

Temporary Site 2 (3 acres, 117,270 sq. ft.)-warehouse facilities within the Centro Mercantil Internacional (CMI) complex, West Street, Guaynabo (expires 1/31/07); *Temporary Site 3* (14 acres)-warehouse facilities, located at Highway 22 and J.F. Kennedy Avenue, km. 3.9, San Juan (expires 11/1/08); and, *Temporary Site 4* (5 acres)-North Distribution Center (Able Sales warehouse), located at PR Highway 869, km.1.1, Catano (expires 3/1/07).

The applicant is requesting authority to expand Site 1 to include additional acreage and to include 11 additional sites in the San Juan area: *Expand Site 1* to include an additional 184 acres in Guaynabo—*Parcel A* (180 acres)-International Trade Center Grounds, Highway 165, km. 2.4 (which will include the existing 60-acre site); *Parcel B* (42 acres)-tract of undeveloped land, intersection of State Road 22 and State Road 28; *Parcel C* (12 acres)-tract of developed land, at Highway 28 and Cano Avenue; *Parcel D* (5 acres)-Amelia Distribution Center, intersection of Highway 165 and Calle Amelia; *Parcel E* (5 acres)-warehouse building, within the Centro Mercantil Internacional Complex, West Street, at the International Trade Center Grounds (which will include Temporary Site 2 on a permanent basis) (new total—244 acres); *Proposed Site 2* (11 acres)-North Distribution Center, located at km. 1.1 on Highway 869, Cata o (which will include Temporary Site 4 on a permanent basis); *Proposed Site 3* (15 acres)-Cata o Equipment and Storage Complex, intersection of Highway 165 and Las Palmas Avenue, Catano; *Proposed Site 4* (2 acres)-Bayamon Logistics, Storage and Distribution Center, intersection of Calle C and Highway 28, Bayamon; *Proposed Site 5* (3 acres)-Corujo Industrial Park, located at Road 866, Km. 1.7, Hato Tejas; *Proposed Site 6* (4 acres)-warehouse facilities located on the north side of Highway 2, one mile east of Highway 165, Toa Baja; *Proposed Site 7* (2 acres)-Baldioroty de Castro Warehouse and Distribution Center, located at intersection of km 10.3, Marginal de la Avenida de Baldioroty de Castro, Carolina; *Proposed Site 8* (5 acres)-Manati chemical warehouse, intersection of Highways 686 and 670, Manati; *Proposed Site 9* (7 acres)-warehouse facilities located at km. 28.6 on Highway 1, Caguas; *Proposed Site 10* (14 acres)-storage complex at J.F. Kennedy Avenue and km 3.9, San Juan (which will include Temporary Site 3 on a permanent basis); *Proposed Site 11* (32 acres)-Mayaguez Regional Distribution Center, located at 201

Algarrobo Avenue, Mayaguez; and, *Proposed Site 12* (310 acres, 2 parcels)-Yabucoa Industrial Park, at the intersection of Highway 901 and Highway 53, Yabucoa. 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 the address below. The closing period for their receipt is January 16, 2007.

Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 29, 2007).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations: U.S. Department of Commerce, 420 Ponce de Leon Avenue, Midtown Bldg., 10th Fl., San Juan, Puerto Rico 00918; and, Office of the Executive Secretary, Foreign-Trade Zones Board, Room 1115, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230.

Dated: November 3, 2006.

Pierre V. Duy,

Acting Executive Secretary.

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Billing Code: 3510-DS-S

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

(Docket 43-2006)

Foreign-Trade Zone 68 -- El Paso, Texas, Request for Manufacturing Authority (Vacuum Cleaner Products)

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the City of El Paso, grantee of Foreign-Trade Zone (FTZ) 68, requesting authority on behalf of Electrolux Home Care Products Ltd. (Electrolux) for authority to manufacture vacuum cleaners and vacuum cleaner parts under FTZ procedures within FTZ 68 in El Paso, Texas. 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 November 7, 2006.

Electrolux operates a manufacturing and distribution facility (3 buildings, 300 employees) located at: 9600 Pan American Way; 9500 Plaza Circle; and, 9660 Plaza Circle in El Paso, within FTZ 68. The facility is used to manufacture and distribute vacuum cleaners and related parts and accessories (up to 1,800,000 units annually). The dutiable inputs used in the manufacturing process include: lubricants; shampoo; tape; foam filters; plastics; bags and bag hardware; articles of conveyance; straps; rubber belts; gaskets, washers and seals; grommets; belts; filter packages; screws; springs; micro-sprayers; insulated electrical conductors; motor assemblies; vacuums and vacuum components; button assemblies; switches; motor control centers; and, printed circuit assemblies. Duty rates on the imported components range from 2.0 percent to 8.5 percent. The finished products that Electrolux would manufacture under FTZ procedures include: foam filters; bag hardware; rubber belts; cartons; filters; micro-sprayers; insulated electrical conductors; vacuum cleaners and components; motor assemblies; and, button assemblies. Duty rates on the finished products range from duty free to 4.2 percent.

This application requests authority for Electrolux to conduct the activity under FTZ procedures, which would exempt Electrolux from Customs duty payments on the foreign components used in export production. Approximately 2.5 percent of production is exported. On domestic sales, the company could choose the lower duty rate that applies to the finished products for the foreign components noted above. Electrolux also anticipates realizing additional savings through duty deferral, the elimination of duties on materials that become scrap/waste during production, inventory tax reduction and other logistical benefits. The application indicates that the FTZ-related savings would 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 is invited from interested parties. Submissions (original and copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is January 16, 2007. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the

subsequent 15-day period (to January 29, 2007).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following addresses: the City of El Paso, 501 George Perry Boulevard, Suite 1, El Paso, Texas 79906; and, Office of the Executive Secretary, Foreign-Trade Zones Board, Room 1115, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.

Dated: November 7, 2006.

Pierre V. Duy,

Acting Executive Secretary.

[FR Doc. E6-19302 Filed 11-14-06; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

(A-580-812)

Dynamic Random Access Memory Semiconductors of One Megabit or Above From the Republic of Korea; Notice of Amended Final Results Pursuant to Court Decision

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

SUMMARY: On July 31, 2006, the United States Court of International Trade (CIT) sustained the final remand redetermination made by the Department of Commerce (the Department) pursuant to the CIT's third remand of the final results of the May 1, 1999–December 31, 1999 administrative review of dynamic random access memory semiconductors of one megabit or above (DRAMs) from the Republic of Korea (Korea). See *Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc. v. United States and Micron Technology, Inc.*, 442 F. Supp. 2d 1359 (Ct. Int'l Trade 2006) (*Hynix IV*). Because all litigation in this matter has now concluded, the Department is now issuing its amended final results in accordance with the CIT's decision.

EFFECTIVE DATE: November 15, 2006.

FOR FURTHER INFORMATION CONTACT: Maisha Cryor or Mark Manning, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-6320 or 482-3814, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 12, 2001, the Department published a notice of final results of the antidumping duty administrative review of DRAMs from Korea covering the period May 1, 1999 through December 31, 1999. See *Dynamic Random Access Memory Semiconductors of One Megabit or Above From the Republic of Korea: Final Results of Antidumping Duty Administrative Review*, 66 FR 52097 (October 12, 2001) (*Final Results*). Subsequently, Hynix Semiconductor, Inc. (Hynix) filed suit at the CIT contesting the *Final Results*.

In these *Final Results*, the Department stated that: (1) “. . . as a result of the continually changing methodology we found that the reduced R&D costs recognized by Hyundai and LG Semicon Co. Ltd. (LG),¹ through the amortization and deferral of their R&D expenses, and resulting allocation of R&D expenses to merchandise, does not reasonably reflect the cost of producing the subject merchandise.” See *Final Results* and accompanying Decision Memorandum at Comment 2; (2) “. . . we have continued to allocate all semiconductor R&D expenses over the total semiconductor cost of goods sold, a methodology which does not overstate costs, but which we believe reasonably and accurately identifies the R&D expenses attributable to subject merchandise.” See *Final Results* and accompanying Decision Memorandum at Comment 3; and (3) “{w}e also based depreciation. . . on the pre-1998 useful lives employed by Hyundai because. . . we believe that the useful lives adopted in 1999, and the resulting depreciation, are distortive.” See *Final Results* and accompanying Decision Memorandum at Comment 5.

In January 2003, the CIT remanded the Department's *Final Results* in *Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc. v. United States and Micron Technology, Inc.*, No. 01-00988, Slip Op. 03-13 (Ct. Int'l Trade 2003) (*Hynix I*). In *Hynix I*, the CIT ordered the Department to: (1) reconsider and further explain why the use of Hynix's amortized R&D costs would not reasonably reflect Hynix's actual R&D expenses for this period of review, and to identify what distortions, if any, would arise in the cost of production (COP) calculation if amortized R&D costs were used; and to reconsider and address Hynix's assertion that all 1996 R&D costs that

should have been carried forward into this period of review, if amortized, were fully taken into account prior to or within the Fifth Administrative Review, when the Department used expensed R&D costs in the COP calculation; (2) reconsider and further explain why Hynix's deferral of certain R&D costs does not reasonably reflect the R&D costs related to the subject merchandise; (3) further explain whether the subject merchandise has benefitted from R&D activities for non-memory products and identify substantial evidence in the record to justify this conclusion; and (4) explain how the revised average useful lives (AULs) reported by Hynix are not standard industry practice; how and where in the record Hynix's reported AULs were overstated; and whether the use of Hynix's reported AULs would not reasonably reflect depreciation in the COP. See *Hynix I* at 2-3.

In the Department's first redetermination on remand, *Final Results of Redetermination Pursuant to Court Remand; Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc. v. United States and Micron Technology, Inc.* (June 6, 2003) (*Remand Results*), the Department, as ordered by the CIT, fully explained, and supported with substantial evidence, its positions regarding Hynix's R&D costs and AULs. As a result, the Department reached the same conclusions it reached in the *Final Results*, namely that: (1) Hynix's amortization of its R&D costs does not reasonably reflect Hynix's actual R&D expenses for this period of review; (2) Hynix's deferral of certain R&D costs does not reasonably reflect the R&D costs related to the subject merchandise; (3) Hynix's production of subject merchandise has benefitted from R&D activities for non-memory products; and (4) the use of Hynix's reported AULs does not reasonably reflect the cost of production.

On November 23, 2003, the CIT remanded the Department's *Remand Results*. See *Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc. v. United States and Micron Technology, Inc.*, No. 01-00988, Slip Op. 03-152 (Ct. Int'l Trade 2003) (*Hynix II*). Specifically, the CIT sustained the Department's findings that Hynix's indefinite deferral of certain R&D expenses does not accurately reflect Hynix's cost of producing the subject merchandise for this period of review. See *Hynix II* at 9. In *Hynix II*, however, the CIT again remanded the Department's findings regarding Hynix's amortization of R&D costs, cross-fertilization and AULs.

On December 12, 2003, the petitioner submitted comments on the CIT's findings in *Hynix II*. Specifically, the

¹ After the Fifth Administrative Review was completed, respondent Hyundai acquired LG. Subsequent to the acquisition, the name of the combined company was changed to Hynix Semiconductor, Inc.