DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement

Request for Determination of Valid Existing Rights Within the Wayne National Forest; Correction

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of decision; correction.

SUMMARY: This notice announces a correction to a November 26, 1997 Federal Register notice (62 FR 63187) which announced the decision of the Office of Surface Mining Reclamation and Enforcement (OSM) on a request by Edward and Madeline Blair and Buckingham Coal Company, Inc. (Buckingham) for a determination of valid existing rights (VER) under section 522(e) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The required correction pertains to part VII of the notice, entitled “Appeals.”

FOR FURTHER INFORMATION CONTACT: Peter Michael, Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Coordinating Center, Room 218, Three Parkway Center, Pittsburgh, PA 15220. Telephone: (412) 937–2867. E-mail address: pmichael@osmre.gov.

SUPPLEMENTARY INFORMATION: In the Federal Register notice published on November 26, 1997 (62 FR 63187), Part VII in the decision stated:

Any person who is or may be adversely affected by this decision may appeal to the Interior Board of Land Appeals under 43 CFR 4.1390 et seq. [1988]. Notice of intent to appeal must be filed within 30 days from the date of publication of this notice of decision in a local newspaper with circulation in Perry County, Ohio.

However, 43 CFR 4.1391 states, in relevant part:

The request for review shall be filed within 30 days of the date of publication of notice in the Federal Register that a determination has been made for any person who has not received a copy by certified mail or overnight delivery service.

Accordingly, any person who is or may be adversely affected by the VER decision in this matter may appeal to the Interior Board of Land Appeals under 43 CFR 4.1390 et seq. [1988]. Notice of intent to appeal must be filed within 30 days of the date of publication of the notice of decision in the Federal Register, which was on November 26, 1997, by any person who has not received a copy by certified mail or overnight delivery service.

DEPARTMENT OF LABOR
Employment and Training Administration

Employment and Training Administration

[TA–W–33,715]
Brandon Apparel Group, Incorporated, Columbus, Wisconsin; Notice of Negative Determination on Reconsideration

On October 31, 1997, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The petitioner presented new evidence that the collection of information regarding company sales and imports was incomplete for the time period relevant to the investigation. The notice was published in the Federal Register on November 26, 1997 (62 FR 63193).

The Department initially denied TAA to workers of Brandon Apparel Group, Columbus, Wisconsin because the “contributed importantly” group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met. The workers at the subject firm were engaged in employment related to the production of children’s sports apparel. The layoffs at the Columbus plant were attributed to the corporate decision to close the subject plant and transfer all production to an affiliated domestic facility. Corporate-wide sales, production and imports increased from 1995 to 1996. Company imports, however, decreased as a percentage of company sales during this time.

On reconsideration, the Department requested that Brandon Apparel provide data for the January through July time periods of 1996 and 1997. Information provided by the company shows that corporate-wide sales and production increased from January through July 1997, compared to the January through July 1996 time period. During the same time period company imports declined.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Brandon Apparel Group, Columbus, Wisconsin.