

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-37,047]

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

By application dated December 16, 1999, a representative for one of the petitioners (herein after referred to as the petitioner) requested administrative reconsideration of the Department's negative determination regarding eligibility for workers of the subject firm to apply for worker adjustment assistance. 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 72691).

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 denial of 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 as required by Section 222(3) of the Trade Act of 1974, as amended.

The petitioner asserts that the workers in Bridgeport were gaugers for the subject firm and tested the oil before it could be transported into the pipeline. The petitioner also asserts that the crude oil acquisition department of Marathon Oil Company (the parent company of the subject firm) worked directly with and set the perimeter for the acceptance or rejection of the crude oil.

The 1988 Omnibus Trade and Competitiveness Act amendments to the Trade Act of 1974 extended coverage to service workers engaged in exploration and drilling for crude oil and natural gas. The same consideration cannot be given to those workers engaged in employment related to the transmission of crude oil or natural gas after drilling.

The petitioner also states that layoffs at the subject firm were caused by a reduced demand for services by the parent company.

Service workers may be certified for 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. Although there have been TAA certifications for some Marathon Oil Company workers, the subject firm did not serve the locations under existing certification.

Findings in the initial investigation but not elaborated on in the decision document showed that worker separations were the result of the sale of the subject firm assets to another company.

Conclusion

After review of the application and investigative finds, 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 11th day of February 2000.

Grant D. Beale,

*Program Manager, Division of Trade
Adjustment Assistance.*

[FR Doc. 00-4131 Filed 2-18-00; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-36,947]

**Smurfit-Stone Container Corp., A/K/A
Stone Container Corp, El Paso, Texas;
Amended Certification Regarding
Eligibility To Apply for Worker
Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker 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 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 TA-W-36,947 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 adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 11th day of February, 2000.

Grant D. Beale,

*Program Manager, Division of Trade
Adjustment Assistance.*

[FR Doc. 00-4126 Filed 2-18-00; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration****Investigations Regarding Certifications
of Eligibility To Apply for Worker
Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than March 3, 2000.

Interested persons are invited to submit written comments regarding the

subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than March 3, 2000.

The petitions filed in this case are available for inspection at the Office of

the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

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

Grant D. Beale,
Program Manager, Division of Trade Adjustment Assistance.

Appendix

PETITIONS INSTITUTED ON 02/07/2000

TA-W	Subject firm (Petitioners)	Location	Date of petition	Product(s)
37,301	Western Moulding Co (Comp)	Snowflake, AZ	01/28/2000	Raw Lumber.
37,302	Schmalbach Lubeca Plastic (Comp)	Novi, MI	01/20/2000	Plastic Bottles.
37,303	Motor Coils Manufacturing (Wrks)	Emporium, PA	01/18/2000	Rebuilt Traction Motor Armature and Coil.
37,304	Nova Bus (Wrks)	Roswell, NM	01/11/2000	Busses.
37,305	Kemmer Prazision (Wrks)	Janesville, WI	01/21/2000	Carbide Drills.
37,306	Ordociian Association (Comp)	Midland, TX	01/21/2000	Provide Geologic and Engineering Info.
37,307	Vivid Publishing, Inc (Wrks)	Montoursville, PA	01/19/2000	State Waterway Maps.
37,308	Tweco Products (Comp)	Wichita, KS	01/28/2000	Welding Accessories.
37,309	Wharton Knitting/Rita (Comp)	Ridgewood, NY	01/20/2000	Men's and Ladies' Sweaters.
37,310	Boyt Harness Co LLC (Wrks)	Arlington, SD	01/18/2000	Gun Cases and Men's Hunting Sports-wear.
37,311	Gale River Designs (Wrks)	Franconia, NH	01/26/2000	Ladies' Evening Dresses, Tops.
37,312	Florence Eiseman, Inc (Wrks)	Milwaukee, WI	01/18/2000	Girls Dresses, Coats and Baby Clothes.
37,313	PacifiCorp (Wrks)	Portland, OR	01/12/2000	Electricity.
37,314	Shell Chemical Co (Comp)	Apple Grove, WV	01/12/2000	Polyester Resins.
37,315	Jantzen, Inc (Wrks)	Vancouver, WA	01/25/2000	Swimwear.
37,316	Lower Umpqua Federal (Comp)	Reedsport, OR	01/20/2000	Credit Union Services.
37,317	Sewell Clothing Co., Inc (Comp)	Bremen, GA	01/26/2000	Men's Dress Pants.
37,318	Grifel and Lobel (Wrks)	New York, NY	01/10/2000	Buttons.
37,319	Furon Co (Comp)	Laguna Niguel, CA	01/17/2000	Develop and Mfr Highly Engineered Products.
37,320	Coats American (Comp)	Bristol, RI	01/07/2000	Industrial Sewing Thread.
37,321	Cedarbrook Mfg Corp (Wrks)	Philadelphia, PA	01/29/2000	Decorative Metal Accent Furniture.
37,322	Herbert Grossman Ent. Inc (UNITE)	New York, NY	01/26/2000	Ladies' Suits.
37,323	Durashield USA (Wrks)	Sunbury, OH	01/28/2000	Baking Pans and Cookwear.
37,324	Williamson Co (The) (Wrks)	Fairfield, IL	01/26/2000	Lumber.
37,325	Surrett International (Wrks)	Galesburg, IL	01/24/2000	Plastic Pond Liners.
37,326	Monterey, Inc (UNITE)	Janesville, WI	01/25/2000	Fake Fur Fabrics.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-36,623]

Interplast Universal Industries, Lodi, New Jersey; Notice of Revised Determination on Reconsideration

On December 6, 1999, the Department issued an Affirmative Determination Regarding Application for Reconsideration applicable to workers of the subject firm. The petitioners presented information that warranted further examination of imports of articles competitive with the expanded vinyl produced by workers of Interplast Universal Industries. The notice was published in the **Federal Register** on December 23, 1999 (64 FR 72104).

The Department initially denied TAA to workers producing expanded vinyl at

Interplast Universal Industries located in Lodi, New Jersey, based on the finding that the "contributed importantly" test of the worker group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. The investigation revealed that the company did not import, nor where significant customer imports of expanded vinyl in the relevant time period. Some customers reported increased imports of finished articles produced with expanded vinyl. Imports of finished articles, however, cannot be considered like or directly competitive with the expanded vinyl produced by the Interplast Universal Industries workers.

The petitioners claim that the subject firm imported expanded vinyl from India. The petitioners further add that a foreign source is supplying expanded vinyl to former customers of Interplast Universal Industries.

New information obtained on reconsideration revealed that the subject did purchase indirect imports of

expanded vinyl from foreign sources during the time period relevant to the investigation.

Conclusion

After careful review of the new facts obtained on reconsideration, it is concluded that increased imports of articles like or directly competitive with expanded vinyl produced by the subject firm contributed importantly to the decline in sales and to the total or partial separation of workers of the subject firm. In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

All workers of Interplast Universal Industries, Lodi, New Jersey, who became totally or partially separated from employment on or after July 19, 1998, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.