

Estimated Time Per Response: 40 to 45 minutes per response.

Estimated Total Annual Burden

Hours: 52 hours.

Estimated Total Annual Cost: \$0 (no capital expenditures).

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they will also become a matter of public record.

Dated: January 29, 1999.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99-2576 Filed 2-3-99; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-098]

Final Result of Expedited Sunset Review: Anhydrous Sodium Metasilicate From France

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

ACTION: Notice of final result of expedited sunset review: Anhydrous sodium metasilicate from France.

SUMMARY: On October 1, 1998, the Department of Commerce ("the Department") initiated sunset review of the antidumping duty order on anhydrous sodium metasilicate from France (63 FR 52683) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the bases of the notice of intent to participate and substantive comments filed on behalf of the domestic industry, and inadequate responses (in this case, no response) from respondent interested parties, the Department determined to conduct an

expedited review. As a result of this review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

FOR FURTHER INFORMATION CONTACT:

Scott E. Smith or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Ave., NW, Washington, D.C. 20230; telephone: (202) 482-6397 or (202) 482-1560, respectively.

EFFECTIVE DATE: February 4, 1999.

Statute and Regulations: This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) ("*Sunset Regulations*"). Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("*Sunset Policy Bulletin*").

Scope: The merchandise subject to this antidumping duty order is anhydrous sodium metasilicate ("ASM"), a crystallized silicate (Na₂SiO₃) which is alkaline and readily soluble in water. Applications include waste paper de-inking, ore-flotation, bleach stabilization, clay processing, medium or heavy duty cleaning, and compounding into other detergent formulations. The Department determined that ASM mixed with caustic soda beads or with sodium tripolyphosphate is within the scope of the order.¹ This merchandise is currently classifiable under the following Harmonized Tariff Schedule of the United States (HTSUS) item numbers 2839.11.00 and 2839.19.00. The HTSUS item numbers are provided for convenience and customs purposes only. They are not determinative of the products subject to the order. The written description remains dispositive.

This review covers all manufacturers and exporters of ASM from France.

¹ See *Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order*, 47 FR 15620 (April 12, 1982).

Background: On October 1, 1998, the Department initiated a sunset review of the antidumping duty order on ASM from France (63 FR 52683), pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate on behalf of PQ Corporation ("PQ") within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. PQ claimed interested-party status under section 771(9)(C) of the Act, section 19 U.S.C. 1677(9)(E), as a manufacturer, producer, or wholesaler in the United States of a domestic like product. On October 29, 1998, PQ Corporation requested an extension of time for submission of its substantive response to the notice of initiation and was granted an extension until November 3, 1998 (see October 30, 1998, letter from Acting Director, Office of Policy). On October 30, 1998, we received a Notice of Intent to Participate on behalf of Occidental Chemical Corporation ("Occidental"), which claimed interested party status under section 771(9)(C) of the Act, 19 U.S.C. 1677(9)(E), as a manufacturer, producer, or wholesaler in the United States of a domestic like product. We received a complete substantive response from PQ on November 3, 1998, within the extended deadline. PQ's substantive response contained a letter of support from Occidental. We did not receive a substantive response from any respondent interested party to this sunset proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and our regulations (19 CFR 351.218(e)(1)(ii)(C)(2)), we determined to conduct an expedited review.

Determination: In accordance with section 751(c)(1) of the Act, the Department conducted this review to determine whether revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making this determination, the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping duty order, and it shall provide to the International Trade Commission ("the Commission") the magnitude of the margin of dumping likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and magnitude of margin are discussed below. In addition, parties' comments with respect to continuation or recurrence of dumping and the magnitude of margin are

addressed within the respective sections below.

Continuation or Recurrence of Dumping: Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act ("URAA"), specifically the Statement of Administrative Action ("the SAA"), H.R. Doc., No. 103-316, vol. 1 (1994), the House Report, H.R. Rep. No. 103-826, pt.1 (1994), and the Senate Report, S. Rep. No. 103-412 (1994), the Department issued its *Sunset Policy Bulletin* providing guidance on methodological and analytical issues, including the basis for likelihood determinations. The Department clarified that determinations of likelihood will be made on an order-wide basis (see section II.A.3. of the *Sunset Policy Bulletin*). Additionally, the Department normally will determine that revocation of an antidumping order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above de minimis after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly (see section II.A.3. of the *Sunset Policy Bulletin*).

On January 7, 1981, an antidumping duty order on ASM from France was published in the **Federal Register** (46 FR 1667). Since that time, the Department has conducted a number of administrative reviews on this order.²

² See *Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order*, 47 FR 15620 (April 2, 1982); *Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order*, 47 FR 44594 (October 8, 1982); *Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order*, 49 FR 43733 (October 31, 1984); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 53 FR 4195 (February 12, 1988); *Final Results of Antidumping Duty Administrative Review; Anhydrous Sodium Metasilicate From France*, 52 FR 33856 (September 8, 1987); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 53 FR 9785 (March 25, 1988); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 53 FR 43251 (October 26, 1988); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 54 FR 50788 (December 11, 1989); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 56 FR 42979 (August 30, 1991); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 57 FR 49684 (November 3, 1992); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 58 FR 51615 (October 4,

The order remains in effect for all imports of the subject merchandise from France.

In its substantive response, PQ stated that following the imposition of the antidumping duty, Rhone Poulenc/Rhodia ceased exporting ASM from France. PQ noted that Rhone Poulenc/Rhodia kept its sales network in place as well as much of its distribution network and entered into an agreement with a U.S. producer to distribute U.S.-manufactured ASM to fill out its product line. PQ stated that Rhone Poulenc/Rhodia has excess ASM production capacity. PQ argued, therefore, that absent the existence of the order, Rhodia will resume exporting ASM from France. PQ asserted that because demand for ASM has been decreasing over time and there is excess production capacity in the United States as well as Europe, any market shift would most likely be due to a lower price offered by the seller of the imported product. PQ further asserted that, because of the low value-to-weight ratio, and because of the high cost of freight for ASM, all things being equal, no French producer could compete in the U.S. market without sales at less than fair value.

As noted above, the Department has conducted several administrative reviews of this order covering the only known exporter Rhone-Poulenc. In the administrative reviews of the periods spanning November 1, 1980 through December 31, 1981, January 1, 1986 through December 31, 1988, and January 1, 1990 through December 31, 1990, the Department found no shipments of ASM from France.³ Further, because Rhone-Poulenc did not respond to

1993); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 60 FR 8631 (February 15, 1995); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 61 FR 30852 (June 18, 1996); and *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 61 FR 44038 (August 27, 1996).

³ See *Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order*, 47 FR 15620 (April 12, 1982); *Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order*, 47 FR 44594 (October 8, 1982); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 53 FR 9785 (March 25, 1988); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 53 FR 43251 (October 26, 1988); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 54 FR 50788 (December 11, 1989); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 56 FR 42979 (August 30, 1991); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 57 FR 49684 (November 3, 1992); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 58 FR 51615 (October 4,

questionnaires in the administrative reviews of the periods spanning January 1, 1991 through December 31, 1995, the Department has no information from the reviews with respect to whether there were any imports of ASM from France.⁴ Finally, the Department terminated the administrative reviews of the periods spanning January 1, 1996 through December 31, 1997, based on the absence of entries.⁵

We find, therefore, that the cessation of imports after the issuance of the order is highly probative of the likelihood of continuation or recurrence of dumping. Furthermore, deposit rates above de minimis levels continue to be in effect for all shipments of the subject merchandise from France. As discussed in section II.A.3. of the *Sunset Policy Bulletin*, the SAA at 890, and the House Report at 63-64, if imports cease after the order is issued, we may reasonably assume that exporters could not sell in the United States without dumping and that, to reenter the U.S. market, they would have to resume dumping. Therefore, absent argument and evidence to the contrary, given that shipments of the subject merchandise ceased after the issuance of the order, and that dumping margins continue to exist, the Department, consistent with Section II.A.3 of the *Sunset Policy Bulletin*, determines that dumping is likely to continue or recur if the antidumping duty order were revoked.

Magnitude of the Margin: In the *Sunset Policy Bulletin*, the Department stated that it will normally provide to the Commission the margin that was determined in the final determination in the original investigation. Further, for companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the "all others" rate from the investigation. (See

⁴ See *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 57 FR 49684 (November 3, 1992); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 58 FR 51615 (October 4, 1993); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 60 FR 8631 (February 15, 1995); *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 61 FR 30852 (June 18, 1996); and *Anhydrous Sodium Metasilicate From France; Final Results of Antidumping Duty Administrative Review*, 61 FR 44038 (August 27, 1996).

⁵ See *Anhydrous Sodium Metasilicate From France; Notice of Termination of Antidumping Duty Administrative Review*, 62 FR 43701 (August 15, 1997); and *Anhydrous Sodium Metasilicate From France; Notice of Recission of Antidumping Duty Administrative Review*, 63 FR 31179 (June 10, 1998).

section II.B.1 of the *Sunset Policy Bulletin*.) Exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty absorption determinations. (See sections II.B.2 and 3 of the *Sunset Policy Bulletin*.)

In the Department's final determination of sales at less than fair value on ASM from France, the Department established an antidumping margin of 60.00 percent (see *Anhydrous Sodium Metasilicate From France—Final Determination of Sales at Less Than Fair Value*, 45 FR 77498 (November 24, 1980) and *Anhydrous Sodium Metasilicate From France; Antidumping Duty Order*, 46 FR 1667 (January 7, 1981)).

In its substantive response, PQ asserted that because of the high cost of freight for ASM, no French producer could compete in the U.S. market without having sales at less than fair value. Although PQ did not specify the magnitude of the margin likely to prevail if the order were revoked, it submitted information for "computations of export price or constructed export price and normal value, based on realistic assumption." (See Substantive Response of PQ, November 2, 1998, at 2 and attachment.)

The SAA at 891, House Report at 64, and section 351.218(e)(2)(i) of the *Sunset Regulations* provide that, only in the context of a full sunset review and only under the most extraordinary circumstances will the Department rely on a countervailing duty rate or dumping margin other than those it calculated and published in its prior determinations. The Department, on the basis of inadequate responses (in this case, no response), determined to conduct an expedited review of this duty order. Only in full reviews will the Department consider the calculation of new margins. Further, even if the Department had determined to conduct a full review of this order, it is not persuaded by the evidence presented by PQ that such extraordinary circumstances exist in this case as to warrant the calculation of a new dumping margin.

Therefore, consistent with the *Sunset Policy Bulletin*, we determine that the original margin we calculated, which reflects the behavior of exporters without the discipline of the order, is probative of the behavior of the French producers and exporters of ASM. The Department will report to the Commission the company-specific and "all others" rate at the levels indicated in the Final Results of Review section of this notice.

Final Results of Review: As a result of this review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping at the levels indicated below.

Manufacturers/exporters	Margin (percent)
Rhone-Poulenc	60.00
All Others	60.00

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 of the Department's regulations. Timely notification of 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.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: January 29, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-2676 Filed 2-3-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-007]

Final Results of Expedited Sunset Review: Barium Chloride From the People's Republic of China (PRC)

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

ACTION: Notice of final results of expedited sunset review: Barium Chloride from the People's Republic of China (PRC).

SUMMARY: On October 1, 1998, the Department of Commerce ("the Department") initiated a sunset review of the antidumping order on barium chloride from China (PRC) (63 FR 52683) 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 a complete substantive response filed on behalf of the domestic industry, and inadequate response (in this case no response) from respondent interested parties, the Department determined to conduct an

expedited review. As a result of this review, the Department finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Review section to this notice.

FOR FURTHER INFORMATION CONTACT:

Martha V. Douthit or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th St. & Constitution Ave., NW., Washington, D.C. 20230; telephone (202) 482-3207 or (202) 482-1560, respectively.

EFFECTIVE DATE: February 4, 1999.

Statute and Regulations: This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) ("*Sunset Regulations*"). Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("*Sunset Policy Bulletin*").

Scope: The merchandise covered by this order is barium chloride, a chemical compound having the formula BaCl₂ or BaCl₂ · 2H₂O, currently classifiable under item 2827.38.00 of the Harmonized Tariff Schedules (HTS). The HTS item number is provided for convenience and for Customs purposes. The written descriptions remain dispositive.

This review covers all manufacturers and exporters of barium chloride from China.

Background: On October 1, 1998, the Department initiated a sunset review of the antidumping order on barium chloride from China (63 FR 52683) pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate from Chemical Products Corporation ("CPC") on October 15, 1998, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. CPC claimed interested party status under section 771(9)(C) of the Act, as a United States producer of barium chloride. In its substantive response, CPC stated that it was the petitioner in the original antidumping investigation that led to the issuance of the antidumping duty order on barium chloride from China.