

Form	Number of respondents	Estimated time per response	Subtotal
CM-911	4,800	45 minutes	3,600
CM-911a	5,900	40 minutes	3,933
CM-915	9,500	10 minutes	1,583

Total Burden Hours: 9,116.
Total Burden Cost (capital/startup): 0.
Total Burden Cost (operating/maintaining): \$3,500.

Description: The CM-911 is the standard application form filed by the miner for benefits under the Black Lung Benefits Act. The information is used by the program to determine the miner's eligibility for benefits. The CM-911a lists the miner's work history and is used to establish whether the miner currently or formerly worked in a coal mine. The CM-915 is used by the miner to provide information necessary for reimbursement of medical expenses incurred by the miner.

Agency: Employment Standards Administration.

Title: Pre-Hearing Statement.

OMB Number: 1215-0085

Agency Number: LS-18.

Frequency: On occasion.

Affected Public: Individuals or households; Business or other for-profit.

Number of Respondents: 6,800.

Estimated Time Per Respondent: 10 minutes.

Total Burden Hours: 1,088.

Total Burden Cost (capital/startup): 0.

Total Burden Cost (operating/maintaining): \$2,500.

Description: This form is used to refer cases to the Office of the Administrative Law Judge for formal hearing under the Longshore and Harbor Workers' Compensation Act.

Agency: Employment Standards Administration.

Title: Overpayment Recovery Questionnaire.

OMB Number: 1215-0144.

Agency Number: OWCP-20.

Frequency: On occasion.

Affected Public: Individuals or households.

Number of Respondents: 4,500.

Estimated Time Per Respondent: 1 hour.

Total Burden Hours: 4,500.

Total Burden Cost (capital/startup): 0.

Total Burden Cost (operating/maintaining): \$1,000.

Description: Information collected on this form is used to evaluate the financial profile of Office of Workers' Compensation Program beneficiaries who have been overpaid benefits, and their ability to repay. OWCP beneficiaries are typically retired coal

miners disabled by black lung disease, and Federal employees disabled due to work-related injury, or their survivors.

Agency: Employment Standards Administration.

Title: Claim for Continuance of Compensation.

OMB Number: 1215-0154.

Agency Number: CA-12.

Frequency: Annually.

Affected Public: Individuals or households.

Number of Respondents: 6,537.

Estimated Time Per Respondent: 5 minutes.

Total Burden Hours: 545.

Total Burden Cost (capital/startup): 0.

Total Burden Cost (operating/maintaining): \$2,000.

Description: This collection is used to obtain information on marital status of beneficiaries in death cases, in order to determine continued entitlement to benefits under the provisions of the Federal Employees' Compensation Act.

Agency: Bureau of Labor Statistics.

Title: Business Birth Pilot Study.

Agency Number: BLS790BBPS.

Frequency: Monthly.

Affected Public: Business or other for-profit; Not-for-profit institutions.

Number of Respondents: 12,000.

Estimated Time Per Respondent: 5 minutes per new response; 2 minutes per on-going response.

Total Burden Hours: 2,320.

Total Burden Cost (capital/startup): 0.

Total Burden Cost (operating/maintaining): 0.

Description: The Bureau of Labor Statistics (BLS) is initiating a major redesign of the Current Employment Statistics (CES) monthly payroll survey. An on-going sample of business births is maintained under this request. This information is used to develop birth sampling methods, procedures to estimate birth employment, and to track activities of new business overtime. This will directly benefit the CES survey in its total employment estimates.

Theresa M. O'Malley,

Acting Departmental Clearance Officer.

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Employment and Training Administration

[TA-W-31,511 and NAFTA-00616]

Montana Power Company; Colstrip, Montana; Notice of Negative Determination Regarding Application for Reconsideration

By an application dated December 6, 1995, the petitioners requested administrative reconsideration of the subject determinations regarding the negative determinations regarding Eligibility to Apply for Worker Adjustment Assistance and for NAFTA-Transitional Adjustment Assistance, issued on October 31, 1995. The notices were published in the Federal Register on November 24, 1995 (60 FR 58103-58104).

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 misinterpretation of facts or of the law justified reconsideration of the decision.

Investigation findings show that the workers produce electrical power.

The Department's denial for TAA for workers of the subject firm was based on the fact that the "contributed importantly" test of the Group Eligibility Requirements of the Trade Act was not met. There were no declines in sales or production at Montana Power during the time period relevant to the investigation. Additionally, U.S. imports of electricity declined absolutely and relative to domestic supply during the same time period.

The Department's denial for NAFTA-TAA for workers of the subject firm was based on the fact that there was no decline in sales or production during the relevant period. There was no shift in production from the workers' firm to Mexico or Canada. U.S. imports of electricity declined absolutely and relative to domestic supply during the same time period.

Another finding in both the TAA and NAFTA-TAA investigations, is that the U.S. Department of Energy estimates that a negligible amount, approximately one percent, of all electricity supplied domestically is imported.

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 decisions. Accordingly, the application is denied.

Signed in Washington, DC, this 13th day of February, 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of February 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-31,727; Owens-Illinois, Owens-Brockway Glass Container Div., Zanesville, OH

TA-W-31,545; Circle Jewelry Products, Inc., New York, NY

TA-W-31,734; American Insulated Wire Corp., Pawtucket, RI

TA-W-31,651; Brookside Group, Inc., McCordsville, IN

TA-W-31,587; Master Package Corp., Owen, WI

TA-W-31,702; Onan Corp—Power Generation Group—Americas, Fridley, MN

TA-W-31,664; A E Clevite, Wauseon, OH

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

TA-W-31,709; AT&T Pheonix Works, Phoenix, AZ

TA-W-31,766; Rockwell Int'l Corp., Semiconductor System Div., El Paso, TX

TA-W-31,721; ERC Barton Wood, Shawnee, OK

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-31,782; Synergy Service, Inc., dba Synergy Maintenance Service, El Paso, TX

TA-W-31,746; Smith's Home Furnishings, Bellingham, WA

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-31,642; Teledyne Wah Chang, Teledyne, Inc., Albany, OR

The investigations revealed that criterion (2) and (3) have not been met. Sales or production did not decline during the relevant period as required for certification. Increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

TA-W-31,715; Avison Lumber Co., Molalla, OR

TA-W-31,716; Avison Wood Specialities, Inc., Molalla, OR

The investigation revealed that criterion (1) and criterion (2) have not been met. A significant number or proportion of the workers did not become totally or partially separated as required for certification. Sales or production did not decline during the

relevant period as required for certification.

Affirmative Determinations for Workers Adjustment Assistance

The following certifications have been issued; the date following the company name and location for each determination references the impact date for all workers for such determination.

TA-W-31,742 & A; Quantum Corp., High Capacity Storage Group, Shrewsbury, MA: December 4, 1994 & Milpitas, CA: February 1, 1995

TA-W-31,752; D & D Manufacturers, Inc., Watertown, TN: September 22, 1994

TA-W-31,807; The Apparel Group, Louisville, KY: January 5, 1995

TA-W-31,860; USAR Carbon Co., Inc., Columbia, TN: January 15, 1995

TA-W-31,912; Bausch & Lomb, Personal Products Div., Tucker, GA: January 19, 1995

TA-W-31,846; Maybelle Manufacturing Co., Inc., Gulfport, MS: January 8, 1995

TA-W-31,680; Indian Creek Apparel, Okalona, MS: November 16, 1994

TA-W-31,719; Cleburne Manufacturing Corp., Heflin, AL: November 20, 1994

TA-W-31,850; Crown Cork & Seal Co., Inc., Aerosol & Sanitary Can Mfg Plant, Philadelphia, PA: January 4, 1995

TA-W-31,726; Missoula White Pine Sash Co., Missoula, MT: November 30, 1994

TA-W-31,744; Rome Manufacturing Co., Rome, GA: November 20, 1994

TA-W-31,769; James River Corp., Packaging Div., Portland, OR: December 20, 1994