

investigation was initiated on October 17, 2005 in response to a petition filed by a company official on behalf of workers of Ranco North America, a division of Invensys, Brownsville, Texas.

The worker group is covered by a certification, (TA-W-53,125) which expired on October 23, 2005. The plant closed and all workers were separated in June 2005. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 23rd day of November 2005.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-58,216]

Yankee Plastics, Incorporated Easthampton, MA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on October 26, 2005 in response to a worker petition filed by a company official on behalf of workers at Yankee Plastics, Incorporated, Easthampton, Massachusetts.

The petitioner has requested that the petition be withdrawn.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

Signed at Washington, DC, this 14th day of November 2005.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5-6877 Filed 12-5-05; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-04-2]

International Chimney Corporation, Karrena International, LLC, and Matrix Service Industrial Contractors, Inc.; Grant of a Permanent Variance

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

ACTION: Notice of a grant of a permanent variance.

SUMMARY: This notice announces the grant of a permanent variance to International Chimney Corporation, Karrena International, LLC, and Matrix Service Industrial Contractors, Inc. ("the employers"). The permanent variance addresses the provision that regulates the tackle used for boatswains' chairs (§ 1926.452 (o)(3)), as well as the provisions specified for personnel hoists by paragraphs (c)(1) through (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16) of § 1926.552. Instead of complying with these provisions, the employers must comply with a number of alternative conditions listed in this grant; these alternative conditions regulate rope-guided personnel-hoisting systems used during inside or outside chimney construction to raise or lower employees in personnel cages, personnel platforms, and boatswains' chairs between the bottom landing of a chimney and an elevated work location. Accordingly, OSHA finds that these alternative conditions protect employees at least as well as the requirements specified by § 1926.452(o)(3) and § 1926.552(c)(1) through (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16).

DATES: The effective date of the permanent variance is December 6, 2005.

FOR FURTHER INFORMATION: For information about this notice contact Ms. MaryAnn S. Garrahan, Director, Office of Technical Programs and Coordination Activities, Room N-3655, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2110; fax (202) 693-1644. You may obtain additional copies of this notice from the Office of Publications, Room N-3101, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1888. For electronic copies of this notice, contact the Agency on its Webpage at <http://www.osha.gov>, and select "Federal Register," "Date of Publication," and then "2005."

Additional information also is available from the following OSHA Regional Offices:

U.S. Department of Labor, OSHA, JFK Federal Building, Room E340, Boston, MA 02203, telephone: (617) 565-9860; fax: (617) 565-9827

U.S. Department of Labor, OSHA, 201 Varick St., Room 670, New York, NY 10014, telephone: (212) 337-2378; fax: (212) 337-2371

U.S. Department of Labor, OSHA, Curtis Building, Suite 740 West, 170 South

Independence Mall West, Philadelphia, PA 19106-3309, telephone: (215) 861-4900; fax: (215) 861-4904

U.S. Department of Labor, OSHA, Sam Nunn Atlanta Federal Center, 61 Forsyth St., SW., Room 6T50, Atlanta, GA 30303, telephone: (404) 562-2300; fax: (404) 562-2295

U.S. Department of Labor, OSHA, 230 South Dearborn St., Room 3244, Chicago, IL 60604, telephone: (312) 353-2220; fax: (312) 353-7774

U.S. Department of Labor, OSHA, 525 South Griffith St., Suite 602, Dallas, TX 75202, telephone: (214) 767-4736; fax: (214) 767-4760

U.S. Department of Labor, OSHA, City Center Square, 1100 Main St., Suite 800, Kansas City, MO 64105, telephone: (816) 426-5861; fax: (816) 426-2750

U.S. Department of Labor, OSHA; *Overnight:* 1999 Broadway, Suite 1690, Denver, CO 80201-6550; *Mail:* P.O. Box 46550, Denver, CO 80201-6550, telephone: (720) 264-6550; fax: (720) 264-6585

U.S. Department of Labor, OSHA, 71 Stevenson St., Room 420, San Francisco, CA 94105, telephone: (415) 975-4310; fax: (415) 744-4319

U.S. Department of Labor, OSHA, 1111 Third Ave., Suite 715, Seattle, WA 98101-3212, telephone: (206) 553-5930; fax: (206) 553-6499

SUPPLEMENTARY INFORMATION:

I. Background

In the past 30 years, a number of chimney-construction companies have demonstrated to OSHA that several personnel-hoist requirements (*i.e.*, paragraphs (c)(1), (c)(2), (c)(3), (c)(4), (c)(8), (c)(13), (c)(14)(i), and (c)(16) of § 1926.552), as well as the tackle requirements for boatswains' chairs (*i.e.*, paragraph (o)(3) of § 1926.452), result in access problems that pose a serious danger to their employees. These companies requested permanent variances from these requirements, and proposed alternative equipment and procedures to protect employees while being transported to and from their elevated worksites during construction and repair work inside and outside chimneys. The Agency subsequently granted these companies permanent variances based on the proposed alternatives (see 38 FR 8545 (April 3, 1973), 44 FR 51352 (August 31, 1979), 50 FR 40627 (October 4, 1985), 52 FR 22552 (June 12, 1987), and 68 FR 52961 (September 8, 2003)).¹

¹ Zurn Industries, Inc. received two permanent variances from OSHA. The first variance, granted