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**Ronald Gluck,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 04-2977 Filed 2-10-04; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

In accordance with Departmental Policy, 28 U.S.C. 50.7, notice is hereby given that on January 29, 2004, a proposed Consent Decree in *United States Exelon v. Mystic*, Civil Action No. 04-10213-PBS, was lodged with the United States District Court for the District of Massachusetts.

In this action the United States, on behalf of the United States Environmental Protection Agency ("EPA"), filed a complaint against Exelon Mystic alleging various violations of the Clean Air Act and the Massachusetts State Implementation Plan, concerning Exelon Mystic's power plant located in Everett, Massachusetts. Under the terms of the proposed settlement, Exelon Mystic will pay a civil penalty of \$1 million and fund Supplemental Environmental Projects providing environmental benefits for the greater Boston area at a cost in excess of \$5.1 million.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States Exelon v. Mystic*, D.J. Ref. 90-5-2-1-07948.

The Consent Decree may be examined at the Office of the United States Attorney, District of Massachusetts, 1 Courthouse Way, Boston, Massachusetts 02210, and at the United States Environmental Protection Agency, Region I—New England, One Congress Street, Boston, Massachusetts 02114. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by

faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$10.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald Gluck,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 04-2979 Filed 2-10-04; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Application

Pursuant to § 1301.33(a) of title 21 of the Code of Federal Regulations (CFR), this is notice that on April 9, 2003, American Radiolabeled Chemical, Inc., 104 ARC Drive, St. Louis, Missouri 63146, made application by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Amphetamine (1100) .....	II
Methamphetamine (1105) .....	II
Phenylacetone (8501) .....	II

The firm plans to bulk manufacture small quantities of the listed controlled substances as radiolabeled compounds.

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the proposed registration.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: Federal Register Representative, Office of Chief Counsel (CCD) and must be filed no later than April 12, 2004.

Dated: January 16, 2004.

**Laura M. Nagel,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. 04-2951 Filed 2-10-04; 8:45 am]

**BILLING CODE 4410-09-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Bureau of International Labor Affairs; U.S. National Administrative Office; North American Agreement on Labor Cooperation; Notice of Determination Regarding Review of U.S. Submission #2003-01

**AGENCY:** Office of the Secretary of Labor.

**ACTION:** Notice.

**SUMMARY:** The U.S. National Administrative Office (NAO) give notice that on February 5, 2004, U.S. Submission #2003-01 was accepted for review. The submission was filed with the NAO on September 30, 2003, by the U.S.-based United Students Against Sweatshops (USAS) and the Mexico-based Centro de Apoyo al Trabajador (CAT). An amendment to the submission was filed by the submitters on November 10, 2003. The submitters allege that the Government of Mexico has failed to fulfill its obligations under the North American Agreement on Labor Cooperation (NAALC) to effectively enforce its labor law in connection with freedom of association and protection of the right to organize, the right to bargain collectively, minimum employment standards, occupational safety and health, and access to fair, equitable and transparent labor tribunal proceedings related to events at two garment manufacturing plants located in the State of Puebla, Mexico.

Article 16(3) of the NAALC provides for the review of labor law matters in Canada and Mexico by the NAO. The objectives of the review of the submission will be to gather information to assist the NAO to better understand and publicly report on the Government of Mexico's compliance with the obligations set forth in the NAALC.

**EFFECTIVE DATE:** February 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Lewis Karesh, Acting Secretary, U.S. National Administrative Office, U.S. Department of Labor, 200 Constitution Avenue, NW., Room S-5205, Washington, DC 20210. Telephone: (202) 693-4900 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** On September 30, 2003, U.S. Submission #2003-01 was filed by the United States Against Sweatshops (USAS) and the Centro de Apoyo al Trabajador (CAT) under the North American Agreement on Labor Cooperation (NAALC) concerning the enforcement of labor law by the Government of Mexico. An amendment to the submission was filed

by the submitters on November 10, 2003. The submission focuses on events at Matamoros Garment S.A. de C.V. and Tarrant México located in the State of Puebla, Mexico.

The submitters allege that the Government of Mexico has failed to fulfill its obligations under the NAALC to effectively enforce its labor law under Article 3 in connection with freedom of association and protection of the right to organize, the right to bargain collectively, minimum employment standards, occupational safety and health, and Article 4 and 5 on access to fair, equitable and transparent labor tribunal proceedings.

The submission focuses on union organizing attempts by workers at both Matamoros Garment S.A. de C.V. and Tarrant México, allegedly hindered by the Government of Mexico, specifically the Puebla Conciliation and Arbitration Board, due to its failure to provide a fair union registration process. Allegations also include failure to pay minimum wages, back wages, and severance compensation; forced overtime; illegal suspensions and layoffs; and unsanitary conditions in the factories' cafeterias and bathrooms. The submitters assert that the Government of Mexico has repeatedly failed to fulfill its obligations under Part 2 of the NAALC to effectively enforce its labor law.

The Procedural Guidelines for the NAO, published in the **Federal Register** on April 7, 1994, 59 FR 16660, specify that, in general, the Secretary of the NAO shall accept a submission for review if it raises issues relevant to labor law matters in Canada or Mexico and if a review would further the objectives of the NAALC.

U.S. Submission #2003-01, which alleges that Mexico has failed to effectively enforce its labor law under Articles 3, 4, and 5, relates to labor law matters in Mexico. A review would further the objectives of the NAALC, as set out in Article 1 of the NAALC, among them improving working conditions and living standards in each Party's territory, promoting the NAALC's labor principles, and encouraging publication and exchange of information, data development, and coordination to enhance mutually beneficial understanding of the laws and institutions governing labor in each Party's territory.

Accordingly, this submission has been accepted for review under Section G of the NAO Procedural Guidelines.

The NAO's decision is not intended to indicate any determination as to the validity or accuracy of the allegations contained in the submission. The objectives of the review will be to gather

information to assist the NAO to better understand and publicly report on the issues of freedom of association and protection of the right to organize, the right to bargain collectively, minimum employment standards, occupational safety and health, including the Government of Mexico's compliance with the obligations agreed to under Articles 3, 4, and 5 of the NAALC. The review will be completed, and a public report issued, within 120 days, or 180 days if circumstances require an extension of time, as set out in the Procedural Guidelines of the NAO.

Signed at Washington, DC, on February 5, 2004.

**Lewis Karesh,**

*Acting Secretary, U.S. National Administrative Office.*

[FR Doc. 04-2900 Filed 2-10-04; 8:45 am]

**BILLING CODE 4510-28-M**

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-50,953]

#### **Advanced Energy, Including Leased Workers of Adecco, Voorhees, New Jersey; 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 April 28, 2003, applicable to workers of Advanced Energy, Voorhees, New Jersey. The notice was published in the **Federal Register** on May 9, 2003 (68 FR 25061).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that leased workers of Adecco were employed at Advanced Energy to produce radio frequency power generation equipment at the Voorhees, New Jersey location of the subject firm.

Based on these findings, the Department is amending this certification to include leased workers of Adecco working at Advanced Energy, Voorhees, New Jersey.

The intent of the Department's certification is to include all workers employed at Advanced Energy who were adversely affected by a shift in production to China.

The amended notice applicable to TA-W-50,953 is hereby issued as follows:

All workers of Advanced Energy, Voorhees, New Jersey, and leased workers of

Adecco producing radio frequency power generation equipment at Advanced Energy, Voorhees, New Jersey, who became totally or partially separated from employment on or after February 19, 2002, through April 28, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC this 22nd day of January, 2004.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-248 Filed 02-10-04; 8:45 am]

**BILLING CODE 4510-13-P**

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,161]

#### **ATC Distribution Group, McKees Rocks, PA; Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at ATC Distribution Group, McKees Rocks, Pennsylvania. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

*TA-W-53,161; ATC Distribution Group  
McKees Rocks, Pennsylvania  
(January 23, 2003)*

Signed at Washington, DC this 5th day of February 2004.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 04-3011 Filed 2-10-04; 8:45 am]

**BILLING CODE 4510-30-P**

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,023]

#### **Cardinal Glass Industries, Inc., Sextonville, WI; Notice of Affirmative Determination Regarding Application for Reconsideration**

By letter of December 17, 2003, a petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment