

within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, D.C. 20230.

Dated: September 22, 2000.

**Madeleine Clayton,**

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

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**BILLING CODE 3510-JT-P**

**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

**[Docket 54-2000]**

**Foreign-Trade Zone 8—Toledo, Ohio Area Application for Expansion**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Toledo-Lucas County Port Authority, grantee of Foreign-Trade Zone 8, requesting authority to expand its zone in the Toledo, Ohio area, within the Toledo/Sandusky Customs port of entry. 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 September 19, 2000.

FTZ 8 was approved on October 11, 1960 (Board Order 51, 25 FR 9909, 10/15/60) and expanded on January 22, 1973 (Board Order 92, 38 FR 3015, 1/31/73); January 11, 1985 (Board Order 277, 50 FR 2702, 1/18/85); August 19, 1991 (Board Order 532, 56 FR 42026, 8/26/91); and June 12, 2000 (Board Order 1102, 65 FR 37960, 6/19/00). The general-purpose zone currently consists of 3 sites (497 acres) in the Toledo area: *Site 1* (150 acres)—within the Port of Toledo complex at the Overseas Cargo Center, Toledo; *Site 2* (337 acres)—at the Toledo Express Airport, in Swanton, Ohio, some 5 miles west of Toledo; and, *Site 3* (10 acres)—at the First Choice Packaging warehouse facility, 1501 West State Street, Fremont.

The applicant is now requesting authority to expand the general-purpose zone to include an additional site: *Proposed Site 4* (471 acres)—Cedar Point Development Park and adjacent areas, east of Lallendorf Road, south of Cedar Point Road and west of Wynn Road, Oregon. The site is owned primarily by the City of Oregon, the Oregon on the Bay Economic Development Foundation and several private owners. No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

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 on the application 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 November 27, 2000. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to December 11, 2000).

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, Export Assistance Center, 300 Madison Avenue, Suite 270, Toledo, OH 43604; Office of the Executive Secretary, Foreign-Trade Zones Board, Room 4008, U.S. Department of Commerce 14th & Pennsylvania Avenue, NW, Washington, DC 20230.

Dated: September 20, 2000.

**Dennis Puccinelli,**

*Executive Secretary.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-428-814, A-428-815]**

**Amended Final Determinations of Sales at Less Than Fair Value: Certain Cold-Rolled and Corrosion Resistant Carbon Steel Flat Products From Germany**

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

**ACTION:** Amendment to final determinations of antidumping duty investigations in accordance with decision upon remand.

**SUMMARY:** We are amending the "all others" cash deposit rate to 21.66% ad valorem for certain cold-rolled carbon steel flat products from Germany and 10.02% ad valorem for corrosion resistant carbon steel flat products from Germany.

**EFFECTIVE DATE:** September 27, 2000.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Thirumalai, Office 1, Group 1, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue, NW, Washington DC 20230; telephone (202) 482-4087.

**The Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions in effect as of December 31, 1994. In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations refer to 19 CFR part 353 (April 1997).

**Background**

On April 27, 1995, the United States Court of International Trade (CIT) remanded to the Department the amended final determinations in the antidumping duty investigations of certain cold-rolled and corrosion resistant carbon steel flat products from Germany. *See Thyssen Stahl AG v. United States*, 886 F. Supp. 23 (CIT 1995) (see also Notice of Final Determination of Sales at Less Than Fair Value; Certain Hot-Rolled Carbon Steel Flat Products, Certain Cold-Rolled Carbon Steel Flat Products, Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Flat Products From Germany, 58 FR 37136 (July 9, 1993), as amended, 58 FR 44170 (August 19, 1993)). In its remand, the CIT instructed the Department to recalculate the dumping margins for Thyssen Stahl AG (Thyssen) by 1) disallowing the adjustment for currency hedging gains on U.S. sales, and 2) multiplying the rate of the German value-added tax (VAT) by the U.S. price and then increasing that price by the resultant amount (while not subtracting the VAT from the home market price). On June 27, 1995, the Department filed its results of redetermination pursuant to the CIT's order.

Following the Court of Appeals for the Federal Circuit's (CAFC's) decision with respect to the VAT methodology in *Federal Mogul Corp. v. United States*, 63 F.3d 1572 (Fed.Cir. 1995) (*Federal Mogul*), the Department requested a second remand in these cases to conform the VAT methodology in the above-referenced investigations to that resulting from *Federal Mogul*. The CIT granted the Department's request for a second remand in Slip Op. 95-183 (November 17, 1995). Pursuant to *Federal Mogul*, the Department changed its treatment of home market consumption taxes by adding to U.S. price the absolute amount of such taxes incurred on the comparison home market sales. On January 22, 1996, the Department filed its revised final remand results.