

Site: FTZ 38 - Site 5, Laurens, South Carolina  
 Grantee: FTZ 126, Economic Development Authority of Western Nevada

Site: FTZ 126 - Site 7, Reno, Nevada  
 Grantee: FTZ 70, Greater Detroit Foreign Trade Zone, Inc.

Site: FTZ 70 - Site 18, Temperance, Michigan

Whereas, notice inviting public comment has been given in the **Federal Register** (70 FR 62295, 10/31/2005) and the applications have 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 the Board's regulations are satisfied, and that the proposals are in the public interest;

Now, therefore, the Board hereby orders:

The applications for manufacturing authority for wheel assemblies on behalf of Michelin North America, Inc., at the FTZ facilities listed above, and as described in the applications and in the **Federal Register** notice, are approved, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 21st day of August 2006.

**David M. Spooner,**

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

Attest:

**Andrew McGilvray,**

*Acting Executive Secretary.*

[FR Doc. E6-14334 Filed 8-28-06; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-838]

#### Notice of Final Results of Antidumping Duty Changed Circumstances Review: Certain Softwood Lumber Products from Canada

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

**SUMMARY:** The Department of Commerce (the Department) has determined, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), that Ivis Partners Ltd. (IVIS) is the successor-in-interest to Ivis Wood Products Ltd. (Ivis Wood) and, as a result, should be accorded the same treatment previously accorded to Ivis

Wood in regard to the antidumping order on certain softwood lumber products from Canada as of the date of publication of this notice in the **Federal Register**.

**EFFECTIVE DATE:** August 29, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Constance Handley or David Layton, 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) 482-0631 or (202) 482-0371, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On February 16, 2006, in accordance with section 751(b)(1) of the Act and 19 CFR 351.216(b) (2004), IVIS, a Canadian producer of softwood lumber products and interested party in this proceeding, filed a request for a changed circumstances review. In response to this request, the Department initiated a changed circumstances review of the antidumping duty order on certain softwood lumber from Canada. See *Initiation of Antidumping Duty Changed Circumstances Review: Certain Softwood Products from Canada*, 71 FR 18072 (April 10, 2006) (*Initiation Notice*). On April 4, 2006, the Department issued a questionnaire to IVIS requesting further details on its purchase of Ivis Woods. IVIS' response was received by the Department on April 13, 2006. On May 10, 2006, the Department issued an additional supplemental questionnaire to IVIS. IVIS' response was received on May 17, 2006. On June 22, 2006, the Department preliminarily determined that IVIS was the successor-in-interest to Ivis Wood. See *Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Softwood Lumber Products from Canada*, 71 FR 35867 (June 22, 2006) (*Preliminary Results*). We invited parties to comment on the *Preliminary Results*. We received no comments.

**Scope of the Order**

The products covered by this order are softwood lumber, flooring and siding (softwood lumber products). Softwood lumber products include all products classified under subheadings 4407.1000, 4409.1010, 4409.1090, and 4409.1020, respectively, of the Harmonized Tariff Schedule of the United States (HTSUS), and any softwood lumber, flooring and siding described below. These softwood lumber products include:

(1) Coniferous wood, sawn or chipped

- lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding six millimeters;
- (2) Coniferous wood siding (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, v-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed;
- (3) Other coniferous wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, v-jointed, beaded, molded, rounded or the like) along any of its edges or faces (other than wood mouldings and wood dowel rods) whether or not planed, sanded or finger-jointed; and
- (4) Coniferous wood flooring (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, v-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed.

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

As specifically stated in the Issues and Decision Memorandum accompanying the *Notice of Final Determination of Sales at Less Than Fair Value: Certain Softwood Lumber Products from Canada*, 67 FR 15539 (April 2, 2002) (see comment 53, item D, page 116, and comment 57, item B-7, page 126), available at [www.ia.ita.doc.gov/frn](http://www.ia.ita.doc.gov/frn), drilled and notched lumber and angle cut lumber are covered by the scope of this order.

The following softwood lumber products are excluded from the scope of this order provided they meet the specified requirements detailed below:

- (1) *Stringers* (pallet components used for runners): if they have at least two notches on the side, positioned at equal distance from the center, to properly accommodate forklift blades, properly classified under HTSUS 4421.90.97.40.
- (2) *Box-spring frame kits*: if they contain the following wooden pieces - two side rails, two end (or top) rails and varying numbers of slats. The side rails and the end rails should be radius-cut at both ends. The kits should be individually packaged, they should

contain the exact number of wooden components needed to make a particular box spring frame, with no further processing required. None of the components exceeds 1" in actual thickness or 83" in length.

(3) *Radius-cut box-spring-frame components*, not exceeding 1" in actual thickness or 83" in length, ready for assembly without further processing. The radius cuts must be present on both ends of the boards and must be substantial cuts so as to completely round one corner.

(4) *Fence pickets* requiring no further processing and properly classified under HTSUS 4421.90.70, 1" or less in actual thickness, up to 8" wide, 6' or less in length, and have finials or decorative cuttings that clearly identify them as fence pickets. In the case of dog-eared fence pickets, the corners of the boards should be cut off so as to remove pieces of wood in the shape of isosceles right angle triangles with sides measuring 3/4 inch or more.

(5) *U.S. origin lumber* shipped to Canada for minor processing and imported into the United States, is excluded from the scope of this order if the following conditions are met: 1) the processing occurring in Canada is limited to kiln-drying, planing to create smooth-to-size board, and sanding, and 2) if the importer establishes to the satisfaction of CBP that the lumber is of U.S. origin.

(6) *Softwood lumber products contained in single family home packages or kits*,<sup>1</sup> regardless of tariff classification, are excluded from the scope of this order if the importer certifies to items 6 A, B, C, D, and requirement 6 E is met:

A. The imported home package or kit constitutes a full package of the number of wooden pieces specified in the plan, design or blueprint necessary to produce a home of at least 700 square feet produced to a specified plan, design or blueprint;

B. The package or kit must contain all necessary internal and external doors and windows, nails, screws, glue, sub floor, sheathing, beams, posts, connectors, and if included in the purchase contract, decking, trim, drywall and roof shingles specified in the plan, design or blueprint;

C. Prior to importation, the package or kit must be sold to a retailer of complete home packages or kits pursuant to a valid purchase contract referencing the particular home design plan or blueprint, and signed by a customer not affiliated with the importer;

D. Softwood lumber products entered as part of a single family home package or kit, whether in a single entry or multiple entries on multiple days, will be used solely for the construction of the single family home specified by the home design matching the entry.

E. For each entry, the following documentation must be retained by the importer and made available to CBP upon request:

i. A copy of the appropriate home design, plan, or blueprint matching the entry;

ii. A purchase contract from a retailer of home kits or packages signed by a customer not affiliated with the importer;

iii. A listing of inventory of all parts of the package or kit being entered that conforms to the home design package being entered;

iv. In the case of multiple shipments on the same contract, all items listed in E(iii) which are included in the present shipment shall be identified as well.

Lumber products that CBP may classify as stringers, radius cut box-spring-frame components, and fence pickets, not conforming to the above requirements, as well as truss components, pallet components, and door and window frame parts, are covered under the scope of this order and may be classified under HTSUS subheadings 4418.90.45.90, 4421.90.70.40, and 4421.90.97.40.

Finally, as clarified throughout the course of the investigation, the following products, previously identified as Group A, remain outside the scope of this order. They are:

1. Trusses and truss kits, properly classified under HTSUS 4418.90;

2. I-joint beams;

3. Assembled box spring frames;

4. Pallets and pallet kits, properly classified under HTSUS 4415.20;

5. Garage doors;

6. Edge-glued wood, properly classified under HTSUS 4421.90.97.40;

7. Properly classified complete door frames;

8. Properly classified complete window frames; and

9. Properly classified furniture.

In addition, this scope language was further clarified to specify that all

softwood lumber products entered from Canada claiming non-subject status based on U.S. country of origin will be treated as non-subject U.S.-origin merchandise under the countervailing duty order, provided that these softwood lumber products meet the following condition: upon entry, the importer, exporter, Canadian processor and/or original U.S. producer establish to CBP's satisfaction that the softwood lumber entered and documented as U.S.-origin softwood lumber was first produced in the United States as a lumber product satisfying the physical parameters of the softwood lumber scope.<sup>2</sup> The presumption of non-subject status can, however, be rebutted by evidence demonstrating that the merchandise was substantially transformed in Canada.

On March 3, 2006, the Department issued a scope ruling that any product entering under HTSUS 4409.10.05 which is continually shaped along its end and/or side edges which otherwise conforms to the written definition of the scope is within the scope of the order.<sup>3</sup>

#### Final Results of Changed Circumstances Review

Based on the information provided by IVIS, and the fact that the Department did not receive any comments during the comment period following the preliminary results of this review, the Department hereby determines that IVIS is the successor-in-interest to Ivis Wood for antidumping duty cash deposit purposes.

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

The Department will instruct CBP to suspend liquidation of all shipments of the subject merchandise produced and exported by IVIS entered, or withdrawn from warehouse, for consumption, on or after the publication date of this notice at 3.78 percent (*i.e.*, Ivis Wood's cash deposit rate). This deposit rate shall remain in effect until publication of the final results of the next administrative review in which Ivis Wood participates.

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

<sup>2</sup> See the scope clarification message (t 3034202), dated February 3, 2003, to CBP, regarding treatment of U.S. origin lumber on file in Room B-099 of the Central Records Unit (CRU) of the Main Commerce Building.

<sup>3</sup> See Memorandum from Constance Handley, Program Manager, to Stephen J. Claeys, Deputy Assistant Secretary regarding Scope Request by the Petitioner Regarding Entries Made Under HTSUS 4409.10.05, dated March 3, 2006.

<sup>1</sup> To ensure administrability, we clarified the language of exclusion number 6 to require an importer certification and to permit single or multiple entries on multiple days as well as instructing importers to retain and make available for inspection specific documentation in support of each entry.

with 19 CFR 351.306. 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 sanctionable violation.

This notice is in accordance with sections 751(b) and 777(i)(1) of the Act, and section 351.216(e) of the Department's regulations.

Dated: August 23, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Solicitation of Applications for Allocation of Tariff Rate Quotas on the Import of Certain Worsted Wool Fabrics to Persons Who Cut and Sew Men's and Boys Worsted Wool Suits, Suit-Type Jackets and Trousers in the United States

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

**ACTION:** The Department of Commerce (Department) is soliciting applications for an allocation of the 2007 tariff rate quotas on certain worsted wool fabric to persons who cut and sew men's and boys worsted wool suits, suit-type jackets and trousers in the United States.

**SUMMARY:** The Department hereby solicits applications from persons (including firms, corporations, or other legal entities) who cut and sew men's and boys' worsted wool suits and suit-like jackets and trousers in the United States for an allocation of the 2007 tariff rate quotas on certain worsted wool fabric. Interested persons must submit an application on the form provided to the address listed below by September 28, 2006. The Department will cause to be published in the **Federal Register** its determination to allocate the 2007 tariff rate quotas and will notify applicants of their respective allocation as soon as possible after that date. Promptly thereafter, the Department will issue licenses to eligible applicants.

**DATES:** To be considered, applications must be received or postmarked by 5 p.m. on September 28, 2006.

**ADDRESSES:** Applications must be submitted to the Industry Assessment Division, Office of Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, D.C. 20230 (telephone: (202) 482-4058). Application

forms may be obtained from that office (via facsimile or mail) or from the following Internet address: <http://web.ita.doc.gov/tacgi/wooltrq.nsf/TRQApp>.

**FOR FURTHER INFORMATION CONTACT:** Sergio Botero, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION:

##### Background

Title V of the Trade and Development Act of 2000 (the Act) created two tariff rate quotas (TRQs), providing for temporary reductions in the import duties on limited quantities of two categories of worsted wool fabrics suitable for use in making suits, suit-type jackets, or trousers: (1) for worsted wool fabric with average fiber diameters greater than 18.5 microns (Harmonized Tariff Schedule of the United States (HTS) heading 9902.51.11); and (2) for worsted wool fabric with average fiber diameters of 18.5 microns or less (HTS heading 9902.51.12). On August 6, 2002, President Bush signed into law the Trade Act of 2002, which includes several amendments to Title V of the Act. On December 3, 2004, the Act was further amended pursuant to the Miscellaneous Trade Act of 2004, Public Law 108-429, by increasing the TRQ for worsted wool fabric with average fiber diameters greater than 18.5 microns, HTS 9902.51.11, to an annual total level of 5.5 million square meters, and extending it through 2007, and increasing the TRQ for average fiber diameters of 18.5 microns or less, HTS 9902.51.15 (previously 9902.51.12), to an annual total level of 5 million square meters and extending it through 2006. On August 17, 2006 the Act was further amended pursuant to the Pension Protection Act of 2006, Public Law 109-280, which extended both TRQs, 9902.51.11 and 9902.51.15, through 2009.

The Act requires that the TRQs be allocated to persons who cut and sew men's and boys' worsted wool suits, suit-type jackets and trousers in the United States. On May 16, 2005, the Department published regulations establishing procedures for allocating the TRQ. 70 FR 25774, 15 CFR 335. In order to be eligible for an allocation, an applicant must submit an application on the form provided at <http://web.ita.doc.gov/tacgi/wooltrq.nsf/TRQApp> to the address listed above by 5 p.m. on September 28, 2006 in compliance with the requirements of 15 CFR 335. Any business confidential information that is marked business confidential will be kept confidential

and protected from disclosure to the full extent permitted by law.

Dated: August 23, 2006.

**Philip J. Martello,**

*Acting Deputy Assistant Secretary for Textiles and Apparel.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Solicitation of Applications for Allocation of Tariff Rate Quotas on the Import of Certain Worsted Wool Fabrics to Persons Who Weave Such Fabrics in the United States

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

**ACTION:** The Department of Commerce (Department) is soliciting applications for an allocation of the 2007 tariff rate quotas on certain worsted wool fabric to persons who weave such fabrics in the United States.

**SUMMARY:** The Department hereby solicits applications from persons (including firms, corporations, or other legal entities) who weave worsted wool fabrics in the United States for an allocation of the 2007 tariff rate quotas on certain worsted wool fabric. Interested persons must submit an application on the form provided to the address listed below by September 28, 2006. The Department will cause to be published in the **Federal Register** its determination to allocate the 2007 tariff rate quotas and will notify applicants of their respective allocation as soon as possible after that date. Promptly thereafter, the Department will issue licenses to eligible applicants.

**DATES:** To be considered, applications must be received or postmarked by 5 p.m. on September 28, 2006.

**ADDRESSES:** Applications must be submitted to the Industry Assessment Division, Office of Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, DC 20230 (telephone: (202) 482-4058). Application forms may be obtained from that office (via facsimile or mail) or from the following Internet address: <http://web.ita.doc.gov/tacgi/wooltrq.nsf/TRQApp/fabric>.

**FOR FURTHER INFORMATION CONTACT:** Sergio Botero, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION: