TA–W–40,085; NACCO Materials, Sulligent, AL: September 7, 2000.
TA–W–40,250; Urick Foundry, Erie, PA: October 1, 2000.
TA–W–40,432; Phoenix Finishing Corp., Div. of NRB Industries, Gaffney, SC: December 1, 2000.
TA–W–40,457; Trane Co., A Division of American Standard, La Crosse, WI: October 30, 2000.
TA–W–40,489; Empire Iron Mining Partnership, Palmer, MI: November 30, 2000.
TA–W–40,727; Wells Lamont, Eupora, MS: December 21, 2000.
TA–W–40,771; 3M Company—Packaging Systems Div., Bristol, PA: December 27, 2000.
TA–W–40,831; Burrows Paper Corp., Packaging East, Little Falls, NY: December 31, 2000.
TA–W–40,863; MacDermid Graphic Arts, Inc., Adams, MA: February 6, 2001.
TA–W–40,899; E.J. Footwear, Blairsville, GA: October 24, 2000.
TA–W–40,911; Rhodia, Inc., New Brunswick, NJ: December 12, 2000.
TA–W–40,992; CHF Industries, Inc., Loris, SC: January 29, 2001.
TA–W–40,994; Southwire Company, Southwire Machinery Div., Carrollton, GA: January 31, 2001.
TA–W–41,139; Garvin Industries, Inc., Grand Haven Stamping Plant, Grand Haven, MI: February 20, 2001.

Also, pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103–182) concerning transitional adjustment assistance hereinafter called (NAFTA–TAA) and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA–TAA issued during the months of March and April, 2002.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA–TAA the following group eligibility requirements of section 250 of the Trade Act must be met:

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) that imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) that there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA–TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

NAFTA–TAA–05983; Freightliner LLC, Cleveland Truck Manufacturing Plant, Cleveland, NC
NAFTA–TAA–05967; Simmons Food, Inc., McAlester, OK
NAFTA–TAA–05941; BASF Corp., Wyandote, MI
NAFTA–TAA–05923; David White LLC, Berlin, WI
NAFTA–TAA–05843; Vishay Dale Electronics, Film Div., Norfolk, NE
NAFTA–TAA–05735; Corning Cable Systems, Telecommunications Cable Plant, Hickory, NC
NAFTA–TAA–05653; Empire Iron Mining Partnership, Palmer, MI
NAFTA–TAA–05231 & A; Allen Edmonds Shoe Corp., d/b/a/ Maine Shoe, Lewiston, ME and Wilton, ME
NAFTA–TAA–05873; Precision Kidd Steel Co., Inc., Aliquippa, PA

Affirmative Determinations NAFTA–TAA

NAFTA–TAA–05980; Jantzen, Inc., Portland Sewing Facility, Portland, OR: March 5, 2001.
NAFTA–TAA–05892; Garvin Industries, Inc., Grand Haven Stamping Plant, Grand Haven, MI: February 20, 2001.
NAFTA–TAA–05852; Southwire Co., Southwire Machinery Div., Carrollton, GA: February 7, 2001.
NAFTA–TAA–5541; Donaldson—Aercology, Old Saybrook Div., Old Saybrook, CT: November 9, 2000.
NAFTA–TAA–05503; Telair International, Rancho Domingez, CA: October 25, 2000.
NAFTA–TAA–05799; Aalfs Manufacturing, Inc., Texarkana, AR: January 29, 2001.
NAFTA–TAA–05203; Consolidated Steel Services, Inc., Fallentimber, PA: August 8, 2000.

I hereby certify that the aforementioned determinations were issued during the months of March and April, 2002. Copies of these determinations are available for inspection in Room C–5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: April 5, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

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BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–39,382 and NAFTA–4942]

Allied Vaughn, Clinton, Tennessee; Notice of Negative Determination Regarding Application for Reconsideration

By application of December 10, 2001, the company 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) under petition TA–W–39,382, and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA–TAA) under petition NAFTA–4942. The denial notices applicable to workers of Allied Vaughn, Clinton, Tennessee, were signed on November 27, 2001, and published in the Federal Register on December 18, 2001 (66 FR 65220 and 66 FR 65221, respectively).

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 petition, filed on behalf of workers at Allied Vaughn, Clinton, Tennessee, engaged in customer service activities for a firm which replicated VHS video activities, was denied because the petitioning workers did not

produce an article within the meaning of Section 222(3) of the Act.

The NAFTA–TAA petition, filed on behalf of workers engaged in customer service activities for a firm which replicated VHS video, was denied because the petitioning workers did not produce an article within the meaning of Section 250(a) of the Trade Act, as amended.

The petitioner alleges that the Allied Vaughn, Clinton, Tennessee workers were engaged in activities related to the replication of VHS video cassettes.

Upon examination of the application and information provided in the initial investigation, the Department of Labor concurs with the petitioners' allegation that the workers were engaged in activities related to the replicating of VHS videos.

The petitioner further alleges that the subject plant workers should be tied to another group of workers who were certified under TA–W–39,344 and NAFTA–TAA–4913. Those workers were engaged in the replication of compact discs at the same location under the company name AmericDisc, Inc. This allegation is based on the fact that workers of Allied Vaughn commingled various administrative and other non-manufacturing functions at the Clinton facility.

Prior to December 2000, the two product lines were under the control of Allied Digital Technologies, Clinton, Tennessee. Allied Digital Technologies then sold each product line to a different company. The compact disc line was purchased by AmericDisc, Inc. and the VHS cassette line went to Allied Vaughn, a.k.a. Willette Acquisition Corporation. However, although the companies now owned separate product lines, they agreed to continue to share non-manufacturing workers as a cost saving measure.

Since the workers of Allied Vaughn were engaged exclusively in the replication of VHS cassettes, the inport data of compact discs used to certify workers at AmericDisc, Inc. cannot be used in this investigation.

The major contributing factor leading to the layoffs at the subject plant was completely unrelated to imports of replicated VHS cassettes. The sole catalyst concerned the transfer of AmericDisc, Inc. operations to Canada. This led Allied Vaughn to close the facility, as it was no longer efficient for their needs, effectively causing the subject plant to shift their production domestically.

Finally, since the companies are not legally affiliated, the subject firm cannot be tied to the AmeriDisc, Inc. TAA and/or NAFTA certifications.

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 decisions. Accordingly, the application is denied.

Signed at Washington, DC, this 19th day of March, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–9346 Filed 4–16–02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–39,977, and NAFTA–05262]

Lamtech, LLC, Hartsville, TN; Notice of Negative Determination Regarding Application for Reconsideration

By application of January 21, 2002, the 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) under petition TA–W–39,977 and North American Free Trade Agreement—Transitional Adjustment Assistance (NAFTA–TAA) under petition NAFTA–5262. The TAA and NAFTA–TAA denial notices applicable to workers of Lamtech, LLC, Hartsville, Tennessee, were signed on December 11, 2001 and published in the **Federal Register** on December 26, 2001 (66 FR 66426 & 66427, respectively).

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 TAA petition, filed on behalf of workers at Lamtech, LLC, Hartsville, Tennessee engaged in employment related to the production of sew stands and sew tops, was denied because the ''contributed importantly'' group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. The ''contributed importantly'' test is generally demonstrated through a survey of the workers' firm's customers. The survey revealed that none of the respondents increased their imports of products like or directly competitive with what the subject plant produced during the relevant period. The subject firm did not import sew stands and sew tops.

The NAFTA–TAA petition for the same worker group was denied because criteria (3) and (4) of the group eligibility requirements in paragraph (a)(1) of Section 250 of the Trade Act, as amended, were not met. The survey revealed that none of the respondents increased their imports of products like or directly competitive with what the subject plant produced from Canada or Mexico during the relevant period. The subject firm did not import (including Canada or Mexico) products like or directly competitive with what the subject plant produced, nor was the subject plant's production shifted from the workers' firm to Mexico or Canada.

The petitioner alleges that their major customers purchased imported products like or directly competitive with what the subject firm produced from foreign sources, specifically Mexico and Central America. The petitioner further states that some of their customers are purchasing products from other domestic sources that are importing.

The Department, as already indicated, examines the impact of imports (including Canada and Mexico) by a survey of the subject firm's major declining customers to examine if the ''contributed importantly'' test is met. The survey conducted during the initial investigation revealed that none of the respondents increased their imports (including Canada or Mexico), while decreasing their purchases from the subject firm during the relevant period.

The petitioner further attached a list of major declining customers with corresponding allegations concerning their customer purchases from foreign sources.

A review of the customer list revealed that some of the major customers were located in foreign countries. Also, some of the domestic customers on the list were surveyed during the initial investigation, the respondents as already indicated, did not increase their imports of products like or directly competitive with what the subject firm produced. A further review of the list in combination with the survey results and data supplied by the company further shows that some of the customers did not purchase any products from the subject firm during the relevant period