

suspension of liquidation of all entries of subject merchandise.

The revised weighted-average dumping margins are as follows:

Exporter/manufacture	Weighted-average margin percentage
ProfilARBED .....	1.43 ( <i>de minimis</i> )

**Postponement of Final Determination**

Pursuant to section 735(a)(2)(B) of the Act, on December 18, 2001, the petitioners requested that, in the event of a negative preliminary determination in this investigation, the Department postpone its final determination until not later than 135 days after the date of the publication of the preliminary determination in the **Federal Register**. In accordance with 19 CFR 351.210(b)(i), because our amended preliminary determination is negative and no compelling reasons for denial exist, we are granting the petitioners' request and are postponing the final determination until no later than 135 days after the publication of the Department's original preliminary determination notice in the **Federal Register** on December 28, 2002.

**Suspension of Liquidation**

We will instruct the Customs Service to terminate the suspension of liquidation of all entries of structural steel beams from Luxembourg, including those entries exported by ProfilARBED, and release any cash deposits, bonds, or other securities posted. These instructions will remain in effect until further notice.

**International Trade Commission Notification**

In accordance with section 733(f) of the Act, we have notified the International Trade Commission ("ITC") of the amended preliminary determination. As a result of this amended preliminary determination, if our final determination is affirmative, the ITC will determine within 75 days, rather than 45 days, of our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

This amended preliminary determination is published pursuant to section 777(i)(1) of the Act and 19 CFR 351.224(e).

Dated: January 24, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-583-838]

**Notice of Amended Preliminary Determination of Sales at Less Than Fair Value: Structural Steel Beams From Taiwan**

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

**ACTION:** Notice of amended preliminary determination of sales at less than fair value.

**EFFECTIVE DATE:** January 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Kate Johnson or Rebecca Trainor, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4929 or (202) 482-4007, respectively.

**SUPPLEMENTARY INFORMATION:** Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (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 of Commerce's (the Department's) regulations are references to 19 CFR part 351 (April 2001).

**Amended Preliminary Determination**

We are amending the preliminary determination of sales at less than fair value for structural steel beams from Taiwan to reflect the correction of a ministerial error made in the margin calculations in that determination. We are publishing this amendment to the preliminary determination pursuant to 19 CFR 351.224(e).

**Case History**

On December 19, 2001, the Department preliminarily determined that structural steel beams from Taiwan are being, or are likely to be, sold in the United States at less than fair value (66 FR 67202, December 28, 2001).

On December 20 and 27, 2001, we disclosed our calculations for the preliminary determination to counsel for Tung Ho Steel Enterprise Corp. (Tung Ho) and Kuei Yi Industrial Co., Ltd. (Kuei Yi), respectively. On January 2, 2002, we disclosed our calculations to counsel for the petitioners.

On January 7, 2002, we received a submission, timely filed pursuant to 19 CFR 351.224(c)(2), from the petitioners

alleging a ministerial error in the Department's preliminary determination. In their submission, the petitioners stated that the correction of this error would result in a significant change in the Department's preliminary determination. We did not receive ministerial error allegations from either respondent.

**Amendment of Preliminary Determination**

The Department's regulations provide that the Department will correct any significant ministerial error by amending the preliminary determination. See 19 CFR 351.224(e). A significant ministerial error is an error the correction of which, either singly or in combination with other errors: (1) Would result in a change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original (erroneous) preliminary determination; or (2) would result in a difference between a weighted-average dumping margin of zero (or *de minimis*) and a weighted-average dumping margin of greater than *de minimis*, or vice versa. See 19 CFR 351.224(g).

After analyzing the petitioners' submission, we have determined that a ministerial error was made in the margin calculation for Kuei Yi in the preliminary determination. Specifically, we inadvertently failed to convert Kuei Yi's home market discounts and rebates into U.S. dollars for the calculation of home market net unit price.

Pursuant to 19 CFR 351.224(g)(1), the ministerial error acknowledged above for Kuei Yi is significant because the correction of the ministerial error results in a change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original preliminary determination. Therefore, we have recalculated the margin for Kuei Yi. In addition, we have recalculated the "All Others Rate." The Department hereby amends its preliminary determination with respect to Kuei Yi to correct this error.

The revised weighted-average dumping margins are as follows:

Exporter/manufacture	Weighted-average margin percentage
Kuei Yi Industrial Co., Ltd .....	34.56
All Others .....	25.45

**Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, the Department will direct

the Customs Service to continue to suspend liquidation of all entries of structural steel beams from Taiwan that are entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the **Federal Register**. The Customs Service shall continue to require a cash deposit or the posting of a bond equal to the estimated amount by which the normal value exceeds the U.S. price as shown above. These instructions will remain in effect until further notice.

#### **International Trade Commission Notification**

In accordance with section 733(f) of the Act, we have notified the International Trade Commission of the amended preliminary determination.

This amended preliminary determination is published pursuant to section 777(i) of the Act and 19 CFR 351.224(e).

Dated: January 24, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 02-2412 Filed 1-30-02; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

[A-428-831]

#### **Notice of Amended Preliminary Determination of Sales at Less Than Fair Value: Structural Steel Beams From Germany**

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

**ACTION:** Notice of amended preliminary antidumping duty determination of sales at less than fair value: structural steel beams from Germany.

**EFFECTIVE DATE:** January 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Thomas Schauer or Edythe Artman, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0410 or (202) 482-3931, respectively.

#### **The Applicable Statute and Regulations**

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 of Commerce's (the Department's) regulations are to the provisions codified at 19 CFR part 351 (2001).

#### **Significant Ministerial Error**

The Department of Commerce (the Department) is amending the preliminary determination of sales at less than fair value in the antidumping duty investigation of structural steel beams from Germany to reflect the correction of a significant ministerial error made in the margin calculations regarding Stahlwerk Thüringen GmbH ("SWT") in that determination, pursuant to 19 CFR 341.224(g)(1) and (g)(2). A ministerial error is defined as an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial. See 19 CFR 351.224(f). A significant ministerial error is defined as an error, the correction of which, singly or in combination with other errors, would result in (1) a change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original (erroneous) preliminary determination; or (2) a difference between a weighted-average dumping margin of zero or *de minimis* and a weighted-average dumping margin of greater than *de minimis* or vice versa. See 19 CFR 351.224(g). In this case, correction of the ministerial error results in SWT's margin becoming *de minimis*. We are publishing this amendment to the preliminary determination pursuant to 19 CFR 351.224(e). As a result of this amended preliminary determination, we have revised the antidumping rates for one respondent, SWT.

#### **Scope of Investigation**

The scope of this investigation covers doubly-symmetric shapes, whether hot- or cold-rolled, drawn, extruded, formed or finished, having at least one dimension of at least 80 mm (3.2 inches or more), whether of carbon or alloy (other than stainless) steel, and whether or not drilled, punched, notched, painted, coated, or clad. These structural steel beams include, but are not limited to, wide-flange beams ("W" shapes), bearing piles ("HP" shapes), standard beams ("S" or "I" shapes), and M-shapes. All the products that meet the physical and metallurgical descriptions provided above are within the scope of this investigation unless otherwise excluded. The following

products are outside and/or specifically excluded from the scope of this investigation: (1) Structural steel beams greater than 400 pounds per linear foot, (2) structural steel beams that have a web or section height (also known as depth) over 40 inches, and (3) structural steel beams that have additional weldments, connectors or attachments to I-sections, H-sections, or pilings; however, if the only additional weldment, connector or attachment on the beam is a shipping brace attached to maintain stability during transportation, the beam is not removed from the scope definition by reason of such additional weldment, connector or attachment.

The merchandise subject to this investigation is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings 7216.32.0000, 7216.33.0030, 7216.33.0060, 7216.33.0090, 7216.50.0000, 7216.61.0000, 7216.69.0000, 7216.91.0000, 7216.99.0000, 7228.70.3040, and 7228.70.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

#### **Ministerial-Error Allegation**

On December 19, 2001, the Department issued its affirmative preliminary determination in this proceeding. See *Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Structural Steel Beams from Germany*, 66 FR 67190 (December 28, 2001) (*Preliminary Determination*). There are two respondent manufacturers/exporters, SWT and Salzgitter AG, in this investigation.

On January 2, 2002, the Department received timely allegations of a ministerial error (in accordance with section 351.224(c)(2) of the Department's regulations) in the *Preliminary Determination* from SWT. SWT alleged that the Department inadvertently did not convert quantity adjustments for U.S. sales from pounds to metric tons. On January 7, 2002, the Department received timely allegations of ministerial errors (in accordance with 351.224(c)(2)) in the *Preliminary Determination* from the Committee for Fair Beam Imports and its individual members, Northwestern Steel and Wire Company, Nucor Corporation, Nucor-Yamato Steel Company, and TXI-Chaparral Steel Company ("the petitioners"). The petitioners alleged that (1) the Department's language for converting quantities denominated in pounds to metric tons is superfluous