

If DEA's inspections or audits reveal that Respondent still does not maintain its records of receipt in a readily retrievable and current manner, the Deputy Administrator will remove the stay and revoke Respondent's DEA Certificate of Registration. However, if the inspections reveal that Respondent is now maintaining its records of receipt in compliance with DEA regulations, then the Deputy Administrator will withdraw this final order and the final order published on July 16, 1996, will permit Respondent to retain its registration, and will renew the registration.

Also to avoid further confusion within the controlled substance industry and to address the concerns set forth in this final order, the Deputy Administrator directs that DEA's Office of Diversion Control finalize the regulations relating to disposers of controlled substances and relating to the freight forwarding of controlled substances.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that the stay of revocation of DEA Certificate of Registration RR0166113, issued to RX Returns, Inc., that is set forth in the final order dated July 5, 1996 and found at 61 FR 37,801 (July 16, 1996), be, and it hereby is, continued for one year from the effective date of this final order, subject to the above described conditions. This final order is effective October 29, 1999.

Dated September 20, 1999.

**Donnie R. Marshall,**  
Deputy Administrator.

[FR Doc. 99-25357 Filed 9-28-99; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Registration

By Notice dated February 23, 1999, and published in the **Federal Register** on March 5, 1999 (64 FR 10725), Sigma Aldrich Research Biochemicals, Inc., Attn: Richard Milius, 1-3 Strathmore Road, Natick, Massachusetts 01760 made application to the Drug Enforcement Administration (DEA) by letter to be registered as a bulk manufacturer of fentanyl (9801).

A registered bulk manufacturer of fentanyl filed written comments and an objection in response to the notice of application. Review of the APA's

definitions of license and licensing reveals that the granting or denial of a manufacturer's registration is a licensing action, not a rulemaking. Courts have frequently distinguished between agency licensing actions and rulemaking proceedings. See, e.g. *Gateway Transp. Co. v. United States*, 173 F. Supp. 822, 828 (D.C. Wis. 1959); *Underwater Exotics, Ltd. v. Secretary of the Interior*, 1994 U.S. Dist. LEXIS 2262 (1994). Courts have interpreted agency action relating to licensing as not falling within the APA's rulemaking provisions.

The objector argues that Sigma Aldrich Research Biochemicals, Inc. cannot prove its registration as a bulk manufacturer of fentanyl is in the public interest, that Sigma Aldrich Research Biochemicals, Inc.'s registration is not required to produce an adequate and uninterrupted supply of fentanyl, that there is sufficient competition with the present bulk manufacturers.

The arguments of the objector were considered, however, DEA has reviewed the firm's safeguards to prevent that theft and diversion of fentanyl and found that the firm has met the regulatory requirements and public interest factors of the Controlled Substances Act.

Sigma Aldrich Research Biochemicals, Inc. has been and is currently registered with DEA as a manufacturer of other Schedule II controlled substances. Sigma Aldrich Research Biochemicals, Inc.'s application is based on the firm's request to add fentanyl to its existing registration as a bulk manufacturer. The firm has been investigated by DEA on a regular basis to determine if the firm maintains effective controls against diversion and if its continued registration is consistent with the public interest. These investigations have included, in part, inspection and testing of the firm's physical security, audits of the firm's records, verification of compliance with state and local law and a review of the firm's background and history. These investigations have found Sigma Aldrich Research Biochemicals, Inc. to be in compliance with the Controlled Substances Act (C.S.A.) and its implementing regulations in recent years.

Under Title 21, Code of Federal Regulations, § 1301.43(b), DEA is not required to limit the number of manufacturers solely because a smaller number is capable of producing an adequate supply provided effective controls against diversion are maintained. DEA has determined that effective controls against diversion will be maintained by Sigma Aldrich Research Biochemicals, Inc.

After reviewing all the evidence, DEA has determined, pursuant to 21 U.S.C. 823(a), that it is consistent with the public interest to grant Sigma Aldrich Research Biochemicals, Inc.'s application to manufacture fentanyl at this time. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: September 16, 1999.

**John H. King,**

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 99-25358 Filed 9-28-99; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of August and September, 1999.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increased or imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sale or production.

#### Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3)

has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-35,929; United Foundry, Inc., Youngstown, OH  
 TA-W-25,970; Glenoit Corp., Jacksboro, TN  
 TA-W-36,076; Hardinge, Inc., Elmira, NY  
 TA-W-36,471; Fort James Corp. Packaging Div., Portland, OR  
 TA-W-36,307; The Little Tikes Co., Shippensburg, PA  
 TA-W-36,363; ABB Daimler-Benz Transportation, Elmira Manufacturing Operations, Elmira Heights, NY  
 TA-W-36,476; Macha International, Inc., Houston, TX  
 TA-W-36,318; Rocky Mountain Steel Mills, Seamless Mill, Pueblo, CO  
 TA-W-36,378; Eckel Manufacturing Co., Inc., Odessa, TX  
 TA-W-36,247; Softspun Knitting Mills, Inc., Henderson, NC  
 TA-W-36,037; National Oilwell, Odessa, TX  
 TA-WA-36,108; Sherman Lumber Co., Sherman Station, ME  
 TA-W-36,114; Edward Vogt Value Co., Jeffersonville, IN  
 TA-W-36,418; Empro Systems, Inc., Channelview, TX  
 TA-W-35,989; Letourneau, Inc., Longview, TX  
 TA-W-36,542; Williamette Industries, Inc., Engineered Wood Products Div., Woodburn, OR  
 TA-W-36,446; Smurfit Stone Container Corp., Fulton, NY  
 TA-W-35,912; Yamamoto Manufacturing USA, Inc., Beaverton, OR  
 TA-W-36,065; Funk Manufacturing, Inc., Coffeyville, KS  
 TA-W-36,537; Ocean Beauty Seafood, Chinook, WA  
 TA-W-36,194; Barko Hydraulics LLC, Superior, WI  
 TA-W-36,127; Tri-Pro Cedar Products, Spokane, WA

In the following cases, the investigator revealed that the criteria for eligibility have not been met for the reasons specified.

TA-W-36,558; J. Ray McDermott Engineering, LLC, Houston, TX  
 TA-W-26,339; National Tank Co., Corpus Christi, TX  
 TA-W-35,993; Duet Textiles, Inc., New York, NY  
 TA-W-36,582 & A; Portland General Electric Co (PGE), PGE Nuclear Div. Personnel, Rainier, OR & PGE Corporate Support Personnel, Portland, OR  
 TA-W-36,567; Rust Tractor Co., Silver City, NM

TA-W-36,550; Brintons Carpets (USA) Limited, Paramus, NJ  
 TA-W-36,479; Diamond Products International, Corpus Christi, TX and Various Locations in TX  
 TA-W-36,656; Scurlock Permain LLC, Kilgor, TX  
 TA-W-36,484; Syntron, Inc., Field Support, Product Support & Engineering Dept., Houston, TX  
 TA-W-36,555; Deloit Corp., d/b/a Rader Companies, Portland, OR  
 TA-W-36,496; Core Laboratories, Inc., Casper, WY  
 TA-W-35,362; AMP, Inc., Product Information Center, Customer Services, Middletown, PA  
 TA-W-36,317; Tubby's Auto Service, Inc., Auto Salvage Div., Houston, TX  
 TA-W-36,532; McClatchy Bros., Inc., Midland, TX  
 TA-W-36,36,545; Bombardier Motor Corp. of America, Recreational Products Div., Wausau, WI  
 TA-W-36,498; Trace Ventures Explorations, Inc., Midland, TX  
 TA-W-36,620; Corcon, El Paso, TX  
 TA-W-36,600; Copper Range Co., White Pine, MI

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-36,566; EFTC Corp., Roucky Mountain Operation (RMO), Greeley, CO  
 TA-W-36,556; Hydralift, Inc., Houston, TX  
 TA-W-36,060; Thomas C. Wilson, Inc., Odessa, TX  
 TA-W-36,118; Trinity Industries, Inc., Plant #102, Greenville, PA  
 TA-W-36,520; Carrier Corp., Commercial Systems & Service Div., TR-1 Facility, Syracuse, NY  
 TA-W-36,425; B.P. Chemical/Amoco, Port Lavaca, TX  
 TA-W-36,506; Fellows Manufacturing Co., Boone, NC  
 TA-W-36,392; Devro-Teepak, Inc., Danville, IL  
 TA-W-36,611; Parker Aerospace, Abex NWL Div., Kalamazoo, MI  
 TA-W-36,350; Hewlett Packard Co., Personal Information Products Manufacturing & Distribution Div., Roseville, CA Including Voit Services Group, Caliber Logistics, Ryder International  
 TA-W-36,465; ABC-NACO, Inc., Anderson, IN  
 TA-W-36,583; Texas Jean Co., El Paso, TX  
 TA-W-36,906; Ribbon Narrow Fabrics, Secaucus, NJ  
 TA-W-36,541; Phelps Dodge Magnet Wire Co., Hopkinsville, KY  
 TA-W-36,579; Continental Natural Gas, Inc., Continental Spearman Gas Processing LLC, Spearman, TX

TA-W-36,436; Lockheed Martin Corp., Tactical Aircraft Systems, Fort Worth, TX  
 TA-W-36,415; Zenith Electronics Corp., Microcircuits Div., Chicago, IL  
 TA-W-36,552; Dixon Ticonderoga Co., Deer Lake, PA  
 TA-W-36,589; Kvaerner Process, A Div. of Kvaerner US, Inc., Houston, TX  
 TA-W-36,357; Golden Sunlight Mines, Inc., Whitehall, MT  
 TA-W-36,666; Lambda Electronics, Inc., McAllen, TX  
 TA-W-36,635; AMP, Inc., Carlisle Pike Plant, Carlisle, PA  
 TA-W-36,338; The Pillsbury Co., Blackwood, NJ  
 TA-W-36,489; Kirkpatrick Energy Associates, Inc., Denver, CO  
 TA-W-36,026 & A,B,C; Conoco, Inc. Refining and Marketing North America, Lake Charles, LA, Ponca City, OK, Englewood, CO & Crude Oil Supply and Trading North America, Houston, TX

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-36,369; Wyman Gordon, Albany Div., Albany, OR

The investigation revealed that criteria (1) and criteria (3) have not been met. A significant number or proportion of the workers did not become totally or partially separated from employment as required for certification. Increases of imports or articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

TA-W-36,500; The Inspector's Corp., Williston, ND  
 TA-W-36,268; Briggs Manufacturing, Div. Of C.I.S.A., Robinson, IL  
 TA-W-36,237; Actown Electrocoil, Inc., Spring Grove, IL  
 TA-W-36,633H, I, J, K, L, M, N & O; Levi Strauss & Co., Kastrin Plant, El Paso, TX, Brownsville Plant, Brownsville, TX, San Benito Plant, San Benito, TX, San Antonio Sewing Plant, San Antonio, TX, San Antonio Finishing Plant, San Antonio, TX, Powell Plant, Powell, TX, Valencia Sewing Facility, San Francisco, CA, Blue Ridge Plant, Blue Ridge, GA

The investigation revealed that criteria (1) has not been met. A significant number or proportion of the workers did not become totally or partially separated from employment as required for certification.

TA-W-36,305; Grand Haven Brass Foundry, Grand Haven, MI

TA-W-36,481; Wyman-Gordon Forgings, Houston, TX

The investigation revealed that criteria (2) and criteria (3) have not been met. Sales or production did not decline during the relevant period as required for certification. Increases of imports or articles like or directly competitive with articles produced by the firm or an appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production. TA-W-36,433; Meadow River Coal Co., Lookout, WV

Aggregate US imports of coal are negligible.

#### **Affirmative Determinations for Worker Adjustment Assistance**

The following certifications have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

TA-W-36,588; Lorraine Wardy Enterprises, El Paso, TX: June 30, 1998  
TA-W-36,456; Dart Energy Corp., d/b/a Indrillers, Inc., Mt. Pleasant, MI: June 1, 1998  
TA-W-36,563 & A; Walls Industries, Inc., Merkel Walls Industries, Merkel, TX and Big Spring Walls Industries, Big Spring, TX: July 6, 1998  
TA-W-36,546; Shape Global Technology, Inc., Southern Div., Dadeville, AL: June 23, 1998  
TA-W-36,137; Latex Fashion, Inc., Jersey City, NJ: April 21, 1998  
TA-W-36,383; Locke Insulators, Inc., Baltimore, MD: May 14, 1998  
TA-W-36,372; Shadowline, Inc., Mars Hill, NC: May 28, 1999  
TA-W-36,272; 3M Co., Medical and Surgical Div., Hinsdale, IL: May 11, 1998  
TA-W-36,285; Pilling Weck Surgical, Fort Washington, PA: April 12, 1998  
TA-W-36,368; General Cigar Co., (Currently Known as Swedish Match, NA), Dorthan, AL: May 12, 1998  
TA-W-36,441; Acme United Corp., Goldsboro, NC and Fremont, NC: June 11, 1998  
TA-W-36,298; Beltex Corp., Sportswear Div. And Dye/Finish Div., Belmont, NC: May 18, 1998  
TA-W-36,531, A, B; BHP Copper North America, Including Leased Workers of Western Staffing, Temp Connection, Geotemps, Jalin Enterprises, San Manuel, AZ, Ely, NV and Tucson, AZ: June 30, 1998.

TA-W-36,573; Gerber Childrenwear, Inc., Lumberton, NC: June 7, 1998.  
TA-W-36,517; Bandera Pipeline Service Corp., Odessa, TX: June 23, 1998.  
TA-W-36,373; Morganton Manufacturing Co., Inc., Morganton, GA: May 26, 1998.  
TA-W-36,557; Echo Bay Minerals Co. McCoy/Cove Mine, Battle Mountain, NV: June 30, 1998.  
TA-W-36,605; Allergro Operating, Inc., Abilene, TX: July 12, 1998.  
TA-W-36,510; Fairfield Apparel Corp., Div. of Maid Bess Corp., Fairfield, VA: June 14, 1998.  
TA-W-36,543; Bon Worth, Inc., Victoria, VA: June 28, 1998.  
TA-W-36,592; Guidant Intermedics, Angleton, TX.

All workers engaged in employment related to the production of pacemakers and defibrillators separated from employment on or after July 13, 1998.

All workers producing leads, hybrid circuits and PC's are denied.

TA-W-36,333; Alcoa Technical Center, Alcoa Automative Structures, Alcoa Center, PA: May 15, 1998.  
TA-W-36,533; Eastham Forege Inc., Beaumont, TX: June 15, 1998.  
TA-W-36,538 & A; The Texas Oil Co., Houston, TX and Daisetta, TX: May 13, 1998.  
TA-W-36,457; Bohner Oil Co., Wichita Falls, TX: June 9, 1998.  
TA-W-36,112; Daugherty Manufacturing Co., Knoxville, TN: April 26, 1998.  
TA-W-36,203; Apollo Tanning LTD, Camden, ME: April 30, 1998.  
TA-W-36,445; Perfect Jacket Manufacturing Co., Trevoise, PA: June 10, 1998.  
TA-W-36,956; Pennsylvania Steel Technologies, Inc., A subsidiary of Bethlehem Steel Corp., Steelton, PA: March 11, 1998.  
TA-W-36,396; Horn Textile, Inc., Titusville, PA: June 2, 1998.  
TA-W-36,356; Chippenhook Corp., Stamping Dept., McAllen, TX: May 20, 1998.  
TA-W-36,035; Wyoming Casing, Inc., Dickinson, ND: May 11, 1998.  
TA-W-36,301; Westchester Lace and Textiles, Inc., North Bergen, NJ: April 30, 1998.  
TA-W-36,224; Starke Uniform Manufacturing Co., Starke, FL: April 21, 1998.  
TA-W-36,525; Ponder Industries, Inc., Ponder Fishing Tools, Healdton, OK: June 25, 1998.  
TA-W-36,523; Bosch Automotive Hendersonville, TN: June 24, 1998.  
TA-W-36,499; ARCO Alaska, Inc., Headquartered in Anchorage, AK and Operating at Various Locations in AK: June 17, 1998.

TA-W-36,229; The Neomet Corp., Edinburg, PA: April 7, 1999.  
TA-W-36,017; Precision Twist Drill Co (Formerly Triumph Twist Drill), Rhinelander, WI: March 29, 1998.  
TA-W-36,512; L.W. Packard & Co., Inc., Ashland, NH: June 28, 1998.  
TA-W-36,330; Allied Signal, Metropolis, IL: May 11, 1998.  
TA-W-36,570; The Bachman Co., Phoenixville Plant, Phoenixville, PA: July 8, 1998.  
TA-W-36,371; Gesco International Manufacturing, San Antonio, TX: June 3, 1998.  
TA-W-36,528; ASM America, Inc., Phoenix, AZ: June 30, 1998.  
TA-W-36,971; Barry Callebaut USA, Inc., Pennsauken, NJ: March 19, 1998.  
TA-W-36,391; DOC, Tucson, AZ: June 2, 1998.  
TA-W-36,056; Cyprus Tohono Corp., Casa Grande, AZ: April 1, 1998.  
TA-W-36,526; Pennzenergy Exploration and Production LLC, Formerly Known as Pennzoil Exploration and Production Co., Houston, TX: June 22, 1998.  
TA-W-36,329; Picker X-Ray, Solon, OH: May 13, 1998.  
TA-W-36,420 & A, B, & C; The Miller Group, Schuylkill Haven PA, H.L. Miller & Son, Schuylkill Haven, PA, Miller Fabrics, Schuylkill Haven, PA and Pottsville Bleach & Dye, Port Carbon, PA: July 10, 1999.  
TA-W-36,367; Moen, Inc., Hoov-R-Line, Providence, KY: June 1, 1998.  
TA-W-36,578; Carpentas Oilfield Construction, Inc., Denver City, TX: June 25, 1998.  
TA-W-36,191; Greene Metal Products, Sturtevant, WI: April 16, 1998.  
TA-W-36,643; Walker McDonald Manufacturing Co., a/k/a National Oilwell LP, Greenville, TX: July 21, 1998.  
TA-W-36,360; Super Steel Schenectady, Inc., Glenville, NY and Including Temporary Workers from the Following Agencies: JJ Young, Albany, NY, Snelling Personnel Services, Albany, NY, Best Temp Temporary Services, Albany, NY, Adecco, Tad Technical, Albany, NY, Manpower, Schenectady, NY, Fusco Personnel, Inc., Albany, NY: May 10, 1998.  
TA-W-36,121; Raider Apparel, Inc., Alma, GA: April 14, 1998.  
TA-W-36,926; Packwood Lumber, A Div. Of Pacific Lumber and Shipping Co., Packwood, WA: March 9, 1998.  
TA-W-36,151; Adflex Solutions, Inc., Chandler, AZ: April 20, 1998.  
TA-W-36,014; Bengle Manufacturing, Stuart, VA: March 30, 1998.

- TA-W-36,370 & A; L.V. Myles, Inc., New York, NY, and Rich Square, NC: June 1, 1998.
- TA-W-36,633 & A, B, & C; Levi Strauss & Co., Wichita Falls Plant, Wichita Falls, TX, Harlingen Plant, Harlingen, TX, Cypress Plant, El Paso, TX and McAllen Plant, McAllen, TX: August 8, 1998.
- TA-W-36,633D, E, F, & G; Levi Strauss & Co., Johnson City Plant, Johnson City, TN, Mountain City Plant, Mountain City, TN, Warsaw Plant, Warsaw, VA, Valdosta Plant, Valdosta, GA: August 8, 1998.
- TA-W-36,602; Tinsley Drilling & Co., Odessa, TX: July 14, 1998.
- TA-W-36,275; The Russell Corp., Marianna, FL: May 7, 1998.
- TA-W-36,271; Oneita Industries, Inc., Cullman, AL and Andrews, SC: May 10, 1998.
- TA-W-36,491; Pittencrieff America, Inc., Abilene, TX: June 18, 1998.
- TA-W-36,208; QDS Components, Inc., Winchester, TN: April 23, 1998.
- TA-W-36,384; John Hester Textiles, Orwigsburg, PA: May 24, 1998.
- TA-W-36,468; DHV International, Inc., Midland, TX: June 8, 1998.
- TA-W-36,282; Banner Elk Glove Co (d/b/a Southern Glove Manufacturing Co., Inc.), Banner Elk, NC: May 11, 1998.
- TA-W-36,596; Ashmore Sportswear, Inc., Leola Plant, Leola, PA: July 7, 1998.
- TA-W-36,514; Sensus Technologies, Inc., Uniontown, PA: June 14, 1998.
- TA-W-36,304; Salco Knitting Mills, Brooklyn, NY: May 10, 1998.
- TA-W-36,302; The Leather Co., Philadelphia, PA: May 17, 1998.
- TA-W-36,381; Technaflo, Inc., Vancouver, WA: May 27, 1998.
- TA-W-36,263; The Imation Corp., Vadnais Heights, MN: April 28, 1998.
- TA-W-36,624; AMI/DDC, Inc., Rivet Dept., Cedar Knolls, NJ: July 20, 1998.
- TA-W-36,619; Hillin-Simon Oil Co., Midland, TX: July 1, 1998.
- TA-W-36,622; Dawson Geophysical Co., Midland, TX: July 19, 1998.
- TA-W-36,427; Brady T-Shirt, Inc., East Brady, PA: June 2, 1998.
- TA-W-36,603; Snyder Area Contractors, Inc., Snyder, TX: July 12, 1998.
- TA-W-36,571; Mallard IV, Inc., McPherson, KS: July 9, 1998.
- TA-W-36,324; Sunset Time, Pacoima, CA: May 11, 1998.
- TA-W-36,559 & A; Allison Mfg. Co., Brownsville, TX and Allison Mfg Co., McAllen, TX: July 1, 1998.
- TA-W-36,102; Lear Corp., Midland, TX: April 7, 1998.
- TA-W-36,314; Desmon Mills, Inc., Woonsocket, RI: May 13, 1998.
- TA-W-36,432; Cross Creek Apparel, Inc., Wytheville Sewing Plant, Wytheville, VA: June 7, 1998.
- TA-W-36,444; Nazareth/Centry Mills, Inc., d/b/a Quitman Knitting Mills, Quitman, MS: August 29, 1998.
- TA-W-36,473 A.H.B. International, Inc., New York NY: June 8, 1998.
- TA-W-36,953; Siemens Fossils Power Corp., West Allis, WI: March 16, 1998.
- TA-W-36,412; Style Sportswear, Paterson, NJ: May 26, 1998.
- All workers engaged in employment related to the cutting of coats separated on or after May 26, 1998.
- All workers engaged in activities related to shipping, receiving, warehousing and administrative support are denied.
- TA-W-36,961, A, B, C, & D; Dupont Corp., Cooper River Plant, Charleston, SC, Kingston Plant, Kinston, NC, Cape Fear Plant, Wilmington, NC, Sales & Marketing Offices, Charlotte, NC and Administrative Office, Wilmington DE: March 11, 1998.
- TA-W-36,507; Alcatel USA, Alcatel Data Network, Mt Laurel, NJ: June 21, 1998.
- TA-W-36,199 & A; Key Tronic Southwest, El Paso, TX and Las Cruces, NM: April 26, 1998.
- TA-W-36,177; Lansdale Manufacturing, Inc., Montgomeryville, PA: April 14, 1998.
- TA-W-36,100; Sharp Microelectronics Technology, Inc., Carnas, WA: April 2, 1998.
- TA-W-36,486; Roxobel Curtain, Pinebluff Manufacturing Corp., Roxobel, NC: June 17, 1998.
- TA-W-36,342; Kern Manufacturing, Inc., Albion, IL: May 7, 1998.
- TA-W-36,502; Stuart Entertainment, McAllen, TX: June 18, 1998.
- TA-W-36,336; Collins & Aikman, Homer, MI: May 13, 1998.
- TA-W-36,591; Marietta Cutting LLC, Marietta, OK: July 6, 1998.
- TA-W-36,585; Jackie Evans Fashions, Inc., Passaic, NJ: July 9, 1998.
- TA-W-36,617; Lee Textiles Corp., Ewing, VA: July 15, 1998.
- TA-W-36,148; Oxford Industries, Inc., Columbia, SC: April 15, 1998.
- TA-W-36,613; Lincoln Industrial, St. Louis, MO: July 20, 1998.
- Also, pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.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 month of August and September, 1999.

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 in ports 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-03193; Oxy USA, Inc., Permian Asset Group, Midland, TX  
 NAFTA-TAA-03155; B.J. Service Co., USA Div. Houston, TX  
 NAFTA-TAA-03122; Barko Hydraulics, LLC, Superior, WI  
 NAFTA-TAA-03332; Lincoln Industrial, St. Louis, MO  
 NAFTA-TAA-03101; Vans, Inc., Santa Fe Springs, CA  
 NAFTA-TAA-03307; Chief Supply Corp., American Resources Div., Eugene, OR  
 NAFTA-TAA-03263; Smurfit-Stone Container Corp., Fulton, NY  
 NAFTA-TAA-02998; Siemens Fossil Power Corp., West Allis, WI  
 NAFTA-TAA-03105; Equitable Bag Co., Inc., Orange, TX  
 NAFTA-TAA-03284; Carrier Corp., Commercial Systems & Service Div., TR-1 Facility, Syracuse, NY

NAFTA-TAA-03282; Hewlett-Packard Co., Personal Information Products Manufacturing and Distribution Div., Roseville, CA Including Temporary Workers of Voit Services Group, Caliber Logistics, Ryder International

NAFTA-TAA-03143; Briggs Manufacturing, A Div. Of C.I.S.A., Robinson, IL

NAFTA-TAA-03265; Georgia-Pacific Corp., Chlorine Plant, Bellingham, WA

NAFTA-TAA-03311; Locke Insulators, Inc., Baltimore, MD

NAFTA-TAA-03289; Triple S. Plastics, Tucson, AZ

NAFTA-TAA-03257; Skinner Engine Co., Erie, PA

NAFTA-TAA-03275; Acme United Corp., Goldsboro, NC

NAFTA-TAA-03234; Morgantown Manufacturing Co., Inc., Morgantown, GA

NAFTA-TAA-03316; Contract Apparel, Inc., El Paso, TX

NAFTA-TAA-03293; Continental Natural Gas, Inc., Continental Spearman Gas Processing, LLC, Spearman, TX

NAFTA-TAA-03299; Texas Jeans Co., Inc., El Paso, TX

NAFTA-TAA-03210; ABB Daimler-Benz Transportation, Elmira Manufacturing Operations, Elmira Heights, NY

NAFTA-TAA-03296; Intermedics, Inc., Angleton, TX

NAFTA-TAA-03205; Wyman Gordon, Titanium Castings Div., Albany, OR

NAFTA-TAA-03084; Fort James Corp., Packaging Div. Portland, OR

NAFTA-TAA-03096; The Little Tikes Co., Shippensburg, PA

NAFTA-TAA-03104; Sherman Lumber Co., Sherman Station, ME

NAFTA-TAA-03176; Actown Electrocoil, Inc., Spring Grove, IL

NAFTA-TAA-03178; Banner Elk Glove Co., d/b/a Southern Glove Manufacturing Co., Inc., Banner Elk, NC

NAFTA-TAA-03092; Goodyear Tire and Rubber Co., Logan, OH

NAFTA-TAA-03248; Brady T-Shirt, Inc., East Brady, PA

NAFTA-TAA-02892; Burlington Industries, Inc., Statesville Plant, Statesville, NC

The investigation revealed that the criteria for eligibility have not been met for the reasons specified.

NAFTA-TAA-0323; Cominco American, Inc., Spokane, WA

NAFTA-TAA-03290; First Reserve Oil and Gas Co., Midland, TX

NAFTA-TAA-03378; Xerox Corp., North American Customer Service, La Palma CA.

The investigation revealed that the workers of the subject firm did not produce an article within the meaning of section 250(a) of the Trade Act, as amended.

NAFTA-TAA-03325H, I, J, K, L, M, N, O; Levi Strauss & Co., Kastrin Plant, El Paso, TX, Brownsville Plant, Brownsville, TX, San Benito Plant, San Benito, TX, San Antonio Sewing Plant, San Antonio, TX, San Antonio Finishing Plant, San Antonio, TX, Powell Plant, Powell, TN, Valencia Sewing Facility, San Francisco, CA and Blue Ridge Plant, Blue Ridge, GA.

The investigation revealed that criteria (1) has not been met. A significant number or proportion of the workers in such workers' firm or an appropriate subdivision thereof did not become totally or partially separated from employment as required for certification.

#### **Affirmative Determinations NAFTA-TAA**

NAFTA-TAA-03196; Sunset Time, Racoima, CA: May 17, 1998.

NAFTA-TAA-03324; Modine Aftermarket Holdings, Inc., Merced, CA: July 19, 1998.

NAFTA-TAA-03367; Jennings Mfg Co., Inc., Jennings, LA: August 10, 1998.

NAFTA-TAA-03305; Stuart Entertainment, Inc., McAllen, TX: July 13, 1998.

NAFTA-TAA-03295; Dixon Ticonderoga Co., Deer Lake, PA: June 30, 1998.

NAFTA-TAA-03326; Alcatel USA, Alcatel Data Networks, Mt. Laurel, NY: July 16, 1998.

NAFTA-TAA-03268; Roxobel Curtain Co., Pinebluff Manufacturing Corp., Roxobel, NC: June 17, 1998.

NAFTA-TAA-03003; Packwood Lumber, A Div. Of Pacific Lumber and Shipping Co., Packwood, WA: March 5, 1998.

NAFTA-TAA-03072; Benge Manufacturing, Stuart, VA: March 31, 1998.

NAFTA-TAA-03323; Supreme Tooling, Inc., Fremont, IN: July 23, 1998.

NAFTA-TAA-03117; Adflex Solutions, Inc., Chandler, AZ: April 20, 1998.

NAFTA-TAA-03044; Vanity Fair Intimates, Milton, FL: March 24, 1998.

NAFTA-TAA-03328; Walker McDonald Mfg Co., a/k/a National Oilwell LP, Greenville, TX: July 21, 1998.

NAFTA-TAA-03070 & A; Oneita Industries, Inc., Cullman, AL and Andrews, SC: April 2, 1998.

NAFTA-TAA-03292; Phelps Dodge Magnet Wire Co., Hopkinsville, KY: July 1, 1998.

NAFTA-TAA-03272; Sensus Technologies, Inc., Uniontown, PA: June 14, 1998.

NAFTA-TAA-03319 & A; Justin Boot Co., Cassville, MO and Carthage, MO: July 22, 1998.

NAFTA-TAA-03230; GESCO International Manufacturing, San Antonio, TX: June 3, 1998.

NAFTA-TAA-03240; DOC, Tucson, AZ: June 2, 1998.

NAFTA-TAA-03271; Ashmore Sportwear, Inc., Leola Plant, Leola, PA: June 11, 1998.

NAFTA-TAA-03278; Albany International, Inc., Appleton Wire Div., Weaverville, NC: June 22, 1998.

NAFTA-TAA-03304; Gerger Childrenswear, Lumberton, NC: June 30, 1998.

NAFTA-TAA-03236; Shadowline, Inc., Mars Hill, NC: May 28, 1998.

NAFTA-TAA-03285; Fairfield Apparel Corp., Div. of Maid Bess Corp., Fairfield, VA: June 29, 1998.

NAFTA-TAA-03276; Bon Worth, Inc., Victoria, VA: June 28, 1998.

NAFTA-TAA-03267; Thomson Precision all Co., LLC, Unionville, CT: June 16, 1998.

NAFTA-TAA-03220; Moen, Inc., Hoov-R-Line, Providence, KY: June 1, 1998.

NAFTA-TAA-03062; Safariland, Inc., Ontario, CA: March 22, 1998.

NAFTA-TAA-03327; AMI/DDC, Inc., Rivet Department, Cedar Knolls, NJ: July 20, 1998.

NAFTA-TAA-03103; Raider Apparel, Inc., Alma, GA: April 14, 1998.

NAFTA-TAA-03097; Repap Technologies, Inc., Valley Forge, PA: April 8, 1998.

NAFTA-TAA-03209; Super Steel Schenectady, Inc., Glenville, NY & Including Temporary Workers from the Following Agencies: JJ Young,

Albany, NY, Snelling Personnel Services, Slabany, NY, Best Temp Temporary Services, Albany, NY, Adecco, Tad Technical, Albany, NY, Manpower, Schenectady, NY and Fusco Personnel, Inc., Albany, NY: May 10, 1998.

NAFTA-TAA-03277; Cajun Bag & Supply, Intertape Polymer Group, Evans, GA: July 2, 1998.

NAFTA-TAA-02892A, B, C, D, E, F, G, H, I, J, K, L, M; Burlington Industries, Inc., Mooresville Plant, Mooresville, NC, J.C. Cowan Plant, Forest City, NC, Raeford Plant, Raeford, NC, Raeford Dying Plant, Raeford, NC Oxford Plant, Oxford, NC, Burlington Tailored Fashions Div. Offices, Greensboro, NC, Klopman Fabrics Div. Office, Greensboro, NC, Bishopville Plant,

*Bishopville, SC, Johnson City Plant, Johnson City, TN, Hillsville Plant, Hillsville, VA, Burlington Tailored Fashions, Clarksville, VA, Stonewall Cutting Plant, Stonewall, MS and Burlington Tailored Fashions, NY, NY: January 29, 1998.*

*NAFTA-TAA-03261; The Miller Group, Schuylkill Haven, PA, H.L. Miller & Son, Schuylkill Haven, PA, Miller Fabrics, Schuylkill Haven, PA and Pottsville Bleach & Dye, Port Carbon, PA: July 10, 1999.*

*NAFTA-TAA-03190; Beltex Corp., Sportswear Div. And Dye/Finish Div., Belmont, NC: May 18, 1998.*

*NAFTA-TAA-3185; 3M Company, Medical and Surgical Div., Hinsdale, IL: May 20, 1998.*

*NAFTA-TAA-03340; Lambda Electronics, Inc., McAllen, TX: December 19, 1998.*

*NAFTA-TAA-03325 & A, B, C, D, E, F, G; Levi Strauss & Co., Wichita Falls Plant, Wichita Falls, TX, Harlingen Plant, Harlingen, TX, Press Plant, El Paso, TX, McAllen Plant, McAllen TX, Johnson City Plant, Johnson City, TN, Mountain City Plant, Mountain City, TN, Warsaw Plant, Warsaw, VA and Valdosta Plant, Valdosta, GA: August 8, 1998.*

I hereby certify that the aforementioned determinations were issued during the months of August and September, 1999. Copies of these determinations are available for inspection in Room C-4318, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: September 22, 1999.

**Grant D. Beale,**

*Program Manager, Office of Trade Adjustment Assistance.*

[FR Doc. 99-25291 Filed 9-28-99; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-35,992]

#### Bayer Corporation; Baytown, Texas; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Office of Trade Adjustment Assistance for workers at

the Bayer Corporation, Baytown, Texas. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-35,992; Bayer Corporation, Baytown, Texas (September 13, 1999).

Signed at Washington, D.C. this 22nd day of September, 1999.

**Grant D. Beale,**

*Program Manager, Office of Trade Adjustment Assistance.*

[FR Doc. 99-25295 Filed 9-28-99; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-35,718; TA-W-35,718A; TA-W-35,718B; TA-W-35,718C; TA-W-35,718D; TA-W-35,718E]

#### H.B. & R., Inc.; Dickinson, North Dakota; Bowman, North Dakota; Williston, North Dakota; Sidney, Montana; Rock Springs, Wyoming; Prudhoe Bay, Alaska; Notice of Negative Determination on Reconsideration

By letter of June 29, 1999, the company requested administrative reconsideration of the Department's denial of Trade Adjustment Assistance (TAA) for workers and former workers of H.B. & R., Inc., Dickinson, North Dakota. The notice of negative determination was signed on June 7, 1999 and published in the **Federal Register** on June 30, 1999 (64 FR 35183).

The Department initially denied TAA to workers of H.B. & R., Inc., Dickinson, North Dakota, who were engaged in the rental of equipment and the performance of tank farm services. It was determined that these workers provided a service and did not produce an article as required in Section 222(3) of the Group Eligibility Requirements of the Trade Act of 1974, as amended.

The company official pointed out that the petition was filed on behalf of several locations, but they were not included in the final determination. Furthermore, the determination did not correctly describe the work performed by the employees.

The Department acknowledges that in the June 7, 1999 decision document it inadvertently excluded reference to the H.B. & R., Inc. locations in Bowman and Williston, North Dakota, Sidney, Montana, Rock Springs, Wyoming and Prudhoe Bay, Alaska, although these locations were included in the petition investigation.

The information provided by the company official requesting reconsideration cited that the workers are engaged in oilfield service work for unaffiliated natural gas and crude oil producers. On reconsideration, the Department obtained additional information regarding work performed by workers of the subject firm. It was reported that the workers employment in Dickinson, Bowman and Williston, North Dakota, Sidney, Montana, Rock Springs, Wyoming and Prudhoe Bay, Alaska includes, but is not limited to hot oil and heating service work, pipeline pressure testing and hauling water.

The 1988 Omnibus Trade and Competitiveness Act amendments to the Trade Act of 1974 expanded coverage to service workers engaged in employment related to exploration and drilling for crude oil and natural gas. These service workers are considered to be "producing" crude oil or natural gas. The same consideration cannot be given to workers providing oilfield services.

### Conclusion

After determination, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of H.B. & R., Inc., Dickinson, North Dakota, Bowman and Williston, North Dakota, Sidney, Montana, Rock Springs, Wyoming and Prudhoe Bay, Alaska.

Signed at Washington, D.C., this 7th day of September 1999.

**Grant D. Beale,**

*Program Manager, Office of Trade Adjustment Assistance.*

[FR Doc. 99-25297 Filed 9-28-99; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-35,592]

#### North American Refractories Company, Womelsdorf, Pennsylvania; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Office of Trade Adjustment Assistance for workers at the North American Refractories Company, Womelsdorf, Pennsylvania. The application contained no new substantial information which would bear importantly on the Department's