

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-34,724]

**Nazdar, Chicago, IL; Notice of Affirmative Determination Regarding Application for Reconsideration**

By letter of August 26, 1998 the petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to petition number TA-W-34,724. The denial notice was signed on August 8 and published in the **Federal Register** on August 28, 1998 (63 FR 46073).

The petitioner alleges that the customer survey undertaken by the Department did not reflect declining customers and provided additional information which warrants reconsideration of the case.

**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, D.C. this 21st day of September, 1998.

**Grant D. Beale,***Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc. 98-27214 Filed 10-8-98; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-34,393]

**Norty's Incorporated, Kutztown, PA; Amended Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance on May 6, 1998, applicable to all workers of Norty's Incorporated, New York, New York. The notice was published in the **Federal Register** on May 29, 1998 (63 FR 29430).

At the request of the State agency, the Department reviewed the negative determination for workers of the subject firm. New findings show that the Department incorrectly identified the subject firm location. The investigation conducted for the subject firm was conducted on behalf of workers engaged in buying and reselling women's apparel located in Kutztown, Pennsylvania. New York, New York is the Administrative Services office of the subject firm and is not the subject of the investigation. The Department is amending the negative determination to correctly identify the city and state to read Kutztown, Pennsylvania.

**Conclusion**

After careful review, I determine that all workers of Norty's Incorporated, Kutztown, Pennsylvania are denied eligibility to apply for adjustment assistance under Section 222 of the Trade Act of 1974.

Signed at Washington, DC this 23rd day of September, 1998.

**Grant D. Beale,***Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc. 98-27216 Filed 10-8-98; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-34,779]

**Philadelphia, Bethlehem & New England Railroad, Bethlehem, PA; Notice of Revised Determination on Reopening**

On August 19, 1998, the Department issued a Negative Determination Regarding Eligibility to apply for worker adjustment assistance, applicable to workers and former workers of the Pennsylvania, Bethlehem & New England (PBNE) Railroad, Bethlehem, Pennsylvania. The notice was published in the **Federal Register** on September 10, 1998 (63 FR 48524).

By letter of September 8, 1998, the United Transportation Union requested administrative reconsideration regarding the Department's denial. New information provided by the Union and confirmed by the company indicates that the Philadelphia, Bethlehem & New England Railroad is a wholly owned subsidiary of Bethlehem Steel Corporation, and the railroad was

providing transportation services to the Coke Oven Division of the Bethlehem Steel Corporation. As stated in the August 19, 1998 Notice of Negative Determination, workers at Philadelphia, Bethlehem & New England Railroad "may be certified only if their separation was caused importantly by a reduced demand for their services from a parent company, a firm otherwise related to the subject firm by ownership, or a firm related by control." Further, "the reduction in demand for services must originate at a production facility whose workers independently meet the statutory criteria for certification, and the reduction must directly relate to the product impacted by imports."

Workers at Bethlehem Steel Corporation's Coke Oven Division in Bethlehem, Pennsylvania were certified eligible to apply for trade adjustment assistance on March 24, 1998 (TA-W-34,245). Workers at Philadelphia, Bethlehem & New England Railroad provided transportation services to the Bethlehem Coke Oven Division in Bethlehem, Pennsylvania. Thus, since there is an existing certification for eligibility for trade adjustment assistance benefits for workers at a production facility which is affiliated by ownership with the Pennsylvania, Bethlehem & New England Railroad, the test for certification has been met. The workers are not separately identifiable by product line.

**Conclusion**

After careful review of the additional facts obtained on reopening, I conclude that increased imports contributed importantly to the total or partial separation of workers of the Philadelphia, Bethlehem & New England Railroad, Bethlehem, Pennsylvania. In accordance with the provisions of the Act, I make the following certification:

All workers of the Philadelphia, Bethlehem & New England Railroad of Bethlehem, Pennsylvania, who became totally or partially separated from employment on or after July 13, 1997 are eligible to apply for worker adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC this 24th day of September 1998.

**Grant D. Beale,***Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc. 98-27211 Filed 10-8-98; 8:45 am]

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