

### Changes Since the Preliminary Results

Based on our analysis of comments received, we have corrected a programming error identified by Ivaco. Due to an error in the programming language, no level of trade adjustments were applied to any of Ivaco's sales in our preliminary margin calculation. Consequently, we have corrected the programming language for Ivaco for purposes of the final results. The changes are discussed in detail in the accompanying Decision Memorandum.

### Final Results of Review

As a result of our review, we determine that the following weighted-average margin exists for the period October 1, 2004, through September 30, 2005:

Producer	Weighted-Average Margin (Percentage)
Ivaco .....	2.06

### Assessment

The Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries, pursuant to 19 CFR 351.212(b). The Department calculated importer-specific duty assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the examined sales for that importer. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer. In accordance with 19 CFR 356.8(a), the Department will issue appropriate assessment instructions directly to CBP on or after 41 days following the date of publication of these final results of review.

### Cash Deposits

Furthermore, the following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of carbon and certain alloy steel wire rod from Canada entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Tariff Act of 1930, as amended ("the Act"): (1) For the company covered by this review, the cash deposit rate will be the rate listed above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the

exporter is not a firm covered in this review, a prior review, or the investigation, but the producer is, the cash deposit rate will be that established for the producer of the merchandise in these final results of review, a prior review, or in the final determination; and (4) if neither the exporter nor the producer is a firm covered in this review, a prior review, or the investigation, the cash deposit rate will be 8.11 percent, the "All Others" rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred, and in the subsequent assessment of double antidumping duties.

This notice also is the only reminder to parties subject to the administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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 the terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 3, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

### APPENDIX

#### I. Level of Trade

Comment 1: Statutory Requirements for a Level of Trade Adjustment

Comment 2: Pattern of Price Differences Analysis

Comment 3: Pattern of Price Differences Methodology

Comment 4: Post-Sale Price Adjustments

#### II. Programing

Comment 5: Level of Trade Adjustment in the Programing Language

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### DEPARTMENT OF COMMERCE

#### International Trade Administration

[A-427-818]

#### Low Enriched Uranium From France: Final Results of Expedited Sunset Review of the Antidumping Duty Order

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

**EFFECTIVE DATE:** May 10, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Myrna Lobo or Douglas Kirby, Office 6, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-2371, or (202) 482-3782, respectively.

**SUMMARY:** On January 3, 2007, the Department of Commerce (the Department) initiated a sunset review of the antidumping duty order on low enriched uranium (LEU) from France pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). On the basis of a notice of intent to participate and an adequate substantive response filed on behalf of domestic interested parties and an inadequate response from respondent interested party, the Department has conducted an expedited (120-day) sunset review of this order pursuant to section 751(c)(3)(B) and section 351.218(e)(1)(ii)(C)(2) of the Department's regulations. As a result of this sunset review, the Department finds that revocation of the antidumping duty order is likely to lead to continuation or recurrence of dumping at the level indicated in the "Final Results of Review" section of this notice.

#### SUPPLEMENTARY INFORMATION:

#### Background

On January 3, 2007, the Department published the notice of initiation of the first sunset review of the antidumping duty order on LEU from France pursuant to section 751(c) of the Act. *See Initiation of Five-year (Sunset) Reviews*, 72 FR 100 (January 3, 2007). The Department received a notice of intent to participate from USEC Inc. and its subsidiary United States Enrichment Corporation (collectively USEC), the domestic party, within the deadline specified in section 351.218(d)(1)(i) of the Department's regulations (Sunset Regulations). USEC claimed interested party status under section 771(9)(C) of the Act, as a domestic producer of LEU. The Department also received a timely notice of appearance from respondent

interested party Eurodif S.A.<sup>1</sup> (Eurodif), a French producer and exporter of LEU. Eurodif claimed interested party status under section 771(9)(A) of the Act. On February 2, 2007, the Department received a complete substantive response from USEC, within the 30-day deadline specified in section 351.218(d)(3)(i) of the Department's regulations. On the same day, the Department received a substantive response from Eurodif. In addition, on the same day, the Department received a notice of appearance and a substantive response from the Ad Hoc Utilities Group<sup>2</sup> (AHUG), an industry group comprised of owners and operators of U.S. nuclear power plants. Although AHUG claimed respondent interested party status under section 771(9)(A) of the Act, the Department determined it was not a respondent or an interested party pursuant to section 771(9)(A) of the Act. See *Memorandum to Stephen J. Claey's, Deputy Assistant Secretary for Import Administration; Sunset Review of the Antidumping Duty Order on Low Enriched Uranium from France: Adequacy Determination* dated February 22, 2007 (*Adequacy Memorandum*), which is on file in B-099, the Central Records Unit of the main Commerce building (CRU). Also see *Memorandum to Stephen J. Claey's, Deputy Assistant Secretary for Import Administration; Comments Regarding Adequacy Determination: Sunset Review of the Antidumping Duty Order on Low Enriched Uranium from France*, dated April 5, 2007 (*Comments to Adequacy Memorandum*), which is also on file in the CRU. The Department found that Eurodif's response was not adequate and therefore determined to conduct an expedited review. See *Adequacy Memorandum*. Subsequently, comments to the Department's *Adequacy Memorandum* were received from all parties. In those comments, USEC supported the Department's determination to conduct an expedited review, while Eurodif and AHUG argued in favor of a full sunset review. The Department responded to these comments, affirming it would not

reverse its decision to conduct an expedited review in its *Comments to Adequacy Memorandum*. Accordingly, pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C)(2) of the Department's regulations, the Department conducted an expedited (120-day) sunset review of this order.

#### Scope of the Order

The product covered by this order is all low enriched uranium (LEU). LEU is enriched uranium hexafluoride (UF<sub>6</sub>) with a U<sup>235</sup> product assay of less than 20 percent that has not been converted into another chemical form, such as UO<sub>2</sub>, or fabricated into nuclear fuel assemblies, regardless of the means by which the LEU is produced (including LEU produced through the down-blending of highly enriched uranium).

Certain merchandise is outside the scope of this order. Specifically, this order does not cover enriched uranium hexafluoride with a U<sup>235</sup> assay of 20 percent or greater, also known as highly enriched uranium. In addition, fabricated LEU is not covered by the scope of this order. For purposes of this order, fabricated uranium is defined as enriched uranium dioxide (UO<sub>2</sub>), whether or not contained in nuclear fuel rods or assemblies. Natural uranium concentrates (U<sub>3</sub>O<sub>8</sub>) with a U<sup>235</sup> concentration of no greater than 0.711 percent and natural uranium concentrates converted into uranium hexafluoride with a U<sup>235</sup> concentration of no greater than 0.711 percent are not covered by the scope of this order.

Also excluded from this order is LEU owned by a foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO<sub>2</sub>) and/or fabrication into fuel assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported LEU (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designed transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the LEU for consumption by the end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end-user.

The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2844.20.0020. Subject merchandise may also enter under 2844.20.0030, 2844.20.0050, and 2844.40.00. Although the HTSUS subheadings are provided for convenience and customs purposes,

the written description of the merchandise is dispositive.

#### Analysis of Comments Received

All issues raised in this review are addressed in the *Issues and Decision Memorandum for Final Results of Expedited Sunset Review of the Antidumping Duty Order on Low Enriched Uranium from France (Decision Memorandum)* from Stephen J. Claey's, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated May 3, 2007, which is hereby adopted by this notice. The issues discussed in the *Decision Memorandum* include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order were to be revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the CRU. In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic versions of the *Decision Memorandum* are identical in content.

#### Final Results of Review

The Department determines that revocation of the antidumping duty order on low enriched uranium from France would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Manufacturers/exporters/ producers	Weighted average margin (percent)
Eurodif/AREVA .....	19.95
All Others .....	19.95

#### International Trade Commission (ITC) Notification

Pursuant to section 752(c)(3) of the Act, we will notify the ITC of the final results of this expedited sunset review.

#### Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations

<sup>1</sup> Eurodif S.A.'s affiliate companies are AREVA (formerly Compagnie Generale des Matieres Nucleaires (COGEMA)), an owner of Eurodif, AREVA NC and AREVA NC, Inc., sellers of enrichment services.

<sup>2</sup> The members of AHUG are Constellation Energy Group, Inc., Dominion Energy Kewaunee, Inc., Dominion Nuclear Connecticut, Inc., Duke Energy Corp., Entergy Services, Inc., Exelon Generation Co., LLC, Nebraska Public Power District, Pacific Gas & Electric Co., PPL Susquehanna, LLC, Progress Energy Carolinas, Inc., Progress Energy Florida, Inc., Southern California Edison Co., Southern Nuclear Operating Co., Union Electric Co. (d/b/a/ Ameren UE), TXU Generation Co. LP, and Virginia Electric & Power Co.

and the terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: May 3, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-504]

#### **Petroleum Wax Candles from the People's Republic of China: Preliminary Results and Partial Rescission of the Eighth Administrative Review**

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

**SUMMARY:** The Department of Commerce ("the Department") is currently conducting an administrative review of the antidumping duty order on petroleum wax candles from the People's Republic of China ("PRC") covering the period August 1, 2005, through July 31, 2006. This review covers imports of subject merchandise from one manufacturer/exporter: Deseado International, Ltd. ("Deseado"). If these preliminary results are adopted in our final results of review, we will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries in accordance with these results. We invite interested parties to comment on these preliminary review results and will issue the final review results no later than 120 days from the date of publication of this notice.

**EFFECTIVE DATE:** May 10, 2007.

**FOR FURTHER INFORMATION CONTACT:** Irene Gorelik, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-6905.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On August 28, 1986, the Department published in the **Federal Register** the antidumping duty order on petroleum wax candles from the PRC. See *Antidumping Duty Order: Petroleum Wax Candles From the People's*

*Republic of China*, 51 FR 30686 (August 28, 1986) ("*Candles Order*").

On August 31, 2006, Deseado submitted a timely request for an administrative review. On September 29, 2006, in response to Deseado's request and in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (the "Act"), and section 351.213(b) of the Department's regulations, the Department initiated the eighth administrative review of petroleum wax candles from the PRC on 14 companies.<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 71 FR 57465 (September 29, 2006).

On October 12, 2006, the Department issued a Q&V questionnaire to Deseado and the other 13 companies upon which we initiated the review.<sup>2</sup> On October 30, 2006, the Department sent a letter to Deseado notifying the company of its failure to submit a Q&V questionnaire response by the deadline date.<sup>3</sup> We provided Deseado with a new deadline of November 3, 2006, to submit a Q&V questionnaire response, which Deseado timely submitted. On December 7, 2006, the Department issued its standard non-market economy ("NME") questionnaire to Deseado. On January 4, 2007, Deseado submitted its section A response to the Department's antidumping duty questionnaire.<sup>4</sup> In its section A questionnaire response, Deseado informed the Department that it is a trading company/exporter of the merchandise under consideration with an unaffiliated manufacturer/supplier in the PRC.<sup>5</sup>

<sup>1</sup>The following companies upon which we initiated an administrative review, except Deseado, withdrew their requests for review after the issuance of the quantity and value ("Q&V") questionnaire: Amstar Business Company Limited ("Amstar"), Apex Enterprises International Ltd. ("Apex") and Apex's producer, Golden Industrial Co., Ltd. ("Golden"), Fuzhou Eastown Arts Co., Ltd. ("Fuzhou"), Gift Creative Company, Ltd. ("Gift"), Maverick Enterprise Co., Ltd. ("Maverick") and Maverick's producer Great Founder International Co. ("Great Founder"), Qingdao Kingking Applied Chemistry Co., Ltd. ("KingKing"), Shantou Jinyuan Mingfeng Handicraft Co. ("Shantou Jinyuan"), Shanghai Shen Hong Arts and Crafts Co., Ltd. ("Shen Hong") and Shen Hong's producer Shanghai Changran Enterprise, Ltd. ("Changran"), Shenzhen Sam Lick Manufacturing (and affiliated exporter Prudential (HK) Candles Manufacturing Co., Ltd. ("Sam Lick," collectively), Transfar International Corp. ("Transfar");

<sup>2</sup>The original deadline for the quantity and value questionnaire was October 26, 2006.

<sup>3</sup>See Letter dated October 30, 2006, to Deseado regarding the missed deadline for Q&V questionnaire response.

<sup>4</sup>Sections A (Organization, Accounting Practices, Markets and Merchandise), C (Sales to the United States), D (Factors of Production), E (Cost of Further Manufacturing Performed in the United States) and Sales and Factors of Production Reconciliations.

<sup>5</sup>See Deseado's Section A questionnaire response dated January 4, 2007, at 19.

On January 8, 2007, the National Candle Association ("Petitioner") submitted deficiency comments with respect to Deseado's Separate Rates Application. On January 26, 2007, Petitioner submitted additional deficiency comments with respect to Deseado's separate rates application and its section A response.

On January 29, 2007, Deseado submitted the CBP 7501 entry summaries for its sales of subject merchandise to the United States, as requested by the Department, as well as its sections C and D questionnaire responses. On February 6, 2007, Petitioner submitted deficiency comments with respect to Deseado's section C response. On February 16, 2007, Petitioner submitted additional deficiency comments regarding Deseado's section C response relative to Deseado's submission of its CBP 7501 entry summaries. On February 16, 2007, the Department issued a supplemental section A questionnaire to Deseado. On March 6, 2007, Deseado submitted its supplemental section A response.

On March 8, 2007, the Department issued a letter to Deseado stating that, upon review of Deseado's sections C and D questionnaire responses, Deseado had not provided any data that the Department could use to calculate an antidumping duty margin. The Department provided instructions within this letter for Deseado to correct its data deficiencies by March 19, 2007. On March 19, 2007, Deseado informed the Department that it was unable to provide the information requested by the Department in the March 8, 2007, letter.<sup>6</sup> On April 3, 2007, Petitioner submitted a request to terminate the administrative review with respect to Deseado. On April 10, 2007, Deseado submitted a letter stating that because it was the only party to have requested the administrative review, Petitioner had no grounds upon which to request a termination of the administrative review.

##### **Period of Review**

The period of review ("POR") covers August 1, 2005, through July 31, 2006.

##### **Scope of the Order**

The products covered by *Candles Order* are certain scented or unscented petroleum wax candles made from petroleum wax and having fiber or paper-cored wicks. They are sold in the following shapes: tapers, spirals, and

<sup>6</sup>In its March 19, 2007, letter, Deseado stated that it was unable to provide the information requested in the Department's March 8, 2007, letter due to its supplier's unwillingness to cooperate and provide the information.