

In this action the United States sought response costs pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the East Tenth Street Superfund Site ("Site") in Delaware County, Pennsylvania. The proposed consent decree will resolve the United States' claims against Winitsky Associates ("Settling Defendant") in connection with the portion of the Site operated by Settling Defendant. Under the terms of the proposed consent decree, Settling Defendant will pay the United States \$248,531.68 and will receive a Site-wide covenant not to sue by the United States under Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a).

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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 v. Winitsky Associates*, D.J. Ref. 90-11-3-06583.

The proposed consent decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106, and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. During the public comment period, the proposed 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 proposed 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 \$4.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-52,525]

**Alcatel Internetworking (PE), Spokane, Washington; Notice of Revised Determination on Reconsideration**

On November 14, 2003, the Department issued an affirmative determination regarding application on reconsideration applicable to workers and former workers of the subject firm. The notice will soon be published in the **Federal Register**.

The Department's negative determination notice was signed on August 29, 2003, and was published in the **Federal Register** on September 17, 2003 (68 FR 54497). The initial determination stated that the subject worker group did not engage in production but provided engineering and technical support services.

On review of new information provided by the petitioner and the company official, it has been determined that the subject worker group are engaged in the production of router switches, that a significant portion of their functions included testing, repair, and re-packaging, and that a significant portion of this production was shifted from the subject facility to Canada, impacting workers of the subject firm.

**Conclusion**

After careful review of the additional facts obtained on reconsideration, I conclude that the shift of production to Canada of articles like or directly competitive with those produced at the subject firm 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 Alcatel Internetworking (PE), Spokane, Washington, who became totally or partially separated from employment on or after August 5, 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 12th day of December, 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-306 Filed 1-6-04; 8:45 am]

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-53,124]

**American Bag Corporation A Division of Milliken & Company, Winfield, Tennessee; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) and Section 246 of the Trade Act of 1974, as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on October 15, 2003, applicable to workers of American Bag Corporation; a Division of Milliken & Company; Winfield, Tennessee. The notice was published in the **Federal Register** on November 6, 2003 (68 FR 62834).

At the request of a state agency representative, the Department reviewed the certification for workers of the subject firm. The workers produce airbags.

The investigation review shows that workers of the subject firm were covered by a previous certification, TA-W-38,870, that did not expire until August 29, 2003.

In order to avoid an overlap in worker group coverage, the Department is amending the impact date for this certification, changing it from September 17, 2002, to August 30, 2003.

The amended notice applicable to TA-W-53,124 is hereby issued as follows:

"All workers of American Bag Corporation, a Division of Milliken & Company, Winfield, Tennessee, who became totally or partially separated from employment on or after August 30, 2003, through October 15, 2005, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974, as amended."

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

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-303 Filed 1-6-04; 8:45 am]

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