

The general-purpose zone project currently consists of (2,998 acres) in the Chicago area: *Site 1* (19 acres) -- within the Port's 2,250-acre Lake Calumet Harbor terminal facility; *Site 2* (578 acres) -- industrial park at One Diversatech Drive, Manteno; *Site 3* (8 acres) -- Gotoh Distribution Services, Inc., warehouse facility located at 703 Foster Avenue, Bensonville; *Site 4* (8 acres) -- Meiko America Inc. warehouse facility located at Gerry Drive and Hansen Court, Wood Dale; *Site 5* (2,029 acres) -- CenterPoint Intermodal Center, located east of Interstate 55 and south of Arsenal Road, Village of Elwood; *Site 6* (317 acres) -- within the 371-acre Rock Run Business Park located in the northwest quadrant of Houbolt Road and Interstate 80, Joliet; and, Temporary *Site 7* (39 acres) -- within the O'Hare Express North Industrial Park, 893 Upper Express Drive, Chicago.

The applicant is now requesting authority to expand the general-purpose zone to include four additional sites in the area: *Proposed Site 8* (142 acres) -- within the 187-acre ProLogis Park 80, located north of Interstate 80 and west of Highway 47, Morris (Grundy County); *Proposed Site 9* (12 acres) -- Eagle Global Logistics facility (within the Centex Industrial Park), 1717 Busse Road, Elk Grove Village (Cook County); *Proposed Site 10* (43 acres) -- Bolingbrook Distribution Center, 1701 Remington Boulevard, Bolingbrook (Will County); and, *Proposed Site 11* (157 acres, 2 parcels) -- Heartland Corporate Center, 21228 SW Frontage Road, Shorewood (Will County). The applicant is also requesting that 41 acres at *Site 5* (CenterPoint Intermodal Center) be restored to zone status and that *Temporary Site 7* (39 acres) be granted zone status on a permanent basis. (A minor boundary modification was approved on January 11, 2005 (A(27f)-2-2005), removing 41 acres from Site 5 to establish the temporary site.) The sites will be used primarily for warehousing and distribution activities. The owners of the sites are ProLogis, Eagle Global Logistics, LIT Industrial Limited Partnership, and CenterPoint Properties. No specific manufacturing authority is being requested at this time. Such requests would be made 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:

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 the U.S. Postal Service*: Foreign-Trade Zones Board, U.S. Department of Commerce, FCB-Suite 4100W, 1401 Constitution Avenue, NW, Washington, DC 20230.

The closing period for their receipt is December 23, 2005. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 9, 2006).

A copy of the application and accompanying exhibits will be available during this time for public inspection at the address Number 1 listed above, and at the U.S. Department of Commerce Export Assistance Center, 55 West Monroe Street, Suite 2400, Chicago, IL 60603.

October 14, 2005.

**Dennis Puccinelli,**  
*Executive Secretary.*

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Billing Code: 3510-DS-S

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

(Docket 50-2005)

#### **Foreign-Trade Zone 38 Greenville-Spartanburg, SC, Application for Subzone Status, Benteler Automotive Corporation Plant (Automotive Suspension Components), Duncan, South Carolina**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the South Carolina State Ports Authority, grantee of FTZ 38, requesting special-purpose subzone status for the automotive suspension components manufacturing plant of Benteler Automotive Corporation (BAC) (a subsidiary of Benteler AG, of Germany) located in Duncan, South Carolina. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on October 17, 2005.

The BAC plant (32 acres/191,000 sq. ft.) is located at 1255 Howell Road in Duncan (Spartanburg County), South Carolina. The facility (130 employees) is used to produce front and rear suspension subassemblies and modules

for automobiles and light trucks (up to 250,000 units annually) for export and the domestic market. The manufacturing process at the facility involves machining, assembly, coating, and testing, using domestic and foreign-origin inputs. Components that are, or may be, purchased from abroad (representing about 40% of total, by value) used in manufacturing include: pressure hoses, steering components, stabilizer bars, bushings, brackets, ARS active stabilizers and motors, active steering systems, fasteners, steering knuckles, sensors (ABS, wheel speed, height), drive shafts, differentials, links, shock absorbers, supports, retainers, inner tubes, rotors, calipers, shields, brake hoses, brake shoes, electronic damping controllers, ball joints, electro-mechanical brake components, springs, seals, adjuster screws, stabilizers, and motors (duty rate range: free - 4.5%).

FTZ procedures would exempt BAC from Customs duty payments on the foreign components used in production for export to non-NAFTA countries. On domestic shipments transferred in-bond to U.S. automobile assembly plants with subzone status, no duties would be paid on the foreign components used in automobile and light truck production until the finished vehicles are formally entered for consumption, at which time the finished automobile duty rate (2.5%) would be applied to the foreign-origin components. For the individual suspension components and subassemblies withdrawn directly by BAC for Customs entry, the finished automotive part rate (2.5%) could be applied to the foreign inputs noted above. The application indicates that subzone status would help improve the facility's international competitiveness.

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 three copies) shall be addressed to the Board's Executive Secretary at the following addresses:

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

2. *Submissions via the 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 December 23, 2005. Rebuttal comments

in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 9, 2006).

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 at the Office of the Port Director, U.S. Customs and Border Protection, 150-A West Phillips Road, Greer, SC 29650.

Dated: October 17, 2005.

**Dennis Puccinelli,**

*Executive Secretary,*

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**Billing Code:** 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-811]

#### **Preliminary Results of Five-year Sunset Review of Suspended Antidumping Duty Investigation on Ammonium Nitrate from the Russian Federation**

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

**ACTION:** Notice of preliminary results of full sunset review: ammonium nitrate from the Russian Federation.

**SUMMARY:** On April 1, 2005, the Department of Commerce ("the Department") initiated a sunset review of the suspended antidumping duty investigation on ammonium nitrate from the Russian Federation ("Russia") pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). See *Notice of Initiation of Five-year ("Sunset") Reviews*, 70 FR 16800, (April 1, 2005) ("Initiation Notice"). On the basis of notices of intent to participate filed on behalf of domestic interested parties and adequate substantive comments filed on behalf of domestic and respondent interested parties, the Department is conducting a full (240-day) review. As a result of this review, the Department preliminarily finds that termination of the suspended antidumping duty investigation on ammonium nitrate from Russia would likely lead to continuation or recurrence of dumping at the levels indicated in the Preliminary Results of Review section of this notice.

**EFFECTIVE DATE:** October 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Sally Gannon or Aishe Allen, Import Administration, International Trade Administration, U.S. Department of

Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0162, or 482-0172, respectively.

#### **SUPPLEMENTARY INFORMATION:**

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

The products covered by the sunset review of the suspended antidumping duty investigation on ammonium nitrate from Russia include solid, fertilizer grade ammonium nitrate products, whether prilled, granular or in other solid form, with or without additives or coating, and with a bulk density equal to or greater than 53 pounds per cubic foot. Specifically excluded from this scope is solid ammonium nitrate with a bulk density less than 53 pounds per cubic foot (commonly referred to as industrial or explosive grade ammonium nitrate). The merchandise subject to this investigation is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 3102.30.00.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise within the scope of this sunset review is dispositive.

##### **History of the Suspension Agreement**

On August 12, 1999, the Department initiated an antidumping duty investigation under section 732 of the Act on ammonium nitrate from Russia. See *Initiation of Antidumping Duty Investigation: Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation*, 64 FR 45236 (August 19, 1999). On January 7, 2000, the Department preliminarily determined that ammonium nitrate from Russia is being, or is likely to be, sold in the United States at less than fair value. See *Notice of Preliminary Determination of Sales at Less Than Fair Value: Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation*, 65 FR 1139 (January 7, 2000).

The Department suspended the antidumping duty investigation on ammonium nitrate from Russia effective May 19, 2000. The basis for this action was an agreement between the Department and the Ministry of Trade of the Russian Federation ("MOT") accounting for substantially all imports of ammonium nitrate from Russia, wherein the MOT has agreed to restrict exports of ammonium nitrate from all Russian producers/exporters to the United States and to ensure that such exports are sold at or above the agreed reference price. See *Suspension of Antidumping Duty Investigation: Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation*, 65 FR

37759, (June 16, 2000) ("*Suspension Agreement*"). Thereafter, pursuant to a request by the petitioner, the Committee for Fair Ammonium Nitrate Trade ("COFANT"), the Department completed its investigation and published in the **Federal Register** its final determination of sales at less than fair value. See *Notice of Final Determination of Sales at Less Than Fair Value; Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation*, 65 FR 42669, (July 11, 2000) ("*Final Determination*"). In the *Final Determination*, the Department calculated weighted-average dumping margins of 253.98 percent for Nevinnomyssky Azot, a respondent company in the investigation, and for the Russia-wide entity. The *Suspension Agreement* remains in effect for all manufacturers, producers, and exporters of ammonium nitrate from Russia.

##### **Background**

On April 1, 2005, the Department initiated a sunset review of the suspended antidumping duty investigation on ammonium nitrate from Russia, pursuant to section 751(c) of the Act. See *Notice of Initiation of Five-year ("Sunset") Reviews*, 70 FR 16800 (April 1, 2005). The Department received Notices of Intent to Participate on behalf of COFANT and Agrium US Inc ("Agrium"), domestic interested parties in this proceeding, within the applicable deadline specified in section 351.218(d)(1)(i) of the Department's Regulations. See Agrium's April 14, 2005, and COFANT's April 18, 2005, submissions to the Department. The domestic interested parties claimed interested-party status under section 771(9)(C) of the Act. Id. In addition, the domestic interested parties assert that they are not related to a foreign producer/exporter and are not importers, or related to importers, of the subject merchandise. Id.

The Department received complete substantive responses from the domestic interested parties within the 30-day deadline specified in the Department's regulations under section 351.218(d)(3)(i). See Agrium's April 29, 2005, and COFANT's May 2, 2005, substantive responses. Also, on May 2, 2005, the Department received a partial substantive response from respondent interested parties: MCC EuroChem ("EuroChem"); Novomoskovskiy Azot ("NAK"); Nevinnomyssky Azot; JSC Minudobreniya; JSC Acron; and JSC Dorogobuzh (collectively "Russian respondents"). In their initial response, the Russian respondents requested a one-week extension to submit a complete substantive response. On May