

notice. All provisions of 19 CFR 351.214 will apply to Gunung throughout the duration of this new shipper review.

Antidumping duty proceeding	Period to be reviewed
Indonesia: Certain Cut-To-Length Carbon-Quality Steel Plate Products, A-560-805; PT. Gunung Raja Paksi	02/01/00-1/31/01

Pursuant to 19 CFR 351.214(g)(i)(A), the standard period of review ("POR") in a new shipper review, which like this one, was initiated in the month immediately following the anniversary month, is the twelve month period immediately preceding the anniversary month. Therefore, the POR for this new shipper review is February 1, 2000, through January 31, 2001.

Concurrent with publication of this notice, and in accordance with 19 CFR 351.214(e), we will instruct the Customs Service to suspend liquidation of any unliquidated entries of the subject merchandise from the relevant exporter or producer, and to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise exported by the above-listed company.

Interested parties that need access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.214.

Dated: March 12, 2001.

Richard W. Moreland,

Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-580-818]

Certain Cold-Rolled and Corrosion-Resistant Carbon Steel Flat Products From Korea: Amended Final Affirmative Countervailing Duty Determinations in Accordance with Decision Upon Remand

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

ACTION: Notice of amendment to final affirmative countervailing duty

determinations in accordance with decision upon remand.

SUMMARY: On April 5, 2000, the Court of International Trade (CIT) remanded this case to recalculate duties owed in conformity with the Court of Appeals for the Federal Circuit's (CAFC's) decision in *AK Steel Corp., v. United States*, 193 F.3d 1367 (Fed. Cir. 1999) (*AK Steel*). In accordance with that remand order, on June 19, 2000, the Department issued its *Final Results of Redetermination on Remand Pursuant to LaClede Steel Co., et al. v. United States*, Slip Op. 00-36 (CIT April 5, 2000) (*Second Remand*). In the *Second Remand*, the Department recalculated the program rates, the company-specific total *ad valorem* and the country-wide rate.

EFFECTIVE DATE: March 27, 2001.

FOR FURTHER INFORMATION CONTACT: Tipten Troidl or Richard Herring, AD/CVD Enforcement Office VI, Group II, Import Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-2786.

SUPPLEMENTARY INFORMATION: In *British Steel P.L.C. v. United States*, 941 F. Supp. 119 (CIT 1996) (*British Steel IV*), the CIT upheld the Department's final determination in the *Final Affirmative Countervailing Duty Determinations and Final Negative Critical Circumstances Determinations: Certain Steel Products from Korea*, 58 FR 37338 (July 9, 1993) (*Steel Products from Korea*). Respondents challenged the CIT's ruling, and on October 1, 1999, the CAFC issued its decision in *AK Steel*, affirming-in-part and reversing-in-part the decision of the CIT in *British Steel IV*. In *AK Steel*, the CAFC affirmed that the Korean government exercised *de jure* control of the financial system to benefit the steel industry through 1984. *AK Steel*, 193 F.3d at 1371. However, the CAFC determined that the Department's conclusion that there is a causal nexus between the Korean government's control of the financial system and the domestic loans received by the steel industry from private sources after 1985 was unsupported by substantial evidence. *Id.* at 1376. The CAFC reversed the portion of the CIT's judgment in *British Steel IV* concerning

the imposition of countervailing duties based on domestic credit provided to the Korean steel industry by private Korean lenders. *Id.* In addition, the CAFC determined that loans from foreign lenders are not countervailable subsidies under the terms of the then existent statute. *Id.* at 1378. On April 5, 2000, the CIT remanded this case to the Department to recalculate duties owed in conformity with the CAFC's decision. In accordance with that order, on June 19, 2000, the Department issued the *Second Remand*, where the Department recalculated the program rates, the company-specific total *ad valorem*, and the country-wide rate.

Remand Results

In accordance with the Court's instructions, we recalculated respondents' net subsidy rates using a methodology which ensures that countervailing duties are not based on domestic credit provided to the Korean steel industry by private Korean lenders after 1984 and are not based on preferential access to foreign credit. In addition, we recalculated the country-wide rate by taking the weighted-average of all of the companies' company-specific program rates. We then determined whether each company's individual company-specific rate was significantly different from the country-wide rate. In the event a company's rate was significantly different, we assigned it an individually-calculated rate. Otherwise, we assigned the company the country-wide rate. Listed below are the rates for corrosion-resistant products in the first table and cold-rolled products in the second table.

The final countervailing duty rates for the 1991 period of investigation are as follows:

Manufacturer/Exporter of corrosion-resistant	Ad Valorem rate
Pohang Iron & Steel Co., Ltd. (POSCO).	1.15
Dongbu Steel Co., Ltd. (Dongbu) Union Steel Manufacturing (Union).	1.15 <i>De minimis</i>
Country-Wide Rate	1.15

Manufacturer/Exporter of cold-rolled	Ad Valorem rate
Pohang Iron & Steel Co., Ltd. (POSCO).	1.45
Dongbu Steel Co., Ltd. (Dongbu) Union Steel Manufacturing (Union).	1.45 <i>De minimis</i>
Country-Wide Rate	1.45

The Department has been enjoined from issuing any liquidation instructions to the U.S. Customs Service (Customs) until the conclusion of litigation of this case. Litigation has been completed, and therefore the Department will issue liquidation instructions directly to Customs. The Department will instruct Customs to assess countervailing duties on all appropriate entries from December 7, 1992, the date of the publication of the *Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determinations with Final Antidumping Duty Determinations: Certain Steel Products from Korea* (57 FR 57761), when we first suspended liquidation, through December 31, 1999; the period which would have been covered by the latest administrative review. We are issuing liquidation instructions through December 31, 1999, because, although there have been no administrative reviews covering the period through December 31, 1999, the Department has been enjoined from issuing liquidation instructions pending the resolution of this litigation. With the Court's affirmation of the results of the Department's *Second Remand*, we are now able to issue liquidation instructions for this time period.

Union Steel Manufacturing (Union) is excluded from both the cold-rolled and the corrosion-resistant orders because it received a *de minimis ad valorem* rate in each investigation. Therefore, we will instruct Customs to liquidate entries from Union without regard to countervailing duties. In addition, the order on cold-rolled carbon steel flat products was revoked effective January 1, 2000, pursuant to section 751(c) of the Tariff Act, as amended. See *Notice of Final Results of Sunset Review and Revocation of Countervailing Duty Order: Cold-Rolled Carbon Steel Products from Korea*, 65 FR 78469 (December 15, 2000). Therefore, we instructed Customs to terminate suspension of liquidation for all entries of subject merchandise without regard to CVD duties after January 1, 2000, and there are no cash deposit requirements in effect for cold-rolled steel products. However, the order on corrosion-

resistant carbon steel flat products remains in effect. Since there have not been any intervening administrative reviews with respect to the order on corrosion-resistant carbon steel flat products, the above rates will affect the cash deposit requirements currently in effect. The cash deposit requirement for corrosion-resistant carbon steel flat products will be 1.15 percent.

This amendment to the final results of countervailing duty determinations notice is in accordance with section 705(d) of the Tariff Act of 1930, as amended, (19 USC 1671d(d)) and section 351.210(c) of the Department's regulations. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: March 20, 2001.

Bernard T. Carreau,

Deputy Assistant Secretary, Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-560-806]

Certain Cut-To-Length Carbon-Quality Steel Plate From Indonesia: Notice of Initiation of New Shipper Countervailing Duty Review

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

ACTION: Notice of Initiation of New Shipper Countervailing Duty Review.

SUMMARY: On February 22, 2001, the Department of Commerce (the Department) received a request to conduct a new shipper review of the countervailing duty order on certain cut-to-length carbon-quality steel plate from Indonesia. We are initiating this new shipper review in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended, (the Act), and 19 CFR 351.214(d).

EFFECTIVE DATE: March 27, 2001.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore or Tipten Troidl, Office of AD/CVD Enforcement VI, Group II, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone numbers (202) 482-3692 and 482-1767, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Act are references to the

provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations refer to the regulations codified at 19 CFR part 351 (2000).

SUPPLEMENTARY INFORMATION:

Background

On December 29, 1999, the Department published the final affirmative countervailing duty determination on certain cut-to-length carbon-quality steel plate from Indonesia. See *Final Affirmative Countervailing Duty Determination: Certain Cut-to-Length Carbon-Quality Steel Plate from Indonesia*, 64 FR 73155. On February 10, 2000, the Department published the countervailing duty order. See *Notice of Amended Final Determinations: Certain Cut-to-Length Carbon-Quality Steel Plate from India and the Republic of Korea; and Notice of Countervailing Duty Orders: Certain Cut-To-Length Carbon-Quality Steel Plate from France, India, Indonesia, Italy, and the Republic of Korea*, 65 FR 6587. The Department received a request from a cut-to-length carbon-quality steel plate producer and exporter in Indonesia, PT. Gunung Rajapaksi, to conduct a new shipper review of the countervailing duty order on certain cut-to-length carbon-quality steel plate from Indonesia. This request was made pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b).

Initiation of Review

Pursuant to 19 CFR 351.214(b), in its request of February 1, 2001, PT. Gunung Rajapaksi certified that (1) it did not export the subject merchandise to the United States during the period of investigation (POI) (January 1, 1998 through December 31, 1998) and (2) that, since the investigation was initiated, it has never been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI. Also, in accordance with 19 CFR 351.214(b)(2), PT. Gunung Rajapaksi submitted documentation establishing (1) the date on which its merchandise was first entered, or withdrawn from warehouse, for consumption in the United States, (2) the volume of that first shipment and (3) the date of its first sale to an unaffiliated customer in the United States. In addition, the company provided a certification stating that it has informed the Government of Indonesia that it will be required to provide a full response to the