

We preliminarily determine that circular welded non-alloy steel pipe (pipe) from South Africa is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Act. The estimated margins are shown in the "Suspension of Liquidation" section of this notice.

Case History

Since the initiation of this investigation on May 16, 1995 (60 FR 27078 (May 22, 1995)), the following events have occurred:

On June 12, 1995, the United States International Trade Commission (ITC) notified the Department of Commerce (the Department) of its affirmative preliminary determination.

On June 30, 1995, we presented questionnaires to the South African embassy, counsel for RIH, and Steel Pipe Industries. On July 5, 1995, Steel Pipe Industries informed the Department that it does not export pipe to the United States. Supplemental questionnaires were issued to RIH in August, September, and October 1995. Responses to the original and supplemental questionnaires were received in July through October 1995.

On September 14, 1995, the Department postponed the preliminary determination to November 15, 1995. See *Notice of Postponement of Preliminary Determinations: Antidumping Duty Investigations of Circular Welded Non-Alloy Steel Pipe From Romania and South Africa* (60 FR 48690, September 20, 1995).

Respondent Selection

The producers named in the petition were Brollo Africa, Robor Industrial Holding (Pty) Ltd., Trident Steel, and Tosa; the trading companies named in the petition were Dorbyl, Circle Freight, Extram, Firestone, Hall Longmore Equipment Service, MacSteel, Protea International, and TISCO International.

On June 8, 1995, a cable was sent to the U.S. embassy in South Africa requesting the identification of South African producers and exporters of pipe which was exported to the United States. We received a response to our cable on July 17, 1995, identifying the following additional companies as producers and sellers of the subject merchandise to the United States during the period of the investigation: (1) Bartons Precision (Pty) Ltd.; (2) Bosal Marketing (Pty) Ltd.; (3) Steel Pipe Industries (Pty) Ltd.; and (4) Trident Sterling Tube.

Based on the petition and information contained in *Iron and Steel Works of the World* (1994), we determined to send questionnaires to Brollo Africa, Robor

Industrial Holdings, Steel Pipe Industries, and Tosa. At the time of that determination, we had not received a response from the U.S. Embassy in South Africa, but indicated that we were running a data inquiry with the U.S. Customs database. See Memorandum to the file regarding the appropriate questionnaire recipients, dated June 30, 1995. Based on the U.S. Customs database and pursuant to section 777A(c)(2)(B) of the Act, we found that we had sent questionnaires to the exporters and producers accounting for the largest volume of exports of the subject merchandise from South Africa that could be reasonably examined. Thus, we did not send any additional questionnaires.

Postponement of Final Determination

Pursuant to section 735(a)(2)(A) of the Act, on October 24, 1995, the respondents requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination until 60 days after the date of the scheduled final determination, which is equivalent to 135 days after the publication of an affirmative preliminary determination in the Federal Register. In accordance with 19 CFR 353.20(b), because our preliminary determination is affirmative, the respondents account for a significant proportion of exports of the subject merchandise, and no compelling reasons for denial exist, we are granting respondents' request and postponing the final determination.

Scope of Investigation

The following scope language reflects certain modifications from the notice of initiation. In the initiation notice, we indicated that our scope language may change based on any final scope determination regarding the antidumping duty orders on certain circular welded non-alloy steel pipe from Brazil, the Republic of Korea, Mexico and Venezuela. See *Preliminary Affirmative Determination of Scope Inquiry on Antidumping Duty Orders on Certain Circular Welded Non-Alloy Steel Pipe From Brazil, the Republic of Korea, Mexico, and Venezuela* (59 FR 1929, January 13, 1994). However, the final determination has not yet been made. Consequently, we have modified our scope language in an effort to eliminate the need for use certification at this time.

For purpose of this investigation, circular welded non-alloy steel pipes (standard pipes) are all pipes and tubes, of circular cross-section, not more than 406.4 mm (16 inches) in outside

diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), end finish (plain end, bevelled end, threaded, or threaded and coupled), or industry specification (ASTM, proprietary, or other) used in standard or structural pipe applications.

The scope specifically includes, but is not limited to, all pipe produced to the ASTM A-53, ASTM A-135, ASTM A-795, and BS-1387 specifications. It also includes any pipe multiple-stencilled or multiple-certified to one of the above-listed specifications and to any other specification. Pipe which meets the above physical parameters and which is produced to proprietary specifications, the API-5L, the API-5L X-42, or to any other non-listed specification is included within the scope of this investigation if used in a standard or structural pipe application, regardless of the *Harmonized Tariff Schedule of the United States (HTSUS)* category into which it was classified. If the pipe does not meet any of the above identified specifications, although it is within the identified physical parameters described in the second paragraph of this section, our presumption is that it is not used in a standard pipe application.

Standard pipe uses include the low-pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipe may carry liquids at elevated temperatures but may not be subject to the application of external heat. Standard pipe uses also include load-bearing applications in construction and residential and industrial fence systems. Standard pipe uses also include shells for the production of finished conduit and pipe used for the production of scaffolding.

Specifically excluded from this investigation are mechanical tubing, tube and pipe hollows for redrawing, and finished electrical conduit if such products are not certified to ASTM A-53, ASTM A-120, ASTM A-135, ASTM A-795, and BS-1387 specifications and are not used in standard pipe applications. Additionally, pipe meeting the specifications for oil country tubular goods is not covered by the scope of this investigation, unless also certified to a listed standard pipe specification or used in a standard pipe application.

The merchandise under investigation is currently classifiable under items 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90 of the *HTSUS*. Although the *HTSUS* subheadings are provided