also not included in this review. Imports of the products covered by this order are currently classifiable under the following Harmonized Tariff Schedule (“HTS”) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32,

7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Scope Clarification: Venezuela

On March 21, 1996, in a final scope ruling, the Department determined that: (i) Pipe certified to the API 5L line pipe specification, and (ii) pipe certified to both the API 5L line pipe specifications and the less-stringent ASTM A-53 standard pipe specifications which fall within the physical parameters outlined in the scope of the order and enter as line pipe of a kind used for oil and gas pipelines are outside the scope of the antidumping duty orders on certain welded carbon steel non-alloy pipe from Venezuela, irrespective of end use.¹

Singapore—Small Diameter Standard and Rectangular Pipe and Tube (Light Walled Rectangular Pipe and Tube (A-559-502))

The subject merchandise in this review is light-walled rectangular pipes and tubes (“rectangular pipes”) from Singapore, which are mechanical pipes and tubes or welded carbon steel pipes and tubes of rectangular (including square) cross-section, having a wall thickness of less than 0.156 inch. Light-walled rectangular pipes and tubes are currently classifiable under item number 7306.60.5000 of the HTSUS. The HTSUS item number is provided for convenience and customs purposes only. The written product description of the scope of this order remains dispositive.

Canada and Taiwan—Oil Country Tubular Goods (“OCTG”) (A-122-506, A-583-505)

The merchandise subject to these antidumping duty orders is OCTG from Canada and from Taiwan. These include American Petroleum Institute (“API”) specification OCTG and all other pipe with the following characteristics except entries which the Department determined through its end use certification procedure were not used in OCTG applications: length of at least 16 feet; outside diameter of standard sizes published in the API or proprietary specifications for OCTG with tolerances of plus 1/8 inch for diameters less than or equal to 8 5/8 inches and plus 1/4 inch for diameters greater than 8 5/8 inches, minimum wall thickness as identified for a given outer diameter as published in the API or proprietary specifications for OCTG; a minimum of 40,000 PSI yield strength and a minimum 60,000 PSI tensile strength; and if with seams, must be electric resistance welded. Furthermore, imports covered by these orders include OCTG with non-standard size wall thickness greater than the minimum identified for a given outer diameter as published in the API or proprietary specifications for OCTG, with surface scabs or slivers, irregularly cut ends, ID or OD has not been mechanically tested

¹ See *Final Negative Determination of Scope Inquiry on Certain Circular Welded Non-Alloy Steel Pipe and Tube From Brazil, the Republic of Korea, Mexico and Venezuela*, 61 FR 11608 (March 21, 1996)

or has failed those tests. The merchandise is currently classifiable under the HTSUS item numbers 7304.20, 7305.20, and 7306.20. The HTSUS item numbers are provided for convenience and customs purposes. The written description remains dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-357-802, A-583-803, A-351-809, A-580-809, A-201-805, A-583-814, A-533-502, A-549-502, A-489-501, A-583-008]

Continuation of Antidumping Duty Orders: Light-Walled Rectangular Welded Carbon Steel Pipe and Tube From Argentina and Taiwan; Circular Welded Non-Alloy Steel Pipe and Tube from Brazil, Korea, Mexico, and Taiwan; Welded Carbon Steel Pipe and Tube From India, Thailand, and Turkey; and Small Diameter Standard and Rectangular Steel Pipe and Tube From Taiwan

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

ACTION: Notice of continuation of antidumping duty orders: Light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, India, Korea, Mexico and Taiwan; welded carbon steel pipe and tube from India, Thailand, and Turkey; and small diameter standard and rectangular pipe and tube from Taiwan.

SUMMARY: On December 1, 1999 and December 3, 1999, the Department of Commerce (“the Department”), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (“the Act”), determined that revocation of the antidumping duty orders on (1) light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan, (2) circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan, (3) welded carbon steel pipe and tube from India, Thailand, and Turkey, and (4) small diameter standard and rectangular pipe and tube from Taiwan is likely to lead to continuation or recurrence of dumping. See 64 FR 67870; 67871; 67854; 67879; 67252, 67876, 67873.

On August 9, 2000, the International Trade Commission (“the Commission”), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty orders on light-walled rectangular welded carbon steel

pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, Taiwan; welded carbon steel pipe and tube from India, Thailand, and Turkey; and small diameter standard and rectangular pipe and tube from Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See 65 FR 48733 (August 9, 2000). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of continuation of the antidumping duty orders on light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan; welded carbon steel pipe and tube from India, Thailand and Turkey; and small diameter carbon steel pipe and tube from Taiwan.

EFFECTIVE DATE OF CONTINUATION: August 22, 2000.

FOR FURTHER INFORMATION CONTACT:

Martha V. Douthit or James P. Maeder, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, D.C. 20230; telephone: (202) 482-5050 or (202) 482-3330, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 3, 1999, the Department initiated, and the Commission instituted sunset reviews (64 FR 23596 and 64 FR 23679) of the antidumping duty orders on light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan; welded carbon steel pipe and tube from India, Thailand, and Turkey; and small diameter carbon steel pipe and tube from Taiwan pursuant to section 751(c) of the Act. As a result of its reviews, the Department found on December 3, 1999, that revocation of the antidumping duty orders on light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan; welded carbon steel pipe and tube from India, Thailand, and Turkey; and small diameter carbon steel pipe and tube from Taiwan would likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margins likely to prevail were the order revoked. See 64

FR 67870; 67871; 67854; 67879; 67252, 67876, 67873.

On August 9, 2000, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan; welded carbon steel pipe and tube from India, Thailand, and Turkey; and small diameter carbon steel pipe and tube from Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See *Certain Pipe and Tube from Argentina, Brazil, Canada, India, Korea, Mexico, Singapore, Taiwan, Thailand, Turkey, and Venezuela*, 65 FR 48733 (August 9, 2000) and USITC Publication 3316, Investigation No. 731-TA-409, 532, 271, 533, 534, 132, 410, 536, 253, 252 (Review)(July 2000).

Scope of the Orders

See Appendix.

Determination

As a result of the determination by the Department and the Commission that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(1), the Department hereby orders the continuation of the antidumping duty orders on light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan; welded carbon steel pipe and tube from India, Thailand, Turkey; and small diameter carbon steel pipe and tube from Taiwan.

The Department will instruct the U.S. Customs Service to continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders will be the date of publication in the **Federal Register** of this notice. Pursuant to section 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of the orders on light-walled rectangular welded carbon steel pipe and tube from Argentina and Taiwan; circular welded non-alloy steel pipe and tube from Brazil, Korea, Mexico, and Taiwan; welded carbon steel pipe and tube from India, Thailand, and Turkey; and small

diameter carbon steel pipe and tube from Taiwan not later than July 2005.

Dated: August 16, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

Appendix—Scope of the Orders

Argentina—Light-Walled Rectangular Welded Carbon Steel Pipe and Tube (A-357-802)

The merchandise subject to this antidumping duty order is light-walled welded carbon steel tubing of rectangular (including square) cross-section, having a wall thickness of less than 0.156 inch, from Argentina. The subject merchandise is classifiable under item 7306.60.50.00 of the Harmonized Tariff Schedule of the United States (“HTSUS”). Although the HTSUS item number is provided for convenience and U.S. customs purposes, the written description remains dispositive. This review covers imports from all producers and exporters of light-walled welded carbon steel tubing from Argentina.

Taiwan—Light-Walled Rectangular Welded Carbon Steel Pipe and Tube (A-583-803)

The subject merchandise covered by the antidumping duty order on Taiwan includes shipments of light-walled welded carbon steel pipe and tube of rectangular (including square) cross-section having a wall thickness of less than 0.156 inch. The subject merchandise is classifiable under item number 7306.60.50.00 of the HTSUS. Although the HTSUS item number is provided for convenience and customs purposes, the written description remains dispositive.

India—Welded Carbon Steel Pipe and Tube (A-533-502)

The products covered by this antidumping duty order include circular welded non-alloy steel pipe and tube, of circular cross-section, but not more than 406.4 millimeters (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipe and tube are generally known as standard pipe, though they may also be called structural or mechanical tubing in certain applications. Standard pipe and tube are intended for the low-pressure conveyance of water, steam, natural gas, air and other liquids and gases in plumbing and heating systems, air-conditioner units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing and mechanical applications, such as for fence tubing, and for protection of electrical wiring, such as conduit shells. The scope is not limited to standard pipe and fence tubing or those types of mechanical and structural pipe that are used in standard pipe applications. All carbon-steel pipe and tube within the physical description outlined above are included in the scope of this order, except for line pipe, oil-country tubular goods, boiler tubing, cold-drawn or cold-rolled mechanical tubing, pipe and tube hollows for redraws,

finished scaffolding, and finished rigid conduit. Imports of the products covered by this order are currently classifiable under the following HTSUS subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. Although, the HTSUS item numbers are provided for convenience and customs purposes, the Department's written description of the scope of this order remains dispositive.

Thailand—Welded Carbon Steel Pipe and Tube (A-549-502)

The merchandise subject to this antidumping duty order is certain circular welded carbon steel pipe and tube, commonly referred to in the industry as "standard pipe" or "structural tubing," with walls not thinner than 0.065 inches, and 0.375 inches or more, but not over 16 inches in outside diameter. The subject merchandise was classifiable under items 610.3231, 610.3234, 610.3241, 610.3242, 610.3243, and 610.3252, 610.3254, 610.3256, 610.3258, 610.4925 of the TSUSA; currently, it is classifiable under item numbers 7306.30.1000, 7306.30.5025, 7306.30.5032, and 7306.30.5040, 7306.30.5055, 7306.30.5805 and 7306.30.5090 of the HTSUS. Although the TSUSA and HTSUS item numbers are provided for convenience and customs purposes, the written description remains dispositive. There was one scope ruling in which British Standard light pipe 387/67, Class A-1 was found to be within the scope of the order per remand (58 FR 27542, May 10, 1993).

Turkey—Welded Carbon Steel Pipe and Tube (A-489-501)

The products covered by this antidumping duty order include circular welded non-alloy steel pipe and tube, of circular cross-section, not more than 16 inches in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted) or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipe and tube are generally known as standard pipe, though they may also be called structural or mechanical tubing in certain applications. Standard pipe and tube are intended for the low-pressure conveyance of water, steam, natural gas, air and other liquids and gases in plumbing and heating systems, air-conditioner units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing and mechanical applications, such as for fence tubing, and for protections of electrical wiring, such as conduit shells. The scope is not limited to standard pipe and fence tubing or those types of mechanical and structural pipe that are used in standard pipe applications. All carbon steel pipe and tube within the physical description outlined above are included in the scope of this review, except for line pipe, oil country tubular goods, boiler tubing, cold-drawn or cold-rolled mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished rigid conduit. The subject merchandise was classifiable under items 610.3231, 610.3234, 610.3241, 610.3242, 610.3243, and 610.3252, 610.3254, 610.3256,

610.3258, 610.4925 of the TSUSA; currently, it is classifiable under item numbers 7306.30.1000, 7306.30.5025, 7306.30.5032, and 7306.30.5040, 7306.30.5055, 7306.30.5805 and 7306.30.5090 of the HTSUS. Although the TSUSA and HTSUS item numbers are provided for convenience and customs purposes, the written description remains dispositive.

Brazil, Korea and Mexico—Circular Welded Non-Alloy Steel Pipe and Tube (A-351-809, A-580-809, A-201-805)

The merchandise subject to these antidumping duty orders is circular welded non-alloy steel pipe and tube from Brazil, Korea, and Mexico. The product consists of circular cross-section, not more than 406.4mm (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipe and tube are generally known as standard pipe and tube and are intended for the low-pressure conveyance of water, steam, natural gas, air and other liquids and gases in plumbing and heating systems, air-conditioning units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing applications, such as for fence tubing, and as structural pipe tubing used for framing and as support members for reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and other related industries. Unfinished conduit pipe is also included in this order. All carbon-steel pipe and tube within the physical description outlined above are included within the scope of these orders, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished conduit. Standard pipe that is dual or triple certified/stenciled that enters the United States as line pipe of a kind used for oil and gas pipelines is also not included in this order. Imports of the products covered by these orders are currently classifiable under the following HTSUS subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of these orders is dispositive.

Scope Clarification: On March 21, 1996, in a final scope ruling, the Department determined that: (i) Pipe certified to the API 5L line pipe specification, and (ii) pipe certified to both the API 5L line pipe specifications and the less-stringent ASTM A-53 standard pipe specifications which fall within the physical parameters outlined in the scope of the orders and enter as line pipe of a kind used for oil and gas pipelines are outside the scope of the antidumping duty orders on certain welded carbon steel non-alloy pipe from Brazil, Korea, and Mexico, irrespective of end use. Mexico—On December 31, 1995, Tubacero International Corporation requested clarification to determine whether circular welded carbon steel piping, 16 inches in outside diameter with 3/8 inch wall thickness, for use in

extremely heavy load bearing applications, is within the scope of the order. On April 25, 1996, the Department determined that circular welded carbon steel piping, 16 inches in outside diameter with 3/8 inch wall thickness, for use in extremely heavy load bearing applications, is within the scope of the order (see Notice of Scope Rulings, 61 FR 18381 (April 25, 1996)).

Mexico—Cierra Pipe, Incorporated submitted a request for a scope clarification of the subject merchandise to determine whether line pipe "shorts", or "old line pipe" which has rusted and pitted after sitting in storage, constitute line pipe of a kind used for oil and gas pipelines or is pipe and tubed covered by the order (see 63 FR 59544 (November 4, 1998)).

On November 19, 1998, the Department determined that (Certain Circular Welded Non-Alloy Steel Pipe; Galvak, S.A. de C.V.) circular welded non-alloy steel pipe manufactured to ASTM A-787 specifications is within the scope.

Taiwan—Circular Welded Non-Alloy Steel Pipe and Tube (A-583-814)

The products covered by this order are: (1) Circular welded non-alloy steel pipes and tubes, of circular cross-section over 114.3 millimeters (4.5 inches), but not over 406.4 millimeters (16 inches) in outside diameter, with a wall thickness of 1.65 millimeters (0.065 inches) or more, regardless of surface finish (black, galvanized, or painted), or end finish (plain end, beveled end, threaded, or threaded and coupled); and (2) circular welded non-alloy steel pipe and tube, of circular cross-section less than 406.4 millimeters (16 inches), with a wall thickness of less than 1.65 millimeters (0.065 inches), regardless of surface finish (black, galvanized, or painted) or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipe and tube are generally known as standard pipe and tube and are intended for the low pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air-conditioning units, automatic sprinkler systems, and other related uses, and generally meet ASTM A-53 specifications. Standard pipe may also be used for light load-bearing applications, such as for fence tubing, and as structural pipe tubing used for framing and support members for construction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and related industries. Unfinished conduit pipe is also included in these orders. All carbon steel pipe and tube within the physical description outlined above are included within the scope of this order, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished conduit. Standard pipe that is dual or triple certified/stenciled that enters the United States as line pipe of a kind used for oil and gas pipelines is also not included in this order. Imports of the products covered by this order are currently classifiable under the following HTS subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90. The written

description of the scope of this order is dispositive.

Taiwan—Small Diameter Carbon Steel Pipe and Tube (circular welded carbon steel pipe and tube) (A-583-008)

Imports covered by this order are shipments of certain circular welded carbon steel pipe and tube. The Department defines such merchandise as welded carbon steel pipe and tube of circular cross section, with walls not thinner than 0.065 inch and 0.375 inch or more but not over 4½ inches in outside diameter. These products are commonly referred to as "standard pipe" and are produced to various American Society for Testing Materials Specifications, most notably A-53, A-120, or A-135. Standard pipe is currently classified under HTSUS item numbers 7306.30.5025, 7306.30.5032, 7306.30.5040, and 7306.30.5055. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under this order is dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-821-802]

Continuation of Suspended Antidumping Duty Investigation: Uranium From Russia

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

ACTION: Notice of continuation of suspended antidumping duty investigation: uranium from Russia

SUMMARY: On July 5, 2000, the Department of Commerce ("the Department"), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended ("the Act"), determined that termination of the agreement suspending the antidumping duty investigation (the "Agreement") on uranium from Russia, is likely to lead to continuation or recurrence of dumping. See *Certain Uranium from Russia; Final Results of Sunset Review of Suspended Antidumping Duty Investigation* ("Final Results"), 65 FR 41439 (July 5, 2000). On August 9, 2000, the International Trade Commission ("the Commission"), pursuant to section 751(c) of the Act, determined that termination of the Agreement on uranium from Russia would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See *Uranium from Russia, Ukraine, and Uzbekistan* ("ITC Final Results"), 65 FR 48734 (August 9, 2000). Therefore,

pursuant to 19 CFR 351.218(f)(4), the Department is publishing this notice of the continuation of the Agreement on uranium from Russia.

EFFECTIVE DATE: August 22, 2000.

FOR FURTHER INFORMATION CONTACT: Kathryn B. McCormick or James P. Maeder, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-1930 or (202) 482-3330, respectively.

SUPPLEMENTARY INFORMATION

Background:

On August 2, 1999, the Department initiated, and the Commission instituted, sunset reviews (64 FR 67247 and 64 FR 41965, respectively) of the Agreement on uranium from Russia, pursuant to section 751(c) of the Act. As a result of its review, the Department found on July 5, 2000 that termination of the Agreement on uranium from Russia would likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margin likely to prevail were the Agreement terminated. See *Final Results* (65 FR 41439).

On August 9, 2000, the Commission determined, pursuant to section 751(c) of the Act, that termination of the Agreement on uranium from Russia would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See *ITC Final Results* (65 FR 48734), and USITC Publication 3334 (August 2000), Investigation No. 731-TA-539-C, E and F (Review).

Scope

According to the June 3, 1992, preliminary determination, the suspended investigation of uranium from Russia encompassed one class or kind of merchandise.¹ The merchandise included natural uranium in the form of uranium ores and concentrates; natural uranium metal and natural uranium compounds; alloys, dispersions (including cermets), ceramic products,

and mixtures containing natural uranium or natural uranium compound; uranium enriched in U²³⁵ and its compounds; alloys dispersions (including cermets), ceramic products and mixtures containing uranium enriched in U²³⁵ or compounds or uranium enriched in U²³⁵; and any other forms of uranium within the same class or kind. The uranium subject to these investigations was provided for under subheadings 2612.10.00.00, 2844.10.10.00, 2844.10.20.10, 2844.10.20.25, 2844.10.20.50, 2844.10.20.55, 2844.10.50, 2844.20.00.10, 2844.20.00.20, 2844.20.00.30, and 2844.20.00.50 of the Harmonized Tariff Schedule of the United States ("HTSUS").² In addition, the Department preliminarily determined that highly-enriched uranium ("HEU") (uranium enriched to 20 percent or greater in the isotope uranium-235) is not within the scope of the investigation.

On October 30, 1992, the Department issued a suspension of the antidumping duty investigation of uranium from Russia and an amendment of the preliminary determination.³ The notice amended the scope of the investigation to include HEU.⁴ Imports of uranium ores and concentrates, natural uranium compounds, and all other forms of enriched uranium were classifiable under HTSUS subheadings 2612.10.00, 2844.10.20, 2844.20.00, respectively. Imports of natural uranium metal and forms of natural uranium other than compounds were classifiable under HTSUS subheadings 2844.10.10 and 2844.10.50.⁵

In addition, Section III of the Agreement provides that uranium ore from Russia that is milled into U₃O₈ and/or converted into UF₆ in another country prior to direct and/or indirect importation into the United States is considered uranium from Russia and is subject to the terms of the Agreement, regardless of any subsequent modification or blending.⁶ Uranium enriched in U²³⁵ in another country prior to direct and/or indirect

² See *Preliminary Determination of Sales at Less Than Fair Value: Uranium from Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine and Uzbekistan*; and *Preliminary Determination of Sales at Not Less Than Fair Value: Uranium from Armenia, Azerbaijan, Byelorussia, Georgia, Moldova and Turkmenistan*, 57 FR 23380, 23381 (June 3, 1992).

³ See *Antidumping: Uranium from Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine, and Uzbekistan*; *Suspension of Investigations and Amendment of Preliminary Determinations*, 57 FR 49220 (October 30, 1992).

⁴ *Id.* at 49235.

⁵ *Id.*

⁶ *Id.* at 49235.

¹ The Department based its analysis of the comments on class or kind submitted during the proceeding and determined that the product under investigation constitutes a single class or kind of merchandise. The Department based its analysis on the "Diversified" criteria (see *Diversified Products Corp. v. United States*, 6 CIT 1555 (1983); see also *Preliminary Determination of Sales at Less Than Fair Value: Uranium from Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine and Uzbekistan*; and *Preliminary Determination of Sales at Not Less Than Fair Value: Uranium from Armenia, Azerbaijan, Byelorussia, Georgia, Moldova and Turkmenistan*, 57 FR 23380, 23382 (June 3, 1992).