

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-52,717]

**PSC Metals, Inc., Cleveland, OH;
Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on September 2, 2003, in response to a petition filed by a company official on behalf of workers at PSC Metals, Inc., Cleveland, Ohio.

This petitioning group of workers is covered by an earlier petition filed on August 26, 2003 (TA-W-52,684) that is the subject of an ongoing investigation for which a determination has not yet been issued. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 10th day of September 2003.

Elliott S. Kushner,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

[FR Doc. 03-25729 Filed 10-9-03; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-52,177]

**Redman Knitting Inc., Ridgewood, New
York; Notice of Negative Determination
Regarding Application for
Reconsideration**

By application of September 2, 2003, a worker 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 July 29, 2003, and published in the **Federal Register** on August 14, 2003 (68 FR 48643).

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 petition for the workers of Redman Knitting Inc., Ridgewood, New York 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 customers of the workers' firm. The survey revealed that none of the respondents increased their purchases of imported knitted fabric.

The worker states that the production of knitted fabric made at the subject firm was used by customer(s) for production of knitted sweaters, and that customer(s) are now importing completed sweaters.

Contact with a company official confirmed that major declining customer(s) of the subject firm are importing completed sweaters. However, imports of sweaters are not "like or directly competitive" with the product produced (knitted fabric) by the subject firm. Therefore, customer imports in this case are not relevant in meeting the eligibility requirement of Section 222(3) of the Trade Act of 1974 under primary impact.

Further, major declining customer(s) of the subject firm are not certified for TAA, thus the subject firm workers are not eligible under secondary impact.

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 25th day of September 2003.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

[FR Doc. 03-25708 Filed 10-9-03; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-51,361]

**Sisiutl Fisheries, Kodiak, AK; Notice of
Revised Determination
Reconsideration**

By letter of April 24, 2003, the company official requests administrative reconsideration of the Department's Negative Determination

Regarding Eligibility for workers and former workers of Sisiutl Fisheries, Kodiak, Alaska to apply for worker adjustment assistance, under petition number TA-W-51,361. The notice was issued on April 16, 2003, and published in the **Federal Register** on May 1, 2003 (68 FR 23322).

The initial petition was denied because the investigation found that the subject firm did not meet the group eligibility requirements of a primary firm under Section 222(a) of the Trade Act of 1974, as amended. The subject firm did not import fresh or chilled salmon, nor did Sisiutl Fisheries, Kodiak, Alaska shift production abroad. Furthermore, the firm's major declining customer increased its reliance on domestic purchases of fresh or chilled salmon during the relevant time period.

The petitioner states that the workers of Sisiutl Fisheries, Kodiak, Alaska, are secondarily affected because they lost at least 20 percent of their business with a salmon processor whose workers were certified eligible to apply for trade adjustment assistance.

Reconsideration findings show that the TAA petition form indicated that workers of the subject firm were secondarily affected. The company official clarified the customer information that was provided during the investigation. This new information supports the petitioner's claim that workers of Sisiutl Fisheries, Kodiak, Alaska, lost at least 20 percent of its sales to a salmon processor whose workers were certified eligible to apply for trade adjustment assistance.

Conclusion

In accordance with the provisions of the Act, I make the following revised determination:

All workers of Sisiutl Fisheries, Kodiak, Alaska, who became totally or partially separated from employment on or after March 21, 2002, through two years from the date of the certification, are eligible to apply for worker adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC this 25th day of September, 2003.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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