

in the “Issues and Decision Memorandum” (Decision Memorandum) from Barbara E. Tillman, Acting Deputy Assistant Secretary, Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated July 5, 2005, 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 of Commerce building. In addition, a complete version of the decision memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/>. The paper copy and electronic version of the decision memorandum are identical in content.

**Final Results of Review**

As a result of our review, we determine the weighted-average dumping margins for the period February 1, 2003, through January 31, 2004, to be as follows:

Manufacturer/exporter	Margin (percent)
Echjay Forgings Pvt., Ltd .....	0.03
Viraj Forgings, Ltd .....	0.01

The Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. We have calculated importer-specific duty assessment rates for the merchandise in question based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those sales. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (i.e., less than 0.50 percent). To determine whether the duty assessment rates were *de minimis*, we calculated importer-specific *ad valorem* ratios based on export prices. We will direct CBP to assess the resulting assessment rates uniformly on all entries of that particular importer made during the period of review. The Department will issue assessment instructions directly to CBP within 15 days of publication of these final results of review.

**Cash Deposit Requirements**

Because we have revoked the order with respect to Viraj’s exports of subject

merchandise, we will order CBP to terminate the suspension of liquidation for exports of such merchandise entered, or withdrawn from warehouse, for consumption on or after February 1, 2004, and to refund all cash deposits collected for such unliquidated entries.

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication, as provided by section 751(a)(1) of the Tariff Act: (1) Since the margin for Echjay was less than 0.50 percent, and hence *de minimis*, no cash deposit shall be required for Echjay; (2) for previously reviewed or investigated companies not listed above, the cash deposit will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this review, any previous reviews, or the LTFV investigation, the cash deposit rate will be 162.14 percent, the “all others” rate established in the LTFV investigation. *See Amended Final Determination and Antidumping Duty Order; Certain Forged Stainless Steel Flanges from India*; 59 FR 5994 (February 9, 1994).

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

**Notification of Interested Parties**

This notice also serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary’s presumption that reimbursement of antidumping duties or countervailing duties occurred and the subsequent assessment of double antidumping duties or countervailing duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) or their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary

information in this segment of the proceeding. 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 terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(I) of the Tariff Act.

Dated: July 5, 2005.

**Barbara E. Tillman,**  
*Acting Assistant Secretary for Import Administration.*

**Appendix—Issues Raised in Decision Memorandum**

Comment 1: Assignment of Antidumping Rate to Exporter As Well As Manufacturer

[FR Doc. E5-3688 Filed 7-11-05; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

(C-427-819)

**Final Results of Countervailing Duty Administrative Review: Low Enriched Uranium from France**

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

**SUMMARY:** On March 7, 2005, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results of administrative review of the countervailing duty (CVD) order on low enriched uranium from France for the period January 1, 2003, through December 31, 2003 (*see Preliminary Results of Countervailing Duty Administrative Review: Low Enriched Uranium from France*, 70 FR 10989 (March 7, 2005) (*LEU Preliminary Results 2003*)). The Department has now completed the administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Based on our analysis of the comments received, the Department has not revised the net subsidy rate for Eurodif S.A. (Eurodif)/Compagnie Generale Des Matieres Nucleaires (COGEMA), the producer/exporter of subject merchandise covered by this review. For further discussion of our analysis of the comments received for these final results, *see* the July 5, 2005, Issues and Decision Memorandum from Barbara E. Tillman, Acting Deputy Assistant Secretary for Import Administration, to Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration, concerning the Final Results of Countervailing Duty Administrative Review: Low Enriched Uranium from France (*LEU Decision Memorandum 2003*). The final net subsidy rate for Eurodif/COGEMA is listed below in "Final Results of Review."

**EFFECTIVE DATE:** July 12, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Kristen Johnson, Import Administration, AD/CVD Operations, Office 3, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4793.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 7, 2005, the Department published in the *Federal Register* the preliminary results (see *LEU Preliminary Results 2003* at 70 FR 10989). We invited interested parties to comment on the results. On April 7, 2005, we received a case brief from Eurodif/COGEMA and the Government of France (GOF), the respondents. On April 12, 2005, we received a rebuttal brief from petitioners.<sup>1</sup> Pursuant to 19 CFR 351.213(b), this review covers only those producers or exporters of the subject merchandise for which a review was specifically requested. Accordingly, this review covers only Eurodif/COGEMA. The review covers the period January 1, 2003, through December 31, 2003, and two programs.

**Scope of Order**

The product covered by this order is all low enriched uranium (LEU). LEU is enriched uranium hexafluoride (UF<sub>6</sub>) with a U<sup>235</sup> product assay of less than 20 percent that has not been converted into another chemical form, such as UO<sub>2</sub>, or fabricated into nuclear fuel assemblies, regardless of the means by which the LEU is produced (including LEU produced through the down-blending of highly enriched uranium).

Certain merchandise is outside the scope of this order. Specifically, this order does not cover enriched uranium hexafluoride with a U<sup>235</sup> assay of 20 percent or greater, also known as highly enriched uranium. In addition, fabricated LEU is not covered by the scope of this order. For purposes of this order, fabricated uranium is defined as enriched uranium dioxide (UO<sub>2</sub>), whether or not contained in nuclear fuel rods or assemblies. Natural uranium concentrates (U<sub>3</sub>O<sub>8</sub>) with a U<sup>235</sup>

concentration of no greater than 0.711 percent and natural uranium concentrates converted into uranium hexafluoride with a U<sup>235</sup> concentration of no greater than 0.711 percent are not covered by the scope of this order.

Also excluded from this order is LEU owned by a foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO<sub>2</sub>) and/or fabrication into fuel assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported LEU (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designated transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the LEU for consumption by the end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end user.

The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2844.20.0020. Subject merchandise may also enter under 2844.20.0030, 2844.20.0050, and 2844.40.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the *LEU Decision Memorandum 2003*, which is hereby adopted by this notice. A list of the issues contained in that decision memorandum is attached to this notice as Appendix I. Parties can find a complete discussion of the issues raised in this review and the corresponding recommendations in that public memorandum, which is on file in the Central Records Unit (CRU), room B-099 of the Main Commerce Building. In addition, a complete copy of the *LEU Decision Memorandum 2003* can be accessed directly on the World Wide Web at <http://ia.ita.doc.gov>, under the heading "Federal Register Notices." The paper copy and electronic version of the decision memorandum are identical in content.

**Final Results of Review**

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated an *ad valorem* subsidy rate for Eurodif/COGEMA. For the review period, we determine the net subsidy rate to be 1.23 percent *ad valorem*.

As discussed in Comment 2 of the *LEU Decision Memorandum 2003*, we have been enjoined from liquidating entries of the subject merchandise. Therefore, we do not intend to issue liquidation instructions to U.S. Customs and Border Protection (CBP) for entries made during the period January 1, 2003, through December 31, 2003, until such time as the injunctions, issued on June 24, 2002, and November 1, 2004, are lifted.

We will instruct CBP, within 15 days of publication of the final results of this review, to collect cash deposits of estimated countervailing duties at 1.23 percent *ad valorem* of the f.o.b. price on all shipments of the subject merchandise from the reviewed entity, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results.

We will instruct CBP to continue to collect cash deposits for non-reviewed companies at the most recent company-specific rate applicable to the company. Accordingly, the cash deposit rate that will be applied to non-reviewed companies covered by this order will be the rate for that company established in the investigation. See *Amended Final Determination and Notice of Countervailing Duty Order: Low Enriched Uranium from France*, 67 FR 6689 (February 13, 2002). The "all others" rate shall apply to all non-reviewed companies until a review of a company assigned this rate is requested.

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 return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and this notice are issued and published in accordance with section 751(a)(1) and 777(i)(1) of the Act.

Dated: July 5, 2005.

**Barbara E. Tillman,**

*Acting Assistant Secretary for Import Administration.*

**Appendix I—Issues and Decision Memorandum**

**I. SUBSIDIES VALUATION INFORMATION**

A. Calculation of Ad Valorem Rates

**II. ANALYSIS OF PROGRAMS**

A. Programs Determined to Confer Subsidies

<sup>1</sup> Petitioners are the United States Enrichment Corporation (USEC) and USEC Inc.

1. *Purchases at Prices that Constitute "More Than Adequate Remuneration"*

2. *Exoneration/Reimbursement of Corporate Income Taxes*

III. TOTAL AD VALOREM RATE

IV. ANALYSIS OF COMMENTS

Comment 1: Benefit from Transaction

Comment 2: Draft Customs

Instructions

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(C-428-829); (C-421-809); (C-412-821)

### Final Results of Countervailing Duty Administrative Reviews: Low Enriched Uranium from Germany, the Netherlands, and the United Kingdom

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

**SUMMARY:** On March 7, 2005, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results of administrative reviews of the countervailing duty (CVD) orders on low enriched uranium from Germany, the Netherlands, and the United Kingdom for the period January 1, 2003, through December 31, 2003 (see *Preliminary Results of Countervailing Duty Administrative Reviews: Low Enriched Uranium from Germany, the Netherlands, and the United Kingdom*, 70 FR 10986 (March 7, 2005) (*Preliminary Results*)). The Department has now completed these administrative reviews in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Based on information received since the *Preliminary Results* and our analysis of the comments received, the Department has not revised the net subsidy rate for Urenco Deutschland GmbH of Germany (UD), Urenco Nederland B.V. of the Netherlands (UNL), Urenco (Capenhurst) Limited (UCL) of the United Kingdom, Urenco Ltd., and Urenco Inc. (collectively, the Urenco Group or respondents), the producers/exporters of subject merchandise covered by these reviews. For further discussion of our positions, see the "Issues and Decision Memorandum" from Barbara E. Tillman, Acting Deputy Assistant Secretary for Import Administration, to Joseph A. Spretini, Acting Assistant Secretary for Import Administration concerning the "Final Results of Countervailing Duty Administrative Reviews: Low Enriched

Uranium from Germany, the Netherlands, and the United Kingdom" (Decision Memorandum) dated July 5, 2005. The final net subsidy rates for the reviewed companies are listed below in the section entitled "Final Results of Reviews."

**EFFECTIVE DATE:** July 12, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Darla Brown, AD/CVD Operations, Office 3, Import Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2786.

**SUPPLEMENTARY INFORMATION:**

#### Background

On March 7, 2005, the Department published in the **Federal Register** its *Preliminary Results*. We invited interested parties to comment on the results. Since the preliminary results, the following events have occurred.

On April 6, 2005, we received case briefs from respondents. In their case brief, respondents requested a hearing. On April 11, 2005, we received rebuttal briefs from petitioners.<sup>1</sup> On April 12, 2005, respondents withdrew their request for a hearing.

Pursuant to 19 CFR 351.213(b), these reviews cover only those producers or exporters of the subject merchandise for which a review was specifically requested. Accordingly, these reviews cover the Urenco Group. These reviews cover the period January 1, 2003, through December 31, 2003, and four programs.

#### Scope of the Orders

For purposes of these orders, the product covered is all low enriched uranium (LEU). LEU is enriched uranium hexafluoride (UF<sub>6</sub>) with a U<sup>235</sup> product assay of less than 20 percent that has not been converted into another chemical form, such as UO<sub>2</sub>, or fabricated into nuclear fuel assemblies, regardless of the means by which the LEU is produced (including LEU produced through the down-blending of highly enriched uranium).

Certain merchandise is outside the scope of these orders. Specifically, these orders do not cover enriched uranium hexafluoride with a U<sup>235</sup> assay of 20 percent or greater, also known as highly enriched uranium. In addition, fabricated LEU is not covered by the scope of these orders. For purposes of these orders, fabricated uranium is defined as enriched uranium dioxide (UO<sub>2</sub>), whether or not contained in

nuclear fuel rods or assemblies. Natural uranium concentrates (U<sub>3</sub>O<sub>8</sub>) with a U<sup>235</sup> concentration of no greater than 0.711 percent and natural uranium concentrates converted into uranium hexafluoride with a U<sup>235</sup> concentration of no greater than 0.711 percent are not covered by the scope of these orders.

Also excluded from these orders is LEU owned by a foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO<sub>2</sub>) and/or fabrication into fuel assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported LEU (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designated transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the LEU for consumption by the end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end user.

The merchandise subject to these orders is currently classifiable in the *Harmonized Tariff Schedule of the United States* (HTSUS) at subheading 2844.20.0020. Subject merchandise may also enter under HTSUS subheadings 2844.20.0030, 2844.20.0050, and 2844.40.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to these reviews are addressed in the Decision Memorandum, which is hereby adopted by this notice. A list of the issues contained in the Decision Memorandum is attached to this notice as Appendix I. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum, which is on file in the Central Record Unit (CRU), room B-099 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the World Wide Web at <http://ia.ita.doc.gov>, under the heading "**Federal Register Notices.**" The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Final Results of Reviews

In accordance with section 777A(e)(1) of the Act and 19 CFR 351.221(b)(5), we calculated an *ad valorem* subsidy rate for the Urenco Group for calendar year

<sup>1</sup> Petitioners are the United States Enrichment Corporation (USEC) and USEC Inc.