analyze its sales for this proceeding. The Department rejected Glencore's request as untimely on December 27, 1994.

On December 20, 1994, Tulachermet requested that it be granted a separate rate in this determination. This request is discussed below under "Suspension of Liquidation".

Postponement of Final Determination

Pursuant to section 735(a)(2)(A) of the Act, on December 19, 1994, Galt, Tulachermet, and Odermet, exporters accounting for a significant portion of the merchandise in this proceeding, requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone the final determination to 135 days after the date of publication of the affirmative preliminary determination. The Department finds no compelling reason to deny these requests and is, accordingly, postponing the final determination until the 135th day after the publication of this notice in the **Federal Register**, pursuant to 19 CFR 353.20 (b).

Scope of Investigation

The products covered by this investigation are ferrovanadium and nitrided vanadium, regardless of grade, chemistry, form or size, unless expressly excluded from the scope of this investigation. Ferrovanadium includes alloys containing ferrovanadium as the predominant element by weight (i.e., more weight than any other element, except iron in some instances) and at least 4 percent by weight of iron. Nitrided vanadium includes compounds containing vanadium as the predominant element, by weight, and at least 5 percent, by weight, of nitrogen. Excluded from the scope of this investigation are the vanadium additives other than ferrovanadium and nitrided vanadium, such as vanadiumaluminum master alloys, vanadium chemicals, vanadium waste and scrap, vanadium-bearing raw materials, such as slag, boiler residues and fly ash, and vanadium oxides.

The products subject to these investigations are currently classifiable under subheadings 7202.92.00, 7202.99.5040, 8112.40.3000, and 8112.40.6000 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope is dispositive.

Period of Investigation

The period of investigation (POI) in this proceeding is December 1, 1993, through May 31, 1994. Nonmarket Economy Country Status

Pursuant to section 773(c) of the Act. Russia has been treated as a nonmarket economy country (NME), for the purposes of determining foreign market value, in all past antidumping investigations (see, e.g., Preliminary Determination of Sales at Less than Fair Value: Pure Magnesium and Alloy Magnesium from the Russian Federation, 59 FR 55427 (November 7, 1994) (Magnesium from Russia)). No information has been provided in this proceeding that would lead us to change this designation. Therefore, in accordance with section 771(18)(c) of the Act, we have treated Russia as an NME for purposes of this investigation.

Surrogate Country

In accordance with section 773(c)(4) of the Act, we must, to the extent possible, value the factors of production in one or more market economy countries that (1) are at a level of economic development comparable to that of the NME economy country, and (2) are significant producers of comparable merchandise. Initially, the Department identified five countries as possible surrogates: Algeria, Poland, Thailand, Turkey and Tunisia (see July 29, 1994, Memorandum from the Office of Policy to Gary Taverman). We subsequently determined, after a further review of economic and production data, that South Africa is also at a level of economic development comparable to Russia. Therefore, given its economic comparability to Russia, and the fact that it is a significant producer of merchandise identical to that being investigated, (see December 22, 1994, Memorandum from Office of Policy to Gary Taverman), we have based FMV on the appropriate factors of production as valued in South Africa, except for those factors for which we were unable to obtain a suitable value from South Africa. We have obtained and relied upon published, publicly-available information, wherever possible. For a few factors, we were unable to find appropriate South African values. In these instances, as discussed below in the "FMV" section of this notice, we used values from publicly-available, published information pertaining to Turkey, or values pertaining to Brazil and Germany as included in the petition.

Fair Value Comparisons

A. Participating Respondents

To determine whether sales to the United States of ferrovanadium and nitrided vanadium by Galt, GfE, Odermet and Tulachermet, were made at less than fair value, we compared the United States price (USP) to the foreign market value (FMV), as specified in the "United States Price" and "Foreign Market Value" sections of this notice.

B. Non-participating Respondents

All exporters to which a questionnaire was issued are considered mandatory respondents in this proceeding. We consider those mandatory respondents that did not respond to the questionnaire to be uncooperative respondents, and we have based the less-than-fair-value margin for those companies on the best information available (BIA) in accordance with section 776(c) of the Act. For this preliminary determination, we consider Marc Rich Co. and Wogan Resources to be uncooperative respondents because they did not provide timely responses to our questionnaire. Accordingly, we have based these companies' LTFV margins on an uncooperative BIA rate.

In determining what to use as BIA, the Department follows a two-tiered methodology, whereby the Department normally assigns lower margins to those respondents that cooperated in an investigation and margins based on more adverse assumptions for those respondents which did not cooperate in an investigation. As outlined in the Final Determination of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products, Certain Cold-Rolled Carbon Steel Flat Products. and Certain Cut-to-Length Carbon Steel Plate From Belgium, 58 FR 37083 (July 9, 1993), when a company refuses to provide the information requested in the form required, or otherwise significantly impedes the Department's investigation, it is appropriate for the Department to assign to that company the higher of (a) the highest margin alleged in the petition, or (b) the highest calculated rate of any respondent in the investigation. Here, we are assigning as BIA to these uncooperative exporters a margin of 108.00 percent for ferrovanadium and nitrided vanadium. This margin represents the highest margin in the petition, as recalculated by the Department at initiation.

C. All Other Companies

We are basing the LTFV margins for all other companies, including those companies which reported that they did not sell the subject merchandise to the United States during the POI, on a simple average of the rates assigned the mandatory respondents, and the rates based on BIA. Given our concern about the role that Shieldalloy may play as both petitioner and as respondent with its related affiliate, GfE, we have