denial notice was published in the **Federal Register** on March 9, 2005 (70 FR 11706).

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 group eligibility criteria for the ATAA program that the Department must consider under Section 246 of the Trade Act are:

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (*i.e.*, conditions within the industry are adverse).

The initial ATAA investigation determined that the skills of the subject worker group are easily transferable to other positions in the local area.

In the request for reconsideration, the petitioner alleges that the separated group of workers who are 50 years and older includes employees whose skills are very limited and not easily transferable to other positions.

The Department conducted additional investigation and contacted company official to determine workers' eligibility for ATAA. Based on the company official's statements it was revealed that there are several existing and new manufacturing facilities within the commuting area, which are in the process of hiring workers with skills similar to those possessed by the subject worker group. Consequently, the investigation confirmed that workers' skills are easily transferable to other companies.

**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 22nd day of March, 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5–1526 Filed 4–4–05; 8:45 am]

**BILLING CODE 4510–30–P**

---

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–56,808]**

### Hydro Gate Acquisition Company, Inc.; Commerce City, CO; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on March 24, 2005, in response to a worker petition filed by a company official on behalf of workers at Hydro Gate Acquisition, Inc., Commerce City, Colorado.

The Department issued a certification regarding eligibility to apply for worker adjustment assistance and alternative trade adjustment assistance relating to the petitioning group of workers on February 7, 2005 (TA–W–56,352). Consequently, further investigation would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 25th day of March 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5–1529 Filed 4–4–05; 8:45 am]

**BILLING CODE 4510–30–P**

---

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–56,683]**

### Intel Corporation, Hawthorn Farm 1, Hillsboro, OR; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on March 4, 2005 in response to a petition filed on behalf of workers at Intel Corporation, Hawthorn Farm 1, Hillsboro, Oregon.

The petitioners have requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 25th day of March, 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5–1527 Filed 4–4–05; 8:45 am]

**BILLING CODE 4510–30–P**

---

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–51,937 and TA–W–51,937A]**

### Magnequench UG, Valparaiso, Indiana; Including an Employee of Magnequench UG, Valparaiso, Indiana, Located in Morgan Hills, CA; Amended Notice of Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on July 16, 2003, applicable to workers of Magnequench UG, Valparaiso, Indiana. The notice was published in the **Federal Register** on August 5, 2003 (68 FR 46231).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that a worker separation occurred involving an employee of the Valparaiso, Indiana facility of Magnequench UG who was located in Morgan Hills, California. Mr. James Place provided sales support services for the production of permanent magnets at the Valparaiso, Indiana location of the subject firm.

Based on these findings, the Department is amending this certification to include an employee of the Valparaiso, Indiana facility of Magnequench UG located in Morgan Hills, California. The intent of the Department's certification is to include all workers of Magnequench UG, Valparaiso, Indiana, who were adversely affected by a shift in production to Mexico.

The amended notice applicable to TA–W–51,937 is hereby issued as follows:

All workers of Magnequench UG, Valparaiso, Indiana (TA–W–51,937), including an employee of Magnequench UG, Valparaiso, Indiana, located in Morgan Hills, California (TA–W–51,937A), who became totally or partially separated from employment on or after May 30, 2002, through July 16, 2005 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.