

be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have standing to appeal the subsequent decision under 36 CFR parts 215 or 217. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within a specified number of days.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by October, 1999. The comment period on the draft EIS will be 45 days from the date EPA publishes the notice of availability of the draft EIS in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, a reviewer of a draft EIS must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir., 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45 day comment period so that substantive comments and objectives are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as

specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points).

The final EIS is scheduled to be completed in December, 1999. In the final EIS, the Forest Service is required to respond to substantive comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The responsible official is the Forest Supervisor, Gary L. Larsen. As responsible official, he will document the Conehead-Summit Resource Management Project decision and rationale in a Record of Decision. That decision will be subject to Forest Service Appeal Regulations (36 CFR part 215).

Dated: July 26, 1999.

**Gary L. Larsen,**

*Forest Supervisor, Mt. Hood National Forest.*  
[FR Doc. 99-19844 Filed 8-2-99; 8:45 am]  
BILLING CODE 3410-11-M

## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### Notice of Availability of Funding and Requests for Proposals for Guaranteed Loans Under the Section 538 Guaranteed Rural Rental Housing Program; Correction

**AGENCY:** Rural Housing Service, USDA.  
**ACTION:** Correction.

**SUMMARY:** The Rural Housing Service (RHS) corrects a notice published June 16, 1999 (64 FR 32373). This action is taken to correct the maximum allowable interest rate to be negotiated between the lender and the applicant. Accordingly, the notice published June 16, 1999 (64 FR 32373), is corrected as follows:

On page 32374 in the first column, Item V. A. (4), the introductory text prior to the table should read "Loans with interest rates less than the maximum allowable 250 basis points over the 30 Year Treasury Bond Yield as published in the Wall Street Journal as of the business day previous to the

business day the rate was set, will be awarded points as follows:"

On page 32374 in the third column, Item VI. C. "Maximum Interest Rate," the text "30-year Treasury Bond Rate" should read "30-year Treasury Bond Yield."

Dated: July 21, 1999.

**Eileen M. Fitzgerald,**

*Acting Administrator, Rural Housing Service.*  
[FR Doc. 99-19831 Filed 8-2-99; 8:45 am]  
BILLING CODE 3410-XV-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-428-826, A-469-809, A-588-852, A-580-841]

#### Initiation of Antidumping Duty Investigations: Structural Steel Beams From Germany, Japan, South Korea, and Spain

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

**EFFECTIVE DATE:** August 3, 1999.

**FOR FURTHER INFORMATION CONTACT:** Robert James (Germany) at (202) 482-5222; Abdelali Elouaradia (Japan) at (202) 482-2243; Rick Johnson (South Korea) at (202) 482-3818; and Linda Ludwig (Spain), at (202) 482-3833, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

#### Initiation of Investigations

##### *The Applicable Statute and Regulations*

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are references to the provisions codified at 19 CFR Part 351 (1998).

##### *The Petition*

On July 7, 1999, the Department of Commerce ("the Department") received petitions filed in proper form by Northwestern Steel and Wire Company, Nucor-Yamato Steel Company, TXI-Chaparral Steel Company, and United Steelworkers of America AFL-CIO (collectively petitioners). The Department received supplemental information to the petitions on July 8, July 21 and July 22, 1999.

In accordance with section 732(b) of the Act, petitioners allege that imports of structural steel beams ("structural beams") from Germany, Japan, South Korea, and Spain are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring an industry in the United States.

The Department finds that petitioners filed these petitions on behalf of the domestic industry because they are interested parties as defined in sections 771(9)(C) and (D) of the Act and they have demonstrated sufficient industry support with respect to each of the antidumping investigations they are requesting the Department to initiate (see *Determination of Industry Support for the Petition* below).

#### *Scope of Investigations*

For purposes of this investigation, the products covered are doubly-symmetric shapes, whether hot- or cold-rolled, drawn, extruded, formed or finished, having at least one dimension of at least 80 mm (3.2 inches or more), whether of carbon or alloy (other than stainless) steel, and whether or not drilled, punched, notched, painted, coated, or clad. These products ("Structural Steel Beams") include, but are not limited to, wide-flange beams ("W" shapes), bearing piles ("HP" shapes), standard beams ("S" or "I" shapes), and M-shapes.

All products that meet the physical and metallurgical descriptions provided above are within the scope of this investigation unless otherwise excluded. The following products, are outside and/or specifically excluded from the scope of this investigation:

- Structural steel beams greater than 400 pounds per linear foot or with a web or section height (also known as depth) over 40 inches.

In addition to the above exclusion, petitioners have requested that the Department exclude certain special section I-shapes. See Exhibit 5 of the petition, submitted on July 7, 1999, see also Attachment A of the July 23, 1999 petition amendment. The Department is currently considering this exclusion request, and attempting to define the request using physical, mechanical, and chemical criteria.

The merchandise subject to these investigations is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings: 7216.32.0000, 7216.33.0030, 7216.33.0060, 7216.33.0090, 7216.50.0000, 7216.61.0000, 7216.69.0000, 7216.91.0000, 7216.99.0000,

7228.70.3040, 7228.70.6000. Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the merchandise under investigation is dispositive.

During our review of the petition, we discussed the scope with the petitioners to ensure that the scope in the petition accurately reflects the product for which the domestic industry is seeking relief. Moreover, as we discussed in the preamble to the Department's regulations (62 FR 27323), we are setting aside a period for parties to raise issues regarding product coverage. The Department encourages all parties to submit such comments by August 16, 1999. Comments should be addressed to Import Administration's Central Records Unit at Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230. Any product coverage comment filed must be filed for the record of each structural steel beam investigation (i.e., commentors must file *all* coverage comments on the record of the investigations for structural steel beams from Germany, Japan, South Korea (both antidumping and countervailing duty investigations) and Spain). The period of scope consultations is intended to provide the Department with ample opportunity to consider all comments and consult with parties prior to the issuance of the preliminary determination.

#### *Determination of Industry Support for the Petition*

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (1) at least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

Section 771(4)(A) of the Act defines the "industry" as the producers of a domestic like product. Thus, to determine whether the petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The International Trade Commission ("ITC"), which is responsible for determining whether "the domestic industry" has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both

the Department and the ITC must apply the same statutory definition regarding the domestic like product (section 771(10) of the Act), they do so for different purposes and pursuant to separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to the law (see *Algoma Steel Corp. Ltd., v. United States*, 688 F. Supp. 639, 642-44 (CIT 1988); *High Information Content Flat Panel Displays and Display Glass Therefore from Japan: Final Determination; Rescission of Investigation and Partial Dismissal of Petition*, 56 FR 32376, 32380-81 (July 16, 1991)).

Section 771(10) of the Act defines the domestic like product as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title." Thus, the reference point from which the domestic like product analysis begins is "the article subject to an investigation," i.e., the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition. Moreover, petitioners do not offer a definition of domestic like product distinct from the scope of the investigation.

The domestic like product referred to in the petition is the single domestic like product defined in the "Scope of Investigation" section, above. The Department has no basis on the record to find the petition's definition of the domestic like product to be inaccurate. The Department has, therefore, adopted the domestic like product definition set forth in the petition.

In this case, the Department has determined that the petition and supplemental information to the petition contain adequate evidence of sufficient industry support (see *Attachment to the Initiation Checklist Re: Industry Support*, July 27, 1999). For all countries, producers and workers supporting the petition represent over 50 percent of total production of the domestic like product.

Accordingly, the Department determines that these petitions are filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.

#### *Export Price and Normal Value*

The following are descriptions of the allegations of sales at less than fair value upon which our decisions to initiate these investigations are based. Should

the need arise to use any of this information in our preliminary or final determinations for purposes of facts available under section 776 of the Act, we may re-examine the information and revise the margin calculations, if appropriate.

#### Germany

Petitioners have identified Salzgitter AG (Salzgitter) and Stahlwerk Thüringen GmbH (Stahlwerk Thüringen) as possible exporters of structural beams from Germany and the primary producers of subject merchandise in Germany. Petitioners based export price ("EP") on two price offerings for structural beams, one by Salzgitter and one by Stahlwerk Thüringen, made in the fourth quarter of 1998 to unaffiliated U.S. purchasers. Petitioners deducted inland freight obtained from a price quote for trucking wide-flange beams from the German mill to the port of exportation. Petitioners then subtracted ocean freight and insurance costs, calculated as the difference of the unit customs value from the unit C.I.F. value of the subject merchandise. In addition, petitioners deducted port fees, which they acquired from an official port schedule for one of the price offerings and documented by affidavit for the other, and U.S. customs duties, which were obtained from the 1999 HTSUS.

In calculating NV, petitioners used two home market price quotes (one from Salzgitter and one from Stahlwerk Thüringen). Petitioners stated that these prices were quoted for wide-flange beams for sale in the first quarter of 1999 and that the grade offered in these quotes is equivalent to the grades in the U.S. offerings used to compute EP. Because the terms of Salzgitter and Stahlwerk Thüringen's sales were on a delivered basis, petitioners subtracted the cost of delivery to customers in Germany from the delivered prices. Petitioners obtained inland freight costs for shipping a truckload of structural beams in Germany from a freight forwarder. To compute normal value petitioners also deducted home market credit expenses, which were calculated using the average days of credit offered on sales of wide-flange beams in Germany, the home market delivered price, and the average German prime rate (from the Bundesbank) for January and February 1999. In addition, petitioners added an amount for imputed U.S. credit expense in accordance with section 773(a)(6)(C) of the Act. Petitioners derived the imputed U.S. credit expense using the standard days of credit offered on sales of German wide-flange beams in the U.S.,

the U.S. delivered price, and the average U.S. prime lending rate during the period of shipment.

Petitioners provided information demonstrating reasonable grounds to believe or suspect that home market sales of the subject merchandise were made at prices below the cost of production ("COP"), within the meaning of section 773(b) of the Act, and requested that the Department conduct a country-wide sales below cost investigation. Pursuant to section 773(b)(3) of the Act, COP consists of the cost of manufacturing ("COM"), selling, general, and administrative expenses ("SG&A"), and packing costs. To calculate COP, the petitioners based COM on their own production experiences for COM adjusted for known differences between costs incurred to produce structural beams in the United States and Germany. To calculate SG&A petitioners relied on their own experience. Petitioner's relied upon their own experience for SG&A because as documented in the petition, they were unable to obtain an SG&A rate for a German steel producer. In addition, we note that the SG&A rate used appears to be conservative. To calculate financial expenses, petitioners relied upon the 1998 net financial expense from the financial statements of one of the named producers.

Based on our analysis, certain of the home market sales reported in the petition were shown to be made at prices below the COP. For these sales, petitioner based NV on the constructed value ("CV") of the merchandise, pursuant to section 773(a)(4) and 773(e) of the Act. Pursuant to section 773(e) of the Act, CV consists of the COM, SG&A expenses, packing costs and profit of the merchandise. To calculate the COM, SG&A, and packing costs for CV, petitioners followed the same methodology used to determine COP. The petitioners derived profit for CV based on the 1998 financial statements of one of the producers named in the petition. We adjusted petitioners' calculated profit to exclude investment write-offs and equity earnings in affiliated companies.

The estimated dumping margins based on a comparison between Salzgitter and Stahlwerk Thüringen's U.S. prices and CV, as adjusted by the Department, are 67.78 percent and 88.83 percent, respectively. Based on a comparison of EP to home market prices, petitioners' calculated dumping margins range from 45.91 percent to 49.45 percent, respectively.

#### Japan

The petitioners based EP for both Tokyo Steel and Nippon Steel on three U.S. price offerings for sales of wide flange beams to unaffiliated purchasers during the fourth quarter of 1998 for delivery in either the first or second quarter of 1999. The terms of sale were FOB truck or ex-dock duty paid per hundred weight, which the petitioners multiplied by twenty to calculate a price per short ton. The petitioners stated that they were unable to obtain rates for trucking the subject merchandise from the locations of each Japanese mill to the port of export; therefore, they did not deduct any Japanese trucking and/or port fees from the U.S. price. However, petitioners did subtract ocean freight, port fees (from an industry expert's affidavit and U.S. government statistics, respectively), and U.S. customs duties (from the 1999 HTSUS schedule).

The petitioners based NV on December 1998 quoted transaction prices for wide-flange beams identical or similar to those sold in the United States, produced by Tokyo Steel and Nippon Steel and sold or offered for sale to customers in Japan. The prices used in the calculation of NV were ex-factory prices. Petitioners deducted inland freight (from an industry expert's affidavit) and credit expense from the starting price. Petitioners used a credit period that was based on a quoted transaction price, and used an interest rate from the *International Financial Statistics*. Petitioners did not add back an amount of U.S. credit. Further, petitioners did not make any adjustment for differences in packing.

Petitioners provided information demonstrating reasonable grounds to believe or suspect that home market sales of the subject merchandise were made at prices below the COP, within the meaning of section 773(b) of the Act, and requested that the Department conduct a country-wide sales below cost investigation. Pursuant to section 773(b)(3) of the Act, COP consists of the COM, SG&A and packing costs. To calculate COP, the petitioners based COM on the costs of a surrogate producer because this producer has comparable scrap-based, electric arc furnace production facilities. Petitioners stated that the surrogate producer's costs were representative of Tokyo Steel's and Nippon Steel's cost in producing the same product. For Nippon, petitioners increased the surrogates labor cost by five times based on information contained in a newspaper article. For Nippon, to calculate SG&A, and financial expenses,

the petitioners relied upon the non-consolidated financial statements of Nippon Steel Corporation for fiscal year 1998. For Tokyo Steel, to calculate depreciation, SG&A, and financial expenses, the petitioners relied upon the financial statements of Tokyo Steel for the fiscal year 1998. We relied on the cost data contained in the petition except in the following instances.

1. We revised Nippon's SG&A rate to include miscellaneous income and expenses, retirement expenses, and past service pension costs. We also revised Tokyo's SG&A rate to include past service pension costs, loss on disposal of fixed assets and plant shutdown costs.

2. We recalculated Nippon's net financial expense rate using Nippon's consolidated financial statements. See Japan Attachment 6 to the *Initiation Checklist*. We also reduced Nippon's and Tokyo's financial expense by short-term interest income. We based the short-term interest income offset on the ratio of cash and cash equivalents to total interest bearing assets for both Nippon and Tokyo.

3. We recalculated Tokyo's depreciation expense using the depreciation expense of the same surrogate producer used to compute the other manufacturing costs contained in the petition.

4. We did not rely on petitioners' revised labor cost submitted on July 22, 1999, because the newspaper article which was relied upon contained inconsistencies. Therefore, we relied on the surrogate's labor cost as indicated in the affidavit provided in the petition.

Based upon our analysis of the adjusted petition information, certain of the home market sales reported in the petition were shown to be made at prices below the COP. Thus, we find reasonable grounds to believe or suspect that sales of the foreign like product were made below the COP. Accordingly, we are initiating a country-wide-sales-below-cost investigation.

For below-cost sales, petitioners based NV on the CV of the merchandise, pursuant to sections 773(a)(4) and 773(e) of the Act. Pursuant to section 773(e) of the Act, CV consists of the COM, SG&A, packing costs, and profit of the merchandise. To calculate the COM, SG&A expenses and packing costs for CV, petitioners followed the same methodology used to determine COP. Accordingly, we relied on this methodology after adjusting certain cost elements as noted above. The petitioners derived Nippon's profit for CV based on certain sales of the surrogate producer used to compute COM. The petitioners derived Tokyo's

profit from the one sale which passed the cost test. For Nippon, we recalculated profit based on Nippon's 1998 unconsolidated financial statements. Because Tokyo's 1998 financial statements reflected a net loss, we based the profit for Tokyo on the recalculated Nippon profit rate. See Japan cost section of *Initiation Checklist*.

The estimated dumping margins, based on a comparison between Nippon and Tokyo Steel's U.S. prices and adjusted CV, range from 1.58 percent to 23.13 percent. Based on a comparison of EP to home market prices, petitioners calculated dumping margins of 22.21 percent.

#### South Korea

Petitioners identified Incheon Iron & Steel Co. Ltd. ("Incheon") and Kangwon Industries Co. Ltd. ("Kangwon") as the primary producers and exporters of subject merchandise from South Korea to the United States in 1998. Petitioners based EP for Incheon on an April 1999 U.S. price offering for a sale to an unaffiliated purchaser. For Kangwon, petitioners based EP on a December 1998 offer for sale to an unaffiliated purchaser. Because the price offers are for products delivered to the United States, petitioners calculated a net U.S. price for each product by subtracting estimated costs for shipment from the factory in South Korea to the port of export and port charges. In addition, petitioners subtracted unloading and wharfage charges, ocean freight and insurance, U.S. inland freight, and U.S. Customs duties.

To calculate NV, petitioners obtained home market prices for Incheon and Kangwon (from foreign market research and an affidavit from a U.S. producer), contemporaneous with the pricing information used as the basis for EP, for products offered for sale to customers in South Korea which are either identical or similar to those sold to the United States. Petitioners adjusted these prices by subtracting foreign movement charges and credit expenses.

Petitioners provided information demonstrating reasonable grounds to believe or suspect that home market sales of the subject merchandise were made at prices below the COP, within the meaning of section 773(b) of the Act, and requested that the Department conduct a country-wide-sales-below-cost investigation. Pursuant to section 773(b)(3) of the Act, COP consists of the COM, SG&A, and packing costs. To calculate COP, petitioners based COM on their own experience, adjusted for known differences between costs incurred to produce structural beams in

the United States and South Korea. To calculate SG&A and financial expenses, petitioners relied upon the 1997 financial statements for each of the two South Korean producers named in the petition. We relied on the cost data contained in the petition except for the following. We revised the financial expense ratio to include an offset amount for short-term interest income.

Based on our analysis, certain of the home market sales reported in the petition were shown to be made at prices below the COP. For these sales, petitioner based NV on the CV of the merchandise, pursuant to section 773(a)(4) and 773(e) of the Act. Pursuant to section 773(e) of the Act, CV consists of the COM, SG&A, packing costs, and profit of the merchandise. To calculate the COM, SG&A, and packing costs for CV, petitioners followed the same methodology used to determine COP. Accordingly, we relied on this methodology after adjusting certain cost elements as noted above. The petitioners derived profit for CV based on the South Korean producers' 1997 financial statements.

The estimated dumping margins, based on a comparison between Incheon and Kangwon's U.S. prices and CV, as adjusted by the Department, range from 89.67 to 107.07 percent. Based on a comparison of EP to home market prices, as adjusted by the Department, petitioners' calculated dumping margins range from 50.00 to 62.95 percent. A description of the adjustments which the Department made to petitioners' calculations of export price and normal value are contained in the *Initiation Checklist*.

#### Spain

The petitioners identified Corporación José María Aristrain SA ("Aristrain" (single Spanish entity) or "Arbed" (consolidated group of companies)) as the possible exporter of structural beams from Spain. The petitioners further identified this exporter as the primary producer of subject merchandise in Spain. The petitioners based EP for Aristrain on a U.S. price offering for the first sale to an unaffiliated purchaser during the fourth quarter of 1998. Because the terms of Aristrain's U.S. sale were FOB truck at the U.S. port of entry, the petitioners calculated a net U.S. price by subtracting estimated costs for shipment from the factory in Spain to a port of export (from an industry expert's affidavit regarding the cost of inland freight). In addition, the petitioners subtracted ocean freight and insurance, unloading charges, and wharfage (from official U.S. tariff rates and official U.S.

import statistics), and estimated costs for U.S. import duties and fees (both from the 1999 HTSUS schedule).

With respect to NV, petitioners obtained a per metric ton price of wide-flange steel beams offered (or sold) by Aristrain sold (or to be sold) in Spain. Petitioners adjusted this price by subtracting credit expenses (from an industry expert's affidavit and official International Monetary Fund statistics).

Petitioners failed to provide information demonstrating reasonable grounds to believe or suspect that home market sales of the subject merchandise were made at prices below the COP, within the meaning of section 773(b) of the Act. Therefore, at this time we are not initiating a sales-below-cost investigation. See Spain cost section of *Initiation Checklist*.

The estimated dumping margin in the petition, based on a comparison between Aristrain's U.S. price and NV, is 66.94 percent.

#### *Initiation of Cost Investigations*

Pursuant to section 773(b) of the Act, petitioners provided information demonstrating reasonable grounds to believe or suspect that sales in the home markets of Germany, Japan, and South Korea were made at prices below the fully allocated COP and, accordingly, requested that the Department conduct a country-wide sales-below-COP investigation in connection with the requested antidumping investigations on Germany, Japan, and South Korea. The Statement of Administrative Action ("SAA"), submitted to the Congress in connection with the interpretation and application of the URAA, states that an allegation of sales below COP need not be specific to individual exporters or producers. SAA, H.R. Doc. No. 103-316 at 833 (1994). The SAA, at 833, states that "Commerce will consider allegations of below-cost sales in the aggregate for a foreign country, just as Commerce currently considers allegations of sales at less than fair value on a country-wide basis for purposes of initiating an antidumping investigation."

Further, the SAA provides that "new section 773(b)(2)(A) retains the current requirement that Commerce have 'reasonable grounds to believe or suspect' that below cost sales have occurred before initiating such an investigation. 'Reasonable grounds' \* \* \* exist when an interested party provides specific factual information on costs and prices, observed or constructed, indicating that sales in the foreign market in question are at below-cost prices." *Id.* Based upon the comparison of the adjusted prices from

the petition for the representative foreign like products to their costs of production, we find the existence of "reasonable grounds to believe or suspect" that sales of the foreign like product in Germany, Japan, and South Korea were made below their respective COPs within the meaning of section 773(b)(2)(A)(i) of the Act. Accordingly, the Department is initiating the requested country-wide cost investigations for Germany, Japan, and South Korea (see country-specific sections above and cost attachment to the initiation checklist).

#### *Fair Value Comparisons*

Based on the data provided by petitioners, there is reason to believe that imports of structural beams from Germany, Japan, South Korea, and Spain are being, or are likely to be, sold at less than fair value.

#### *Allegations and Evidence of Material Injury and Causation*

Petitioners allege that the U.S. industry producing the domestic like product is being materially injured, and is threatened with material injury, by reason of the individual and cumulated imports of the subject merchandise sold at less than NV. Petitioners explained that the industry's injured condition is evident in the declining trends in output and net operating profits. The allegations of injury and causation are supported by relevant evidence including U.S. Customs import data, lost sales, and pricing information. The Department assessed the allegations and supporting evidence regarding material injury and causation and determined that these allegations are supported by accurate and adequate evidence and meet the statutory requirements for initiation (see *Attachments to Initiation Checklist, Re: Material Injury*, July 27, 1999).

#### *Initiation of Antidumping Investigations*

Based upon our examination of the petitions on structural beams and petitioners' responses to our supplemental questionnaire clarifying the petitions, as well as our discussion with the authors of the foreign market research reports supporting the petition on South Korea and other measures to confirm the information contained in these reports, we have found that the petitions meet the requirements of section 732 of the Act. Therefore, we are initiating antidumping duty investigations to determine whether imports of structural beams from Germany, Japan, South Korea, and Spain are being, or are likely to be, sold in the United States at less than fair

value. Unless this deadline is extended, we will make our preliminary determinations no later than 140 days after the date of publication of this notice.

#### *Distribution of Copies of the Petitions*

In accordance with section 732(b)(3)(A) of the Act, a copy of the public version of each petition has been provided to the representatives of Germany, Japan, South Korea, and Spain. We will attempt to provide a copy of the public version of each petition to each exporter named in the petition (as appropriate).

#### *International Trade Commission Notification*

We have notified the ITC of our initiations, as required by section 732(d) of the Act.

#### *Preliminary Determinations by the ITC*

The ITC will determine by August 23, 1999, whether there is a reasonable indication that imports of structural beams from Germany, Japan, South Korea, and Spain are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination for any country will result in the investigation being terminated with respect to that country; otherwise, these investigations will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 777(i) of the Act.

Dated: July 27, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-19919 Filed 8-2-99; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-580-842]

#### **Notice of Initiation of Countervailing Duty Investigation: Structural Steel Beams From the Republic of Korea**

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

**EFFECTIVE DATE:** August 3, 1999.

**FOR FURTHER INFORMATION CONTACT:** Eric B. Greynolds at (202) 482-6071 or Tipten Troidl at (202) 482-1767, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 1870, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.