

meaningful portion of the subject plant's customer base.

The additional information supplied by the company helped clarify customer response(s) in the survey that was conducted during the original investigation. Upon examination of the survey, it is now clear that major customer significantly increased their imports of machinery like and directly competitive with what the subject plant produced during the relevant period.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports or articles like or directly competitive with those produced at STEAG Hamatech, Saco, Maine contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firms. In accordance with the provisions of the Act, I the following certification:

All workers of STEAG Hamatech, Saco, Maine, who became totally or partially separated from employment on or after March 21, 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.

Dated: Signed in Washington, DC this 11th day of December 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-31622 Filed 12-21-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,989]

Trico Steel Company Decatur, AL; Notice of Negative Determination Regarding Application for Reconsideration

By application dated July 26, 2001, 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 July 5, 2001, and published in the **Federal Register** on July 20, 2001 (66 FR 38026).

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 the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Trico Steel Co., Decatur, Alabama 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 customers of the workers' firm. Respondents reported that they either did not import or had very minor and declining imports in the relevant time periods.

The petitioner feels that the time period considered in the investigation is not correct. The petitioner states that the January through March 2001 period is not representative of the relevant period. That is, the petitioner indicates that imports of hot rolled products were illegally dumped into the United States during the May through November 2000 period and therefore the Department should look at the 2000 time frame.

During the initial investigation, plant and survey data were examined for the following periods: 1999, 2000 and January through March 2001 over the corresponding 2000 period. Plant sales and production increased substantially from 1999 to 2000, followed by declines through the closure of the plant during March 2001. Employment data reported by the company was stable during the 2000 period.

The survey as already indicated, revealed that the respondents (all customers supplied by the company responded to the survey) reported that they did not import or had very minor and declining imports from 1999 to 2000. The survey further revealed that, during the January through March 2001 period over the corresponding 2000 period, imports were negligible.

Examination of industry data further revealed that United States imports of hot rolled carbon sheet steel decreased both absolutely and relative to the U.S. shipments in the January through April 2001 period, compared to the same period one year earlier. In the year 2000, both U.S. shipments and U.S. imports of hot rolled carbon sheet steel increased over the 1999 period. The ratio of U.S. imports to U.S. shipments remained relatively stable in 1999 into 2000. However, during the last eight months of 2000 of the ratio of U.S. imports to U.S. shipments declined.

The petitioner further indicates that the International Trade Commission (ITC) issued a preliminary dumping duties decision against eleven countries and that the ITC investigation would examine possible trade restrictions relating to the dumping of steel under the 201 provision of the trade act.

The Department of Labor does take into consideration such factors as the International Trade Commission (ITC) preliminary dumping duties and the factors that are alleged and decided on, but also investigates each company on the basis of how increased imports impacted products produced by the petitioning plant and how increasing imports contributed importantly to the declines in employment.

The petitioner further indicates that, during the period of January through March 2001, Trico Steel Company was forced to reduce its capacity by 50% because of high customer inventories of foreign steel that was imported during the fourth quarter of 2000.

Inventory level build up can not be considered in meeting the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error of 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 12th day of December 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-31621 Filed 12-21-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-5085]

Besser Lithibar, Holland, MI; Notice of Termination of Investigation

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 of 1974, as amended (19 U.S.C. 2331), an investigation was initiated on July 13, 2001, in response

to a petition filed on behalf of workers at Besser Lithibar, Holland, Michigan. Workers produce automated material handling equipment.

A negative determination on an identical petition regarding the same worker group was issued on August 31, 2001. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 12th day of December, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-31626 Filed 12-21-01; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-04608]

Collis, Inc., Elizabethtown, KY; Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of August 30, 2001 the United Steelworkers of America, AFL-CIO-CLC, District 8 requested administrative reconsideration of the Department of Labor's Notice of negative Determination Regarding Eligibility to Apply for NAFTA Transitional Adjustment Assistance. The denial notice was signed on August 8, 2001 and published in the **Federal Register** on August 23, 2001 (66 FR 44378).

The petitioner presented additional information that appears to warrant additional investigation. The

information provided by the petitioner shows that a portion of plant production may have been shifted to Mexico. The information further shows the possibility of increased company imports from Mexico contributing importantly to the layoffs at the subject plant.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC this 17th day of December 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-31629 Filed 12-21-01; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility to Apply for NAFTA Transitional Adjustment Assistance

Petitions for transitional adjustment assistance under the North American Free Trade Agreement-Transitional Adjustment Assistance Implementation Act Pub. L. 103-182, hereinafter called (NAFTA-TAA), have been filed with State Governors under section 250(b)(1) of Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended, are identified in the Appendix to this Notice. Upon notice from a Governor

that a NAFTA-TAA petition has been received, the Director of the Division of Trade Adjustment Assistance (DTAA), Employment and Training Administration (ETA), Department of Labor (DOL), announces the filing of the petition and takes action pursuant to paragraphs (c) and (e) of section 250 of the Trade Act.

The purpose of the Governor's actions and the Labor Department's investigations are to determine whether the workers separated from employment on or after December 8, 1993 (date of enactment of P.L. 103-182) are eligible to apply for NAFTA-TAA under Subchapter D of the Trade Act because of increased imports from or the shift in production to Mexico or Canada.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing with the Director of DTAA at the U.S. Department of Labor (DOL) in Washington, D.C. provided such request if filed in writing with the Director of DTAA not later than January 7, 2002.

Also, interested persons are invited to submit written comments regarding the subject matter of the petitions to the Director of DTAA at the address shown below not later than January 7, 2002.

Petitions filed with the Governors are available for inspection at the Office of the Director, DTAA, ETA, DOL, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 11th day of December, 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

Subject Firm	Location	Date received at Governor's Office	Petition No.	Articles Produced
Dnkyo America (Co.)	Columbus, IN	12/06/2001	NAFTA-5,601	farm equipment.
Intervet, Inc. (Co.)	Gainesville, GA	12/04/2001	NAFTA-5,602	poultry vaccine.
In Vogue Apparel (Wkrs)	West Hazelton, PA	12/07/2001	NAFTA-5,603	women's slacks.
Jones Apanel Group USA (Wkrs)	Bristol, PA	12/07/2001	NAFTA-5,604	garments.
Hershey Foods (Co.)	Pennsburg, PA	12/07/2001	NAFTA-5,605	confectionary products.
Cooper Standard Automotive (Wkrs).	Fairview, MI	12/07/2001	NAFTA-5,606	automotive rubber tubing.
ANR Pipeline (Wkrs)	Detroit, MI	12/05/2001	NAFTA-5,607	natural gas transmission.
TRW Aeronautical Systems (Wkrs)	Aurora, OH	12/06/2001	NAFTA-5,608	generators.
Key Industries (Co.)	Buffalo, MO	12/05/2001	NAFTA-5,609	coverall, overalls and jackets.
General Electric Transportation Global (Wkrs).	Grain Valley, MO	12/05/2001	NAFTA-5,610	railroad electronic & communications.
Stylemaster Apparel (Wkrs)	Union, MO	12/05/2001	NAFTA-5,611	men's and women's baseball caps etc.
Domestic Corp. (UAW)	LaGrange, IN	12/03/2001	NAFTA-5,612	air conditioners.
Hibbing Taconite-Cliffs Mining (Wkrs).	Hibbing, MN	12/04/2001	NAFTA-5,613	semi finished slabs & finished steel.
Emerson Electronic Connector Components (Wkrs).	Waseca, MN	12/04/2001	NAFTA-5,614	RF coaxial connector assemblies.
Kurt Manufacturing (Wkrs)	Minneapolis, MN	12/05/2001	NAFTA-5,615	machine die cast.