Preliminary Results of Changed Circumstances Review

Pursuant to section 751(d) of the Tariff Act of 1930, as amended, ("the Act"). the Department may revoke an antidumping duty order based on a review under section 751(b) of the Act. 19 CFR 351.222(g)(1)(i) provides that the Department may revoke an order, in whole or in part, based on changed circumstances if “(p)roducers accounting for substantially all of the production of the like product to which the order (or part of the order to be revoked) have expressed a lack of interest in the order, in whole or in part.” See also section 781(h)(2) of the Act. In this context, the Department has interpreted “substantially all” production normally to mean at least 85 percent of domestic production of the like product. See Oil Country Tubular Goods from Mexico: Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, 64 FR 14213, 14214 (March 24, 1999). See also Certain Tin Mill Products from Japan: Final Results of Changed Circumstances Review, 66 FR 52109, 52110 (October 12, 2001). U.S. Steel objects to the revocation, in part, of the order and claims that it constitutes over 15 percent of the total domestic production. See Letter from U.S. Steel, December 27, 2004.

Metal One has not shown, as required by 351.222(g)(1)(i) of the Department’s regulations, that producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order. Therefore, the Department preliminarily determined that there is insufficient evidence to warrant exclusion of the products included in Metal One’s changed circumstances review request from the scope of the order.

As Metal One has not met the requirement showing that substantially all of the producers of the domestic like product are no longer interested in the products included in Metal One’s changes circumstances review request, Metal One’s claim that its products is similar to products already excluded from the order is moot.

Public Comment

Any interested party may request a hearing within 10 days of publication of this notice. See 19 CFR 351.310(c). Any hearing, if requested, will be held 21 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs and/or written comments no later than 14 days after the date of publication of this notice. See 19 CFR 351.309(c)(ii). Rebuttal briefs and rebuttals to written comments, which must be limited to issues raised in such briefs or comments, may be filed no later than 19 days after the date of publication of this notice. See 19 CFR 351.309(d). Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities.

Consistent with 19 CFR 351.216(e), we will issue the final results of this changed circumstances review no later than 270 days after the date on which this review was initiated.

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

Dated: June 15, 2005.

Joseph A. Spetrini,
Acting Assistant Secretary for Import Administration.

DEPARTMENT OF COMMERCE
International Trade Administration
[A–485–803]

Notice of Final Results of Antidumping Duty Changed Circumstances Review: Certain Cut–to–Length Carbon Steel Plate from Romania

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

SUMMARY: On May 3, 2005, the Department of Commerce (“the Department”) published a notice of initiation and the preliminary results of its changed circumstances review of the antidumping duty finding on certain cut–to–length carbon steel plate (“carbon steel plate”) from Romania in which we preliminarily determined that Mittal Steel Galati S.A. (“Mittal Steel”) is the successor–in–interest to the S.C. Ispat Sidex S.A. (“Sidex”). See Certain Cut–to–Length Carbon Steel Plate from Romania: Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, 70 FR 22847 (May 3, 2005) (“Preliminary Results”). We gave interested parties the opportunity to comment on the Preliminary Results. We received no comments. Therefore, for these final results, the Department is adopting its preliminary determination that Mittal Steel is the successor–in–interest to Sidex.
Scope of the Order

For a complete description of the scope of the order, see Certain Cut-to-Length Carbon Steel Plate from Romania: Notice of Final Results and Final Partial Rescission of Antidumping Duty Administrative Review, 70 FR 12651 (March 15, 2005).

Final Results of Changed Circumstances Review

For the reasons stated in the Preliminary Results, and because we received no comments to the contrary, we continue to find that Mittal Steel is the successor-in-interest to Sidex. We will instruct U.S. Customs and Border Protection (“CBP”) to apply the cash deposit rate determination in this changed circumstances review to all entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this changed circumstances review. See Granular Polytetrafluoroethylene Resin from Italy: Final Results of Antidumping Duty Changed Circumstances Review, 68 FR 25327 (May 12, 2003). The cash deposit rate shall remain in effect until publication of the final results of the next administrative review in which Mittal Steel participates.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of APO is a sanctionable violation.

This notice is in accordance with sections 751(b)(1) and 777(i)(1) of the Act, and 19 CFR 351.216.

Dated: June 13, 2005.

Joseph A. Spetrini,
Acting Assistant Secretary for Import Administration.

[E5–2316 Filed 6–20–05; 8:45 am]

BILLING CODE 3510–05–S