

APPENDIX—Continued

[Petitions Instituted Between 09/13/2004 and 09/24/2004]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
55,644	Modine Mfg. (Comp)	Emporia, KS	09/21/2004	09/16/2004
55,645	Montrose/GDT (Comp)	Auburn, MA	09/21/2004	09/15/2004
55,646	Dallco Industries (Wkrs)	Everett, PA	09/21/2004	09/17/2004
55,647	Freudenberg Nonwovens (Comp)	Madison, TN	09/21/2004	09/08/2004
55,648	Kimberly-Clark Corp. (State)	New Milford, CT	09/22/2004	09/21/2004
55,649	Remington Industries (Wkrs)	Benton, TN	09/22/2004	09/10/2004
55,650	Nokia Mobile Phone, Inc. (Wkrs)	Ft. Worth, TX	09/22/2004	09/11/2004
55,651	Cooper Tools (UAW)	Dayton, OH	09/22/2004	09/13/2004
55,652	Eljer Plumbingware, Inc. (Comp)	Ford City, PA	09/22/2004	09/15/2004
55,653	Providian Financial Corp. (Wkrs)	Arlington, TX	09/22/2004	08/27/2004
55,654	Elca Fashion, Inc. (State)	El Monte, CA	09/22/2004	09/20/2004
55,655	Leggett and Platt Inc., Schukra N.A. (State)	Plymouth, MI	09/23/2004	08/24/2004
55,656	Bombardier Transportation (Comp)	Pittsburgh, PA	09/23/2004	09/08/2004
55,657	Crescent Enterprises, Inc. (Comp)	Gallatin, TN	09/23/2004	09/16/2004
55,658	General Dynamics Land Systems, (GDLS) (Wkrs)	Goleta, CA	09/23/2004	09/10/2004
55,659	GL and V USA, Inc. (Comp)	Watertown, NY	09/23/2004	09/13/2004
55,660	Toledo Commutator (Wkrs)	Owosso, MI	09/23/2004	09/13/2004
55,661	Tyco Electronics (State)	Somerville, NJ	09/23/2004	09/15/2004
55,662	JDS Uniphase (State)	Ewing, NJ	09/23/2004	09/21/2004
55,663	Hewlett Packard (State)	Garden City, ID	09/23/2004	09/22/2004
55,664	Weavexx Corp. (Wkrs)	Greenville, TN	09/23/2004	09/15/2004
55,665	Waltonen Engineering (Wkrs)	Warren, MI	09/23/2004	09/20/2004
55,666	Smurfit-Stone (Comp)	E. Longmeadow, MA	09/23/2004	09/13/2004
55,667	Dynamic Maching and Plastics (Comp)	Henry, TN	09/23/2004	08/30/2004
55,668	Wentworth Mold, Inc. (Comp)	Grain Valley, MO	09/23/2004	09/20/2004
55,669	Client Logic (Wkrs)	Asheville, NC	09/23/2004	09/17/2004
55,670	Hartford Technologies Comp. (State)	Rocky Hill, CT	09/23/2004	09/22/2004
55,671	Henredon Furniture Ind., Inc. (Comp)	Spruce Pine, NC	09/23/2004	09/22/2004
55,672	American Umbrella (UNITE)	Ridgewood, NY	09/23/2004	08/27/2004
55,673	Magi, Inc (State)	Okanogan, WA	09/23/2004	09/21/2004
55,674	Winchester Electronics (State)	Wallingford, CT	09/23/2004	09/22/2004
55,675	Stimson Lumber Co. (Comp)	Forest Grove, OR	09/23/2004	09/21/2004
55,676	Longaberger Co. (The) (Wkrs)	Hartville, OH	09/23/2004	09/22/2004
55,677	Columbia Products, Inc. (Comp)	Dallastown, PA	09/23/2004	09/17/2004
55,678	Celestica (Comp)	Milwaukie, OR	09/24/2004	09/22/2004
55,679	Thor-Tex, Inc. (Comp)	Albemarle, NC	09/24/2004	09/23/2004
55,680	Seneca Foods, Corp. (Comp)	Dayton, WA	09/24/2004	09/15/2004
55,681	Jennifer Kay, Inc./California Waves (State)	Los Angeles, CA	09/24/2004	09/20/2004
55,682	Mercury Marine (Wkrs)	Fond du Lac, WI	09/24/2004	09/23/2004
55,683	Parker Hannifin Corp. (Comp)	Spartanburg, SC	09/24/2004	09/14/2004
55,684	Madison Square Furniture, Inc. (Comp)	Hanover, PA	09/24/2004	09/23/2004
55,685	Sodetal USA, Inc. (Wkrs)	Fountain Inn, SC	09/24/2004	09/14/2004

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-55,175]

Levi Strauss and Company, Knoxville Area Office, Knoxville, TN; Notice of Negative Determination Regarding Application for Reconsideration

By application dated August 27, 2004, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA) and

Alternative Trade Adjustment Assistance (ATAA). The denial notice applicable to workers of Levi Strauss and Company, Knoxville Area Office, Knoxville, Tennessee was signed on July 27, 2004, and published in the **Federal Register** on August 10, 2004 (69 FR 48530).

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 mis-interpretation of facts or

of the law justified reconsideration of the decision.

The TAA/ATAA petition was denied because the petitioning workers did not produce an article within the meaning of Section 222 of the Act. The Department determined that the subject worker group process sales orders.

In the request for reconsideration, the petitioners contend that the Department erred in its interpretation of the work performed at the subject facility. The petitioners state that the subject worker group does not process sales orders, but instead work in the subject company's Product Integrity Raw Material Quality Division and the Technical Services portion of the Customer Fulfillment Division.

The petitioners also describe several functions performed by the subject worker group: processing and resolving

all production fabric rejections; processing color standards; ensuring that the various color expectations of customers are met; establishing perimeters for all fabrics and finished garments produced in the United States, Latin America and Asia; developing pressing specifications and procedures; executing seasonal training; testing new fabrics and products; and ensuring fabric quality.

The petitioners contend that the subject worker group does in fact support a qualifying production facility, specifically Levi Strauss and Company, Powell, Tennessee, and their separations were the result of that closure. A certification regarding eligibility to apply worker adjustment assistance, applicable to workers of the Powell, Tennessee location of Levi Strauss and Company was issued on July 10, 2002 and expired on July 10, 2004, petition number TA-W-41,377B.

While the Department may have erred in identifying the subject worker group, the petitioning worker group does not meet the criteria set forth in the Trade Act because the workers do not produce an article and did not support a domestic production facility during the relevant time period.

Non-production workers may be certified if the work they perform support a firm or an appropriate subdivision of a firm that produced an article domestically during the twelve-month period preceding the date of the petition. In the case at hand, the petition date is April 15, 2004. Therefore, because no production occurred at Levi Strauss and Company, Powell, Tennessee, between April 15, 2003 and April 15, 2004, the workers of Levi Strauss and Company, Knoxville Area Office, Knoxville, Tennessee did not support a qualifying production facility.

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 17th day of September, 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-2547 Filed 10-7-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment And Training Administration

[TA-W-55,573]

Libbey Glass, Inc., Walnut, CA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on July 22, 2004 in response to a worker petition which was filed by the United Steelworkers of America on behalf of workers at Libbey Glass, Inc., Walnut, California.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed in Washington, DC, this 21st day of September, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-2545 Filed 10-7-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,454 and TA-W-55,454A]

Pennsylvania House, White Deer Facility, White Deer, PA; and Pennsylvania House, Milton Warehouse, Milton, PA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on August 16, 2004 in response to a petition filed by a representative of the United Steel Workers of America Local 1928-193U on behalf of workers at Pennsylvania House, White Deer Facility, White Deer, Pennsylvania (TA-W-55,454) and Pennsylvania House, Milton Warehouse, Milton, Pennsylvania (TA-W-55,454A).

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 21st day of September, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-2544 Filed 10-7-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-54,128]

Precision Disc Corporation, Knoxville, TN; Notice of Revised Determination on Reconsideration of Alternative Trade Adjustment Assistance

By letter dated September 10, 2004, a union representative of the Tennessee AFL-CIO, Technical Assistance requested administrative reconsideration regarding Alternative Trade Adjustment Assistance (ATAA). The negative determination was signed on August 12, 2004 and published in the **Federal Register** on August 20, 2004 (69 FR 51713).

The workers of Precision Disc Corporation, Knoxville, Tennessee were certified eligible to apply for Trade Adjustment Assistance (TAA) on August 12, 2004.

The initial ATAA investigation determined that the skills of the subject worker group are easily transferable to other positions in the local area.

The petitioner alleges in the request for reconsideration that the skills of the workers at the subject firm are not easily transferable.

Additional investigation has determined that the workers possess skills that are not easily transferable. A significant number or proportion of the worker group are age fifty years or over. Competitive conditions within the industry are adverse.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that the requirements of Section 246 of the Trade Act of 1974, as amended, have been met for workers at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

"All workers of Precision Disc Corporation, Knoxville, Tennessee, who became totally or partially separated from employment on or after January 27, 2003 through August 12, 2006, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974."

Signed in Washington, DC, this 21st day of September 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-2549 Filed 10-7-04; 8:45 am]

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