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MESSAGE #
(s):

CASE #(s): C-421-809

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2004 TO 12/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR LOW ENRICHED URANIUM FROM THE NETHERLANDS FOR URENCO GROUP LTD. (C-421-809-001)

MESSAGE NO: 6234206 DATE: 08 22 2006

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 421 - 809 - -

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PERIOD COVERED: 01 01 2004 TO 12 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR LOW ENRICHED URANIUM FROM THE NETHERLANDS FOR URENCO GROUP LTD. (C-421-809-001)

1. NOTICE THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE OCCURRED WITH THE PUBLICATION IN THE FEDERAL REGISTER ON 07/07/2006 (71 FR 38626) OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER (C-421-809) ON LOW ENRICHED URANIUM FROM THE NETHERLANDS FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004.

2. THE SCOPE OF THIS ORDER COVERS LOW ENRICHED URANIUM (LEU). LEU IS ENRICHED URANIUM HEXAFLUORIDE (UF6) WITH A U235 PRODUCT

ASSAY OF LESS THAN 20 PERCENT THAT HAS NOT BEEN CONVERTED INTO ANOTHER CHEMICAL FORM, SUCH AS UO₂, OR FABRICATED INTO NUCLEAR FUEL ASSEMBLIES, REGARDLESS OF THE MEANS BY WHICH THE LEU IS PRODUCED (INCLUDING LEU PRODUCED THROUGH THE DOWN-BLENDING OF HIGHLY ENRICHED URANIUM).

CERTAIN MERCHANDISE IS OUTSIDE THE SCOPE OF THIS ORDER. SPECIFICALLY, THIS ORDER DOES NOT COVER ENRICHED URANIUM HEXAFLUORIDE WITH A U²³⁵ ASSAY OF 20 PERCENT OR GREATER, ALSO KNOWN AS HIGHLY ENRICHED URANIUM. IN ADDITION, FABRICATED LEU IS NOT COVERED BY THE SCOPE OF THIS ORDER. FOR PURPOSES OF THIS ORDER, FABRICATED URANIUM IS DEFINED AS ENRICHED URANIUM DIOXIDE (UO₂), WHETHER OR NOT CONTAINED IN NUCLEAR FUEL RODS OR ASSEMBLIES. NATURAL URANIUM CONCENTRATES (U₃O₈) WITH A U²³⁵ CONCENTRATION OF NO GREATER THAN 0.711 PERCENT AND NATURAL URANIUM CONCENTRATES CONVERTED INTO URANIUM HEXAFLUORIDE WITH A U²³⁵ CONCENTRATION OF NO GREATER THAN 0.711 PERCENT ARE NOT COVERED BY THE SCOPE OF THIS ORDER.

ALSO EXCLUDED FROM THIS ORDER IS LEU OWNED BY A FOREIGN UTILITY END-USER AND IMPORTED INTO THE UNITED STATES BY OR FOR SUCH END-USER SOLELY FOR PURPOSES OF CONVERSION BY A U.S. FABRICATOR INTO URANIUM DIOXIDE (UO₂) AND/OR FABRICATION INTO FUEL ASSEMBLIES SO LONG AS THE URANIUM DIOXIDE AND/OR FUEL ASSEMBLIES DEEMED TO INCORPORATE SUCH IMPORTED LEU (I) REMAIN IN THE POSSESSION AND CONTROL OF THE U.S. FABRICATOR, THE FOREIGN END-USER, OR THEIR DESIGNATED TRANSPORTER(S) WHILE IN U.S. CUSTOMS TERRITORY, AND (II) ARE RE-EXPORTED WITHIN EIGHTEEN (18) MONTHS OF ENTRY OF THE LEU FOR CONSUMPTION BY THE END-USER IN A NUCLEAR REACTOR OUTSIDE THE UNITED STATES. SUCH ENTRIES MUST BE ACCOMPANIED BY THE CERTIFICATIONS OF THE IMPORTER AND END-USER (SEE PARAGRAPHS 6 AND 7 BELOW).

THE MERCHANDISE SUBJECT TO THIS ORDER IS CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) AT SUBHEADING 2844.20.0020. SUBJECT MERCHANDISE MAY ALSO ENTER UNDER 2844.20.0030, 2844.20.0050, AND 2844.40.00. ALTHOUGH THE

HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE IS DISPOSITIVE.

3. THE NET SUBSIDY WAS FOUND TO BE 0.00 PERCENT AD VALOREM FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004.

4. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO LIQUIDATE WITHOUT REGARD TO COUNTERVAILING DUTIES ALL SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/01/2004 AND ON OR BEFORE 12/31/2004.

MFR/PRODUCER/ EXPORTER	CUSTOMS ID NUMBER	PERIOD	PERCENT
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URENCO GROUP LTD.	C-421-809-001	01/01/2004- 12/31/2004	0.00
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(URENCO DEUTSCHLAND GMBH,URENCO NEDERLAND B.V.,URENCO (CAPENHURST) LIMITED,URENCO LTD., URENCO INC.)

5. NOTE THAT, AS A RESULT OF THE MOST RECENT ADMINISTRATIVE REVIEW, FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004, THE URENCO GROUP LTD. CONSISTS OF: URENCO DEUTSCHLAND GMBH, URENCO NEDERLAND B.V., URENCO (CAPENHURST) LIMITED, URENCO LTD., URENCO INC., URENCO ENRICHMENT CO. LTD.

6. ENTRY SUMMARIES COVERING MERCHANDISE TO BE EXCLUDED FROM THE SCOPE OF THIS ORDER - LEU OWNED BY A FOREIGN UTILITY END-USER AS DESCRIBED IN PARAGRAPH 2, ABOVE - MUST BE ACCOMPANIED BY A CERTIFICATION FROM THE IMPORTER AS FOLLOWS:

WE, THE UNDERSIGNED IMPORTER, HEREBY CERTIFY AS FOLLOWS:

A) THE ACCOMPANYING ENTRY OF ENRICHED URANIUM HEXAFLUORIDE IS IMPORTED BY US FOR PURPOSES OF CONVERSION BY {INSERT NAME OF FABRICATOR} INTO URANIUM DIOXIDE AND/OR FABRICATION BY {INSERT NAME OF FABRICATOR} INTO NUCLEAR FUEL ASSEMBLIES FOR CONSUMPTION

BY THE NAMED END-USER IN A NUCLEAR REACTOR OUTSIDE THE UNITED STATES.

B) THIS ENRICHED URANIUM HEXAFLUORIDE, AND ANY URANIUM PRODUCTS DERIVED THEREFROM, WILL (1) REMAIN AT ALL TIMES IN OUR POSSESSION AND CONTROL OR IN THE POSSESSION AND CONTROL OF OUR AUTHORIZED TRANSPORTER(S), OR IN THE POSSESSION AND CONTROL OF {INSERT NAME OF FABRICATOR} OR THEIR AUTHORIZED TRANSPORTER(S), WHILE IN THE CUSTOMS TERRITORY OF THE UNITED STATES AND (2) SHALL NOT BE SOLD, LOANED, SWAPPED, USED AS LOAN REPAYMENTS, OR UTILIZED FOR ANY PURPOSE OTHER THAN FOR CONVERSION INTO URANIUM DIOXIDE AND/OR FABRICATION INTO NUCLEAR FUEL ASSEMBLIES BY {INSERT NAME OF FABRICATOR} FOR CONSUMPTION BY {INSERT NAME OF END-USER} OUTSIDE THE UNITED STATES.

C) AN AMOUNT OF ENRICHED URANIUM IN THE FORM OF URANIUM DIOXIDE EQUAL TO THE ACCOMPANYING ENTRY IN TERMS OF THE QUANTITY OF URANIUM-235 CONTAINED IN THIS ENTRY (LESS AN IRRECOVERABLE PROCESSING LOSS NOT TO EXCEED 1.0 PERCENT), AND WITH THE SAME COUNTRY OF ORIGIN, WILL BE EXPORTED TO {INSERT NAME OF END-USER} BY {INSERT NAME OF FABRICATOR} FROM THE UNITED STATES WITHIN EIGHTEEN (18) MONTHS OF THE DATE OF THIS ENTRY.

D) THE ACCOMPANYING ENTRY IS BEING IMPORTED SOLELY FOR THE ABOVE STATED PURPOSES. WE MAKE THIS CERTIFICATION UNDER PENALTY OF LAW, INCLUDING (WITHOUT LIMITATION) THE PENALTIES OF 19 U.S.C. SECTION 1592.

7. ENTRY SUMMARIES COVERING MERCHANDISE TO BE EXCLUDED FROM THE SCOPE OF THIS ORDER - LEU OWNED BY A FOREIGN UTILITY END-USER AS DESCRIBED IN PARAGRAPH 2, ABOVE - MUST ALSO BE ACCOMPANIED BY A CERTIFICATION FROM THE END-USER AS FOLLOWS: WE, THE UNDERSIGNED END-USER, HEREBY CERTIFY AS FOLLOWS:

A) THE ACCOMPANYING ENTRY OF ENRICHED URANIUM HEXAFLUORIDE IS IMPORTED ON OUR BEHALF BY {INSERT NAME OF IMPORTER} FOR PURPOSES OF CONVERSION BY {INSERT NAME OF FABRICATOR} INTO URANIUM DIOXIDE AND/OR FABRICATION BY {INSERT NAME OF FABRICATOR} INTO

NUCLEAR FUEL ASSEMBLIES FOR CONSUMPTION BY US IN A NUCLEAR REACTOR OUTSIDE THE UNITED STATES.

B) THIS ENRICHED URANIUM HEXAFLUORIDE, AND ANY URANIUM PRODUCTS DERIVED THEREFROM, WILL (1) REMAIN AT ALL TIMES IN THE POSSESSION AND CONTROL OF {INSERT NAME OF IMPORTER}, {INSERT NAME OF FABRICATOR IF DIFFERENT FROM IMPORTER} OR ITS/THEIR AUTHORIZED TRANSPORTER(S) WHILE IN THE CUSTOMS TERRITORY OF THE UNITED STATES AND (2) SHALL NOT BE SOLD, LOANED, SWAPPED, USED AS LOAN REPAYMENTS, OR UTILIZED FOR ANY PURPOSE OTHER THAN FOR CONVERSION INTO URANIUM DIOXIDE AND/OR FABRICATION INTO NUCLEAR FUEL ASSEMBLIES BY {INSERT NAME OF FABRICATOR} FOR CONSUMPTION BY US OUTSIDE THE UNITED STATES.

C) AN AMOUNT OF ENRICHED URANIUM IN THE FORM OF URANIUM DIOXIDE EQUAL TO THE ACCOMPANYING ENTRY IN TERMS OF THE QUANTITY OF URANIUM-235 CONTAINED IN THIS ENTRY (LESS AN IRRECOVERABLE PROCESSING LOSS NOT TO EXCEED 1.0 PERCENT), AND WITH THE SAME COUNTRY OF ORIGIN, WILL BE EXPORTED TO US BY {INSERT NAME OF FABRICATOR} FROM THE UNITED STATES WITHIN EIGHTEEN (18) MONTHS OF THE DATE OF THIS ENTRY.

D) THE ACCOMPANYING ENTRY IS BEING IMPORTED SOLELY FOR THE ABOVE STATED PURPOSES. WE MAKE THIS CERTIFICATION UNDER PENALTY OF LAW, INCLUDING (WITHOUT LIMITATION) THE PENALTIES OF 19 U.S.C. SECTION 1592.

8. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT THE CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE ENTRY DATE OR DATE OF DEPOSIT WHICHEVER IS LATER, OR ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF

LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

9. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR BEFORE 12/31/2004 IS LIFTED. ON 07/07/2006, WE REVOKED THE COUNTERVAILING DUTY ORDER ON LOW ENRICHED URANIUM FROM THE NETHERLANDS AND LIFTED THE SUSPENSION OF LIQUIDATION, EFFECTIVE 01/01/2005.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O3:DB).

11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party