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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-50,530]

#### PHB Tool and Die, Girard, Pennsylvania; Notice of Revised Determination on Reconsideration

By application of February 28, 2003, the company requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination issued on February 13, 2003, based on the finding that criteria (a)(2)(A) (I.C.) and (a)(2)(B) (II.B) were not met. The denial notice was published in the **Federal Register** on March 10, 2003 (68 FR 11409).

To support the request for reconsideration, the company provided additional information that their sole customer, PHB Die Casting, Fairview, Pennsylvania had recently been certified for trade adjustment assistance (TA-W-42,331).

Upon examination of the data supplied by the applicant, it became apparent that PHB Tool and Die workers provided molds and dies used in the production of die castings at an affiliated certified facility (PHB Die Casting, Fairview, Pennsylvania).

#### Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that increased imports of articles like or directly competitive with those produced at an affiliated TAA certified firm contributed importantly to the declines in the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

Workers of PHB Tool and Die, Girard, Pennsylvania, who became totally or partially separated from employment on or after January 8, 2002 through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 17th day of April, 2003.

**Elliott S. Kushner**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,451]

#### Powerex, Inc., Youngwood, Pennsylvania; Notice of Revised Determination on Reconsideration

By application of December 5, 2002, the company requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination issued on November 4, 2002, based on the finding that imports of rectifiers and thyristors did not contribute importantly to worker separations at the subject firm plant. The denial notice was published in the **Federal Register** on November 22, 2002 (67 FR 70460).

To support the request for reconsideration, the petitioner supplied additional information to supplement that which was gathered during the initial investigation. Upon further review and contact with two major declining customers, it was revealed that these customers either increased their imports absolutely or increased their reliance on imports of like or directly competitive products in the relevant period.

#### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at Powerex, Youngwood, Pennsylvania, contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Powerex, Youngwood, Pennsylvania, who became totally or partially separated from employment on or after March 8, 2002 through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 17th day of April, 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-37,459]

#### Rohm and Haas Company, Philadelphia, Pennsylvania; Notice of Revised Determination on Remand

The United States Court of International Trade (USCIT) remanded to the Secretary of Labor for further investigation of the negative determination in *Former Employees of Rohm and Haas v. U.S. Secretary of Labor* (Court No. 00-07-00333).

The Department's initial denial of Trade Adjustment Assistance (TAA) for the workers producing ion exchange resins at Rohm and Haas Company, Philadelphia, Pennsylvania, was based on the finding that criterion (1) of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. The decision was signed on April 18, 2000 and published in the **Federal Register** on May 11, 2000 (65 FR 30443).

On voluntary remand, the Department determined that workers of Rohm and Haas Company, Philadelphia, Pennsylvania, producing ion exchange resins were threatened with employment declines. Therefore, criterion (1) of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was met. Also on voluntary remand, it was determined that criterion (2) of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was met. However, criterion (3) of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. Imports did not contribute importantly to worker separations at the subject firm.

On remand, the Department obtained new information from the company which they did not provide during the initial investigation or during voluntary remand.

New data recently supplied by the company shows that the company increased their imports of ion exchange resins (IER's) during the relevant period of the investigation. The data supplied by the company on remand also