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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-38,470]

#### Plum Creek Timber, Pablo, MT; Notice of Revised Determination on Reconsideration

On June 25, 2001, the Department issued a Notice of Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on July 11, 2001 (66 FR 36332).

The initial petition investigation for workers at Plum Creek Timber Company, Pablo, Montana, TA-W-38,470, was denied based on the finding that customers of the subject firm did not increase import purchases of softwood dimension lumber.

The company's request for reconsideration stated the articles produced at the plant were one-inch boards, not softwood dimension lumber.

On reconsideration, the Department conducted another survey of Plum Creek Timber's customers regarding their purchases in 1998, 1999 and January through September 2000, of one-inch (1") boards and like or directly competitive products. The survey revealed that customers increased import purchases of one-inch boards while reducing purchases from Plum Creek Timber.

#### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with increased imports of articles like or directly competitive with one-inch boards, contributed importantly to the decline in sales or production and to the total or partial separation of workers of Plum Creek Timber Company, Pablo, Montana. In accordance with the provisions of the Act, I make the following revised determination:

All workers of Plum Creek Timber Company, Pablo, Montana, who became totally or partially separated from employment on or after December 4, 1999, through two years from the date of this issuance, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC this 26th day of September 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-38,698]

#### Powermatic Corporation, Walter Meyer Holding, AG, McMinnville, TN; Notice of Negative Determination Regarding Application for Reconsideration

By application of May 30, 2001, the United Steelworkers of America (USWA), District 9, requested administrative reconsideration of the Department's negative determination regarding worker eligibility to apply for trade adjustment assistance, applicable to workers of the subject firm. The denial notice was signed on April 6, 2001, and was published in the **Federal Register** on May 2, 2001 (66 FR 22006). 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 petition denial for the workers of Powermatic Corporation, Walter Meyer Holding, AG, McMinnville, Tennessee was denied based on the finding that criterion (2) of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. Sales and/or production at the plant did not decline.

The request for reconsideration states that the Union and workers are of the opinion that plant sales and/or production decreased absolutely. The USWA also asserts that the products produced at the plant have been adversely affected by the use of imported components.

In response to components being imported by the company, it was determined in the original investigation that the company sourced out all components to domestic producers and then assembled industrial wood-

working machinery at the plant. The components for the plants other product line (home-hobby) were always made in Taiwan and the end product assembled at the subject plant.

The USWA provided additional plant sales figures regarding the trends in sales for the time period corresponding to that of the initial investigation. The figures provided by the USWA depict increased sales similar to the period available during the original investigation.

Workers, the Union or company official may reapply for Trade Adjustment Assistance should conditions warrant.

#### 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 28th day of September 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,379, and TA-W-39,379A]

#### Savannah Luggage Works, Vidalia, GA, Savannah Luggage Works, Swainsboro, GA; Amended 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 August 23, 2001, applicable to workers of Savannah Luggage Works, Vidalia, Georgia. The notice was published in the **Federal Register** on September 11, 2001 (66 FR 47242).

At the request of the company, the Department reviewed the certification for workers of the subject firm. Information shows that worker separations occurred at the Swainsboro, Georgia location of the subject firm. Workers at the Swainsboro, Georgia location are engaged in the production of luggage.