TA–W–50,378; NACCO Materials Handling Group, Inc., Lenoir, NC: December 12, 2001.
TA–W–50,365; Amital Spinning Corp., Wallace Plant, Wallace, NC: December 12, 2001.
TA–W–50,243; Worthington Steel, Jackson, MI: November 26, 2001.
TA–W–50,263; OMG Fidelity, Inc., a wholly owned subsidiary of The OM Group, Inc., Newark, NJ: December 4, 2002.

The following certifications have been issued. The requirements of (a)(2)(B) (shift in production) of Section 222 have been met.

TA–W–50,107; Optek Technology, Inc., Carrollton, TX: November 13, 2001.
TA–W–50,465; J.B. Tool and Machine, Inc., Wapakoneta, OH: December 31, 2001.
TA–W–50,207; Dana Corp., Commercial Vehicle Systems Div., Morganton, NC: November 19, 2001.
TA–W–50,104; Thermodisc, Inc., London, KY: November 14, 2001.
TA–W–50,063; Valeo Electrical Systems, Inc., Rochester, NY: November 6, 2001.
TA–W–50,574; Snap-On Diagnostics, Ekhorn, WI: January 15, 2002.
TA–W–50,573; Friwo-EMC, Inc., Colorado Springs, CO: November 18, 2001.
TA–W–50,397; Clorox Products Manufacturing Co., a wholly owned subsidiary of The Clorox Co., including leased workers of Kelly Services, Londonderry, NH: December 17, 2001.
TA–W–50,369; Akzo Nobel Polymer Chemicals LLC, a wholly owned subsidiary of Akzo Nobel, Burt, NY: December 10, 2001.
TA–W–50,339; Tower Automotive, Inc., Milwaukee, WI: December 9, 2001.

The following certification has been issued. The requirement of upstream supplier to trade certified primary firm has been met.

TA–W–50,395; Delafoil Ohio, Inc., Perrysburg, OH: December 18, 2001.
TA–W–50,395A; Delafoil Ohio, Inc., Pottstown, PA: January 7, 2002.

Also, 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), Subchaper D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA–TAA issued during the month of January, 2003.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA–TAA the following group eligibility requirements of Section 250 of the Trade Act must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA–TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

NAFTA–TAA–06312; Delphi Energy and Chassis, Dayton, OH.
NAFTA–TAA–07596; La Grange Foundry, Inc., La Grange, MO

Affirmative Determinations NAFTA–TAA

NAFTA–TAA–07614; Interlake Material Handling, Inc., Pontiac Manufacturing Plant, Pontiac, IL: February 10, 2001.

I hereby certify that the aforementioned determinations were issued during the months of January, 2003. Copies of these determinations are available for inspection in Room C–5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: January 31, 2003.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 03–4269 Filed 2–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–41,880]

Affiliated Building Services, Biscoe, North Carolina; Notice of Negative Determination Regarding Application for Reconsideration

By application dated October 2, 2002, a company official 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 applicable to workers of Affiliated Building Services, Biscoe, North Carolina was signed on September 9, 2002, and published in the **Federal Register** on September 27, 2002 (67 FR 61160).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The TAA petition was filed on behalf of workers at Affiliated Building Services, Biscoe, North Carolina engaged in activities related to the maintenance of building systems (heating, cooling, air compressors). The petition was denied because the petitioning workers did not produce an article within the meaning of Section 222(3) of the Act.

To support its request for reconsideration, the petitioners provided a more detailed description of the functions performed at the subject facility.

A review of the job duties and their relationship to production of products revealed that the expanded description did not vary from the functions described in the initial investigation: maintenance of building systems, including heating, cooling and air compressors.

Only in very limited instances are service workers certified for TAA, namely the worker separations must be caused by a reduced demand for their services from a parent or controlling firm or subdivision whose workers

produce an article and who are currently under certification for TAA.

In conclusion, the petitioning workers at the subject firm did not produce an article within the meaning of Section 222(3) of the Trade Act of 1974, nor were separations caused by a reduced demand for their services from a parent or controlling firm or subdivision whose workers produced an article and who are currently under certification for TAA.

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 11th day of February, 2003.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 03–4286 Filed 2–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–41,987]

Alcoa Wenatchee Works, A Division of Alcoa, Inc., Malaga, WA; Notice of Negative Determination Regarding Application for Reconsideration

By application dated November 18, 2002, the Wenatchee Aluminum Trade Council requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The Notice of Termination of Investigation was signed on October 18, 2002 and published in the **Federal Register** on November 5, 2002 (67 FR 67423).

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 for the workers of Alcoa Wenatchee Works, a division of Alcoa, Inc., Malaga, Washington engaged in the production of aluminum was terminated based on the plant ceasing production of aluminum in July 2001, more than one year prior to the August 1, 2002, date of the petition.

The petitioner on reconsideration questions the exact findings that the facility ceased production in July 2001.

The Department of Labor's Notice of Negative Determination Regarding Application for Reconsideration pertains to the impacted worker group producing aluminum cited in the petition. It was determined that the company ceased production of aluminum on July 1, 2001, more than one year prior to the date of the petition, August 1, 2002. Contact with the company confirmed that production of aluminum ceased on July 1, 2001. As such, layoffs occurring after August 1, 2001 cannot be attributable to the cessation of aluminum production as it had already occurred at least one month earlier.

The petitioners also infer that we erred in our use of Section 223(b)(1) referencing it to the ceased production date.

We do not agree that there was an error made in our use of Section 223(b)(1). The termination notice states ''Section 223(b)(1) of the Trade Act of 1974 provides that a TAA certification may not apply to a worker whose separation from employment occurred more than one year prior to the date the petition was filed on behalf of affected workers.'' As noted above, since production ceased more than a year prior to the petition date, workers separated subsequent to July 2001 would not have been engaged in the production of aluminum when separated.

The petitioner on reconsideration further indicates that they are asking for reconsideration of laid-off workers after August 1, 2001.

The initial investigation addressed the group of workers as stated in the petition and thus the investigation was conducted for the workers engaged in the production of aluminum. In conducting the initial investigation the Department was aware that the plant remained open due to a contract agreement that required that Alcoa maintain at least 400 employees. The Department was also aware that a portion of the workforce began producing carbon anode blocks for another Alcoa Aluminum plant, while that plant rebuilds their anode baking facility. The carbon blocks act as a sacrificial anode in the aluminum production process, so most of the aluminum smelters, including Wenatchee Works, have such a production facility. The major contributing factor leading to the layoffs at the subject firm was the curtailment of aluminum production. Neither of the activities as described above led to the aluminum worker layoffs for which the investigation was conducted. In any event, if employment declines or threat of layoffs occurred relating to the worker groups engaged in the production of carbon blocks and/or electricity, a petition for Trade Adjustment Assistance may be filed on their behalf.

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 11th day of February 2003.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 03–4287 Filed 2–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–41,872]

Breed Technologies Incorporated, Knoxville, TN; Notice of Negative Determination Regarding Application for Reconsideration

By application of October 30, 2002, the Union of Needletrades, Industrial & Textile Employees, Tennessee/Kentucky District, requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on September 24, 2002, and published in the **Federal Register** on October 10, 2002 (67 FR 63159).

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;