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May 13, 2004

## VIA FACSIMILE

Regulatory Policy Division  
Attention: Copper Short-Supply Petition  
Bureau of Industry and Security  
U.S. Department of Commerce  
P.O. Box 273  
Washington, DC 20044

**Re: Request to Appear at Hearing on May 19, 2004**

Dear Sir or Madam:

This letter is filed in response to the Department's recent notices concerning the hearing to be held on May 19, 2004, regarding the petition filed on April 7, 2004, for the imposition of monitoring and controls with respect to exports from the United States of copper scrap and copper-alloy scrap.

Consistent with the procedures set by the Department, and in accordance with the notice at 69 Fed. Reg. 25,856 (May 10, 2004), we hereby request that each of the following persons be allowed to participate in the May 19<sup>th</sup> hearing as a speaker on behalf of the co-petitioners:

- (1) Roy Allen – President, Hussey Copper Ltd.
- (2) Thomas Baker – Vice President of Marketing, Metals Group, Olin Corp.
- (3) Jeffery Burghardt – Director of Metals and Stores, Outokumpu American Brass
- (4) George Dykhuizen – President, Extruded Metals
- (5) David Hartquist – Counsel to Co-Petitioners
- (6) Michael Kerwin – Economist, Georgetown Economic Services
- (7) James Mallory – Executive Director, Non-Ferrous Founders' Society (Mr. Mallory has made a separate request, but is named in this letter to provide a complete list here of the co-petitioners' proposed speakers)
- (8) Joseph Mayer – President, Copper & Brass Fabricators Council, Inc.

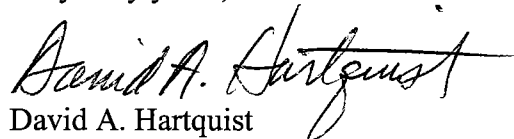
(9) James Rourke – Vice President and General Manager, Industrial Products, Mueller Brass Company

While the Department has indicated that each presenter will be allotted as much as ten minutes apiece to be heard (apart from the time taken to answer questions by the hearing panel), we would intend that the total time necessary for the co-petitioners' witnesses to make their oral presentations would be no more than 1 hour and twenty minutes (eighty minutes). We anticipate that this time would enable the petitioners to present a full explanation of why monitoring and controls are warranted.

The co-petitioners' roster of proposed witnesses has been chosen for their considerable experience and various, representative viewpoints across the spectrum of U.S. manufacturers that rely on an adequate supply of reasonably priced copper scrap and copper-alloy scrap for their operations. More specifically, the companies of Messrs. Allen, Baker, Burghardt, Dykhuizen, and Rourke together account for a wide variety of the copper-based bar, sheet and strip, and pipe and tube that are produced in the United States. They will describe their experiences in the market and how the outflow from the United States and high prices of copper-based scrap have been adversely affecting their operations and why monitoring and controls are necessary on a temporary basis to provide some stability to the U.S. domestic industry. Mr. Mallory will address the issues based upon the experience of the Non-Ferrous Founders' Society's brass and bronze foundries. Finally, Mr. Mayer will discuss the importance of copper-based scrap generally to the members of the Copper & Brass Fabricators Council, while Messrs. Hartquist and Kerwin will speak to legal and economic analysis of the issues presented by this proceeding, respectively.

Lastly, we ask that the Department contact the undersigned at 202/342-8450 or 202/342-8550 with any questions concerning this request and the co-petitioners' proposed presenters. Thank you for your attention to this matter.

Very truly yours,



David A. Hartquist  
Jeffrey S. Beckington  
Jennifer E. McCadney  
Counsel to the Co-Petitioners