

[FR Doc. 01-26358 Filed 10-18-01; 8:45 am]
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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,470]

Plum Creek Timber, Pablo, MT; Notice of Revised Determination on Reconsideration

On June 25, 2001, the Department issued a Notice of Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on July 11, 2001 (66 FR 36332).

The initial petition investigation for workers at Plum Creek Timber Company, Pablo, Montana, TA-W-38,470, was denied based on the finding that customers of the subject firm did not increase import purchases of softwood dimension lumber.

The company's request for reconsideration stated the articles produced at the plant were one-inch boards, not softwood dimension lumber.

On reconsideration, the Department conducted another survey of Plum Creek Timber's customers regarding their purchases in 1998, 1999 and January through September 2000, of one-inch (1") boards and like or directly competitive products. The survey revealed that customers increased import purchases of one-inch boards while reducing purchases from Plum Creek Timber.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with increased imports of articles like or directly competitive with one-inch boards, contributed importantly to the decline in sales or production and to the total or partial separation of workers of Plum Creek Timber Company, Pablo, Montana. In accordance with the provisions of the Act, I make the following revised determination:

All workers of Plum Creek Timber Company, Pablo, Montana, who became totally or partially separated from employment on or after December 4, 1999, through two years from the date of this issuance, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC this 26th day of September 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,698]

Powermatic Corporation, Walter Meyer Holding, AG, McMinnville, TN; Notice of Negative Determination Regarding Application for Reconsideration

By application of May 30, 2001, the United Steelworkers of America (USWA), District 9, requested administrative reconsideration of the Department's negative determination regarding worker eligibility to apply for trade adjustment assistance, applicable to workers of the subject firm. The denial notice was signed on April 6, 2001, and was published in the **Federal Register** on May 2, 2001 (66 FR 22006). Pursuant to 29 CFR 90.18(c)

reconsideration may be granted under the following circumstances:

- (1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;
- (2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or
- (3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The petition denial for the workers of Powermatic Corporation, Walter Meyer Holding, AG, McMinnville, Tennessee was denied based on the finding that criterion (2) of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. Sales and/or production at the plant did not decline.

The request for reconsideration states that the Union and workers are of the opinion that plant sales and/or production decreased absolutely. The USWA also asserts that the products produced at the plant have been adversely affected by the use of imported components.

In response to components being imported by the company, it was determined in the original investigation that the company sourced out all components to domestic producers and then assembled industrial wood-

working machinery at the plant. The components for the plants other product line (home-hobby) were always made in Taiwan and the end product assembled at the subject plant.

The USWA provided additional plant sales figures regarding the trends in sales for the time period corresponding to that of the initial investigation. The figures provided by the USWA depict increased sales similar to the period available during the original investigation.

Workers, the Union or company official may reapply for Trade Adjustment Assistance should conditions warrant.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC this 28th day of September 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-26361 Filed 10-18-01; 8:45 am]
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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-39,379, and TA-W-39,379A]

Savannah Luggage Works, Vidalia, GA, Savannah Luggage Works, Swainsboro, GA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on August 23, 2001, applicable to workers of Savannah Luggage Works, Vidalia, Georgia. The notice was published in the **Federal Register** on September 11, 2001 (66 FR 47242).

At the request of the company, the Department reviewed the certification for workers of the subject firm. Information shows that worker separations occurred at the Swainsboro, Georgia location of the subject firm. Workers at the Swainsboro, Georgia location are engaged in the production of luggage.

Based on these findings, the Department is amending the certification to include workers of the Swainsboro, Georgia location of Savannah Luggage Works.

The intent of the Department's certification is to include all workers of Savannah Luggage Works who were adversely affected by increased imports of luggage.

The amended notice applicable to TA-W-39,379 is hereby issued as follows:

All workers of Savannah Luggage Works, Vidalia, Georgia (TA-W-39,379) and Swainsboro, Georgia (TA-W-39,379A), who became totally or partially separated from employment on or after May 14, 2000, through August 23, 2003, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 28th day of September, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,599]

Sherwood, Harsco Corporation, Lockport, NY; Notice of Negative Determination Regarding Application for Reconsideration

By application dated May 21, 2001, the petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on April 23, 2001, and published in the **Federal Register** on May 9, 2001 (66 FR 23733).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

- (1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;
- (2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or
- (3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The denial of TAA for the workers of Sherwood, Harsco Corporation, Lockport, New York, was based on the

finding that criterion (3) of the worker group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. A survey of customers indicated that increased imports did not contribute importantly to worker separations.

The request for reconsideration claims that the Department of Labor was supplied wrong information for the Lockport and Wheatfield, New York plants and that the knowledgeable source should be contacted for the correct information.

The specified company official was contacted and indicated that the subject workers also produced component parts for the LPG valves/industrial valves produced at the subject plant. The contact indicated that the company did not import LPG valves/industrial valves nor did the company import component parts used for the assembly of the valves produced at the subject plant. The contact further revealed that their competitors were importing valve parts and using those parts for the assembly of valves domestically.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the applied is denied.

Signed at Washington, DC, this 28th day of September, 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-26360 Filed 10-18-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-39,266]

TDK Ferrites Corporation, Shawnee, Oklahoma; Notice of Revised Determination on Reconsideration

By letter of September 10, 2001, the petitioners requested administrative reconsideration regarding the Department's Notice of Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination for the workers engaged in the production of CR core ferrites and micro cores ferrites issued

on August 29, 2001, based on the finding that the "contributed importantly" test of the Group Eligibility Requirements of the Trade Act was not met. Also in the initial investigation the workers engaged in the production of EU core ferrites were certified eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974. The notice was published in the **Federal Register** on September 11, 2001 (66 FR 47241).

To support the petitioners' request for reconsideration, the company provided in evidence to show that the company increased their imports of CR core ferrites during the relevant period.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with CR core parts produced at TDK Ferrites Corporation, Shawnee, Oklahoma, contributed importantly to the decline in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of TDK Ferrites Corporation, Shawnee, Oklahoma, engaged in activities related to the production of CR core ferrites and EU core ferrites who became totally or partially separated from employment on or after April 25, 2000 through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 24th day of September, 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-39,440]

Triple-O, Inc., Roseburg, Oregon; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on June 18, 2001 in response to a petition filed by a company official on behalf of workers at Triple-O, Inc., Roseburg, Oregon.

This case is being terminated at the petitioner's request. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.