

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-357-804]

**Revocation of Antidumping Duty Order: Silicon Metal From Argentina**

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

**ACTION:** Notice of revocation of antidumping duty order: silicon metal from Argentina.

**SUMMARY:** Pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the United States International Trade Commission ("the Commission") determined that revocation of the antidumping duty order on silicon metal from Argentina is not likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (66 FR 8981 (February 5, 2001)). Therefore, pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(1), the Department of Commerce ("the Department") is revoking the antidumping duty order on silicon metal from Argentina. Pursuant to section 751(c)(6)(A)(iv) of the Act and 19 CFR 351.222(i)(2)(ii) the effective date of revocation is January 1, 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, DC 20230; telephone: (202) 482-5050 or (202) 482-3330, respectively.

**EFFECTIVE DATE:** January 1, 2000.

**Background**

On November 2, 1999, the Department initiated (64 FR 59160), and the Commission instituted (64 FR 59209), a sunset review of the antidumping duty order on silicon metal from Argentina, pursuant to section 751(c) of the Act. As a result of its review, the Department found that revocation of the antidumping duty order on silicon metal from Argentina would likely lead to continuation or recurrence of dumping, and notified the Commission of the magnitude of the margin likely to prevail were the antidumping duty order revoked. See *Silicon Metal From Argentina; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 65 FR 35608 (June 5, 2000).

On February 5, 2001, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on silicon

metal from Argentina would not likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See *Silicon Metal From Argentina*, 66 FR 8981 (February 5, 2001), and USITC Pub. 3385, (January 2001), Investigations Nos. 731-TA-470-472 (Review).

**Scope**

The merchandise subject to this antidumping duty order is silicon metal containing at least 96.00 percent, but less than 99.99 percent of silicon by weight. Also subject to this order is silicon metal containing between 89.00 and 96.00 percent silicon by weight but which contains a higher aluminum content than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight (65 FR 5311, February 3, 2000). Silicon metal is currently provided under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule ("HTS") as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon is provided under subheading 2804.61.00 of the HTS is not subject to this antidumping duty order. Although the HTS numbers are provided for convenience and customs purposes, the written description remains dispositive.

**Determination**

As a result of the determination by the Commission that revocation of this antidumping duty order is not likely to lead to continuation or recurrence of material injury to an industry in the United States, the Department, pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(1), is revoking the antidumping duty order on silicon metal from Argentina.

Pursuant to section 751(c)(6)(A)(iv) of the Act and 19 CFR 351.222(i)(2)(ii), this revocation is effective January 1, 2000. The Department will instruct the 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). The Department will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This notice is published pursuant to section 703(c)(2) of the Act. Effective January 20, 2001, Bernard T. Carreau is

fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: February 12, 2001.

**Bernard T. Carreau,**

*Deputy Assistant Secretary, AD/CVD Enforcement II.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-351-806, A-570-806, A-351-824, A-570-828, A-823-805]

**Continuation of Antidumping Duty Orders on Silicon Metal From Brazil and China and on Silicomanganese From Brazil and China, and Continuation of Suspended Antidumping Duty Investigation on Silicomanganese From Ukraine**

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

**ACTION:** Notice of continuation of antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and of suspended antidumping duty investigation on silicomanganese from Ukraine.

**SUMMARY:** 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 silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the agreement suspending the antidumping duty investigation ("the Agreement") on silicomanganese from Ukraine would be likely to lead to continuation or recurrence of dumping.<sup>1</sup> On February 5, 2001, the International Trade Commission ("the Commission"), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the agreement on silicomanganese from Ukraine would be

<sup>1</sup> *Silicon Metal From Brazil; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 65 FR 35607 (June 5, 2000), *Silicon Metal From the People's Republic of China; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 65 FR 35609 (June 5, 2000), *Silicomanganese From the People's Republic of China and Brazil; Final Results of Antidumping Duty Expedited Sunset Reviews*, 65 FR 35324 (June 2, 2000), and *Final Results of Full Sunset Review: Silicomanganese From Ukraine*, 65 FR 58045 (September 27, 2000).

likely to lead to continuation or recurrence of material injury to industries in the United States within a reasonably foreseeable time (66 FR 8981 (February 5, 2001)). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of the continuation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and of the continuation of the suspended investigation on silicomanganese from Ukraine.

**EFFECTIVE DATE:** February 16, 2001.

**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, DC 20230; telephone: (202) 482-5050 or (202) 482-3330, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 2, 1999, the Department initiated (64 FR 59160) and the Commission instituted (64 FR 59204; 59209) sunset reviews of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and sunset reviews of the suspended antidumping duty investigation on silicomanganese from Ukraine, pursuant to section 751(c) of the Act. As a result of its reviews, the Department found that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the agreement on Silicomanganese from Ukraine would be likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margin likely to prevail were the orders revoked and the agreement terminated.<sup>2</sup>

On February 5, 2001, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the suspended investigation on silicomanganese from

Ukraine 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 Silicon Metal From Argentina, Brazil, and China, and Silicomanganese From Brazil, China, and Ukraine*, 66 FR 8981 (February 5, 2001) and USITC Pub. 3384 (January 2001) Investigation Nos., 731 TA-470-472, and 731 TA 671-673 (Reviews).

**Scope**

*Silicon Metal—Brazil and China*

The merchandise subject to these antidumping duty orders is silicon metal containing at least 96.00 percent, but less than 99.99 percent of silicon by weight. Also covered by these orders is silicon metal containing between 89.00 and 96.00 percent silicon by weight but which contains a higher aluminum content than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight (58 FR 27542, May 10, 1993). Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the HTS as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS is not subject to these orders. Although the HTS numbers are provided for convenience and customs purposes, the written description remains dispositive.

*Silicomanganese—Brazil, China, and Ukraine*

The merchandise subject to the orders and the suspension agreement is silicomanganese. Silicomanganese, which is sometimes called ferrosilicon manganese, is a ferroalloy composed principally of manganese, silicon, and iron, and normally containing much smaller proportions of minor elements, such as carbon, phosphorous, and sulfur. Silicomanganese generally contains by weight not less than four percent iron, more than 30 percent manganese, more than eight percent silicon, and not more than three percent phosphorous. All compositions, forms, and sizes of silicomanganese are included within the scope of these orders, and agreement, including silicomanganese slag, fines, and briquettes. Silicomanganese is used primarily in steel production as a source of both silicon and manganese. These antidumping duty orders, and this agreement, cover all silicomanganese, regardless of its tariff classification. Most silicomanganese is currently classifiable under subheading

7202.30.0000 of the HTS schedule. Some silicomanganese may also currently be classifiable under HTS subheading 7202.99.5040. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope remains dispositive.

**Determination**

As a result of the determinations by the Department and the Commission that revocation of the antidumping duty orders and termination of the agreement 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, the Department hereby orders the continuation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and the continuation of the agreement on silicomanganese from Ukraine. The Department will instruct the 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, and this agreement, will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of these orders, and this agreement, not later than January 2006.

This notice is published pursuant to section 703(c)(2) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: February 12, 2001.

**Bernard T. Carreau,**

*Deputy Assistant Secretary, AD/CVD Enforcement II.*

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**DEPARTMENT OF DEFENSE**

**Department of the Army, Corps of Engineers**

**Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Illinois River Ecosystem Restoration Feasibility Report, Illinois**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** A DEIS will be prepared to address the Illinois River Ecosystem Restoration Feasibility Report, a systemic evaluation of identify

<sup>2</sup> *Silicon Metal From Brazil; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 65 FR 35607 (June 5, 2000), *Silicon Metal From the People's Republic of China; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 65 FR 35609 (June 5, 2000), *Silicomanganese From the People's Republic of China and Brazil; Final Results of Antidumping Duty Expedited Sunset Reviews*, 65 FR 35324 (June 2, 2000), and *Final Results of Full Sunset Review: Silicomanganese From Ukraine*, 65 FR 58045 (September 27, 2000).