

Signed in Washington, DC, this 26th day of July, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-17716 Filed 8-3-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA-W-53,527 and TA-W-53,527A]**

#### **Van Dorn Demag Corp., a Division of Demag Products Group, Strongsville, Ohio, Including Employees of Van Dorn Demag Corp., a Division of Demag Products Group, Strongsville, Ohio Located in Atlanta, Georgia; Amended Notice of Revised Determination on Reconsideration Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 Revised Determination on Reconsideration Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on February 5, 2004, applicable to workers of Van Dorn Demag Corporation, a division of Demag Products Group, Strongsville, Ohio. The notice was published in the **Federal Register** on February 24, 2004 (69 FR 8493).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. New information shows that workers were separated involving employees of the Strongsville, Ohio facility of Van Dorn Demag Corporation, a division of Demag Products Group located in Atlanta, Georgia. These employees provided sales support services for the production of plastic injection molding machinery at the Strongsville, Ohio location of the subject firm.

Based on these findings, the Department is amending this certification to include employees of the Strongsville, Ohio facility of Van Dorn Demag Corporation, a division of Demag Products Group, located in Atlanta, Georgia.

The intent of the Department's certification is to include all workers of Van Dorn Demag Corporation, a division of Demag Products Group, Strongsville, Ohio, who were adversely affected by increased imports.

The amended notice applicable to TA-W-53,527 is hereby issued as follows:

All workers of Van Dorn Demag Corporation, A Division of Demag Products Group, Strongsville, Ohio (TA-W-53,527), including employees of Van Dorn Corporation, A Division of Demag Products Group, Strongsville, Ohio, located in Atlanta, Georgia (TA-W-53,527A), who became totally or partially separated from employment on or after November 12, 2002, through February 5, 2006, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 21st day of July, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-17725 Filed 8-3-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA-W-54,952]**

#### **VF Intimates, LP, Johnstown, PA; 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 Certification of Eligibility to Apply for Worker Adjustment Assistance on June 15, 2004, applicable to workers of VF Intimates, LP, Johnstown, Pennsylvania. 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 ladies' intimate apparel.

New findings show that there was a previous certification, TA-W-40,563A, issued on March 5, 2002, for workers of Bestform, Inc., Johnstown Distribution Center, Johnstown, Pennsylvania, (Johnstown operation name was changed in January 2003 to VF Intimates, LP), who were engaged in employment related to the production and distribution of ladies' intimate apparel. That certification expired on March 5, 2004. To avoid an overlap in worker group coverage, the certification is being amended to change the impact date from May 18, 2003 to March 6, 2004, for workers of the subject firm.

The amended notice applicable to TA-W-54,952 is hereby issued as follows:

All workers of VF Intimates, LP, Johnstown, Pennsylvania, who became totally or partially separated from employment on or after March 6, 2004, through June 15, 2006, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 21st day of July, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-17717 Filed 8-3-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA-W-54,455]**

#### **Weirton Steel Corporation, Weirton, West Virginia; Notice of Negative Determination Regarding Application for Reconsideration**

By application of June 18, 2004, a company representative requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on May 14, 2004, and published in the **Federal Register** on June 2, 2004 (69 FR 31135).

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 TAA petition, which was filed on behalf of workers at Weirton Steel Corporation, Weirton, West Virginia engaged in the production of hot-rolled, cold-rolled, tin-plate and hot dipped, and electrolytic galvanized steel, was denied because the "contributed importantly" group eligibility requirement of section 222 of the Trade Act of 1974, as amended, was not met. The subject firm did not increase its reliance on imports of hot-rolled, cold-

rolled, tin-plate and hot dipped and electrolytic galvanized steel during the relevant time period, nor did they shift production to a foreign source. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers to determine the correlation between customers' increased reliance on imports and the subject firm's decreased sales during the relevant period. The investigation revealed that sales of hot-rolled, cold-rolled, tin-plate and hot dipped, and electrolytic galvanized steel at the subject firm increased from 2002 to 2003 and from January through February, 2004 compared with the same period in 2003. Even though the survey of the subject firm's major customers would have been irrelevant in this case, the Department conducted a survey of the subject firm's major customers regarding their purchases of competitive products in 2002, 2003, and January through February of 2004. The survey revealed that imports did not contribute importantly to layoffs at the subject firm.

In the request for reconsideration, the company representative requests to extend the period for investigation beyond the relevant time period in order to include the circumstances bearing evidence of sales declines and import impact, registered by the Department during a previous investigation which resulted in TAA certification granted to workers of the subject firm in April of 2002, TA-W-39,657.

The Department considers import impact in terms of the relevant period of the current investigation; therefore sales declines and import impact as established in a previous investigation that is outside the relevant period are irrelevant. The Department must conform to the Trade Act and associated regulations.

Should conditions change in the future, the company is encouraged to file a new petition on behalf of the worker group which will encompass an investigative period that will include these changing conditions.

### 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 in Washington, DC, this 23rd day of July, 2004.

**Elliott Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-17724 Filed 8-3-04; 8:45 am]

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### NUCLEAR REGULATORY COMMISSION

[Docket No. 030-05004]

### Notice of Consideration of Amendment Request To Decommission Northern States Power Company D.B.A. Xcel Energy Pathfinder Site at Sioux Falls, South Dakota, and Opportunity To Provide Comments and Request a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of a license amendment request and opportunity to provide public comments and request a hearing. Notice of Public Meeting.

**DATES:** Comments must be sent by September 3, 2004. A request for a hearing must be filed by October 4, 2004. Public meeting will be held on August 31, 2004.

#### FOR FURTHER INFORMATION CONTACT:

Chad Glenn, Project Manager, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-6722; fax (301) 415-5398; or email at [cjg1@nrc.gov](mailto:cjg1@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a license amendment to Byproduct Material License No. 22-08799-02 issued to Northern States Power Company D.B.A. Xcel Energy (the licensee), to authorize decommissioning of its Pathfinder Site in Minnehaha County, South Dakota, and to allow termination of this license.

On February 12, 2004, Xcel Energy submitted the Pathfinder Decommissioning Plan (DP) for NRC for review, approval, and incorporation by amendment in License 22-08799-02. A detailed NRC administrative review, documented in a letter to Xcel Energy, dated July 16, 2004, found the DP acceptable to begin a technical review.

If the NRC approves the DP, the approval will be documented in an amendment to NRC License No. 22-08799-02. However, before approving the proposed amendment, the NRC will need to make the findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment.

### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-220 and 50-410]

### Constellation Energy Group; Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License Nos. DPR-63 and NPF-69; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Individual notice; correction.

**SUMMARY:** This document corrects a notice appearing in the **Federal Register** on July 21, 2004 (69 FR 43633), that contained an incorrect Name of Attorney for the Applicant. This action is necessary to correct the Name of Attorney for the Applicant.

#### FOR FURTHER INFORMATION CONTACT:

Tommy Le, Project Manager, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-1458, e-mail: [nbl@nrc.gov](mailto:nbl@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On page 43633, in the first column, in the first paragraph, twenty-first line, the text should be corrected from "[Attorney for the Applicant: David R. Lewis, Esq., Shaw Pittman, 2300 N Street, NW, Washington, DC 20037]" to read "[Attorney for the Applicant: Kathryn M. Sutton, Esq., Winston & Strawn, 1400 L Street, NW., Washington, DC 20005-3502]"

Dated in Rockville, Maryland, this 28th day of July, 2004.

For the Nuclear Regulatory Commission.

**Samson S. Lee,**

*Acting Program Director, License Renewal and Environmental Impacts Program Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-17708 Filed 8-3-04; 8:45 am]

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