

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Proposed Information Collection Request Submitted for Public Comment and Recommendations; Underground Retorts**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the extension of the information collection related to the 30 CFR 57.22401; Underground Retorts.

**DATES:** Submit comments on or before May 23, 2006.

**ADDRESSES:** Send comments to U.S. Department of Labor, Mine Safety and Health Administration, John Rowlett, Director, Management Services Division, 1100 Wilson Boulevard, Room 2134, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on a computer disk, or via Internet E-mail to [Rowlett.John@dol.gov](mailto:Rowlett.John@dol.gov), along with an original printed copy. Mr. Rowlett can be reached at (202) 693-9827 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Contact the employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:****I. Background**

This regulation pertains to the safety requirements to be followed by the mine operators in the use of underground retorts to extract oil from shale by heat or fire. Prior to ignition of retorts, the mine operator must submit a written plan indicating the acceptable levels of combustible gases and oxygen; specifications and location of off-gas monitoring procedures and equipment; procedures for ignition of retorts and details of area monitoring and alarm

systems for hazardous gases and actions to be taken to assure safety of miners.

**II. Desired Focus of Comments**

MSHA is particularly interested in comments that:

- 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.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **ADDRESSES** section of this notice, or viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov>) and then choosing "Statutory and Regulatory Information" and "Federal Register Documents."

**III. Current Actions**

This request for information contains provisions whereby mine operators can maintain compliance with the regulations and assure the safety of miners where underground retorts are used.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Underground Retorts.

*OMB Number:* 1219-0096.

*Frequency:* On Occasion.

*Affected Public:* Business or other for-profit.

*Respondents:* 1.

*Total Burden Hours:* 160 hours.

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

*Total Burden Cost (operating/maintaining):* \$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 at Arlington, Virginia, this 14th day of March, 2006.

David L. Meyer,

*Director of Administration and Management.*

[FR Doc. E6-4277 Filed 3-23-06; 8:45 am]

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

[TA-W-57,802, TA-W-57,802A, TA-W-57,802B, TA-W-57,802C and TA-W-57,802D]

**Sara Lee Branded Apparel Division Office, Including Employees, Winston-Salem, NC, Located in Bristol, Norwalk, Madison, and New Canaan, CT; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Negative Determination Regarding Eligibility To Apply for Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and a Negative Determination Regarding Eligibility to Apply for Alternative Trade Adjustment Assistance on September 28, 2005, applicable to workers of Sara Lee Branded Apparel, Division Office, Winston-Salem, North Carolina. The notice was published in the **Federal Register** on October 31, 2005 (70 FR 62347).

At the request of a company official and the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations occurred involving four employees of the Division Office, Winston-Salem, North Carolina facility of the Sara Lee Branded Apparel located in Bristol, Connecticut, Norwalk, Connecticut, Madison, Connecticut and New Canaan, Connecticut. Ms. Sharon Allen, Ms. Susan McIntyre, Mr. Michael Hoban and Ms. Vivian Scanlon provided a variety of support function services for the activities related to the production of underwear (shorts and T-shirts) produced by the subject company.

Based on these findings, the Department is amending this certification to include employees of the Division Office, Winston-Salem, North Carolina facility of the Sara Lee Branded Apparel located in Bristol, Connecticut, Norwalk, Connecticut Madison,

Connecticut and New Canaan, Connecticut.

The intent of the Department's certification is to include all workers of Sara Lee Branded Apparel, Division Office, Winston-Salem, North Carolina who was adversely affected by increased imports.

The amended notice applicable to TA-W-57,802 is hereby issued as follows:

All workers of Sara Lee Branded Apparel, Division Office, Division of the Sara Lee Corporation, Winston-Salem, North Carolina (TA-W-57,802), and including employees of Sara Lee Branded Apparel, Division, Office, Winston Salem, North Carolina, located in Bristol, Connecticut (TA-W-57,802A), Norwalk, Connecticut (TA-W-57,802B), Madison, Connecticut (TA-W-57,802C) and New Canaan, Connecticut (TA-W-57,802D), who became totally or partially separated from employment on or after July 29, 2004, through September 28, 2007, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

I further determine that all workers of Sara Lee Branded Apparel, Division of the Sara Lee Corporation, Winston-Salem, North Carolina, are denied eligibility to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 27th day of February 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-4288 Filed 3-23-06; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-58,113]

#### Unimatrix Americas, Greensboro, NC; Notice of Negative Determination on Reconsideration

On February 22, 2006, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on March 2, 2006 (71 FR 10717-10718).

The petition for the workers of Unimatrix Americas, Greensboro, North Carolina, engaged in production planning and sales of apparel products was denied because the petitioning workers did not produce an article within the meaning of Section 222 of the Act.

The company official filed a request for reconsideration in which the

petitioners contend that the Department erred in its interpretation of work performed at the subject facility as a service and further convey that workers of the subject firm supported production of an affiliated firm Unifi by "pulling through Unifi's domestically-produced yarns into domestically-manufactured garments" and "supported other unaffiliated domestic apparel manufacturing facilities." The petitioner further states that the subject firm should be considered a downstream producer for Unifi, Inc. because it assisted Unifi, Inc. in delivering and distributing their products to garments manufacturers. The petitioner concludes that because Unimatrix promoted usage of yarn manufactured by Unifi in the production of fabric and garments done by independent companies which were contracted by Unimatrix, the workers of the subject firm should be considered in support of production of yarn at Unifi, Inc. The petitioner alleges that increased foreign competition and financial health of Unifi, Inc. had a direct negative impact on Unimatrix Americas and thus workers of the subject firm should be eligible for Trade Adjustment Assistance (TAA).

A company official was contacted for clarification in regard to the nature of the work performed at the subject facility. The official stated that the petitioning group of workers at the subject firm was coordinating all sourcing activities for production of apparel done by independent contractors in Central America. The workers were responsible for "production planning and sales of domestically-produced apparel products containing fabric domestically-produced Unifi yarn." The subject firm ordered, purchased and exported supplies and goods needed for production of garments, including purchasing of Unifi yarn and arranging its further production into fabric and garments. The workers of the subject company located different independent manufacturing contractors in Central America, monitored their production and kept customers of Unimatrix informed of all production issues and ship dates. The official stated that workers of the subject firm also coordinated importing of the goods back into the United States and handled final shipments and invoicing. The company official stated that Unimatrix served as the "middleman" between different production companies and that majority of Unimatrix' customers, who manufacture garments have moved to sourcing from abroad, thus negatively impacting the subject firm.

The sophistication of the work involved is not an issue in ascertaining whether the petitioning workers are eligible for trade adjustment assistance, but rather only whether they produced an article within the meaning of section 222 of the Trade Act of 1974.

The investigation on reconsideration revealed that Unimatrix Americas, Greensboro, North Carolina is affiliated with Unifi, Inc. Workers of Unifi, Inc. in Yadkinville, North Carolina and Madison, North Carolina manufacture polyester yarn and nylon. Further investigation revealed that workers of the subject firm did not support production of polyester yarn and/or nylon at these facilities but sold apparel, utilizing Unifi products. Workers of the subject firm purchased yarn from Unifi, outsourced production of fabric out of this yarn to independent companies, exported fabric to foreign companies for manufacturing of apparel and imported final products back into the United States.

Providing global sourcing, production planning, sales and marketing is not considered production of an article within the meaning of Section 222 of the Trade Act. Petitioning workers do not produce an "article" within the meaning of the Trade Act of 1974.

The petitioner attached a document on Unifi's Fourth Quarter Results to support the allegations.

A careful review of this document revealed Unifi's decision to focus on the internal resources to support the downstream initiatives around the globe. The document clarifies that Unifi, Inc. developed internal knowledge, expertise, and relationships to drive Unifi's products to the market and as a result it will discontinue Unimatrix Americas. All functions performed by Unimatrix Americas will be utilized within Unifi because it established a new very successful business model to have a successful sourcing.

The investigation on reconsideration supported the findings of the primary investigation that the petitioning group of workers did not produce an article.

#### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Unimatrix Americas, Greensboro, North Carolina.