

*Operating at the Following Locations: A; Samson Plant, Samson, AL, B; Florala Plant, Florala, AL, C; Kinston Plant, Kinston, AL, D; Opp Distribution Plant, Opp, AL, E; Opp Sewing Plant, Opp, AL: March 13, 1997. NAFTA-TAA-02265; Beam Corp., Div. of Deena, Inc., Tolleson, AZ: March 19, 1997. NAFTA-TAA-02279; Hit Apparel, Inc., Athens, TN: March 18, 1997. NAFTA-TAA-02324; A.D.H. Mfg. Corp., Farner, TN: March 31, 1997. NAFTA-TAA-02252; Briggs Industries, Somerset, PA: March 6, 1997.*

I hereby certify that the aforementioned determinations were issued during the month of April 1998. Copies of these determinations are available for inspection in Room C-4318, 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: May 5, 1998.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-34,204]

#### **Pride Companies, L.P., Abilene, Texas; Negative Determination Regarding Application for Reconsideration**

By application postmarked April 14, 1998, one of the petitioners 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 March 20, 1998, and published in the **Federal Register** on April 3, 1998 (63 FR 16574).

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 investigation findings for the March 20 denial of TAA for workers of Pride Companies, L.P., Abilene, Texas producing refined petroleum products showed that criteria (1) and (2) of the group eligibility requirements of section 222 of the Trade Act were met; employment, sales and production decreased in January through September 1997 compared with the same time period of the previous year. However, the "contributed importantly" requirement of criterion (3) of section 222 was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. A survey conducted by the Department regarding the subject firm's loss of a portion of a competitive bid for military jet fuel in February 1997 revealed that the remainder was awarded to domestic suppliers, with the exception of a very small percentage of the solicitation awarded to a foreign source.

The petitioner asserts that layoffs at the Abilene refinery were the result of increased company purchases of imported products supplied by the Texaco Trading and Transportation Inc. terminal in the Houston ship channel area. The petitioner adds that Texaco Trading and Transportation purchases refined products on the open market from various refineries and distribution terminals.

The investigation findings showed that Pride Companies, L.P. did not purchase any refined petroleum products from Texaco or any foreign sources during the time period relevant to the petition investigation. Information obtained during the investigation shows that Texaco Trading and Transportation Inc. will supply refined petroleum products to Pride, but not until the completion of the conversion of the Abilene refinery to a products and crude oil terminal. Information in Departmental trade adjustment assistance files shows that the primary functions of Texaco Trading and Transportation, Inc. are marketing of domestic crude oil, and transportation of crude oil and products by pipeline and truck.

With respect to the petitioners assertion that U.S. domestic production of refined petroleum is at a maximum and cannot meet demand, U.S. imports of these products declined absolutely and relative to domestic shipment from 1996 to 1997.

#### **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 4th day of May 1998.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-34,199]

#### **Sangamon, Inc., Taylorville, Illinois; Revised Determination on Reconsideration**

In response to a letter of March 26, 1998, from the United Paperworkers International Union (UPIU) Local 637, requesting administrative reconsideration of the Department's denial of TAA for workers of the subject firm, the Department reopened its investigation for the former workers of Sangamon, Incorporated.

The initial investigation resulted in a negative determination issued on March 6, 1998, because the "contributed importantly" test of the Group Eligibility Requirements of the Trade Act was not met for workers at the subject firm producing everyday and seasonal greeting cards. The denial notice was published in the **Federal Register** on April 3, 1998 (63 FR 16,574).

On reconsideration, the Department conducted further survey analysis of the major declining customer of Sangamon, Incorporated. New survey information shows that the major declining customer has indirect import purchases of greeting cards while reducing purchases from the subject firm.

Statistics on greeting cards show aggregate U.S. imports increased in both quantity and value in 1996 and 1997.

#### **Conclusion**

After careful consideration of the new facts obtained on reopening, it is concluded that increased imports of articles like or directly competitive with greeting cards produced by the subject firm contributed importantly to the decline in sales and to the total or partial separation of workers of the subject firm. In accordance with the provisions of the Trade Act of 1974, I