

the Department's regulations, we are postponing the final determination until no later than September 23, 2002 (*i.e.*, 135 days after the publication of the preliminary determination).

This extension is in accordance with section 735(a)(2)(A) of the Act.

Dated: June 21, 2002

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 02-16373 Filed 6-27-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-834]

#### **Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review**

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

**ACTION:** Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review.

**SUMMARY:** On December 31, 2001, the Department of Commerce ("Department") published the notice of preliminary results of its changed circumstances review examining whether INI Steel Company ("INI") is the successor-in-interest to Incheon Iron & Steel Co., Ltd. ("Inchon") by virtue of its name change. *See Notice of Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review: Stainless Steel Sheet and Strip in Coils from the Republic of Korea*, 66 FR 67513 (December 31, 2001) ("Preliminary Results"). In those *Preliminary Results*, the Department found that INI is the successor-in-interest to Incheon and that INI and Sammi Steel Co. ("Sammi") remain separate legal entities.

After considering comments from interested parties, the Department continues to find that INI is the successor-in-interest to Incheon, and that INI should retain the deposit rate assigned to Incheon by the Department for all entries of the subject merchandise produced or exported by INI; and that INI's acquisition of Sammi has not changed the status of either company as separate legal entities. We have now completed this changed circumstances review in accordance with 19 C.F.R. 351.216 and 351.221(c)(3).

**EFFECTIVE DATE:** June 28, 2002.

#### **FOR FURTHER INFORMATION CONTACT:**

Cheryl Werner or Laurel LaCivita, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-2667 and (202) 482-4243, respectively.

#### **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. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR Part 351 (2001).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On October 1, 2001, the Department initiated this changed circumstances review.

*See Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Notice of Initiation of Changed Circumstances Antidumping Duty Administrative Review*, 66 FR 49927 (October 1, 2001) ("Notice of Initiation"). On December 31, 2001, the Department published the preliminary results of its changed circumstances review in the above-named case. *See Preliminary Results*. We gave interested parties 21 days to comment on our preliminary results. On January 22, 2002, petitioners submitted comments and on January 28, 2002, INI submitted rebuttal comments. *See Comments* section below.

##### **Scope of the Review**

For purposes of this changed circumstances review, the products covered are certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness, and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing.

The merchandise subject to this review is classified in the *Harmonized Tariff Schedule of the United States* (HTSUS) at subheadings: 7219.13.0031, 7219.13.0051, 7219.13.0071,

7219.1300.81<sup>1</sup>, 7219.14.0030, 7219.14.0065, 7219.14.0090, 7219.32.0005, 7219.32.0020, 7219.32.0025, 7219.32.0035, 7219.32.0036, 7219.32.0038, 7219.32.0042, 7219.32.0044, 7219.33.0005, 7219.33.0020, 7219.33.0025, 7219.33.0035, 7219.33.0036, 7219.33.0038, 7219.33.0042, 7219.33.0044, 7219.34.0005, 7219.34.0020, 7219.34.0025, 7219.34.0030, 7219.34.0035, 7219.35.0005, 7219.35.0015, 7219.35.0030, 7219.35.0035, 7219.90.0010, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.12.1000, 7220.12.5000, 7220.20.1010, 7220.20.1015, 7220.20.1060, 7220.20.1080, 7220.20.6005, 7220.20.6010, 7220.20.6015, 7220.20.6060, 7220.20.6080, 7220.20.7005, 7220.20.7010, 7220.20.7015, 7220.20.7060, 7220.20.7080, 7220.20.8000, 7220.20.9030, 7220.20.9060, 7220.90.0010, 7220.90.0015, 7220.90.0060, and 7220.90.0080. Although the HTSUS subheadings are provided for convenience and Customs purposes, the Department's written description of the merchandise under review is dispositive.

Excluded from the scope of this review are the following: (1) sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled, (2) sheet and strip that is cut to length, (3) plate (*i.e.*, flat-rolled stainless steel products of a thickness of 4.75 mm or more), (4) flat wire (*i.e.*, cold-rolled sections, with a prepared edge, rectangular in shape, of a width of not more than 9.5 mm), and (5) razor blade steel. Razor blade steel is a flat-rolled product of stainless steel, not further worked than cold-rolled (cold-reduced), in coils, of a width of not more than 23 mm and a thickness of 0.266 mm or less, containing, by weight, 12.5 to 14.5 percent chromium, and certified at the time of entry to be used in the manufacture of razor blades. *See* Chapter 72 of the HTSUS, "Additional U.S. Note" 1(d).

The Department has determined that certain additional specialty stainless steel products are also excluded from the scope of this review. These excluded products are described below.

Flapper value steel is excluded from this review. Flapper valve steel is defined as stainless steel strip in coils

<sup>1</sup> Due to changes to the HTSUS numbers in 2001, 7219.13.0030, 7219.13.0050, 7219.13.0070, and 7219.13.0080 are now 7219.13.0031, 7219.13.0051, 7219.13.0071, and 7219.13.0081, respectively.

containing, by weight, between 0.37 and 0.43 percent carbon, between 1.15 and 1.35 percent molybdenum, and between 0.20 and 0.80 percent manganese. This steel also contains, by weight, phosphorus of 0.025 percent or less, silicon of between 0.20 and 0.50 percent, and sulfur of 0.020 percent or less. The product is manufactured by means of vacuum arc remelting, with inclusion controls for sulphide of no more than 0.04 percent and for oxide of no more than 0.05 percent. Flapper valve steel has a tensile strength of between 210 and 300 ksi, yield strength of between 170 and 270 ksi, plus or minus 8 ksi, and a hardness (Hv) of between 460 and 590. Flapper valve steel is most commonly used to produce specialty flapper valves in compressors.

Also excluded is a product referred to as suspension foil, a specialty steel product used in the manufacture of suspension assemblies for computer disk drives. Suspension foil is described as 302/304 grade or 202 grade stainless steel of a thickness between 14 and 127 microns, with a thickness tolerance of plus-or-minus 2.01 microns, and surface glossiness of 200 to 700 percent Gs. Suspension foil must be supplied in coil widths of not more than 407 mm, and with a mass of 225 kg or less. Roll marks may only be visible on one side, with no scratches of measurable depth. The material must exhibit residual stresses of 2 mm maximum deflection, and flatness of 1.6 mm over 685 mm length.

Certain stainless steel foil for automotive catalytic converters is also excluded from the scope of this review. This stainless steel strip in coils is a specialty foil with a thickness of between 20 and 110 microns used to produce a metallic substrate with a honeycomb structure for use in automotive catalytic converters. The steel contains, by weight, carbon of no more than 0.030 percent, silicon of no more than 1.0 percent, manganese of no more than 1.0 percent, chromium of between 19 and 22 percent, aluminum of no less than 5.0 percent, phosphorus of no more than 0.045 percent, sulfur of no more than 0.03 percent, lanthanum of less than 0.002 or greater than 0.05 percent, and total rare earth elements of more than 0.06 percent, with the balance iron.

Permanent magnet iron-chromium-cobalt alloy stainless strip is also excluded from the scope of this review. This ductile stainless steel strip contains, by weight, 26 to 30 percent chromium, and 7 to 10 percent cobalt, with the remainder of iron, in widths 228.6 mm or less, and a thickness between 0.127 and 1.270 mm. It exhibits magnetic remanence between 9,000 and

12,000 gauss, and a coercivity of between 50 and 300 oersteds. This product is most commonly used in electronic sensors and is currently available under proprietary trade names such as "Arnokrome III."<sup>2</sup>

Certain electrical resistance alloy steel is also excluded from the scope of this review. This product is defined as a non-magnetic stainless steel manufactured to American Society of Testing and Materials ("ASTM") specification B344 and containing, by weight, 36 percent nickel, 18 percent chromium, and 46 percent iron, and is most notable for its resistance to high temperature corrosion. It has a melting point of 1390 degrees Celsius and displays a creep rupture limit of 4 kilograms per square millimeter at 1000 degrees Celsius. This steel is most commonly used in the production of heating ribbons for circuit breakers and industrial furnaces, and in rheostats for railway locomotives. The product is currently available under proprietary trade names such as "Gilphy 36."<sup>3</sup>

Certain martensitic precipitation-hardenable stainless steel is also excluded from the scope of this review. This high-strength, ductile stainless steel product is designated under the Unified Numbering System ("UNS") as S45500-grade steel, and contains, by weight, 11 to 13 percent chromium, and 7 to 10 percent nickel. Carbon, manganese, silicon and molybdenum each comprise, by weight, 0.05 percent or less, with phosphorus and sulfur each comprising, by weight, 0.03 percent or less. This steel has copper, niobium, and titanium added to achieve aging, and will exhibit yield strengths as high as 1700 Mpa and ultimate tensile strengths as high as 1750 Mpa after aging, with elongation percentages of 3 percent or less in 50 mm. It is generally provided in thicknesses between 0.635 and 0.787 mm, and in widths of 25.4 mm. This product is most commonly used in the manufacture of television tubes and is currently available under proprietary trade names such as "Durphynox 17."<sup>4</sup>

Finally, three specialty stainless steels typically used in certain industrial blades and surgical and medical instruments are also excluded from the scope of this review. These include stainless steel strip in coils used in the production of textile cutting tools (e.g., carpet knives).<sup>5</sup> This steel is similar to

<sup>2</sup> "Arnokrome III" is a trademark of the Arnold Engineering Company.

<sup>3</sup> "Gilphy 36" is a trademark of Imphy, S.A.

<sup>4</sup> "Durphynox 17" is a trademark of Imphy, S.A.

<sup>5</sup> This list of uses is illustrative and provided for descriptive purposes only.

AISI grade 420 but containing, by weight, 0.5 to 0.7 percent of molybdenum. The steel also contains, by weight, carbon of between 1.0 and 1.1 percent, sulfur of 0.020 percent or less, and includes between 0.20 and 0.30 percent copper and between 0.20 and 0.50 percent cobalt. This steel is sold under proprietary names such as "GIN4 Mo." The second excluded stainless steel strip in coils is similar to AISI 420-J2 and contains, by weight, carbon of between 0.62 and 0.70 percent, silicon of between 0.20 and 0.50 percent, manganese of between 0.45 and 0.80 percent, phosphorus of no more than 0.025 percent and sulfur of no more than 0.020 percent. This steel has a carbide density on average of 100 carbide particles per 100 square microns. An example of this product is "GIN5" steel. The third specialty steel has a chemical composition similar to AISI 420 F, with carbon of between 0.37 and 0.43 percent, molybdenum of between 1.15 and 1.35 percent, but lower manganese of between 0.20 and 0.80 percent, phosphorus of no more than 0.025 percent, silicon of between 0.20 and 0.50 percent, and sulfur of no more than 0.020 percent. This product is supplied with a hardness of more than Hv 500 guaranteed after customer processing, and is supplied as, for example, "GIN6".<sup>6</sup>

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" ("Decision Memorandum") from Joseph A. Spetrini, Deputy Assistant Secretary, AD/CVD Enforcement Group III, to Faryar Shirzad, Assistant Secretary for Import Administration, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room B-099 of the main Department building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/frnhome.htm>. The paper copy and electronic version of the Decision Memorandum are identical in content.

<sup>6</sup> "GIN4 Mo," "GIN5" and "GIN6" are the proprietary grades of Hitachi Metals America, Ltd.

## Successorship and Final Results

On the basis of the record developed in this proceeding, we determine INI to be the successor-in-interest to Inchon for purposes of determining antidumping duty liability. Since Inchon was excluded from the antidumping duty order based on a calculated weighted-average margin of zero in the original investigation, INI is entitled to Inchon's exclusion from the antidumping duty order. *See Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Sheet and Strip in Coils From the Republic of Korea*, 64 FR 30664, 30688 (June 8, 1999) ("Final Determination") and *Notice of Antidumping Duty Order; Stainless Steel Sheet and Strip in Coils from United Kingdom, Taiwan and South Korea*, 64 FR 40555 (July 27, 1999). For a complete discussion of the basis for this decision see Comment 2 of the Issues and Decision Memo associated with this notice.

Further, based on our analysis in the *Preliminary Results* and comments received, we find that INI and Sammi remain separate legal entities. INI's acquisition of 68.42 percent of Sammi's equity does not by itself provide a basis for the Department to collapse the producers nor assign Sammi's cash deposit rate to INI, which is excluded from the order. *See Final Determination*, 64 FR 30664 (June 8, 1999).

This notice also serves as a final reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to timely notify the Department in writing of the return/destruction of APO material is a sanctionable violation.

We are issuing and publishing this finding and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.221(c)(3) and 19 CFR 351.216.

Dated: June 21, 2002

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

## APPENDIX I

1. Collapsing INI and Sammi
  2. Application of Sammi's antidumping duty rate to INI
- [FR Doc. 02-16372 Filed 6-27-02; 8:45 am]

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## Department of Commerce

### International Trade Administration

#### Public Hearing on the Addendum to the Agreement Concerning Trade in Certain Steel Products from the Russian Federation

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

**SUMMARY:** Pursuant to section 125(f) of the Trade Act of 1974, the Department of Commerce has scheduled a public hearing on a potential change to the import restrictions on semifinished steel products from the Russian Federation to the United States.

**EFFECTIVE DATE:** June 28, 2002.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning the public hearing and/or public comments, contact Carrie Blozy at (202) 482-0165. All other questions should be directed to Edward Yang at (202) 482-0406.

**SUPPLEMENTARY INFORMATION:** On June 1, 1990, pursuant to Title IV of the Trade Act of 1974 (the Trade Act), the Governments of the United States of America and the Union of Soviet Socialist Republics entered into the Agreement on Trade Relations Between the United States of America and the Union of Soviet Socialist Republics. On June 17, 1992, this agreement became effective between the United States of America and the Russian Federation ("the 1992 Agreement"). Article XI of the 1992 Agreement provides that the Parties will consult with a view toward finding a means of remedying or preventing actual or threatened market disruption, and authorizes the Parties to take action, including the imposition of import restrictions, to achieve this goal.

On July 12, 1999, the United States Department of Commerce and the Ministry of Trade of the Russian Federation, (now the Ministry of Economic Development and Trade of the Russian Federation), concluded the Agreement Concerning Trade in Certain Steel Products From the Russian Federation ("the 1999 Agreement") establishing import limitations on certain Russian steel products. On July 22, 1999, the President proclaimed the imposition of restraints on imports of certain steel products from the Russian Federation consistent with the 1999 Agreement. *See Proclamation 7210 of July 22, 1999*, 64 Fed.Reg. 40723 (July 27, 1999). On March 5, 2001, the President of the United States signed into effect the comprehensive relief program on steel imports pursuant to section 201 of the U.S. Tariff Act of 1974 ("201 Relief Program").

Recognizing that differences exist between the Tariff Rate Quotas established by the 201 Relief Program, and the export limits contained in the 1999 Agreement, the Parties agreed, ad referendum, to an Addendum to the Agreement Concerning Trade in Certain Steel Products From the Russian Federation ("Addendum").

The United States is considering the acceptance of the Addendum and consequent modification to Proclamation 7210 in order to modify the terms of the 1999 Agreement with regards to semifinished steel products from the Russian Federation. This Addendum would modify the export limit, export limit period and reporting periods of the 1999 Agreement to comply with the 201 Relief Program. All other provisions of the 1999 Agreement not affected by this Addendum remain in effect and unchanged.

Section 125(c) of the Trade Act (19 U.S.C. §2135(c)) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to the Trade Act, modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, to the extent, at such times, and for such periods as he deems necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States.

Section 125(f) of the Trade Act (19 U.S.C. §2135(f)) requires the President to provide the opportunity for interested parties to present views at a public hearing prior to taking action pursuant to section 125(b), (c), or (d) of the Trade Act (19 U.S.C. § 2135 (b), (c), or (d)). Such an opportunity is being provided by the holding of such a hearing on July 17, 2002, at 10:00am, at the United States Department of Commerce. The Department has published a copy of the Addendum on its Import Administration website (<http://www.ia.ita.doc.gov/newitems.htm>).

**Notice of Public Hearing:** Pursuant to section 125(f) of the Trade Act of 1974 (19 U.S.C. §2135(f)), the International Trade Administration of the Department of Commerce, has scheduled a public hearing beginning at 10 am, on July 17, 2002, at Room (TBA) of the Herbert C. Hoover Building, U.S. Department of Commerce, 14th and Constitution Ave., NW, Washington, DC.

**Requests to Present Oral Testimony:** Parties wishing to testify orally at the hearing must provide written notification of their intention not later than 5:00 p.m., July 8, 2002, to Faryar Shirzad, Assistant Secretary for Import