

quantity, by weight, respectively indicated:

- 1.80 percent of manganese, or
- 2.25 percent of silicon, or
- 1.00 percent of copper, or
- 0.50 percent of aluminum, or
- 1.25 percent of chromium, or
- 0.30 percent of cobalt, or
- 0.40 percent of lead, or
- 1.25 percent of nickel, or
- 0.30 percent of tungsten, or
- 0.10 percent of molybdenum, or
- 0.10 percent of niobium, or
- 0.15 percent of vanadium, or
- 0.15 percent of zirconium.

All products that meet the physical and chemical description provided above are within the scope of this order unless otherwise excluded. The following products, by way of example, are outside or specifically excluded from the scope of this order:

- Alloy hot-rolled steel products in which at least one of the chemical elements exceeds those listed above (including, e.g., ASTM specifications A543, A387, A514, A517, A506).
- SAE/AISI grades of series 2300 and higher.
- Ball bearings steels, as defined in the HTSUS.
- Tool steels, as defined in the HTSUS.
- Silico-manganese (as defined in the HTSUS) or silicon electrical steel with a silicon level exceeding 2.25 percent.
- ASTM specifications A710 and A736.
- USS Abrasion-resistant steels (USS AR 400, USS AR 500).
- All products (proprietary or otherwise) based on an alloy ASTM specification (sample specifications: ASTM A506, A507).
- Non-rectangular shapes, not in coils, which are the result of having been processed by cutting or stamping and which have assumed the character of articles or products classified outside chapter 72 of the HTSUS.

The merchandise subject to this order is currently classifiable in the HTSUS at subheadings: 7208.10.15.00, 7208.10.30.00, 7208.10.60.00, 7208.25.30.00, 7208.25.60.00, 7208.26.00.30, 7208.26.00.60, 7208.27.00.30, 7208.27.00.60, 7208.36.00.30, 7208.36.00.60, 7208.37.00.30, 7208.37.00.60, 7208.38.00.15, 7208.38.00.30, 7208.38.00.90, 7208.39.00.15, 7208.39.00.30, 7208.39.00.90, 7208.40.60.30, 7208.40.60.60, 7208.53.00.00, 7208.54.00.00, 7208.90.00.00, 7211.14.00.90, 7211.19.15.00, 7211.19.20.00,

7211.19.30.00, 7211.19.45.00, 7211.19.60.00, 7211.19.75.30, 7211.19.75.60, and 7211.19.75.90. Certain hot-rolled flat-rolled carbon-quality steel covered by this order, including: vacuum-degassed fully stabilized; high-strength low-alloy; and the substrate for motor lamination steel may also enter under the following tariff numbers: 7225.11.00.00, 7225.19.00.00, 7225.30.30.50, 7225.30.70.00, 7225.40.70.00, 7225.99.00.90, 7226.11.10.00, 7226.11.90.30, 7226.11.90.60, 7226.19.10.00, 7226.19.90.00, 7226.91.50.00, 7226.91.70.00, 7226.91.80.00, and 7226.99.00.00. Subject merchandise may also enter under 7210.70.30.00, 7210.90.90.00, 7211.14.00.30, 7212.40.10.00, 7212.40.50.00, and 7212.50.00.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise subject to this order is dispositive.

#### Intent to Rescind Administrative Review

In its February 16, 2006, request that the Department rescind the review, Essar asserted that it had made no shipments of subject merchandise during the POR. The petitioner did not comment on Essar's claim of no shipments. On February 27, 2006, the Department conducted a Customs query to ascertain whether there were any entries of the subject merchandise from Essar during the POR; the query showed that there were none. See Memorandum to the File from the Team regarding Customs Query dated March 15, 2006, the public version of which is on file in the CRU. Thus, the Department was able to confirm that Essar had no entries of subject merchandise during the POR.

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review if the Secretary concludes that during the POR, there were no entries, exports, or sales of the subject merchandise, as the case may be. See *Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From Germany: Notice of Termination of Countervailing Duty Administrative Review*, 64 FR 44489 (August 16, 1999), and *Final Results and Partial Rescission of Countervailing Duty Administrative Review: Stainless Steel Sheet and Strip From the Republic of Korea*, 68 FR 13267 (March 19, 2003). Therefore, because Essar had no entries of subject merchandise during the POR, consistent with the regulation and our practice, we preliminarily determine to rescind this review.

#### Public Comment

Interested parties may submit case briefs no later than 30 days after the date of publication of this preliminary notice. See 19 CFR 351.309(c)(ii). Rebuttal briefs, limited to issues raised in such briefs, may be filed no later than five days after the time limit for filing the case brief. 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. Further, parties submitting written comments should provide the Department with an additional copy of the public version of any such comments on diskette. An interested party may request a hearing within 30 days of publication of this preliminary notice. See 19 CFR 351.310(c). Any hearing, if requested, will be held 44 days after the date of publication, or the first working day thereafter. The Department will issue the final notice, which will include the results of its analysis of issues raised in any such comments, or at a hearing, if requested, within 120 days of publication of this preliminary notice.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d).

Dated: March 22, 2006.

**Stephen J. Claeys,**  
Acting Assistant Secretary for Import Administration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-475-823]

#### Stainless Steel Plate in Coils from Italy: Final Results of Countervailing Duty Changed Circumstances Review and Revocation of Countervailing Duty Order, in Whole

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

**SUMMARY:** The Department of Commerce is revoking the countervailing duty order on stainless steel plate in coils from Italy because we have concluded that substantially all domestic producers lack interest in the relief provided by this order.

**EFFECTIVE DATE:** March 28, 2006.

**FOR FURTHER INFORMATION CONTACT:** Brandon Farlander or Audrey R. Twyman, AD/CVD Operations, Office 1, Import Administration, International

Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-0182 and (202) 482-3534, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 11, 1999, the Department of Commerce (the "Department") published a countervailing duty ("CVD") order on stainless steel plate in coils ("SSPC") from Italy. See *Notice of Amended Final Determinations: Stainless Steel Plate in Coils from Belgium and South Africa; and Notice of Countervailing Duty Orders: Stainless Steel Plate in Coils from Belgium, Italy and South Africa*, 64 FR 25288 (May 11, 1999). The order was amended on March 11, 2003. See *Notice of Amended Countervailing Duty Orders; Certain Stainless Steel Plate in Coils from Belgium, Italy, and South Africa*, 68 FR 11524 (March 11, 2003). The amended order was corrected on April 24, 2003. See *Certain Stainless Steel Plate in Coils from Belgium, Italy, and South Africa; Notice of Correction to the Amended Countervailing Duty Orders*, 68 FR 20115 (April 24, 2003).

On December 2, 2005, the Department received a request from Allegheny Ludlum Corporation and AK Steel Corporation, two of the petitioners in the original investigation, that the Department initiate a changed circumstances review for purposes of revoking the CVD order. Specifically, Allegheny Ludlum Corporation and AK Steel Corporation requested that the CVD order be revoked *ab initio* and that the Department fully refund any countervailing duties deposited pursuant to the order on unliquidated entries. Allegheny Ludlum Corporation and AK Steel Corporation state that they are no longer interested in maintaining the CVD order or in the imposition of countervailing duties on the subject merchandise.

On January 4, 2006, the Department published a notice of initiation of a changed circumstances review of the CVD order on SSPC from Italy. See *Stainless Steel Plate in Coils from Italy: Initiation of Countervailing Duty Changed Circumstances Review and Notice of Consideration of Revocation of Order*, 71 FR 328 (January 4, 2006) ("Initiation Notice"). In the *Initiation Notice*, we indicated interested parties could submit comments. No comments were received.

On February 14, 2006, the Department preliminarily revoked the order effective September 4, 1998. See *Stainless Steel Plate in Coils from Italy: Preliminary Results of Countervailing Duty Changed*

*Circumstances Review and Intent to Revoke Order*, 71 FR 7736 (February 14, 2006) ("Preliminary Results"). In the *Preliminary Results*, we again afforded interested parties an opportunity to submit comments. We did not receive any comments following the publication of the *Preliminary Results*.

##### Scope of the Order

The product covered by this order is certain stainless steel plate 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 plate products are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness, in coils, and annealed or otherwise heat treated and pickled or otherwise descaled. The subject plate may also be further processed (e.g., cold-rolled, polished, etc.) provided that it maintains the specified dimensions of plate following such processing. Excluded from the scope of this order are the following: (1) Plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled, (3) sheet and strip, and (4) flat bars. The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings: 7219.11.00.30, 7219.11.00.60, 7219.12.00.06, 7219.12.00.21, 7219.12.00.26, 7219.12.00.51, 7219.12.00.56, 7219.12.00.66, 7219.12.00.71, 7219.12.00.81, 7219.31.00.10, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.11.00.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this order is dispositive.

##### Final Results of Review and Revocation of the Countervailing Duty Order, in Whole

Pursuant to section 751(d)(1) of the 1930 Tariff Act, as amended (the "Act"), and 19 CFR 351.222(g), the Department may revoke an antidumping or CVD order, in whole or in part, based on a review under section 751(b) of the Act (i.e., a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances review to be

conducted upon receipt of a request that shows changed circumstances sufficient to warrant a review. Section 782(h)(2) of the Act gives the Department the authority to revoke an order if producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the continuation of the order. Section 351.222(g) of the Department's regulations provides that the Department will conduct a changed circumstances administrative review under 19 CFR 351.216, and may revoke an order (in whole or in part), if it concludes that (i) producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the relief provided by the order, in whole or in part, or (ii) other changed circumstances sufficient to warrant revocation exist. The Department has interpreted "substantially all" production normally to mean at least 85 percent of domestic production of the like product. See *Certain Tin Mill Products From Japan: Final Results of Changed Circumstances Review*, 66 FR 52109 (October 12, 2001).

As noted above and in the *Preliminary Results*, Allegheny Ludlum Corporation and AK Steel Corporation requested this changed circumstances review on the basis that they are no longer interested in maintaining the CVD order or in the imposition of CVD duties on the subject merchandise. Also, the parties to the litigation concerning these entries have agreed to withdraw their appeals.

Because the Department did not receive any comments in response to the *Initiation Notice* or the *Preliminary Results* opposing this changed circumstances review or the preliminary decision to revoke, in whole, the CVD order effective September 4, 1998, we find that producers accounting for substantially all of the production of the domestic like product to which this order pertains lack interest in the relief provided by the order. In accordance with sections 751(b), 751(d), and 782(h) of the Act and 19 CFR 351.216 and 351.222(g), the Department determines that there is a reasonable basis to find that changed circumstances exist sufficient to warrant revocation of the order. Therefore, the Department is revoking the order on SSPC from Italy, in whole, with regard to the products described above under the "Scope of the Order" section.

##### Instructions to U.S. Customs and Border Protection

In accordance with 19 CFR 351.222(g), upon dismissal by the court of all pending appeals involving the

subject merchandise as described above under the "Scope of the Order" section, the Department will instruct U.S. Customs and Border Protection ("CBP") to liquidate without regard to countervailing duties, all unliquidated entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after September 4, 1998, *i.e.*, the publication date of the Department's *Preliminary Determination* in the underlying investigation. In accordance with section 778 of the Act, we will also instruct CBP to pay interest on any refunded CVD deposits with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after May 11, 1999, the date of publication in the **Federal Register** of the CVD order.

#### Notification Regarding APOs

This notice also serves as a 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 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. See 19 CFR 351.305. Failure to comply with the regulations and terms of an APO is a sanctionable violation. See 19 USC 1677f and 19 CFR Part 354.

We are issuing and publishing this determination and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216, 351.221, and 351.222.

Dated: March 21, 2006.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

C-475-825

#### **Stainless Steel Sheet and Strip in Coils from Italy: Final Results of Countervailing Duty Changed Circumstances Review and Revocation of Countervailing Duty Order, in Whole**

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

**SUMMARY:** The Department of Commerce is revoking the countervailing duty order on stainless steel sheet and strip in coils from Italy because we have concluded that substantially all

domestic producers lack interest in the relief provided by this order.

**EFFECTIVE DATE:** March 28, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Brandon Farlander or Audrey R. Twyman, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-0182 and (202) 482-3534, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On August 6, 1999, the Department of Commerce (the "Department") published a countervailing duty ("CVD") order on stainless steel sheet and strip in coils ("SSSS") from Italy. See *Amended Final Determination: Stainless Steel Sheet and Strip in Coils from the Republic of Korea; and Notice of Countervailing Duty Orders: Stainless Steel Sheet and Strip in Coils from France, Italy, and the Republic of Korea*, 64 FR 42923 (August 6, 1999). On December 2, 2005, the Department received a request from Allegheny Ludlum Corporation and AK Steel Corporation, two of the petitioners in the original investigation, that the Department initiate a changed circumstances review for purposes of revoking the CVD order. Specifically, Allegheny Ludlum Corporation and AK Steel Corporation requested that the CVD order be revoked *ab initio* and that the Department fully refund any countervailing duties deposited pursuant to the order on unliquidated entries. Allegheny Ludlum Corporation and AK Steel Corporation state that they are no longer interested in maintaining the CVD order or in the imposition of countervailing duties on the subject merchandise.

On January 4, 2006, the Department published a notice of initiation of a changed circumstances review of the CVD order on SSSS from Italy. See *Stainless Steel Sheet and Strip in Coils from Italy: Initiation of Countervailing Duty Changed Circumstances Review and Notice of Consideration of Revocation of Order*, 71 FR 329 (January 4, 2006) ("*Initiation Notice*"). In the *Initiation Notice*, we indicated interested parties could submit comments. No comments were received.

On February 14, 2006, the Department preliminarily revoked the order effective November 17, 1998. See *Stainless Steel Sheet and Strip in Coils from Italy: Preliminary Results of Countervailing Duty Changed Circumstances Review and Intent to Revoke Order*, 71 FR 7737 (February 14, 2006) ("*Preliminary*

*Results*"). In the *Preliminary Results*, we again afforded interested parties an opportunity to submit comments. We did not receive any comments following the publication of the *Preliminary Results*.

#### Scope of the Order

The products covered by this order 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 order is currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") at the following subheadings: 7219.13.00.30, 7219.13.00.50, 7219.13.00.70, 7219.13.00.80, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise covered by this order is dispositive.

Excluded from the scope of this order are the following: (1) Sheet and strip that is not annealed or otherwise heat