

MESSAGE NO: 9313113 MESSAGE DATE: 11/09/1998
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-122-805

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1997 TO 12/31/1997

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR NEW STEEL RAIL FROM CANADA
(C-122-805) FOR THE PERIOD 1/1/1997 THROUGH 12/31/1997

MESSAGE NO: 9313113 DATE: 11 09 1998

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 122 - 805 - -

- - - -

- - - -

PERIOD COVERED: 01 01 1997 TO 12 31 1997

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR NEW STEEL RAIL FROM
CANADA (C-122-805) FOR THE PERIOD 1/1/1997 THROUGH
12/31/1997

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON
NEW STEEL RAIL FROM CANADA (C-122-805) FOR THE PERIOD
01/01/1997-12/31/1997.

2. NEW STEEL RAIL, EXCEPT LIGHT RAIL FROM CANADA (C-122-805)
COVERS SHIPMENTS OF CANADIAN NEW STEEL RAIL, WHETHER OF
CARBON, HIGH CARBON, ALLOY OR OTHER QUALITY STEEL, INCLUDING
BUT NOT LIMITED TO, STANDARD RAILS, ALL MAIN LINE SECTIONS

(AT LEAST 30 KG PER METER OR 60 POUNDS PER YARD), HEAT-TREATED OR HEAD-HARDENED (PREMIUM) RAILS, TRANSIT RAILS, CONTACT RAILS (OR "THIRD RAIL") AND CRANE RAILS. RAIL MADE TO NOMINAL 60 ASCE/ASTM A1-92 SPECIFICATIONS (NOMINAL 60), IS NOT COVERED BY THE SCOPE OF THE ORDER. RAILS ARE USED BY THE RAILROAD INDUSTRY, BY RAPID TRANSIT LINES BY SUBWAYS, IN MINES AND ARE CLASSIFIABLE UNDER ITEM NUMBERS:

7302.10.1020, 7302.10.1025, 7302.10.1035, 7302.10.1040, 7302.10.1045, 7302.10.1055, 7302.10.5000, AND 8548.00.0000.

3. THEREFORE, IN ACCORDANCE WITH SECTION 355.22(G) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE EXPORTED ON OR AFTER JANUARY 1, 1997 AND ON OR BEFORE DECEMBER 31, 1997.

4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES WHICH WERE REQUIRED TO BE DEPOSITED ARE:

NEW STEEL RAIL

FROM CANADA

MANUFACTURERS	CASE NUMBER	PERIOD	RATE
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ALGOMA STEEL

CORP. C-122-805-001 1/1/1997-12/31/1997 EXCLUDED

SIDNEY STEEL

CORP. C-122-805-002 1/1/1997-12/31/1997 112.34%

BERNARD RAILTRACK

EXPORT C-122-805-003 1/1/1997-12/31/1997 112.34%

ALL OTHER FIRMS C-122-805 1/1/1997-12/31/1997 94.57%

5. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE EXPORTED ON OR AFTER JANUARY 1, 1997 AND ON OR BEFORE DECEMBER 31, 1997 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER DECEMBER 31, 1997 WILL CONTINUE.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE 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 CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, 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 DATE OF ENTRY OR DATE OF DEPOSIT WHICH EVER IS LATER, OF 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.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF AD/CVD ENFORCEMENT VI, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-2786.

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

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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