

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 50-2003]

Foreign-Trade Zone 249—Pensacola, FL; Application for Subzone Status, General Electric Wind Energy and Energy Rentals (Wind Turbines), Pensacola, FL

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Pensacola-Escambia County Promotion and Development Commission, grantee of FTZ 249, requesting special-purpose subzone status for the wind turbine manufacturing plant of General Electric Wind Energy and Energy Rentals (GEWE/GEER), located in Pensacola, Florida. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on September 25, 2003.

The GEWE/GEER plant (102 acres/375,000 sq. ft.) is located at 8301 Scenic Highway in Pensacola (Escambia County), Florida. The facility (250 employees) is used to produce 1.5 megawatt, wind-powered turbines (with potential for 3.6 megawatt units in the future) and wind turbine blades for export and the domestic market. The manufacturing process at the facility involves machining, assembly, testing, and warehousing. The plant has capacity to produce about 500 turbines and 850 wind turbine blades annually. Components that are, or may be, purchased from abroad (representing about 40-70% of finished product value) used in manufacturing include: glue, polycetal/polyester/epoxide/polyamide/polycarbonate resins (hardeners), plastic foil/film/tape, plate/sheet/film of styrene/polyvinyl polymers (foam cores), printed labels, glass fibers and fabric (root bands), glass fiber yarn (Category 201; must be admitted under privileged foreign status—19 CFR 146.41), electrical grounding rods, steel belts/bands, doors, fasteners, pumps, cylinders, hub castings, bed plates, compressors, pulleys, winches, hoists, electric motors, generators, transmissions, transmission shafts, gear boxes, bearings, flanges/couplers, gears, clutches, couplings, chains, sprockets, electrical connectors, motors, transformers, stators, rotors, ballasts, static converters, inductors, magnets, batteries (Ni-Cad, Ni-Iron, lead acid), lightning arresters, circuit breakers, relays, switches, lampholders/sockets, panel/distribution boards, speed

controllers, control panels, pitch motor encoders, motor starters, terminals, connectors, diodes, transistors, bridge rectifiers, photosensitive semiconductors, conductors, revolution counters, and voltage meters (2003 duty rate range: free-8.5%).

FTZ procedures would exempt GEWE/GEER from Customs duty payments on the foreign component inputs used in export production. On its domestic shipment and exports to NAFTA markets, the company would be able to choose the duty rate that applies to finished wind turbines (2.5%) or wind turbine blades (3%) for the foreign-sourced inputs noted above. The company would be able to defer Customs duty payments on the foreign-origin finished turbines that would be admitted to the proposed subzone for U.S. distribution. Duties would be deferred or reduced on foreign production equipment admitted to the proposed subzone until which time it becomes operational. The application indicates that subzone status would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and three copies) shall be addressed to the Board's Executive Secretary at the following addresses:

1. *Submissions via Express/Package Delivery Services:* Foreign-Trade Zones Board, U.S. Department of Commerce, Franklin Court Building—Suite 4100W, 1099 14th Street, NW., Washington, DC 20005; or,

2. *Submissions via the U.S. Postal Service:* Foreign-Trade Zones Board, U.S. Department of Commerce, FCB—4100W, 1401 Constitution Ave., NW., Washington, DC 20230.

The closing period for their receipt is December 8, 2003. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to December 22, 2003).

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address No.1 listed above and at the Office of the Port Director, U.S. Bureau of Customs and Border Protection, Suite 102, 1 South A Street, Pensacola, FL 32501.

Dated: September 25, 2003.

Pierre V. Duy,

Acting Executive Secretary.

[FR Doc. 03-25388 Filed 10-6-03; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Action Affecting Export Privileges; Reza Moghadam Pirasteh*ORDER*

The Bureau of Industry and Security, United States Department of Commerce ("BIS") having notified Reza Moghadam Pirasteh ("Pirasteh") of its intention to initiate an administrative proceeding against Pirasteh pursuant to Section 766.3 of the Export Administration regulations (currently codified at 15 CFR Parts 730-744 (2003)) ("Regulations"), and Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. Sections 2401-2420 (2000)) ("Act"),¹ based on the proposed charging letter issued to Pirasteh that alleged Pirasteh committed four violations of the Regulations, by aiding and abetting exports of liquid injectors to Iran, items subject to the Regulations and the Iran Transactions Regulations, without authorization from the Office of Foreign Assets control, U.S. Department of Treasury (on two occasions); by acting to evade the Regulations by directing that the name of the country "Iran" not be used in communications so as to conceal the ultimate destination of the exports; and by making a false statement to a BIS investigator.

BIS and Pirasteh having entered into a Settlement Agreement pursuant to section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and the terms of the Settlement Agreement having been approved by me;

¹ From August 21, 1994 through November 12, 2000, the Act was in lapse. During that period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000 (3 CFR 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1707 (2000)) ("IEEPA"). On November 13, 2000, the Act was reauthorized and it remained in effect through August 20, 2001. Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), as last extended by the Notice of August 7, 2003 (68 FR 47833 (August 11, 2003)), has continued the Regulations in effect under IEEPA.

It Is Therefore Ordered:

First, that a civil penalty of \$4,500 is assessed against Pirasteh. Payment of the civil penalty shall be made in seven payments to the Department of Commerce. The first payment shall be of \$300 and shall be paid within 30 days from the date of entry of this Order. The next six payments shall each be of \$700 and shall be made on or before; April 1, 2004, July 1, 2004, October 1, 2004, January 4, 2005, April 1, 2005, and July 1, 2005. Payments shall be made in the manner specified in the attached instructions.

Second, that pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. §§ 3701–3720E (2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached notice, and, if a payment is not made by the due date specified herein, Pirasteh will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

Third, that for a period of seven years from the date of this Order, Pirasteh, 2308 Arroyo Court, Plano, Texas 75074, his successors or assigns, and when acting for or on behalf of Pirasteh, his representatives, agents, or employees (“denied person”) may not, directly or indirectly, participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Fourth, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the denied person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the denied person, or service any item, of whatever origin, that is owned, possessed or controlled by the denied person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installations, maintenance, repair, modification or testing.

Fifth, that after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Pirasteh by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

Sixth, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

Seventh, that, the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

This Order, which constitutes the final agency action on this matter, is effective immediately.

Entered this 30th day of September 2003.

Lisa A. Prager,

Acting Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. 03–25390 Filed 10–6–03; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-570–862]

Notice of Preliminary Results of Antidumping Duty Administrative Review: Foundry Coke from the People's Republic of China

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

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Review.

EFFECTIVE DATE: October 7, 2003.

SUMMARY: The Department of Commerce (“Department”) is conducting an administrative review of the antidumping duty order on foundry coke from the People's Republic of China (“PRC”) in response to requests from ABC Coke, Citizens Gas & Coke Utility, Erie Coke Corporation, Sloss Industries Corporation, and Tonawanda Coke Corporation (collectively, “Domestic Producers” or “Petitioners”). The period of review (“POR”) is from March 8, 2001 through August 31, 2002.

We preliminarily determine, based on adverse facts available, that CITIC Trading Company, Ltd. (“CITIC”) sold subject merchandise at less than normal value (“NV”). The preliminary results are listed below in the section titled “Preliminary Results of Review.” If these preliminary results are adopted in our final results, we will instruct the U.S. Bureau of Customs and Border Protection (“Customs”) to assess antidumping duties based on the PRC-wide rate. We invite interested parties to comment on these preliminary results. Parties who submit comments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

FOR FURTHER INFORMATION CONTACT:

Michael Holton, Office of AD/CVD Enforcement 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone: (202) 482–1324.

SUPPLEMENTARY INFORMATION:

Background

On July 31, 2001, the Department published the antidumping duty order on foundry coke from the People's Republic of China (“Foundry Coke from the PRC”). See *Notice of Final Determination of Sales at Less Than Fair Value: Foundry Coke Products From The People's Republic of China*,