

importation into the United States is not considered uranium from the Russian Federation and is not subject to the terms of the Agreement.

In addition, Section M.1 of the Agreement in no way prevents the Russian Federation from selling directly or indirectly any or all of the HEU in existence at the time of the signing of the agreement and/or LEU produced in Russia from HEU to the Department of Energy ("DOE"), its governmental successor, its contractors, or U.S. private parties acting in association with DOE or the USEC and in a manner not inconsistent with the Agreement between the United States of America and the Russian Federation concerning the disposition of HEU resulting from the dismantlement of nuclear weapons in Russia.

There were three amendments to the Agreement on Russian uranium. In particular, the second amendment to the Russian suspension agreement, on November 4, 1996, permitted, among other things, the sale in the United States of Russian low-enriched uranium ("LEU") derived from HEU and included within the scope of the suspension agreement Russian uranium which has been enriched in a third country prior to importation into the United States.<sup>7</sup> According to the amendment, these modifications remained in effect until October 3, 1998.<sup>8</sup>

On August 6, 1999, USEC, Inc. and its subsidiary, United States Enrichment Corporation, requested that the Department issue a scope ruling to clarify that enriched uranium located in Kazakhstan at the time of the dissolution of the Soviet Union is within the scope of the Russian suspension agreement. Respondent interested parties filed an opposition to the scope request on August 27, 1999. That scope request is pending before the Department at this time.

#### Determination:

As a result of the determinations by the Department and the Commission that termination of the Agreement on uranium from Russia would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the Agreement on uranium from Russia. The Department will instruct the U.S. Customs Service to

continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of this Agreement will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of this Agreement not later than August 2005.

Dated: August 16, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-844-802; A-823-802]

#### Revocation of Antidumping Duty Order on Uranium From Ukraine and Termination of Suspended Antidumping Duty Investigation on Uranium From Uzbekistan

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

**ACTION:** Notice of revocation of antidumping duty order on uranium from Ukraine and termination of suspended antidumping duty investigation on uranium From Uzbekistan.

**SUMMARY:** On March 3, 2000, the Department of Commerce ("the Department"), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended ("the Act"), determined that revocation of the antidumping duty order on uranium from Ukraine would be likely to lead to continuation or recurrence of dumping. *See Uranium from Ukraine; Final Results of Expedited Sunset Review of Antidumping Duty Order ("Final Results: Ukraine")*, 65 FR 11552 (March 3, 2000). On July 5, 2000, the Department determined that termination of the suspended antidumping duty investigation on uranium from Uzbekistan would be likely to lead to continuation or recurrence of dumping. *See Uranium from Uzbekistan; Final Results of Full Sunset Review of Suspended Antidumping Duty Investigation ("Final Results: Uzbekistan")*, 65 FR 41441 (July 5, 2000).

On August 9, 2000, the International Trade Commission ("the Commission"), pursuant to section 751(c) of the Act,

determined that revocation of the above antidumping duty order on uranium from Ukraine and termination of the suspended antidumping duty investigation on uranium from Uzbekistan would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Uranium from Russia, Ukraine and Uzbekistan*, ("ITC Final Results"), 65 FR 48734 (August 9, 2000). Therefore, pursuant to 19 CFR 351.222(i)(1), the Department is publishing notice of the revocation of the antidumping duty order on uranium from Ukraine and the termination of the suspended antidumping duty investigation on uranium from Uzbekistan.

**EFFECTIVE DATE:** January 1, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Kathryn B. McCormick or James Maeder, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-1930 or (202) 482-3330, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On August 2, 1999, the Department initiated, and the Commission instituted, sunset reviews (64 FR 41915) of the antidumping duty order on uranium from Ukraine and the agreement suspending the antidumping duty investigation on uranium from Uzbekistan. As a result of its reviews, the Department found that revocation of the antidumping duty order and termination of the suspended antidumping duty investigation would likely lead to continuation or recurrence of dumping, and notified the Commission of the magnitude of the margins were the order revoked and suspension agreement terminated.

On August 9, 2000, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on uranium from Ukraine and the termination of the suspended antidumping duty investigation on uranium from Uzbekistan would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See ITC Final Results*, 65 FR 48734, and USITC Publication 3334 (August 2000), Investigation Nos. 731-TA-539-C, E and F (Review).

<sup>7</sup> See *Amendments to the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation*, 61 FR 56665 (November 4, 1996).

<sup>8</sup> *Id.* 61 FR at 56667.

## Scope of the Order and Suspension Agreement

### Ukraine

The merchandise subject to this antidumping duty order includes Ukrainian natural uranium in the form of uranium ores and concentrates; natural uranium metal and natural uranium compounds; alloys, dispersions (including cermets), ceramic products, and mixtures containing natural uranium or natural uranium compounds; uranium enriched in U<sup>235</sup> and its compounds; alloys, dispersions (including cermets), ceramic products and mixtures containing uranium enriched in U<sup>235</sup> or compounds or uranium enriched in U<sup>235</sup>. Low enriched uranium ("LEU") is included within the scope of the order; highly enriched uranium ("HEU") is not. LEU is uranium enriched in U<sup>235</sup> to a level of up to 20 percent, while HEU is uranium enriched in U<sup>235</sup> to a level of 20 percent or more. The uranium subject to this order is provided for under subheadings 2612.10.00.00, 2844.10.10.00, 2844.10.20.10, 2844.10.20.25, 2844.10.20.50, 2844.10.20.55, 2844.10.50.00, 2844.20.00.10, 2844.20.00.20, 2844.20.00.30, and 2844.20.00.50 of the Harmonized Tariff Schedule of the United States ("HTSUS").<sup>1</sup> Although the above HTSUS subheadings are provided for convenience and customs purposes, the written description remains dispositive.

The Department clarified, in the scope of the order, that: "milling" or "conversion" performed in a third country does not change the country of origin for the purposes of this order. Milling consists of processing uranium ore into uranium concentrate. Conversion consists of transforming uranium concentrate into natural uranium hexafluoride (UF<sub>6</sub>). Since milling or conversion does not change the country of origin, uranium ore or concentrate of Ukrainian origin that is subsequently milled and/or converted in a third country will still be considered of Ukrainian origin and subject to antidumping duties (58 FR 45483, August 30, 1993).

### Uzbekistan

According to the June 3, 1992, preliminary determination, the suspended investigation included

natural uranium in the form of uranium ores and concentrates; natural uranium metal and natural uranium compounds; alloys, dispersions (including cermets), ceramic products, and mixtures containing natural uranium or natural uranium compound; uranium enriched in U<sup>235</sup> and its compounds; alloys dispersions (including cermets), ceramic products and mixtures containing uranium enriched in U<sup>235</sup> or compounds or uranium enriched in U<sup>235</sup>; and any other forms of uranium within the same class or kind (57 FR 23381, 23382 (June 3, 1992)). The uranium subject to these investigations was provided for under HTSUS subheadings 2612.10.00.00, 2844.10.10.00, 2844.10.20.10, 2844.10.20.25, 2844.10.20.50, 2844.10.20.55, 2844.10.50, 2844.20.00.10, 2844.20.00.20, 2844.20.00.30, and 2844.20.00.50. *Id.* In addition, the Department preliminarily determined that HEU was not covered within the scope of the investigation, and that the subject merchandise constituted a single class or kind of merchandise.

On October 30, 1992, the Department issued a suspension of the antidumping duty investigation of uranium from Uzbekistan and an amendment of the preliminary determination.<sup>2</sup> The notice amended the scope of the investigation to include HEU.<sup>3</sup> The suspension agreement provided that uranium ore from Uzbekistan that is milled into U<sub>3</sub>O<sub>8</sub> and/or converted into UF<sub>6</sub> in another country prior to direct and/or indirect importation into the United States is considered uranium from Uzbekistan and is subject to the terms of the Agreement.<sup>4</sup> Further, uranium enriched in U<sup>235</sup> in another country prior to direct and/or indirect importation into the United States was not considered uranium from Uzbekistan and was not subject to the terms of the suspension agreement.<sup>5</sup> In this suspension agreement, imports of uranium ores and concentrates, natural uranium compounds, and all forms of enriched uranium are classifiable under HTSUS subheadings 2612.10.00, 2844.10.20, 2844.20.00, respectively. Imports of natural uranium metal and forms of natural uranium other than compounds were classifiable under HTSUS subheadings 2844.10.10 and 2844.44.10.50.

On October 13, 1995, the Department issued an amendment to the suspension agreement on uranium from Uzbekistan. Among other things, this amendment modified the agreement to include Uzbek uranium enriched in a third country prior to importation into the United States.

## Determination

As a result of the determinations by the Commission that revocation of the antidumping duty order on uranium from Ukraine and the termination of the suspended antidumping duty investigation on uranium from Uzbekistan would not be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the revocation of the antidumping duty order on uranium from Ukraine and the termination of the suspended antidumping duty investigation on uranium from Uzbekistan. The Department will instruct the Customs Service to discontinue suspension of liquidation and collection of cash deposits on entries of subject merchandise entered or withdrawn from warehouse on or after January 1, 2000 (the effective date). The Department will complete any pending administrative reviews of this order and suspension agreement and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation and termination, respectively, in response to appropriately filed requests for review.

Dated: August 16, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-502]

### Continuation of Countervailing Duty Order: Welded Carbon Steel Pipes and Tubes From Turkey

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

**ACTION:** Notice of continuation of countervailing duty order: welded carbon steel pipes and tubes from Turkey.

**SUMMARY:** On April 3, 2000, the Department of Commerce ("the

<sup>1</sup> See *Preliminary Determination of Sales at Less Than Fair Value: Uranium from Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine and Uzbekistan*; and *Preliminary Determination of Sales at Not Less Than Fair Value: Uranium from Armenia, Azerbaijan, Byelarus, Georgia, Moldova and Turkmenistan*, 57 FR 23380, 23381 (June 3, 1992).

<sup>2</sup> See *Antidumping; Uranium from Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine, and Uzbekistan; Suspension of Investigations and Amendment of Preliminary Determinations*, 57 FR 49220 (October 30, 1992).

<sup>3</sup> *Id.* at 49221.

<sup>4</sup> *Id.* at 49255.

<sup>5</sup> *Id.*