

Signed in Washington, DC, this 13th day of July, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-16767 Filed 7-22-04; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,938]

#### Oshkosh B'Gosh, Inc., Oshkosh, Wisconsin; Notice of Determination Regarding Application for Reconsideration

By application of February 3, 2004, a petitioner 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 was signed on January 12, 2004 and published in the **Federal Register** on February 6, 2004 (69 FR 5866).

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 TAA petition, filed on behalf of workers at Oshkosh B'Gosh, Inc., Oshkosh, Wisconsin engaged in activities related to information technology and administrative services at the Corporate Headquarters, was denied because the petitioning workers did not produce an article within the meaning of Section 222 of the Act.

The petitioner alleges that the petitioning group of workers were in direct contact with and solely responsible in supplying communications support to Oshkosh B'Gosh manufacturing facilities in Albany and Liberty, Kentucky. The workers of these facilities were certified eligible for TAA on November 24, 2003.

A company official was contacted to verify whether workers at the subject facility were performing services for Oshkosh B'Gosh manufacturing plants during the relevant period. The

company official stated that only workers of the Computer Marking Department and Information Technology Department of the subject firm were in support of production at the manufacturing facilities within Oshkosh B'Gosh, Inc. Workers of these departments performed information technologies functions and prepared computerized instructions for production affiliates and were separately identifiable from all other workers at the subject facility. It was further revealed that the worker separations from Computer Marking and Information Technology Departments were caused by a reduced demand for their services from several manufacturing subdivisions which shifted production to foreign countries during the relevant period. The official further reported that the rest of the employees separated from the subject firm during the relevant time period did not support production at the manufacturing facilities and were not affected by their closures.

In accordance with Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers of the Oshkosh B'Gosh, Inc., Computer Marking Department and Information Technology Department, Oshkosh, Wisconsin.

The group eligibility criteria for the ATAA program that the Department must consider under Section 246 of the Trade Act are:

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.
2. Whether the workers in the workers' firm possess skills that are not easily transferable.
3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

The Department has determined that criterion 1 has not been met. The investigation revealed that less than three workers of the affected group of workers are age 50 or over.

#### Conclusion

After careful review of the facts obtained in the investigation, I determine that increases of imports of articles like or directly competitive with articles produced by Oshkosh B'Gosh, Inc. contributed importantly to the total or partial separation of workers and to the decline in sales or production at that firm or subdivision. In accordance with the provisions of the Act, I make the following certification:

All workers of the Oshkosh B'Gosh, Inc., Computer Marking Department and Information Technology Department, Oshkosh, Wisconsin, who became totally or partially separated from employment on or after December 29, 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, and are denied eligibility to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974 and;

I further determine that all other workers at Oshkosh B'Gosh, Inc., Oshkosh, Wisconsin are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974 and are denied eligibility to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 14th day of July, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-16772 Filed 7-22-04; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determination in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and

federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delaying the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are

in parentheses following the decisions being modified.

#### Volume I

##### Connecticut

CT030001 (Jun. 13, 2003)  
CT030003 (Jun. 13, 2003)  
CT030004 (Jun. 13, 2003)  
CT030005 (Jun. 13, 2003)

##### New York

NY030003 (Jun. 13, 2003)  
NY030013 (Jun. 13, 2003)

##### Rhode Island

RI030001 (Jun. 13, 2003)

##### Vermont

VT030011 (Jun. 13, 2003)

#### Volume II

None

#### Volume III

##### Kentucky

KY030001 (Jun. 13, 2003)  
KY030002 (Jun. 13, 2003)  
KY030003 (Jun. 13, 2003)  
KY030004 (Jun. 13, 2003)  
KY030007 (Jun. 13, 2003)  
KY030025 (Jun. 13, 2003)  
KY030027 (Jun. 13, 2003)  
KY030028 (Jun. 13, 2003)  
KY030029 (Jun. 13, 2003)  
KY030035 (Jun. 13, 2003)

##### Tennessee

TN030005 (Jun. 13, 2003)

#### Volume IV

##### Indiana

IN030001 (Jun. 13, 2003)  
IN030002 (Jun. 13, 2003)  
IN030003 (Jun. 13, 2003)  
IN030004 (Jun. 13, 2003)  
IN030005 (Jun. 13, 2003)  
IN030006 (Jun. 13, 2003)  
IN030007 (Jun. 13, 2003)  
IN030009 (Jun. 13, 2003)  
IN030010 (Jun. 13, 2003)  
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IN030012 (Jun. 13, 2003)  
IN030014 (Jun. 13, 2003)  
IN030015 (Jun. 13, 2003)  
IN030016 (Jun. 13, 2003)  
IN030017 (Jun. 13, 2003)  
IN030018 (Jun. 13, 2003)  
IN030019 (Jun. 13, 2003)  
IN030020 (Jun. 13, 2003)  
IN030021 (Jun. 13, 2003)

##### Michigan

MI030001 (Jun. 13, 2003)  
MI030002 (Jun. 13, 2003)  
MI030003 (Jun. 13, 2003)  
MI030004 (Jun. 13, 2003)  
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MI030017 (Jun. 13, 2003)  
MI030019 (Jun. 13, 2003)  
MI030020 (Jun. 13, 2003)  
MI030021 (Jun. 13, 2003)

##### Wisconsin

WI030001 (Jun. 13, 2003)

WI030010 (Jun. 13, 2003)  
WI030048 (Jun. 13, 2003)

#### Volume V

##### Arkansas

AR030023 (Jun. 13, 2003)

##### Missouri

MO030001 (Jun. 13, 2003)  
MO030002 (Jun. 13, 2003)  
MO030003 (Jun. 13, 2003)  
MO030005 (Jun. 13, 2003)  
MO030008 (Jun. 13, 2003)  
MO030009 (Jun. 13, 2003)  
MO030011 (Jun. 13, 2003)  
MO030013 (Jun. 13, 2003)  
MO030039 (Jun. 13, 2003)  
MO030042 (Jun. 13, 2003)  
MO030045 (Jun. 13, 2003)  
MO030050 (Jun. 13, 2003)  
MO030054 (Jun. 13, 2003)  
MO030058 (Jun. 13, 2003)

##### New Mexico

NM030001 (Jun. 13, 2003)

##### Texas

TX030004 (Jun. 13, 2003)

##### Volume VI Alaska

AK030001 (Jun. 13, 2003)

##### Colorado

CO030001 (Jun. 13, 2003)  
CO030002 (Jun. 13, 2003)  
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CO030015 (Jun. 13, 2003)  
CO030016 (Jun. 13, 2003)

##### Idaho

ID030002 (Jun. 13, 2003)  
ID030003 (Jun. 13, 2003)  
ID030015 (Jun. 13, 2003)  
ID030016 (Jun. 13, 2003)  
ID030017 (Jun. 13, 2003)  
ID030018 (Jun. 13, 2003)  
ID030019 (Jun. 13, 2003)

##### Oregon

OR030001 (Jun. 13, 2003)  
OR030002 (Jun. 13, 2003)

##### Utah

UT030004 (Jun. 13, 2003)

##### Washington

WA030001 (Jun. 13, 2003)  
WA030002 (Jun. 13, 2003)  
WA030003 (Jun. 13, 2003)  
WA030005 (Jun. 13, 2003)  
WA030007 (Jun. 13, 2003)  
WA030008 (Jun. 13, 2003)  
WA030011 (Jun. 13, 2003)  
WA030013 (Jun. 13, 2003)  
WA030025 (Jun. 13, 2003)  
WA030027 (Jun. 13, 2003)

##### Wyoming

WY030002 (Jun. 13, 2003)

#### Volume VII

##### Arizona

AZ030004 (Jun. 13, 2003)

##### Nevada

NV030001 (Jun. 13, 2003)

NV030004 (Jun. 13, 2003)  
 NV030005 (Jun. 13, 2003)

### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>. They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate Volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 15th day of July 2004.

**Terry Sullivan,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 04-16484 Filed 7-22-04; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. ICR-1218-0103 (2004)]

#### Ionizing Radiation Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information-Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comment.

**SUMMARY:** OSHA solicits comments concerning its request for an extension of the information-collection requirements contained in the Ionizing Radiation Standard (29 CFR 1910.1096).

**DATES:** Comments must be submitted by the following dates:

*Hard Copy:* Your comments must be submitted (postmarked or received) by September 21, 2004.

*Facsimile and electronic transmission:* Your comments must be received by September 21, 2004.

**ADDRESSES:** You may submit comments, identified by OSHA Docket No. ICR-1218-0103 (2004), by any of the following methods:

*Regular mail, express delivery, hand-delivery, and messenger service:* Submit your comments and attachments to the OSHA Docket Office, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350 (OSHA's TTY number is (877) 889-5627). The OSHA Docket Office and Department of Labor hours of operation are 8:15 a.m. to 4:45 p.m., ET.

*Facsimile:* If your comments, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Electronic:* You may submit comments through the Internet at <http://ecomments.osha.gov/>. Follow instructions on the OSHA Webpage for submitting comments.

*Docket:* For access to the docket to read or download comments or background materials, such as the complete Information Collection Request (ICR) (containing the Supporting Statement, OMB-83-I Form, and attachments), go to OSHA's Webpage at <http://OSHA.gov>. Comments, submissions and the ICR are available for inspection and copying at the OSHA Docket Office at the address above. You may also contact Todd Owen at the address below to obtain a copy of the ICR.

(For additional information on submitting comments, please see the

"Public Participation" heading in the **SUPPLEMENTARY INFORMATION** section of this document.)

**FOR FURTHER INFORMATION CONTACT:** Todd Owen, Directorate of Standards and Guidance, OSHA, Room N-3609, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2222.

#### SUPPLEMENTARY INFORMATION:

##### I. Submission of Comments on this Notice and Internet Access to Comments and Submissions

You may submit comments and supporting materials in response to this document by (1) hard copy, (2) FAX transmission (facsimile), or (3) electronically through the OSHA Webpage.

Because of security related problems, there may be a significant delay in the receipt of comments by regular mail. Please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for information about security procedures concerning the delivery of materials by express delivery, hand delivery and messenger service.

All comments, submissions and background documents are available for inspection and copying at the OSHA Docket Office at the above address. Comments and submissions posted on OSHA's Webpage are available at <http://www.OSHA.gov>. Contact the OSHA Docket Office for information about materials not available through the OSHA Webpage and for assistance using the Webpage to locate docket submissions.

Electronic copies of this **Federal Register** notice as well as other relevant documents are available on OSHA's Webpage.

##### II. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information-collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA-95)(44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for