

Dated: January 6, 2003.

**Edward A. Tomchick**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 03-804 Filed 1-14-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,976]

#### **Black and Decker, North American Power Tools, Including Leased Workers of Employment Control, Inc., Easton, Maryland; 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 October 10, 2002, applicable to workers of Black and Decker, North American Power Tools, Easton, Maryland. The notice was published in the **Federal Register** on November 5, 2002 (67 FR 67422).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. Information provided by the State shows that leased workers of Employment Control, Inc. were employed at Black and Decker, North American Power Tools to produce corded power tools as well as provide administrative support service for the production of corded power tools at the Easton, Maryland location of the subject firm.

Based on these findings, the Department is amending the certification to include leased workers of Employment Control, Inc. employed at Black and Decker, North American Power Tools, Easton, Maryland.

The intent of the Department's certification is to include all workers of Black and Decker, North American Power Tools who were adversely affected by increased imports and a shift in production to Mexico.

The amended notice applicable to TA-W-41,976 is hereby issued as follows:

All workers of Black and Decker, North American Power Tools, Easton, Maryland, engaged in production of corded power tools, including leased workers of Employment Control, Inc. engaged in employment related to the production of corded power tools at Black and Decker, North American Power Tools, Easton, Maryland who became totally

or partially separated from employment on or after August 1, 2001, through October 10, 2004, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 8th day of January, 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-807 Filed 1-14-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,581 and TA-W-41,581A]

#### **The Cincinnati Gear Company, Cincinnati, Ohio, and the Cincinnati Gear Company, Erlanger, Kentucky; 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 November 22, 2002, applicable to workers of The Cincinnati Gear Company, Cincinnati, Ohio. The notice was published in the **Federal Register** on December 23, 2002 (67 FR 78252).

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of gears and transmissions.

New findings show that worker separations occurred at the Erlanger, Kentucky facility of The Cincinnati Gear Company. The workers were engaged in the production of gears and transmissions and the final assembly of the entire unit until all production ceased in May 2002.

Accordingly, the Department is amending the certification to cover workers at The Cincinnati Gear Company, Erlanger, Kentucky.

The intent of the Department's certification is to include all workers of The Cincinnati Gear Company who were adversely affected by increased imports and to also correctly identify the name of the subject firm to read The Cincinnati Gear Company.

The amended notice applicable to TA-W-41,581 is hereby issued as follows:

All workers of The Cincinnati Gear Company, Cincinnati, Ohio (TA-W-41,581), and Erlanger, Kentucky (TA-W-41,581A), who became totally or partially separated from employment on or after May 1, 2001,

through November 22, 2004, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington DC, this 2nd day of January, 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-809 Filed 1-14-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-50,069]

#### **L.W. Packard & Co., Inc. Ashland, New Hampshire; 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 November 29, 2002, applicable to workers of L.W. Packard & Co., Inc., Ashland, New Hampshire. The notice was published in the **Federal Register** on December 23, 2002 (67 FR 78258).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. Findings show that the Department issued certification coverage to all workers of the subject firm's Ashland, New Hampshire location.

The investigation conducted for the subject firm was conducted on behalf of workers producing woolen fabrics for ladies' and men's coats. The investigation revealed that customer imports of woolen fabrics increased while sales, production and employment declined during the period of the investigation.

Information provided by the State also shows that workers of the subject firm have ceased production of woolen fabrics. Workers currently employed at the facility perform other services and are separately identifiable from workers who produced woolen fabrics.

Based on these findings, the Department is amending the certification to cover all workers of L.W. Packard & Co., Inc., Ashland, New Hampshire, engaged in employment related to the production of woolen fabrics.

It is the intent of the Department to include all workers engaged in employment related to the production of woolen fabric of L.W. Packard & Co., Inc. Ashland, New Hampshire adversely

affected by increased imports of woolen fabrics.

The amended notice applicable to TA-W-50,069 is hereby issued as follows:

All workers of L.W. Packard & Co., Inc., Ashland, New Hampshire, engaged in employment related to the production of woolen fabrics, who became totally or partially separated from employment on or after November 8, 2001, through two years from the date of the original certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 2nd day of January 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-806 Filed 1-14-03; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,418]

#### RHO Industries, Buffalo, New York; Notice of Negative Determination Regarding Application for Reconsideration

By application of July 29, 2002, the Union of Needletrades Industrial and Textile Employees, Rochester Regional Joint Board 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 RHO Industries, Buffalo, New York was issued on June 28, 2002, and was published in the **Federal Register** on July 18, 2002 (67 FR 47400).

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 investigation findings revealed that criterion (3) of the group eligibility requirements of section 222 of the Trade Act of 1974 was denied because the "contributed importantly" group eligibility requirement of section 222(3)

of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the subject firm. The company did not import chest piece inter-linings during the relevant period. The workers produced chest piece inter-linings.

The request for reconsideration alleges that the company went out of business since they could not raise prices due to alleged foreign competition undercutting the company's prices.

A review of data supplied during the initial investigation shows that the company was not impacted by imports of chest piece inter-linings. The company and a major declining customer that accounted for virtually all of the company's sales did not import chest piece inter-linings during 2000 through March 2002.

The allegation that the company could not raise prices, due to foreign competition undercutting the firms price is not relevant to meeting the eligibility requirements of section 223 of the Trade Act of 1974.

#### 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 6th day of January 2003.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 03-805 Filed 1-14-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,469 and TA-W-41,469A]

#### Telect, Liberty Lake, Washington, Including Employees of Telect Located in Illinois; 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

August 19, 2002, applicable to workers of Telect, Liberty Lake, Washington. The notice was published in the **Federal Register** on September 10, 2002 (67 FR 57453).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations occurred involving employees of the Liberty Lake, Washington facility of Telect located in Illinois. These employees provided sales function services for the production of fiber optic patchcords and pigtailed at the Liberty Lake, Washington location of the subject firm.

The intent of the Department's certification is to include all workers of Telect who were adversely affected by increased imports.

The amended notice applicable to TA-W-41,469 is hereby issued as follows:

All workers of Telect, Liberty Lake, Washington (TA-W-41,469), including employees of Telect, Liberty Lake, Washington, located in Illinois (TA-W-41,469A), who became totally or partially separated from employment on or after April 16, 2001, through August 19, 2004, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 18th day of December, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-808 Filed 1-14-03; 8:45 am]

**BILLING CODE 4510-30-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-272 and 50-311]

### PSEG Nuclear LLC; Salem Nuclear Generating Station, Unit Nos. 1 and 2 Exemption

#### 1.0 Background

PSEG Nuclear LLC (PSEG or the licensee) is the holder of Facility Operating License Nos. DPR-70 and DPR-75 which authorize operation of the Salem Nuclear Generating Station, Unit Nos. 1 and 2 (Salem), respectively. The licenses provide, among other things, that the Salem Nuclear Generating Station, Unit Nos. 1 and 2 are subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The facility consists of two pressurized-water reactors located in Salem County, New Jersey.