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: July 26, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–19957 Filed 8–6–02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–40,018 and NAFTA–05269]

Trailmobile Trailer, LLC, Liberal, KS; Notice of Negative Determination Regarding Application for Reconsideration

By application postmarked May 14, 2002, the petitioners 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–40,018 and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA–TAA) under petition NAFTA–5269. The TAA and NAFTA–TAA denial notices applicable to workers of Trailmobile Trailer, LLC, Liberal, Kansas were signed on April 26, 2002 and April 29, 2002, respectively and published in the **Federal Register** on May 17, 2002 (67 FR 35143 & 35144, 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 Trailmobile Trailer, LLC, Liberal, Kansas engaged in employment related to the production of dry freight and refrigerator trailers, 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 investigation revealed that the subject firm did not import dry freight trailers and refrigerator trailers during the relevant period. The investigation also revealed that the predominant cause of worker separations at the subject firm was a domestic shift of production to an affiliated facility.

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 investigation revealed that the subject firm neither imported dry freight or refrigerator trailers from Canada or Mexico nor shifted production of dry freight or refrigerator trailers to Canada or Mexico. The investigation further revealed that the predominant cause of worker separations at the subject firm was a domestic shift of production to an affiliated facility.

The petitioner alleges that since all (three) domestic company plants closed and the company maintains a production plant in Canada, it is only logical that subject plant production would have been shifted to the affiliated Canadian plant.

A review of the initial decision and further contact with the company show that subject plant production was shifted to Charleston, Illinois. Based on information provided by the company, the subject plant was designed to produce only refrigerated truck trailers and was the only company location to produce these products. The plant never reached full planned employment or production. The plant was built in anticipation of acquiring new customers for a fleet type refrigerated trailer. These customers did not materialize. For a short time, dry van trailers with insulated panels were built in Liberal in addition to refrigerated trailers in an attempt to bring some production into the plant. Production of the fleet type refrigerated trailers ceased as of January 12, 2001. Specialty refrigerated trailers continued to be built in the affiliated Charleston, Illinois plant. No subject plant production of refrigerated trailers was ever shifted to Canada. With the closure of the three domestic sites by the latter part of 2001, the refrigerated trailer production was eliminated by the company and not shifted to Canada. The dry van trailers (3–4 percent of plant production) accounted for an extremely small portion of the work performed at the subject plant and thus any potential imports of this product cannot be considered as contributing importantly to the layoffs at the subject plant.

The petitioner further indicated that the plant worked in concert with an affiliated plant located in Missisaugua (Toronto), Canada and that on several occasions the plant sent equipment used in the trailer manufacturing to Canada, such as a vacuum lifter for roof mounting. The petitioner also indicated that one of the plant's C-frames for hydraulic punch Huck units was also sent to Canada.

The Canadian plant did not produce the major product the subject plant produced (refrigerated trailers) and therefore the working of the two plants in concert is not relevant in meeting the eligibility requirements of Section 222 or Section 250 of the Trade Act. Also, any machinery shipped to Canada was used to produce products other than those produced by the subject plant, and thus are not relevant factors in meeting eligibility requirements of Section 222 or Section 250 of the Trade Act.

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 26th day of July, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–19964 Filed 8–6–02; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–40,548]

BP Exploration Alaska, Inc. Prudhoe Bay, AK; Notice of Revised Determination on Reconsideration

By letter of May 30, 2002, the company requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination issued on April 25, 2002, based on the finding that the workers of BP Exploration Alaska, Inc., Prudhoe Bay, Alaska did not produce an article within the meaning of section 222(3) of the Act, as amended. The denial notice was published in the

Federal Register on May 2, 2002 (67 FR 22112).

To support the request for reconsideration, the company indicated that the workers were primarily engaged in the production of crude oil. They supplied additional information to help clarify the functions performed at the Prudhoe Bay location. They provided copies of job descriptions.

Based on data supplied by the company in their request for reconsideration and further clarification by the company, it is evident that the workers are primarily engaged in activities related to the production of crude oil.

Layoffs at the subject firm occurred from August 2001 through the April 2002 period. Further layoffs are scheduled throughout the remainder of 2002 into early 2003. Production at the subject facility declined in 2001 over the corresponding 2000 period.

A survey of the firm's major declining customer(s) was conducted regarding their purchases of crude oil during the relevant period. The survey revealed that a major customer increased their purchases of imported crude oil, while decreasing their purchases from the subject firm during the relevant period.

Also, aggregate U.S. imports of crude oil increased from 2000 to 2001. The U.S. import to U.S. production ratio of crude oil was over 150 percent during the 2001 period.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at BP Exploration Alaska, Inc., Prudhoe Bay, Alaska, contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of BP Exploration Alaska, Inc., Prudhoe Bay, Alaska, who became totally or partially separated from employment on or after December 27, 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.

Signed in Washington, DC this 25th day of July 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–19952 Filed 8–6–02; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–41,043]

Champion Parts, Inc., Beech Creek, Pennsylvania; Notice of Negative Determination Regarding Application for Reconsideration

By application received on June 26, 2002, the International Brotherhood of Electrical Workers (IBEW), Local 1592 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 applicable to workers of the subject firm was signed on May 23, 2002. The decision was published in the **Federal Register** on June 11, 2002 (67 FR 40004).

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 petition filed on behalf of workers of Champion Parts, Inc., Beech Creek, Pennsylvania, producing fuel systems and CV products 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 worker firm's customers. None of the customers reported importing fuel systems and CV products during the relevant period. The subject firm did not import fuel systems or CV products during the relevant period.

The petitioner indicates that the TAA decision depicts ''that increases of imports of the articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separation, or threat thereof, and to the absolute declines in sales or production.''

In the above instance, the petitioner appears to be referencing criterion (3) of the group eligibility requirement of Section 222 of the Act. In fact, the decision clearly states that subject firm workers do not meet the eligibility requirement of criterion (3) of Section 222 of the Act.

The petitioner also appears to be concerned that the Department may not have examined the correct products produced by the subject plant during the initial investigation.

A review of the customer survey conducted by the Department shows that none of the customers reported importing fuel systems and CV products (carburetors), during the relevant period. These products account for all production performed at the subject firm during the relevant period.

The petitioner also references plant production of carburetors that was produced during the mid-1990's and also indicates that this product was replaced by imported fuel injectors.

Products produced by the subject plant prior to the year 2000 are outside the scope of the relevant period. As indicated previously, customers reported no like or directly or competitive imports of products produced by the subject plant during the relevant period.

Finally, the petitioner contends that CV component production was not a part of the initial investigation.

A review of plant sales and production data pertaining to CV products (a relatively small portion of plant production) shows increases throughout the relevant period. Thus, import impact is not an issue in regard to this product.

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 25th day of July 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–19968 Filed 8–6–02; 8:45 am]

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