

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-56,037]

Specialty Electronics, Inc., Landrum, SC; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on November 19, 2004 in response to a worker petition which was filed by a company official on behalf of workers at Specialty Electronics, Inc., Landrum, South Carolina.

The petitioner has requested that the petition be withdrawn.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

Signed in Washington, DC this 22nd day of November, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3586 Filed 12-8-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-54,635]

Westside Stitching, Inc., West Wyoming, PA; Notice of Negative Determination on Remand

The United States Court of International Trade (USCIT) granted the Department of Labor's request for voluntary remand of the negative determination on reconsideration in *Former Employees of Westside Stitching, Inc. v. Secretary of Labor* (Court No. 04-00410).

The Department's denial of Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) for the workers of Westside Stitching, Inc., West Wyoming, Pennsylvania was issued on June 16, 2004 and was published in the **Federal Register** on July 7, 2004 (69 FR 40983). Workers produce motion furniture. The investigation revealed no shift of production or increased imports of motion furniture during the relevant period by the subject company or its customers.

By application of July 12, 2004, the company requested administrative reconsideration of the negative determination, alleging that the subject firm lost business due to its major customer importing lift mechanisms from China.

The Notice of Negative Determination Regarding Application for Reconsideration was issued on August 3, 2004 and was published in the **Federal Register** on August 11, 2004 (69 FR 48895). The request was denied because lift mechanisms are a component part of motion furniture and because the company's major declining customer did not import motion furniture.

On October 5, 2004, the USCIT granted a consent motion for voluntary remand and ordered the Department to conduct a further investigation and determine whether the petitioning workers are eligibility for trade adjustment assistance.

In response to Plaintiff's allegations regarding alleged increased imports of lift mechanisms, the Department contacted the company to ascertain whether the subject facility produced lift mechanisms. The investigation revealed that the subject company produces motion furniture and not lift mechanisms.

Pursuant to 29 CFR Section 90.2, "[a]n imported article is directly competitive with a domestic article at an earlier or later stage of processing, and a domestic article is directly competitive with an imported article at an earlier or later stage of processing, if the importation of the article has an economic effect on producers of the domestic article comparable to the effect of importation of articles in the same stage of processing as the domestic article."

The Department has consistently determined that the economic impact of imported component parts is not competitive with the economic impact of imported final products.

The determination that components of a product are not like or directly competitive with the final product is consistent with *Groppe v. Donovan*, 6 CIT 103, 104, 569 F.Supp. 883, 884 (1983) where the court held that "a component, such as finished fabric, is not 'like or directly competitive' with an end product, such as knit fabric garments, within the meaning of section 222(3) [of the Trade Act]." Because the subject company produced only the final product, increased imports of component parts, absent increased imports of the final product, cannot be the basis for TAA certification.

The Department also conducted another survey of the subject company's major declining customer regarding import purchases of articles produced at the subject facility during the relevant period, 2002, 2003, January through March 2003 and January through March 2004. The survey revealed that the

customer did not import motion furniture during the relevant period.

Because no basis for TAA certification of the subject worker group was found, an investigation to determine ATAA certification was not conducted.

Conclusion

After reconsideration on remand, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance for workers and former workers of Westside Stitching, Inc., West Wyoming, Pennsylvania.

Signed at Washington, DC, this 2nd day of December 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3579 Filed 12-8-04; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-55,887]

Woodbridge Corporation, Whitmore Lake, MI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on October 29, 2004 in response to a worker petition which was filed by a company official on behalf of workers at Woodbridge Corporation, Whitmore Lake, Michigan.

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

Signed in Washington, DC this 24th day of November, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3583 Filed 12-8-04; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-54,636]

Wyoming Wood Products, Inc., West Wyoming, PA; Notice of Negative Determination on Remand

The United States Court of International Trade (USCIT) granted the Department of Labor's request for voluntary remand of the negative determination on reconsideration in *Former Employees of Westside Stitching, Inc. and Wyoming Wood*

Products, Inc. v. Secretary of Labor
(Court No. 04-00410).

The Department's denial of Trade Adjustment Assistance (TAA) and Alternate Trade Adjustment Assistance (TAA) for workers of Wyoming Wood Products, Inc., West Wyoming, Pennsylvania was issued on June 16, 2004 and was published in the **Federal Register** on July 7, 2004 (69 FR 40983). Petitioners had filed as an adversely affected secondary group. The workers produced wood frames used in the production of motion furniture. The investigation revealed that the company to which the subject company supplied component parts was not TAA certified.

A Dismissal of Application for Reconsideration was issued on August 4, 2004 and was published in the **Federal Register** on August 11, 2004 (69 FR 48895). The request was denied because the application contained no new substantial information.

On October 5, 2004, the USCIT granted a consent motion for voluntary remand and ordered the Department to conduct a further investigation and determine whether the petitioning workers are eligible for trade adjustment assistance.

Pursuant to 19 U.S.C. 2272(c)(4), a worker must be employed by a company that produces or supplies "component parts for articles that were the basis for a certification of eligibility" of a group of primarily trade-affected workers to be certified as a secondarily trade-affected worker, per the Trade Act.

The subject company supplied wood frames exclusively to Westside Stitching, Inc., West Wyoming, Pennsylvania, a company that the Department has determined not to be adversely import-impacted (TA-W-54,635).

Conclusion

After reconsideration on remand, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance for workers and former workers of Wyoming Wood Products, Inc., West Wyoming, Pennsylvania.

Signed at Washington, DC this 2nd day of December 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3580 Filed 12-8-04; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Consolidation Coal Company

[Docket No. M-2004-048-C]

Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.507 (Power connection points) to its Blacksville No. 2 Mine (MSHA I.D. No. 46-01968) located in Monongalia County, West Virginia. The petitioner proposes to use non-permissible submersible pumps in bleeder and return entries and sealed areas of the Blacksville No. 2 Mine under specific terms and conditions. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

2. Consolidation Coal Company

[Docket No. M-2004-049-C]

Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.507 (Power connection points) to its Loveridge No. 22 Mine (MSHA I.D. No. 46-01433) located in Marion County, West Virginia. The petitioner proposes to use non-permissible submersible pumps in bleeder and return entries and sealed areas of the Loveridge No. 22 Mine under specific terms and conditions. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

Request for Comments

Persons interested in these petitions are encouraged to submit comments via Federal eRulemaking Portal: <http://www.regulations.gov>; e-mail: Comments@MSHA.gov; fax: (202) 693-9441; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before January 10, 2005. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia this 3rd day of December 2004.

Marvin W. Nichols, Jr.,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 04-27035 Filed 12-8-04; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR 1218-0242(2005)]

Powered Industrial Trucks; 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 public comment concerning its request for an extension of the information-collection requirements contained in the Powered Industrial Trucks Standard (29 CFR 1910.178).

DATES: Comments must be submitted by the following dates:

Hard copy: Your comments must be submitted (postmarked or received) by February 7, 2005.

Facsimile and electronic transmission: Your comments must be received by February 7, 2005.

ADDRESSES: You may submit comments, identified by OSHA Docket No. ICR-1218-0242(2005), 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). OSHA Docket Office and Department of Labor hours are 8:15 a.m. to 4:45 p.m., e.t.

Facsimile: If your comments are 10 pages or fewer in length, including attachments, 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 Web page 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