

**CONTESTING RECORD PROCEDURES:**

Individuals desiring to contest or amend information maintained in the system should direct their request according to the Record Access Procedures listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Some information is not subject to amendment, such as tax return information. Some information may be exempt from contesting record procedures as described in the section entitled "Exemptions Claimed for the System." An individual who is the subject of a record in this system may amend those records that are not exempt. A determination whether a record may be amended will be made at the time a request is received.

**RECORD SOURCE CATEGORIES:**

Information provided by Federal, State, local, tribal, territorial, and foreign law enforcement agencies; agencies of the U.S. foreign intelligence community and military community; and open sources, such as broadcast and print media and publicly-available data bases.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

The Attorney General has exempted this system from subsections (c)(3) and (4); (d)(1), (2), (3), and (4); (e)(1), (2), (3), (5), and (8); and (g) of the Privacy Act. The exemptions will be applied only to the extent that information in a record is subject to exemption pursuant to 5 U.S.C. 552a(j) and/or (k). A determination as to exemption shall be made at the time a request for access or amendment is received. Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and are published in today's **Federal Register**.

[FR Doc. 04-23244 Filed 10-15-04; 8:45 am]

BILLING CODE 4410-14-P

**DEPARTMENT OF LABOR****Office of the Secretary****Submission for OMB Review: Comment Request**

October 7, 2004.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting

documentation, may be obtained by contacting the Department of Labor (DOL). To obtain documentation, contact Darrin King on (202) 693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, (202) 395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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 submission of responses.

**Agency:** Occupational Safety and Health Administration.

**Type of Review:** Extension of currently approved collection.

**Title:** Crawler, Locomotive, and Truck Cranes (29 CFR 1926.550(b)(2)).

**OMB Number:** 1218-0232.

**Frequency:** Monthly.

**Type of Response:** Recordkeeping.

**Affected Public:** Business or other for-profit; Not-for-profit institutions; Federal Government; and State, Local, or Tribal Government.

**Number of Respondents:** 16,581.

**Number of Annual Responses:**

198,972.

**Estimated Time per Response:** 30 minutes.

**Total Burden Hours:** 99,486.

**Total Annualized capital/startup costs:** \$0.

**Total Annual Costs (operating/maintaining systems or purchasing services):** \$0.

**Description:** 29 CFR 1926.550(b)(2) requires an employer to prepare and maintain a certification record of an inspected crane as specified in ANSI

B30.5-1968, Safety Code for Crawler Locomotive, and Truck Cranes. These records inform employers and employees regarding potentially life-threatening equipment failures. In addition, the records provide the most efficient means for OSHA compliance officers to determine that an employer performed the required inspection and that the equipment is in safe operating condition.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 04-23223 Filed 10-15-04; 8:45 am]

BILLING CODE 4510-26-P

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-55,205]

**The Boeing Company, Fabrication Division, Boeing-Oak Ridge, Inc., Oak Ridge, Tennessee; Notice of Revised Determination of Alternative Trade Adjustment Assistance on Reconsideration**

By letter dated September 27, 2004, a representative of the Tennessee AFL-CIO requested administrative reconsideration regarding Alternative Trade Adjustment Assistance (ATAA). The certification for Trade Adjustment Assistance was signed on August 27, 2004. The Notice of determination was published in the **Federal Register** on September 23, 2004 (69 FR 57095).

The initial investigation determined that subject worker group possess skills that are easily transferable.

The petitioner provided new information to show that the workers possess skills that are not easily transferable.

The initial investigation revealed that at least five percent of the workforce at the subject firm is at least fifty years of age and competitive conditions within the industry are adverse.

**Conclusion**

After careful review of the additional facts obtained on reconsideration, I conclude that the requirements of Section 246 of the Trade Act of 1974, as amended, have been met for workers at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

All workers of The Boeing Company, Fabrication Division, Boeing-Oak Ridge, Inc., Oak Ridge, Tennessee, who became totally or partially separated from employment on or after April 23, 2004 through August 27, 2006,

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.

Signed in Washington, DC, this 1st day of October 2004.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2694 Filed 10-15-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,484]

#### Cady Industries, Inc., Pearson, GA; Notice of Revised Determination on Reconsideration

By letter postmarked June 8, 2004 (received July 7, 2004), a worker of Cady Industries, Inc., Pearson, Georgia requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation, initiated on March 12, 2004, resulted in a negative determination based on the finding that imports of bulk bag fabric, silt fences, leno fabric, leno bags, polypropylene fabric, and polypropylene tubing did not contribute importantly to worker separations at the subject plant and no shift of production to a foreign source occurred. The negative determination was issued on April 21, 2004. The Department's determination Notice was published in the **Federal Register** on June 2, 2004 (69 FR 31135).

The Department had previously processed a request for reconsideration for workers of the subject firm. The earlier request was filed on May 11, 2004, by a company official.

The May 11, 2004 request for reconsideration resulted in a dismissal of the application because no new information was presented that would bear importantly on Department's denial of the petition. The dismissal letter was signed on June 24, 2004. The Notice of Dismissal of Application for Reconsideration was issued on June 25, 2004 and published in the **Federal Register** on July 1, 2004 (69 FR 39968).

On July 7, 2004, the Department received the subsequent request for reconsideration (June 8, 2004 postmarked letter) and conducted another reconsideration investigation.

As part of the second reconsideration investigation, the Department further reviewed the initial investigation and engaged in a detailed re-evaluation of the customers' survey. The Department determined that a significant number of major declining customers contacted during the original investigation increased their imports of bulk bag fabric, silt fences, leno fabric, leno bags, polypropylene fabric, and polypropylene tubing in the relevant period. The imports accounted for a meaningful portion of the subject plant's lost sales and production.

Prior to the issuance of a determination certifying the subject worker group, however, the Department was informed that the petitioner had filed an appeal with the U.S. Court of International Trade (USCIT) on June 21, 2004. As a result of the filing, the Department suspended the issuance of the revised determination.

In its Motion for Voluntary Remand, the Department requested that it be permitted to render a revised determination for the subject worker group. On August 26, 2004, the USCIT granted the Department's motion.

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.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

### Conclusion

After careful review of the complete administrative file, I conclude that increased imports of articles like or directly competitive with those produced at Cady Industries, Inc., Pearson, Georgia, 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 Cady Industries, Inc., Pearson, Georgia, who became totally or partially separated from employment on or after March 11, 2003 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 eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC this 30th day of September 2004.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2693 Filed 10-15-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,424]

#### Degussa Corporation, Silanes Plant, Theodore, AL; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on August 11, 2004 in response to a worker petition filed on behalf of workers at Degussa Corporation, Silanes Plant, Theodore, Alabama.

The petitioners have requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC this 30th day of September 2004.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2695 Filed 10-15-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,547]

#### Eddie Labels & Accessories Corporation, City of Industry, CA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 2, 2004 in response to a petition filed on behalf of workers at Eddie Labels & Accessories Corporation, City of Industry, California.

The Department has been unable to locate the company official for the subject group or to obtain the information necessary to reach a determination on worker group eligibility. Consequently, further investigation in this case would serve