

acres) located at 3309 Avenida Santiago de los Caballeros, Ponce; *Site 2* (191 acres, 5 parcels)-Peerless Oil & Chemicals, Inc., petroleum terminal facilities located at Rt. 127, Km. 17.1, Penuelas; *Site 3* (13 acres, 2 parcels)-Rio Piedras Distribution Center located within the central portion of the Quebrada Arena Industrial Park, and the Hato Rey Distribution Center located within the northeastern portion of the Tres Monjitas Industrial Park, San Juan; *Site 4* (14 acres)-warehouse facility located at State Road No. 3, Km. 1401, Guayama (expires 10/1/04); *Site 5* (256 acres, 34 parcels)-Mercedita Industrial Park located at the intersection of Route PR-9 and Las Americas Highway, Ponce; and, *Site 6* (86 acres)-Coto Laurel Industrial Park located at the southwest corner of the intersection of Highways PR-56 and PR-52, Ponce. The sites are principally owned by the Port of Ponce, Vassallo Industries, Inc., and Desarrollos E Inversiones Del Sur, Inc.

The applicant is requesting authority to expand the zone to include an additional site in Cataño, located 5 miles from San Juan: *Proposed Site 7* (7 acres)-industrial park, State Road 869, at Barrio Las Palmas, Cataño. The site is principally owned by Able Sales, Inc. CODEZOL is requesting FTZ status for this site as part of FTZ 163 because the proposed site is related to existing activity at FTZ 163 (Site 1). No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses below:

1. *Submissions via Express/Package Delivery Services:* Foreign-Trade Zones Board, U.S. Department of Commerce, Franklin Court Building-Suite 4100W, 1099 14th Street, NW, Washington, DC 20005; or

2. *Submissions via U.S. Postal Service:* Foreign-Trade Zones Board, U.S. Department of Commerce, FCB-4100W, 1401 Constitution Ave., NW, Washington, DC 20230.

The closing period for their receipt is October 17, 2005. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to November 1, 2005).

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address No. 1 listed above and CODEZOL, C.D., 3309 Avenida Santiago de los Caballeros, Ponce, Puerto Rico 00734.

Dated: August 9, 2005.

**Dennis Puccinelli,**

*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1405]

#### Grant Of Authority For Subzone Status, Ortho Biologics, LLC, (Pharmaceutical Intermediates), Manatí, Puerto Rico

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for "... the establishment . . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry; *Whereas*, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Puerto Rico Industrial Development Corporation, grantee of FTZ 7, has made application to the Board for authority to establish special-purpose subzone status at the pharmaceutical intermediate manufacturing plant of Ortho Biologics, LLC (OBI) in Manatí, Puerto Rico (FTZ Docket 53-2004, filed 11-19-04).

*Whereas*, notice inviting public comment has been given in the **Federal Register** (69 FR 70121, 12/02/04); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to pharmaceutical

intermediates at the manufacturing plant of Ortho Biologics, LLC, located in Manatí, Puerto Rico (Subzone 7H), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 4th day of August 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Dennis Puccinelli,**

*Executive Secretary.*

[FR Doc. 05-16401 Filed 8-17-05; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1407]

#### Expansion of Foreign-Trade Zone 167, Green Bay, Wisconsin

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the County of Brown, Wisconsin, grantee of Foreign-Trade Zone 167, submitted an application to the Board for authority to expand FTZ 167-Site 1 to include additional parcels in Brown County and to expand the zone to include a site (1,617 acres, Site 2) in Winnebago County, Wisconsin, within the Green Bay Customs port of entry (FTZ Docket 51-2004; filed 11/12/04);

*Whereas*, notice inviting public comment was given in the **Federal Register** (69 FR 67699, 11/19/04; 69 FR 70122, 12/2/04) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby orders:

The application to expand FTZ 167 is approved, subject to the Act and the Board's regulations, including Section 400.28, and further subject to the Board's standard 2,000-acre activation limit for the overall zone project.

Signed at Washington, DC, this 4th day of August 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Dennis Puccinelli,**

*Executive Secretary.*

[FR Doc. 05-16402 Filed 8-17-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-866]

#### Notice of Preliminary Determination of Sales at Less Than Fair Value: Superalloy Degassed Chromium from Japan

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

**EFFECTIVE DATE:** August 18, 2005.

**SUMMARY:** We preliminarily determine that imports of superalloy degassed chromium from Japan are being, or are likely to be, sold in the United States at less than fair value, as provided in section 733 of the Tariff Act of 1930, as amended. Interested parties are invited to comment on this preliminary determination. We will make our final determination within 75 days after the date of this preliminary determination.

**FOR FURTHER INFORMATION CONTACT:** Janis Kalnins or Minoo Hatten, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1392 or (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 24, 2005, the Department of Commerce (the Department) initiated the antidumping investigation of superalloy degassed chromium from Japan. See *Initiation of Antidumping Duty Investigation: Superalloy Degassed Chromium from Japan*, 70 FR 16220 (March 30, 2005) (*Initiation Notice*). The Department set aside a period for all interested parties to raise issues regarding product coverage. See *Initiation Notice*. We received comments regarding product coverage from interested parties. For a detailed discussion of the comments regarding the scope of the merchandise under investigation, please see the "Scope Comments" section below.

On March 31, 2005, the Department issued quantity and value (Q&V) questionnaires to nine potential respondents. On April 19, 2005, we issued a memorandum to the file including the responses of eight of the nine companies from which we requested Q&V information. See Memorandum from Susan Lehman to the File entitled "Superalloy Degassed Chromium from Japan Mini Quantity and Value Questionnaire Responses." On April 28, 2005, we concluded that the only potential respondent was JFE Material Co., Ltd. (JFE Material). See the Memorandum from Thomas Schauer to the File entitled "Antidumping Duty Investigation of Superalloy Degassed Chromium from Japan Respondent Selection" (Respondent Selection Memo). On May 3, 2005, we issued a memorandum to the file including the response of the ninth company (Sojitz Corporation) from which we requested Q&V information. The response we received from Sojitz Corporation to our Q&V questionnaire did not alter our conclusion that JFE Material was the only potential respondent. See Memorandum from Susan Lehman to the File entitled "Antidumping Duty Investigation of Superalloy Degassed Chromium from Japan Sojitz Corporation."

On April 21, 2005, the International Trade Commission (ITC) issued its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Japan of superalloy degassed chromium. See *Superalloy Degassed Chromium from Japan*, 70 FR 20771 (April 21, 2005).

On April 29, 2005, we issued Sections A, B, C, D, and E<sup>1</sup> of the antidumping questionnaire to JFE Material. We did not receive a response from JFE Material by the close of business on June 6, 2005, the established deadline. On June 8, 2005, we issued a letter to JFE Material extending the deadline for submission of the antidumping questionnaire response to June 15, 2005, thereby

<sup>1</sup> Section A of the antidumping duty questionnaire requests general information concerning a company's corporate structure and business practices, the merchandise under investigation, and the manner in which it sells that merchandise in all of its markets. Section B requests a complete listing of all of the company's home-market sales of the foreign like product or, if the home market is not viable, of sales of the foreign like product in the most appropriate third-country market. Section C requests a complete listing of the company's U.S. sales of subject merchandise. Section D requests information of the cost of production of the foreign like product and the constructed value of the merchandise under investigation. Section E requests information on further-manufacturing activities.

affording it additional time to respond. We received no response from JFE Material to our questionnaire nor any other communication from JFE Material since we issued the questionnaire.

#### Period of Investigation

The period of investigation is January 1, 2004, through December 31, 2004.

#### Scope of Investigation

The product covered by this investigation is all forms, sizes, and grades of superalloy degassed chromium from Japan. Superalloy degassed chromium is a high-purity form of chrome metal that generally contains at least 99.5 percent, but less than 99.95 percent, chromium. Superalloy degassed chromium contains very low levels of certain gaseous elements and other impurities (typically no more than 0.005 percent nitrogen, 0.005 percent sulphur, 0.05 percent oxygen, 0.01 percent aluminum, 0.05 percent silicon, and 0.35 percent iron). Superalloy degassed chromium is generally sold in briquetted form, as "pellets" or "compacts," which typically are 1½ inches x 1 inch x 1 inch or smaller in size and have a smooth surface. Superalloy degassed chromium is currently classifiable under subheading 8112.21.00 of the Harmonized Tariff Schedule of the United States (HTSUS). This investigation covers all chromium meeting the above specifications for superalloy degassed chromium regardless of tariff classification.

Certain higher-purity and lower-purity chromium products are excluded from the scope of this investigation. Specifically, the investigation does not cover electronics-grade chromium, which contains a higher percentage of chromium (typically not less than 99.95 percent), a much lower level of iron (less than 0.05 percent), and lower levels of other impurities than superalloy degassed chromium. The investigation also does not cover "vacuum melt grade" (VMG) chromium, which normally contains at least 99.4 percent chromium and contains a higher level of one or more impurities (nitrogen, sulphur, oxygen, aluminum and/or silicon) than specified above for superalloy degassed chromium.

Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

#### Scope Comments

In accordance with the preamble to our regulations (see *Antidumping Duties; Countervailing Duties*, 62 FR 27296 (May 19, 1997)), in our *Initiation Notice* we set aside a period of time for