

and market excess capacity developed within Southdown, the decision was made to discontinue manufacturing operations in Pittsburgh and maximize production at the Louisville Plant and deliver cement into the Pittsburgh market (via the Pittsburgh plant functioning as a terminal).

The company did not import products from Mexico or Canada that are like and directly competitive with what the subject plant produced.

#### 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 at Washington, DC, this 5th day of February, 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-4736 Filed 2-27-02; 8:45 am]

BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-05786]

##### **Flextronics Enclosures Systems, Inc., Kingston, PA; Notice of Termination of Investigation**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called (NAFTA-TAA), and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on January 28, 2002, in response to a petition filed by a company official on behalf of workers at Flextronics Enclosures Systems, Inc., Kingston, Pennsylvania.

The Petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 19th day of February, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-4732 Filed 2-27-02; 8:45 am]

BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-05745]

##### **Gold Toe Brands, Inc., Great American Knitting Mills, Bally, PA; Notice of Termination of Investigation**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called (NAFTA-TAA), and in accordance with section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on January 18, 2002, in response to a petition filed by a company official on behalf of workers at Gold Toe Brands, Inc., Great American Knitting Mills, Inc., Bally, Pennsylvania.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 20th day of February, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-4733 Filed 2-27-02; 8:45 am]

BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-005312E]

##### **Rockwell Automation, Department 225, Milwaukee, WI; Notice of Termination of Investigation**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called NAFTA-TAA and in accordance with section 250(a), subchapter D, chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2331), an investigation was initiated on September 10, 2001, in response to a petition filed by United Electrical, Radio and Machine Workers (UE), Local 1111, on behalf of workers at Rockwell Automation, Department 225, Milwaukee, Wisconsin. Workers produced NEMA disconnects.

An active certification covering the petitioning group of workers remains in effect (NAFTA-004283). Consequently, further investigation in this case would

serve no purpose, and the investigation has been terminated.

Signed in Washington, DC, this 20th day of February, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-4734 Filed 2-27-02; 8:45 am]

BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-4778]

##### **Shasta View Produce, Inc., Malin, OR; Notice of Negative Determination Regarding Application for Reconsideration**

By application dated August 24, 2001, the company requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on July 16, 2001, and was published in the **Federal Register** on August 6, 2001 (66 FR 41053).

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.

The denial of NAFTA-TAA for workers engaged in activities related to the production of potatoes and potato products at Shasta View Produce, Inc., Malin, Oregon was based on the finding that criteria (3) and (4) of the group eligibility requirements of paragraph (a)(1) of section 250 of the Trade Act, as amended, were not met. There were no company imports of potatoes and potato products from Mexico or Canada, nor did Shasta View Produce, Inc. shift production from Malin, Oregon to Mexico or Canada. Major customers did not import potatoes or potato products from Mexico or Canada during the relevant period.

The petitioner alleges that Canadian imports of potatoes increased significantly. Although the Department

examines industry statistics, the Department normally analyzes the impact of imports on the subject firm workers through a survey of declining customers to examine if the firm's domestic customers switched purchases from the subject firm in favor of foreign produced products during the relevant period. The survey conducted by the Department of Labor revealed that the respondents did not import products like and directly competitive with what the subject plant produced. Further, a review of potato imports (like and directly competitive with subject plant products) from Canada shows that imports declined during the relevant period (1999, 2000 and a portion of 2001).

### 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 4th day of February, 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-4735 Filed 2-27-02; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Proposed Collection; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the

Report of Changes That May Affect Your Black Lung Benefits (CM-929).

**DATES:** Written comments must be submitted to the office listed in the addressee section below by April 29, 2002.

**ADDRESSES:** Ms. Patricia A. Forkel, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0339 (this is not a toll-free number), fax (202) 693-1451, e-mail [pforkel@fenix2.dol-esa.gov](mailto:pforkel@fenix2.dol-esa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Federal Coal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. 936, 30 U.S.C. 941, and 20 CFR 725.633(g) provides for the reporting of certain changes which may affect a coal miner beneficiary's black lung benefits. The CM-929 is designed for this use. The form is provided to the beneficiary to review and to certify that income, marital and dependent status information contained in the files is current, or to provide updated information.

##### II. Review Focus

The Department of Labor is particularly interested in comments which:

- \* Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- \* Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- \* Enhance the quality, utility and clarity of the information to be collected; and

- \* Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

##### III. Current Actions

The Department of Labor seeks approval for the extension of this information collection in order to carry out its responsibility to verify the accuracy of information in the beneficiary's claims file, and to identify changes in the beneficiary's status, to ensure that the amount of compensation being paid the beneficiary is accurate.

*Type of Review:* Extension.  
*Agency:* Employment Standards Administration.

*Title:* Report of Changes That May Affect Your Black Lung Benefits.

*OMB Number:* 1215-0084.

*Agency Number:* CM-929.

*Affected Public:* Individuals or households.

*Frequency:* Biennially.

*Total Respondents/Responses:* 25,000.

*Time per Response:* 5-8 minutes.

*Estimated Total Burden Hours:* 2,375.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: February 15, 2002.

**Margaret J. Sherrill,**

*Chief, Branch of Management, Review, and Internal Control, Chief, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 02-4795 Filed 2-27-02; 8:45 am]

BILLING CODE 4510-CK-P

## LEGAL SERVICES CORPORATION

### Program Letters 02-2, State Planning and the Reconfiguration Process, and 02-3, State Planning Configuration Standards

**AGENCY:** Legal Services Corporation.

**ACTION:** Notice of Issuance of Program Letters 02-2, State Planning and the Reconfiguration Process, and 02-3, State Planning Configuration Standards.

**SUMMARY:** LSC is providing notice of the issuance of two new Program Letters relating to State Planning. These Program Letters have been sent to each LSC grant recipient. The Programs Letters are publicly available on the LSC Web site at: [http://www.lsc.gov/FOIA/foia\\_pl.htm](http://www.lsc.gov/FOIA/foia_pl.htm).

#### FOR FURTHER INFORMATION CONTACT:

Randi Youells, Vice President for Programs, Legal Services Corporation, 750 First Street, NE., Washington, DC 20002-4250; 202/336-7269 (phone); [youellsr@lsc.gov](mailto:youellsr@lsc.gov).

**SUPPLEMENTARY INFORMATION:** LSC is issuing this notice to advise the public of the issuance of two Program Letters relating to State Planning. Specifically, LSC has issued Program Letter 02-2, State Planning and the Reconfiguration Process and Program Letter 02-3, State Planning Configuration Standards.