Pacific, Structural Panel Division, showed that none of the respondents increased import purchases of oriented strand board from Mexico or Canada, while reducing purchases from the subject firm. The subject firm did not import oriented strand board, nor was production of oriented strand board shifted from the workers' firm to Mexico or Canada.

The petitioner supplemented the application for reconsideration with information on U.S. imports of OSB-Waferboard and suggested that increased imports of these articles from Canada negatively impacted the OSB producers in the northeastern part of the United States. The Department, when determining import impact for a worker group, does not break out import statistics by port of entry but instead use aggregate import data. For NAFTA–TAA petition investigations the Department examines aggregate U.S. imports from Mexico and Canada. While U.S. import data are helpful in identifying trends in imports of specific products, in most cases, the Department relies a survey of the major declining customers of the subject firm.

The petitioner adds that the Department's survey results regarding customer purchases of oriented strand board are erroneous, citing that a federal official informed PACE that only three customers were surveyed, two of which were other Georgia Pacific divisions, and that Georgia Pacific imports oriented strand board.

The information collected by the Department during the petition investigation is business confidential and cannot be released to the public without express written consent of the individual and/or company official providing the information. The Department cannot release how many customers of the subject firm were surveyed or who responded. The respondents of the survey group for Georgia Pacific represented the majority of the subject firm sales of OSB during the time period when the Baileyville plant had sales and production declines.

The petitioner believes that the subject firm imports OSB. The Department stands corrected in that Georgia Pacific Corporation does import oriented strand board, including purchases from Canada. The investigation, however, showed that company imports of OSB declined.

The petitioner also states that the Department totally disregarded the Maine Department of Labor preliminary affirmative finding that all eligibility criteria for NAFTA–TAA have been met. The petitioner's statement is true, but all preliminary findings for NAFTA–TAA petitions are forwarded to the Department of Labor for a final determination.

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 30th day of April 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01–11627 Filed 5–8–01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–38,461 and NAFTA–4357]

Oxford Automotive, Argos, Indiana; Notice of Negative Determination Regarding Application for Reconsideration

By application of February 1, 2001, the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Local 2088, request 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) and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA–TAA). The denial notices applicable to workers of Oxford Automotive, Argos, Indiana, were signed on January 24, 2001. The TAA decision will soon be published in the **Federal Register**. The notice for the NAFTA–TAA decision was published in the **Federal Register** on February 20, 2001 (66 FR 10917).

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 producing side panels for vehicles in Argos, Indiana, was denied because the ''contributed importantly'' criterion of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. The primary customer of the subject firm is going to produce the side panels at their own U.S. plants and ceased doing business with Oxford Automotive.

The NAFTA–TAA petition for the same worker group was defined 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. There were no company or customer imports from Mexico or Canada of side panels for vehicles. The subject firm did not shift the production of side panels for vehicles from Argos, Indiana to Mexico or Canada.

The petitioner provided a copy of a memorandum dated August 1, 2000, addressed to Local 2988 from an individual (title not provided), notifying the Union of equipment that will be moving to another Oxford Automotive location, or a request for equipment from another Oxford Automotive location. In that listing, it is noted that authorization was being sought to move the 180″ press line and two single post spot welders to Mexico.

During the investigation that information was available and the Department found that some of the machinery was sent to Mexico but it was not being used. The shift of production of equipment to Mexico or Canada, or any other foreign country, does not in of itself provide a basis for worker group certification under TAA or NAFTA–TAA. With respect to the TAA petition, the Department could issue a certification only if the equipment shifted is being used to produce the articles and replace the production at the workers' firm and that there are increases in imports of articles like or directly competitive with side panels for vehicles produced on that machinery. With respect to the NAFTA–TAA petition, the Department could issue a certification only if the equipment shifted is being used to produce the articles and replace the production at the workers' firm. This is not the case for the petitioning workers, as was described in the initial findings.

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 30th day of April, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01–11628 Filed 5–8–01; 8:45 am]

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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 April, 2001.

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 sub-division have decreased absolutely, and

(3) That increases of 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 sales 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–38, 557; Southern Webbing Mills, Inc., Floyd, VA

TA–W–38, 791; Sierra Pacific Industries, Loyalton, CA

TA–W–38, 784; Joseph L. Schlessinger, T/A Schlessinger Industries Ridgefield Machine, Inc., P & G Machinery Repair Corp., Ridgefield, NJ

TA–W–38, 470; Plum Creek Timber Co., Pablo, MT

TA–W–38, 599; Sherwood Harso Corp., Lockport, NY

TA–W–38, 615; Koppel Steel Corp., Koppel, PA

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

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

TA–W–38, 965; Ingersoll Milling Machine Co., High Velocity Machine Div., Rockford, IL

TA–W–38, 493 & A; Creative Products, Inc., Potomac, IL and Rossville, IL

TA–W–38, 983; Zapata Technologies, Inc., Hazelton, PA

TA–W–39, 059; Ludlow Building Products, Inc., Adrian, MI

TA–W–38, 873; Kodak Polychrome Graphics, Holyoke, MA

TA–W–38, 885; Grote Industries, LLC, Harness Div., Madison, IN

TA–W–39, 001; Accuride International, Inc., Charlotte, NC

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

TA–W–38, 818; STS Systems, Inc., d/b/a 3DFX Interactive of Texas, Inc., El Paso, TX

TA–W–38, 808; Hit or Miss Stoughton, MA

TA–W–38, 461; Oxford Automotive, Argos, IN

The investigation revealed that criteria (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–38, 758; PerkinElmer Optoelectronics, St. Louis, MO

TA–W–39, 028; M&G Polymer USA, LLC, Apple Grove, WV

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–38, 987; GIGI of Carolina, Inc., Cherryville, NC: March 22, 2000.

TA–W–38, 718; Weyerhauser Co., Mt. Pine Wood Products, Mt Pine, AR: February 8, 2000.

TA–W–38, 472; Mid-American Electro Cords, Decatur, AL: December 12, 1999.

TA–W–38, 530; The Fletcher Corp., Fletcher Paper Co and Fletcher Coated Products, Alpena, MI: December 21, 1999.

TA–W–38, 903; United Design Corp., Noble, OK: March 5, 2000.

TA–W–38, 841; Pathfinders U.S.A., LLC, Sedro Woolley, WA: February 7, 2000.

TA–W–38, 552; North Star Steel-Kentucky, Calvert City, KY: December 29, 1999.

TA–W–38, 857; Erie Coke Corp., Erie, PA: February 22, 2000.

TA–W–38, 867; Kerr-McGee Chemical LLC, Electrolytic Div., Hamilton, MS: March 2, 2000.

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 April, 2001.

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.