

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]

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## 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.*

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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.*

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## 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.