

APPENDIX—Continued
[Petitions instituted on 04/08/2002]

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
41,270	Devil Dog Mfg. (Co.)	Zebulon, NC	03/05/2002	Women and Children Apparel.
41,271A	Koppel Steel Corp (USWA)	Ambridge, PA	03/04/2002	Seamless Oil Country Tubular Goods.
41,271	Koppel Steel Corp. (USWA)	Beaver Falls, PA	03/04/2002	Seamless Oil Country Tubular Goods.
41,272	Amdocs, Inc. (Wkrs)	Hillsboro, OR	03/08/2002	Telecommunications Fraud Detection Sftwr.
41,273	Regal Garment (Wkrs)	New York, NY	03/07/2002	Women's Apparel.
41,274	Azon Corporation (Wkrs)	Johnson City, NY	03/07/2002	Film and Paper.
41,275	Stoltze Aspen Mills (Wkrs)	Sigurd, UT	03/04/2002	Pallet Stock.
41,276	GBC (Wkrs)	Ashland, MS	03/06/2002	Office and School Supplies.
41,277	Cooper Crouse Hinds (Wkrs)	Syracuse, NY	03/01/2002	Tool and Die Makers.
41,278	Siegwerk, Inc. (Wkrs)	Lynchburg, VA	03/05/2002	Gravure Printing Ink.
41,279	Levolor Kirsh Window (Co.)	Shamokin, PA	03/12/2002	Roller-Shades & Mini-Blinds.
41,280	Pat and Rose Dress (Wkrs)	New York, NY	03/06/2002	Womens Sportswear and Dresses.
41,281	Kimberly Clark Technical (PACE).	E. Rygate, VT	03/24/2002	Technical Papers.
41,282	Precision Technologies (Wkrs)	Franklin, PA	03/01/2002	Prototypes, Injection Mold Tooling.
41,283	SEH-America, Inc. (Comp)	Vancouver, WA	04/04/2002	Polished Silicon Wafers.
41,284	Corning Cable Systems (Wkrs).	Hickory, NC	04/04/2002	Fiber Optic Cable.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-40,721]

Englehard Corporation, McIntyre, GA; Notice of Negative Determination Regarding Application for Reconsideration

By application of March 21, 2002, 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). The denial notice was signed on February 26, 2002 and published in the **Federal Register** on March 20, 2002 (67 FR 13010).

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 Englehard Corporation, McIntyre, Georgia engaged in the production of paper coating and

filling—kaolin, was denied because the “contributed importantly” group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met. Increased imports did not contribute importantly to worker separations at the subject plant.

The petitioner alleges that the customers they supplied during the initial investigation are located outside the United States. The petitioner further states that these customers switched their purchases from the subject firm in favor of purchasing from sources located in Brazil. In addition the subject firm now has domestic customers that are now purchasing from Brazil and other countries.

A review of the initial investigation shows that the major declining customers were all foreign companies located in Europe. Based on information provided during the initial investigation and recent clarification from the company, the preponderance in the declines in sales and production at the subject plant are related to the declines in purchases from the subject firm's foreign customers located in Europe. Those customers switched their purchases from the subject firm in favor of purchasing Brazilian imports of products “like or directly competitive” with what the subject plant produced. The loss of foreign customers, switching their purchasing from subject firm in favor of purchasing from foreign sources does not meet the eligibility requirements under criterion (3) of the Trade Act of 1974.

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 16th day of May, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-14597 Filed 6-10-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-40,235]

Ericsson, Research Triangle Park, NC; Notice of Negative Determination Regarding Application for Reconsideration

By application received on February 22, 2002, the petitioner(s) 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). The denial notice applicable to workers of Ericsson, Research Triangle Park, North Carolina, was signed on January 18, 2002, and published in the **Federal Register** on February 5, 2002 (67 FR 5294).

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 Ericsson, Research Triangle Park (RTP), North Carolina, were engaged in activities related to the research and development of software (embedded software) to be installed in digital cell phones for a firm which sold digital cell phones. The petition was denied because the petitioning workers did not produce an article within the meaning of Section 222(3) of the Act.

The petitioner alleges that Ericsson, Research Triangle Park, North Carolina produced digital cell phone software.

Information supplied by the company indicates that the workers at Ericsson, Research Triangle Park, North Carolina were primarily engaged in research, development and sales of mobile telephone equipment. This included the designing of mobile phones and the development of software (activities related to the research, and development of embedded software for digital cell phones). Administrative and support-type personnel were also located at the site performing finance, IT, legal, facilities management and human resource functions. There was no manufacturing performed at the subject facility.

The investigation further revealed that the major contributing factors to the layoffs at the subject plant were related to a decline in the demand for cell phones and a worldwide joint venture agreement between the subject firm and Sony during the relevant period.

The workers at the subject firm do not produce an article within the meaning of Section 222(3) of the Trade Act 1974.

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 9th day of May, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-14592 Filed 6-10-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-40,331]

Georgia-Pacific West, Camas, WA; Notice of Negative Determination on Reconsideration

On April 10, 2002, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on May 2, 2002 (67 FR 22116).

The Department initially denied TAA to workers of Georgia-Pacific West, Camas, Washington because the "contributed importantly" group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met. The investigation revealed that customers did not increase their import purchases of technical specialty paper during the relevant period. The workers at the subject firm were engaged in employment related to the production of technical specialty paper.

On reconsideration, as requested by the Association of Western Pulp Paper Workers, the Department surveyed additional customers of Georgia Pacific-West regarding their purchases of technical specialty paper for 1999, 2000 and 2001. The survey revealed that none of these customers purchased imports of technical specialty paper during the relevant period.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Georgia-Pacific West, Camas, Washington.

Signed at Washington, DC, this 21st day of May 2002.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-40,695]

Nolato Shieldmate, Inc., Itasca, IL; Notice of Negative Determination Regarding Application for Reconsideration

By application dated March 14, 2002, the company 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 February 25, 2002, and published in the **Federal Register** on March 20, 2002 (67 FR 13010).

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 petition for the workers of Nolato Shieldmate, Inc., Itasca, Illinois 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 denial was based on evidence indicating that customers of the subject firm do not import plastic housings for cellular phones. The relocation by a customer of their cell phone production to a foreign site necessitated a reliance on local sources for the phone housings. Complete cellular phones are not like or directly competitive with the phone housings made by the subject firm and cannot be used as a basis for certification.

The petitioner feels that the eligibility criteria have been met based on the fact that the manufacture of cellular phone housing sub-assemblies (plastic housings) has moved to China, even though the cellular telephone housing sub-assemblies are not imported back to the United States. The petitioner further states that product is a component of a cellular phone that is imported back to the United States.

The imports of any other product by the company or customer is not relevant to this petition that was filed on behalf