

DEPARTMENT OF LABOR**Employment and Training
Administration**

[NAFTA-3554]

**Marathon Ashland Pipe Line LLC,
Bridgeport, IL; Notice of Negative
Determination Regarding Application
for Reconsideration**

By applications dated December 22, 1999 and January 3, 2000 Petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility for workers of the subject firm to apply for North American Free Trade Agreement—Transitional Adjustment Assistance (NAFTA—TAA). The denial notice applicable to workers of Marathon Ashland Pipe Line LLC, transporting crude oil and petroleum products via pipeline in Bridgeport, Illinois, was signed on December 2, 1999 and published in the **Federal Register** on December 28, 1999 (64 FR 72693).

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 petitioners assert that the workers in Bridgeport were gaugers for the subject firm and tested the oil before it could be transported into the pipeline. The petitioners also assert that the crude oil acquisition department of Marathon Oil Company (the parent company of the subject firm) worked directly with and set the perimeters for the acceptance or rejection of the crude oil. The petitioner also states that layoffs at the subject firm were caused by a reduced demand for services by the parent company.

The denial of NAFTA—TAA for workers of Marathon Ashland Pipe Line LLC, Bridgeport, Illinois, was based on the finding that the workers provided a service and did not produce an article within the meaning of Section 250(a) of the Trade Act of 1974, as amended. The petition investigation revealed that the primary reason for the worker layoffs

was attributable to the asset sale to another company.

Service workers may be certified for NAFTA—TAA only if there is a reduced demand for their services from a parent firm, a firm otherwise related to the subject firm by ownership, or a firm related by control. There are no NAFTA—TAA certifications for Marathon Oil Company workers.

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, D.C. this 16th day of February 2000.

Grant D. Beale,

*Program Manager, Division of Trade
Adjustment Assistance.*

[FR Doc. 00-6380 Filed 3-14-00; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[NAFTA-03741]

**McMoran Exploration Company
Culberson Mine, Pecos, Texas; Notice
of Termination of Investigation**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. 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 of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on February 15, 2000 in response to a petition filed on behalf of workers and former workers at the Culberson Mine of McMoRan Exploration Company, located in Pecos, Texas (NAFTA-03741).

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 28th day of February 2000.

Grant D. Beale,

*Program Manager, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[NAFTA-03476]

**Smurfit-Stone Container Corp.; a/k/a
Stone Container Corp.; El Paso, TX;
Amended Certification Regarding
Eligibility To Apply for NAFTA-
Transitional Adjustment Assistance**

In accordance with Section 250(A), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974 (19 U.S.C. 2273), the Department of Labor issued a Certification for NAFTA Transitional Adjustment Assistance on January 18, 2000, applicable to workers of Smurfit-Stone Container Corp., El Paso, Texas. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of non-corrugated folding boxes, a.k.a. paperboard. New information provided by the State shows that some of the claimants' wages are being reported under the Unemployment Insurance (UI) tax account for Stone Container Corp., El Paso, Texas.

The intent of the Department's certification is to include all workers of Smurfit-Stone Container Corp., who were adversely affected by increased imports.

Accordingly, the Department is amending the certification to cover the workers of Smurfit-Stone Corp., also known as Stone Container Corp., El Paso, Texas.

The amended notice applicable to NAFTA-03476 is hereby issued as follows:

"All workers of Smurfit-Stone Container Corp., also known as Stone Container Corp., El Paso, Texas who became totally or partially separated from employment on or after September 27, 1998 through January 18, 2002 are eligible to apply for NAFTA—TAA under Section 250 of the Trade Act of 1974."

Signed at Washington, D.C. this 7th day of February, 2000.

Grant D. Beale,

*Program Manager, Division of Trade
Adjustment Assistance.*

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