

a request to conduct an administrative review of this order for the most recent four consecutive annual anniversary months.

The Department may revoke an antidumping duty order or finding if the Secretary of Commerce concludes that it is no longer of interest to interested parties. Accordingly, as required by § 353.25(d)(4) of the Department's regulations, we are notifying the public of our intent to revoke this antidumping duty order.

Opportunity to Object

No later than November 30, 1991, interested parties, as defined in § 353.2(k) of the Department's regulations, may object to the Department's intent to revoke this antidumping duty order.

Seven copies of any such objections should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, room B-099, U.S. Department of Commerce, Washington, DC 20230.

If interested parties do not request an administrative review by November 30, 1991, in accordance with the Department's notice of opportunity to request administrative review, or object to the Department's intent to revoke by November 30, 1991, we shall conclude that the order is no longer of interest to interested parties and shall proceed with the revocation.

This notice is in accordance with 19 CFR 353.25(d).

Dated: October 25, 1991.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 91-26303 Filed 10-30-91; 8:45 am]

BILLING CODE 3510-DS-M

[A-475-017]

Pads for Woodwind Instrument Keys From Italy Determination Not; Revoke Antidumping Duty Order

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

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on pads for woodwind instrument keys from Italy.

EFFECTIVE DATE: October 31, 1991.

FOR FURTHER INFORMATION CONTACT: Robert Marenick, Office of Antidumping Compliance, International Trade Administration, U.S. Department of

Commerce, Washington, DC 20230; telephone: (202) 377-5255.

SUPPLEMENTARY INFORMATION: On September 5, 1991 the Department of Commerce (the Department) published in the *Federal Register* (56 FR 43906) its intent to revoke the antidumping duty order on pads for woodwind instrument keys from Italy (49 FR 37137), September 21, 1984. The Department may revoke an antidumping duty order if the Secretary of Commerce concludes that it is no longer of interest to interested parties. We had not received a request to conduct an administrative review of this order for the last four consecutive annual anniversary months and therefore published a notice of intent to revoke pursuant to § 353.25(d)(4) of the Department's regulations (19 CFR 353.25(d)(4)).

On September 18, 1991, Prestini Musical Instruments, the petitioner, objected to our intent to revoke this order. Therefore, we no longer intend to revoke the order.

Dated: October 23, 1991.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 91-26304 Filed 10-30-91; 8:45 am]

BILLING CODE 3510-DS-M

[A-559-502]

Small Diameter Standard and Rectangular Pipe and Tube From Singapore; Intent To Revoke Antidumping Duty Order

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

ACTION: Notice of intent to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its intent to revoke the antidumping duty order on small diameter standard and rectangular pipe and tube from Singapore. Interested parties who object to this revocation must submit their comments in writing no later than November 30, 1991.

EFFECTIVE DATE: October 31, 1991.

FOR FURTHER INFORMATION CONTACT: Robert Marenick, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 377-5255.

SUPPLEMENTARY INFORMATION:

Background

On November 13, 1986, the Department of Commerce ("the Department") published an antidumping

duty order on small diameter standard and rectangular pipe and tube from Singapore (51 FR 41142). The Department has not received a request to conduct an administrative review of this order for the most recent four consecutive annual anniversary months.

The Department may revoke an antidumping duty order or finding if the Secretary of Commerce concludes that it is no longer of interest to interested parties. Accordingly, as required by § 353.25(d)(4) of the Department's regulations, we are notifying the public of our intent to revoke this antidumping duty order.

Opportunity to Object

No later than November 30, 1991, interested parties, as defined in § 353.2(k) of the Department's regulations, may object to the Department's intent to revoke this antidumping duty order.

Seven copies of any such objections should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, room B-099, U.S. Department of Commerce, Washington, DC 20230.

If interested parties do not request an administrative review by November 30, 1991, in accordance with the Department's notice of opportunity to request administrative review, or object to the Department's intent to revoke by November 30, 1991, we shall conclude that the order is no longer of interest to interested parties and shall proceed with the revocation.

This notice is in accordance with 19 CFR 353.25(d).

Dated: October 25, 1991.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 91-26305 Filed 10-30-91; 8:45 am]

BILLING CODE 3510-DS-M

[C-122-816]

Self-Initiation of Countervailing Duty Investigation: Certain Softwood Lumber Products From Canada

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

SUMMARY: On the basis of information gathered by the U.S. Department of Commerce, the Department is self-initiating a countervailing duty (CVD) investigation to determine whether subsidies are being provided, or are likely to be provided, to manufacturers producers, or exporters of certain softwood lumber products from Canada. We are notifying the U.S. International

Trade Commission (ITC) of this action so that it may determine whether imports of this product materially injure, or threaten material injury to, a U.S. industry, or are materially retarding the establishment of a U.S. industry. The ITC will make its preliminary determination on or before 45 days after publication of this notice. If this investigation proceeds normally, we will make our determination on or before 85 days after publication of this notice.

EFFECTIVE DATE: October 31, 1991.

FOR FURTHER INFORMATION CONTACT: Michael Rollin or Barbara Tillman, Office of Countervailing Compliance, International Trade Administration, U.S. Department of Commerce, room B-099, Washington, DC 20230; telephone (202) 377-2786.

SUPPLEMENTARY INFORMATION:

Initiation

On September 3, 1991, the Government of Canada announced its intention to terminate the U.S.-Canada Memorandum of Understanding on Softwood Lumber (MOU) effective October 4, 1991. The MOU was negotiated to resolve a long-standing trade dispute over the issue of subsidized Canadian lumber exports to the United States.

On October 4, 1991, the U.S. Government announced that the Department of Commerce would self-initiate a CVD investigation. This notice implements the self-initiation pursuant to section 702(a) of the Tariff Act of 1930, as amended (the Act). Based on information gathered by the Department, there is sufficient evidence to warrant the initiation of a CVD investigation to determine whether Canadian softwood lumber is subsidized and whether subsidized lumber imports are causing, or threatening, material injury to a U.S. industry. We also determine that Canada's unilateral termination of the MOU, which was the basis for the withdrawal of the CVD petition and the termination of the CVD investigation in 1986, constitutes special circumstances within the meaning of article 2.1 of the Agreement on Interpretation and Application of articles VI, XVI, and XXIII on the General Agreement on Tariffs and Trade (Subsidies Code).

Since Canada is a "country under the Agreement" within the meaning of section 701(b) of the Act, title VII of the Act applies to this investigation, and the U.S. International Trade Commission (ITC) is required to determine whether imports of the subject merchandise from Canada materially injure, or threaten material injury to, the U.S. industry.

If any interested party, as described in 19 CFR 355.2(i), wishes to register support for, or opposition to, this proceeding, please file written notification with the Assistant Secretary for Import Administration.

Background

On June 5, 1986, the Department initiated a CVD investigation as a result of an industry petition regarding certain softwood lumber products from Canada. On October 22, 1986, following a preliminary determination of material injury by the U.S. International Trade Commission (ITC), the Department published preliminary determination that subsidies of 15 percent *ad valorem* were being provided to Canadian producers of certain softwood lumber products. The primary subsidy was the selective provision of a government resource, provincially-owned timber, at administratively-set prices which were determined to be at preferential rates within the meaning of subsection 771(5)(A)(ii) of the Tariff Act of 1930, as amended (the Act).

On December 30, 1986, before the final determination in the CVD investigation, the United States and Canada arrived at a settlement of the dispute regarding the existence and level of subsidies, and entered into the MOU. Under the MOU, the Government of Canada agreed to impose a 15 percent export charge on certain softwood lumber products; such charge could be reduced or eliminated for lumber from provinces that instituted replacement measures increasing the fee charged on the harvest of timber. In exchange for Canada's agreement to collect an export charge under the MOU, the U.S. lumber industry withdrew its petition and the Department terminated its investigation. As a result, the Department never made a final CVD determination which, if affirmative, would have offset unfairly subsidized imports through the imposition of countervailing duties.

Since October 4, 1991, Canada has not been collecting the export charges agreed to under the MOU. While some of the provinces had replaced the export charge with higher timber fees, lumber produced in four Canadian provinces and the two Canadian territories, amounting to over one-third of Canadian lumber production and about one-fifth of Canadian lumber being exported to the United States, were never relieved of the full Canadian export charge.

As a consequence of Canada's termination of the MOU, the U.S. lumber industry will be denied the offset that had been provided by Canadian export charges against what in 1986 preliminarily had been found to be

injurious Canadian subsidies. Furthermore, the U.S. Government and the U.S. industry will no longer have the ability to determine whether the timber fee increases instituted in some provinces to replace or reduce the export charge will remain in place because there will no longer be the exchange of information that occurred under the MOU.

Following consultations with Canada, the U.S. Government announced that it was taking the following actions in response to Canada's unilateral termination of the MOU. First, the U.S. Government instituted interim measures as specified in Initiation of Section 302 Investigation and Request for Public Comment on Determinations Involving Expeditious Actions: Canadian Exports of Softwood Lumber (56 FR 50738, October 8, 1991). Second, the U.S. Government announced that, as part of its enforcement measures arising out of the MOU, it would self-initiate a CVD investigation based on: (1) The special circumstances resulting from Canada's breach of the agreement between the two governments which had resulted in execution of the MOU and termination of the CVD investigation; and (2) information that the Department gathered regarding the extent of Canadian lumber subsidies and the likelihood that imports of these products result in material injury, or the threat of material injury, to the U.S. industry.

Since the October 4 announcement that the Department would self-initiate a CVD investigation, the U.S. Government has held consultations with the Government of Canada. During these consultations, we discussed with the Government of Canada the evidence that the Department had gathered supporting the initiation of the investigation, and we subsequently provided the Government of Canada with a summary of such evidence. During the consultations, the Government of Canada raised several concerns that we have taken into consideration for purposes of this initiation.

Allegations of Subsidies

Stumpage Programs

We are initiating the investigation on stumpage programs, which are government programs through which individuals and companies acquire the rights to cut and remove standing timber from provincial forest lands.

In its 1986 Preliminary determination (See, Preliminary Affirmative Countervailing Duty Determination: Certain Softwood Lumber Products from

Canada, 51 FR 37453, October 22, 1986), the Department found that stumpage programs were limited to a specific enterprise or industry, or group of enterprises or industries, as well as provided at preferential rates. The Department has current information indicating that discretion is exercised in the awarding of stumpage rights and the setting of stumpage prices. The exercise of discretion in the awarding of stumpage rights is an indication of specificity, and as such, is sufficient to meet the threshold for initiation.

We also have evidence that stumpage is preferentially priced. Relying on information from a variety of public sources, we estimate that subsidies exist, based on comparisons of administratively set stumpage prices to either competitive or private stumpage prices within Canada. These comparisons are in accordance with the Department's proposed regulations. See *Countervailing Duties; Notice of Proposed Rulemaking and Request for Public Comments*, 54 FR 23366, May 31, 1989.

Log Export Restrictions

The Department has gathered information indicating that the Government of Canada places restrictions on the export of logs from Canada and that the provincial governments of British Columbia, Quebec, Ontario, and Alberta place restrictions on exports of logs from the individual provinces. These export restrictions, which range from substantial export tax requirements to requirements that timber harvested in a province must be processed in the province, have the effect of a ban on log exports. In British Columbia, the primary means of restricting log exports used by the provincial government is an imposition of a 100 percent tax on the differential between the average domestic log price and the export price of logs. BC also imposes other restrictions, such as a requirement that companies seeking to export logs demonstrate that those logs are surplus to the needs of mills within the province. Alberta, Ontario, and Quebec restrict log exports by requiring that logs harvested in each province also be processed domestically.

In the Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; *Leather from Argentina* (55 FR 40212 (1990)), the Department determined that programs that restrict exports are countervailable. In *Leather from Argentina*, the Department determined that export restrictions prohibiting the export of

cattle hides caused hide prices to be lower than they would have been absent the restrictions, and provided a countervailable benefit to leather tanners as the specific users of cattle hides. Although economic theory would indicate that log export restrictions in Canada artificially lower domestic log prices, the Department requires evidence demonstrating that the restrictions had measurable downward effect on log prices in order to meet the threshold for initiation. See, *Notice of Initiation of Countervailing Duty Investigation: Extruded Rubber Thread from Malaysia*, 56 FR 48162 (1991). Presently, the Department does not have sufficient evidence to ascertain the extent to which the log export restrictions artificially lower domestic prices for logs, the major input into the product under investigation. However, if an interested party submits such evidence during the course of the proceeding, the Department remains willing to investigate these programs.

Injury and Causation Analysis

Evidence available to the Department demonstrates that the U.S. softwood lumber industry is currently suffering material injury as a result of subsidized softwood lumber imports from Canada, and faces the threat of further, more extensive, material injury. The indicators that the International Trade Commission (ITC) considers when assessing material injury point to weaknesses in the domestic industry. In particular, the data show a downward trend in domestic production, shipments, capacity utilization, employment, and prices. As a result, the industry is experiencing a considerable decline in profitability.

Canada has consistently captured a significant and substantial share of the U.S. market, even during the MOU. Furthermore, U.S. lumber prices have been depressed. Given that lumber is an extremely fungible commodity and U.S. prices are depressed, and given that Canada's already significant share of the U.S. market appears to be rising, there is a clear indication that subsidized Canadian lumber imports are a cause of injury to the U.S. industry.

Scope of Investigation

For purposes of this investigation, certain softwood lumber products are defined as:

Coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 millimeters (mm); such products are imported under the

subheading 4407.1000 of the Harmonized Tariff Schedule (HTS) of the United States; and

Coniferous wood siding (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbitted, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed; and other coniferous wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbitted, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed; such products are imported under subheadings 4409.1010 and 4409.1090 of the HTS; and

Coniferous wood flooring (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbitted, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed; such products are imported under subheading 4409.1020 of the HTS.

Exemption of Maritime Provinces

Article 2.1 of the Subsidies Code requires special circumstances for a signatory to self-initiate an investigation. As discussed above, the Department has determined that special circumstances exist which warrant the self-initiation of a CVD investigation. Because softwood lumber products produced in the Maritime provinces (New Brunswick, Newfoundland, Nova Scotia, and Prince Edward Island) from timber harvested in the Maritime Provinces. Therefore, the Department determines that softwood lumber products produced in the Maritime provinces from timber harvested in the Maritime provinces are exempt from the investigation.

Other Issues

Softwood lumber products made from U.S.-origin logs, and remanufactured products were granted special treatment under the MOU, but were not granted total exemptions from the MOU.

In the case of lumber made from U.S.-origin logs, the exemption from the export charge was capped at a specified level, beyond which the export charge was applied. Furthermore, the exemption allocation granted to companies varied from year to year. Because we are unable to establish with certainty at this time which companies produce lumber from U.S.-origin logs,

such lumber cannot be exempted from the initiation of this investigation. However, pursuant to 19 CFR 355.14, companies producing lumber from U.S.-origin logs will be entitled to request company-specific exclusions during the CVD investigation.

The export charge was assessed on all remanufactured products, but only on the value of the softwood lumber in the remanufactured product, not on the total value of the final product. The issue of remanufactured products pertains to the valuation of the subsidy and the assessment of any potential countervailing duties, not to product exemptions. As such, this issue can only be examined during the course of the investigation.

ITC Notification

Section 702(d) of the Act requires us to notify the ITC of this action and to provide it with the information we used to arrive at our decision to self-initiate this investigation. Also, we will allow the ITC access to all privileged and business proprietary information in the Department's files, provided the ITC confirms in writing that it will not disclose such information, either publicly or under administrative protective order, without the written consent of the Deputy Assistant Secretary for Compliance, Import Administration.

Preliminary Determination by the ITC

The ITC will determine no later than 45 days after publication of this notice, whether there is a reasonable indication that imports of certain softwood lumber products from Canada materially injure, threaten material injury to, or materially retard establishment of, a U.S. industry. If its determination is negative, the investigation will be terminated. If affirmative, the Department will make its preliminary determination on or before 85 days after publication of this notice, unless the investigation is terminated pursuant to 19 CFR 355.17 or the preliminary determination is extended pursuant to 19 CFR 355.15.

This notice is published pursuant to section 702(a) of the Act and 19 CFR 355.11.

Dated: October 23, 1991.

Marjorie A. Chorlins,
Acting Assistant Secretary for Import
Administration.

[FR Doc. 91-26047 Filed 10-30-91; 8:45 am]

BILLING CODE 3510-DS-M

[C-122-816]

Amendment to the Notice of Self-Initiation of Countervailing Duty Investigation: Certain Softwood Lumber Products From Canada

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

ACTION: Notice of amendment to self-initiation of countervailing duty investigation.

EFFECTIVE DATE: October 31, 1991.

FOR FURTHER INFORMATION CONTACT: Michael Rollin or Barbara Tillman, Office of Countervailing Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC, 20230; telephone: (202) 377-2786.

Amendment

The paragraph entitled "Exemption of Maritime Provinces" in the Notice of Self-Initiation of Countervailing Duty Investigation: Certain Softwood Lumber Products from Canada published elsewhere in this issue of the *Federal Register* is to be deleted and replaced with the following:

Exemption of the Maritime Provinces

Article 2.1 of the Subsidies Code requires special circumstances for a signatory to self-initiate an investigation. As discussed above, the Department has determined that special circumstances exist which warrant the self-initiation of a CVD investigation. Because exports to the United States of America of certain softwood lumber products produced in the provinces of Prince Edward Island, Nova Scotia, New Brunswick and Newfoundland (the Maritime Provinces) were exempt from payment of the export charge under the MOU, these same special circumstances do not exist for the Maritime Provinces. Therefore, the Department determines that exports to the United States of America of certain softwood lumber products produced in the Maritime Provinces are exempt from the investigation. This exemption shall not apply to certain softwood lumber products produced from Crown timber harvested in any other Province.

This amendment clarifies the intent of the Department regarding the exemption of the Maritime Provinces from the investigation.

Dated: October 28, 1991.

Marjorie A. Chorlins,
Acting Assistant Secretary for Import
Administration.

[FR Doc. 91-26315 Filed 10-30-91; 8:45 am]

BILLING CODE 3510-DS-M

Export Trade Certificate of Review

ACTION: Notice of Initiation of Process to Revoke Export Trade Certificates of Review No. 84-00035, No. 89-00003 and No. 89-00013.

SUMMARY: The Department of Commerce has issued an export trade certificate of review to Global Operations Company, Passport International, and International Lumber Company, Inc., respectively. Because these certificate holders have failed to file an annual report as required by law, the Department is initiating proceedings to revoke the certificates. This notice summarizes the notification letters sent to Global Operations Company, Passport International, and International Lumber Company, Inc., respectively.

FOR FURTHER INFORMATION CONTACT: George Muller, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/377-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 ("the Act") (15 U.S.C. 4011-21) authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing title III ("the Regulations") are found at 15 CFR part 325. Pursuant to this authority, a certificate of review was issued on February 19, 1985 to Global Operations Company (application no. 84-00035), on May 16, 1989 to Passport International (application no. 89-00003), on October 18, 1989 to International Lumber Company, Inc. (application no. 89-00013).

A certificate holder is required by law (section 308 of the Act, 15 U.S.C. 4018) to submit to the Department of Commerce annual reports that update financial and other information relating to business activities covered by its certificate. The annual report is due within 45 days after the anniversary date of the issuance of the certificate of review (§ 325.14 (a) and (b) of the Regulations). Failure to submit a complete annual report may be the basis for revocation (§§ 325.10(a) and 325.14(c) of the Regulations).

The Department of Commerce sent to Global Operations Company on February 12, 1991, a letter containing annual report questions with a reminder that its annual report was due on April 5, 1991. Additional reminders were sent on April 9, 1991 and on April 23, 1991. The Department has received no written response to any of these letters.

On May 3, 1991, the Department of Commerce sent to Passport International a letter containing annual report questions with a reminder that its

annual report was due on June 30, 1991. Additional reminders were sent on July 22, 1991 and August 22, 1991. The Department has received no written response to any of these letters.

On October 3, 1990, the Department of Commerce sent to International Lumber Company, Inc. a letter containing annual report questions with a reminder that its annual report was due on December 2, 1990. Additional letters were sent on December 7, 1990 and December 27, 1991. The Department has received no written response to any of these letters.

On October 25, 1991, and in accordance with § 325.10(c)(2) of the Regulations, a letter was sent by certified mail to notify the Global Operations Company, Passport International and International Lumber Company, Inc., respectively, that the Department was formally initiating the process to revoke their respective certificates. The letter stated that this action is being taken for the certificate holder's failure to file an annual report.

In accordance with § 325.10(c)(2) of the Regulations, each certificate holder has thirty days from the day after its receipt of the notification letter in which to respond. The certificate holder is deemed to have received this letter as of the date on which this notice is published in the *Federal Register*. For good cause shown, the Department of Commerce can, at its discretion, grant a thirty-day extension for a response.

If the certificate holders decide to respond, it must specifically address the Department's statement in the notification letter that it has failed to file an annual report. It should state in detail why the facts, conduct, or circumstances described in the notification letter are not true, or if they are, why they do not warrant revoking the certificate. If the certificate holder does not respond within the specified period, it will be considered an admission of the statements contained in the notification letter (§ 325.10(c)(2) of the Regulations).

If the answer demonstrates that material facts are in dispute, the Department of Commerce and the Department of Justice shall, upon request, meet informally with the certificate holder. Either Department may require the certificate holder to provide the documents or information that are necessary to support its contentions (§ 325.10(c)(3) of the Regulations).

The Department shall publish a notice in the *Federal Register* of a revocation or modification or a decision not to revoke or modify (§ 325.10(c)(4) of the Regulations). If there is a determination to revoke a certificate, any person aggrieved by such final decision may

appeal to an appropriate U.S. district court within 30 days from the date on which the Department's final determination is published in the *Federal Register*.

Authority: §§ 325.10(c)(4) and 325.11 of the Regulations.

Dated: October 25, 1991.

George Muller,

Director, Office of Export Trading Company Affairs.

[FR Doc. 91-26232 Filed 10-30-91; 8:45 am]

BILLING CODE 3510-DR-M

Short-Supply Determination: Certain Steel Plate

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice of short-supply determination on certain steel plate.

SHORT-SUPPLY REVIEW NUMBER: 58.

SUMMARY: The Secretary of Commerce hereby grants a short-supply request for 28,328.4 net tons of certain steel plate to be delivered from January 20 through February 29, 1992 under Article 8 of the U.S.-E.C. steel arrangement.

EFFECTIVE DATE: October 24, 1991.

FOR FURTHER INFORMATION CONTACT:

Mark B. Brechtel or Richard O. Weible, Office of Agreements Compliance, Import Administration, U.S. Department of Commerce, room 7866, Pennsylvania Avenue and 14th Street NW., Washington, DC 20230, (202) 377-1386 or 377-0159.

SUPPLEMENTARY INFORMATION: On September 27, 1991, the Secretary of Commerce ("Secretary") received an adequate petition from Berg Steel Pipe Corporation ("Berg") requesting a short-supply allowance for 28,328.4 net tons of American Petroleum Institute modified X-70 grade steel plate to be delivered to Berg between January 20 and February 29, 1992, under Article 8 of the Arrangement Between the European Coal and Steel Community and the European Economic Community, and the Government of the United States of America Concerning Trade in Certain Steel Products. Berg requests the following quantities of two different sizes of this steel plate: 18,851.1 net tons of this plate that is 130.297 inches in width and 0.630 inch in thickness, and 9,477.3 net tons of this plate 148.923 inches in width and 0.701 inch in thickness. Berg will use the X-70 grade material to manufacture large diameter pipe ("LDP") for TransCanada Pipelines ("TransCanada"), a Canadian company which will use the LDP to construct a natural gas pipeline in Canada. Berg is

requesting short supply for 28,328.4 net tons of steel plate because it believes that this product is not available in the United States, and its potential foreign suppliers have insufficient regular export licenses available during this period. The Secretary conducted this short-supply review pursuant to section 4(b)(4)(A) of the Steel Trade Liberalization Program Implementation Act, Pub. L. No. 101-221, 103 Stat. 1886 (1989) (the "Act"), and Section 357.102 of the Department of Commerce's Short-Supply Procedures. (19 CFR 357.102) ("Commerce's Short-Supply Procedures").

On September 27, 1991, the Secretary established an official record for this short-supply request (Case Number 58) in the Central Records Unit, room B-099, Import Administration, U.S. Department of Commerce at the above address. On October 8, 1991, the Secretary published a notice in the *Federal Register* (56 FR 50707) announcing a review of this request and soliciting comments from interested parties. Comments were required to be received no later than October 15, 1991, and interested parties were invited to file replies to any comments no later than five days after that date. In order to determine whether this product could be supplied by U.S. producers for delivery from January 20 through February 29, 1992, the Secretary sent questionnaires to the three domestic steel plate producers, Bethlehem Steel Corporation ("Bethlehem"), Oregon Steel Mills ("OSM"), and USX Corporation ("USX"), that have the capability to produce the noted sizes of X-grade plate. TransCanada was also sent a separate questionnaire regarding its qualification procedure. The Secretary received timely questionnaire responses from Bethlehem, OSM, and USX, and rebuttal comments from Berg regarding USX's response. USX also submitted two responses to Berg's rebuttal comments. TransCanada did not respond to its questionnaire.

Questionnaire Responses

Bethlehem stated that it is not able to supply Berg with the subject steel plate during the requested time period because it cannot meet the noted specifications. OSM also did not offer to supply the requested product. USX stated in its questionnaire response that it can meet the required specifications, with the exception of the size of fusion bond epoxy ("FBE") test sample. USX offered to supply 4,200 net tons of any combination of the two sizes requested by Berg for delivery between January 20 and February 29, 1992.