

order to avoid an overlap in worker group coverage.

Any persons showing a substantial interest in the termination of this certification are invited to submit written comments to the Director, Division of Trade Adjustment Assistance, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210. Submit written comments not later than May 15, 2006.

Signed in Washington, DC, this 19th day of April, 2006.

Linda G. Poole,
Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-6840 Filed 5-4-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-58,215]

Bespak, Inc., Tenax Corporation, Castleton Group, Apex, NC; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and 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 of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on December 2, 2005, applicable to workers of Bespak, Inc., Apex, North Carolina. The notice was published in the **Federal Register** on December 21, 2005 (70 FR 75841). The determination was amended on January 20, 2006, to include workers of the subject firm whose wages were reported under, Tenax Corporation, a member of the Bespak Group. The notice was published in the **Federal Register** on January 31, 2006 (71 FR 5071).

At the request of a company official, the Department again reviewed the certification for workers of the subject firm. The workers produce drug delivery devices (inhalers, bags, pumps, I.V. lines, and syringes).

The company official provided information to the Department confirming that some of the workers wages at the subject firm are reported under the Unemployment Insurance tax account for Castleton Group.

Based on this new information, the Department is again amending the certification to include workers of

Bespak, Inc., Tenax Corporation, Apex, North Carolina, whose wages are reported to Castleton Group.

The amended notice applicable to TA-W-58,215 is hereby issued as follows:

All workers of Bespak, Inc., Tenax Corporation, Castleton Group, Apex, North, Carolina, who became totally or partially separated from employment on or after October 25, 2004, through December 2, 2007, 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 at Washington, DC, this 20th day of April, 2006.

Linda G. Poole,
Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-6817 Filed 5-4-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-58,037]

Cabot Corporation, Supermetals Division, Boyertown, PA; Notice of Negative Determination on Remand

The United States Court of International Trade (USCIT) granted the Secretary of Labor's motion for a voluntary remand for further investigation in *Former Employees of Cabot Corporation, Supermetals Division, Boyertown, Pennsylvania v. Elaine Chao, U.S. Secretary of Labor*, No. 05-00674.

The Department's initial denial for the workers of Cabot Corporation, Supermetals Division, Boyertown, Pennsylvania (hereafter "Cabot"), issued on November 14, 2005 and published in the **Federal Register** on December 6, 2005 (70 FR 72655), was based on the finding that "contributed importantly" group eligibility requirement of Section 222 of the Trade Act of 1974, as amended, was not met, nor was there a shift in production from that firm to a foreign country. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The survey revealed no imports of tantalum powder during the relevant period. The subject firm did not import tantalum powder nor did it shift production to a foreign country during the relevant period.

On December 8, 2005, the petitioner requested administrative reconsideration, asserting that the decline in tantalum powder production

at the subject firm was a result of the subject company purchasing the "same items from European companies", subject firm's "take or pay" contracts, and foreign competition.

On January 5, 2006, the Department issued a Dismissal of Application for Reconsideration, published in the **Federal Register** on January 17, 2006 (71 FR 2566), stating that the application did not contain new information supporting a conclusion that the determination was erroneous, and also did not provide a justification for reconsideration of the determination that was based on either mistaken facts or a misinterpretation of facts or of the law.

After the petitioner sought review by the USCIT, the Department requested a voluntary remand since the petitioner requested that the Department conduct a further investigation of whether there was an increase of imports of tantalum powder during the relevant time period. The review of the initial investigation revealed that the confidential data request received from the subject firm during the initial investigation refers to "tantalum" as a product manufactured by the subject firm during the relevant time period. The Department contacted the subject company official to verify the exact products manufactured by the subject firm during the relevant time period. The company official reported that "tantalum powder and tantalum wire" were products manufactured by the subject firm during the relevant time period. Consequently, the Department conducted an investigation to determine if the workers were impacted by imports of "tantalum powder and tantalum wire" or a shift in production abroad occurred during the relevant period. The investigation revealed that the subject firm did not import "tantalum powder and tantalum wire", nor did it shift production of "tantalum powder and tantalum wire" to a foreign country. The investigation further revealed that all declines in sales and production of tantalum powder and tantalum wire at the subject firm are attributed to a loss in foreign market sales.

The subject firm provided two major declining customers, one a foreign company and another which appeared to be a domestic company. The Department conducted a customer survey with the major declining customer. The investigation revealed that the domestic customer purchases of tantalum powder and tantalum wire from the subject firm was for the purpose of exporting these products to its foreign manufacturing facilities. This customer does not import tantalum powder and tantalum wire into the

United States and it uses all of tantalum products in production abroad.

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 Cabot Corporation, Supermetals Division, Boyertown, Pennsylvania.

Signed at Washington, DC, this 21st day of April, 2006.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-6815 Filed 5-4-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-58,637]

Carolina Mills, Inc., Plant No. 9, Valdese, NC; Notice of Affirmative Determination Regarding Application for Reconsideration

By application of March 28, 2006, the subject company requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The Department's determination was signed on February 24, 2006, and the Notice of determination was published in the **Federal Register** on March 22, 2006 (71 FR 14550).

The subject company filed for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) as a secondarily affected company, alleging loss of dying and finishing business from customers who are import-impacted.

The negative determination was based on the findings that the subject company did not shift commission dying and finishing of fabric to a foreign country or import fabric that has been dyed and finished, and that the subject company's customers did not increase imports of commission dyed and finished fabric during the relevant period. The Department determined that because apparel is not considered like or directly competitive with fabric, increased imports of apparel cannot be a basis for TAA certification for the subject worker group.

The Department has carefully reviewed the request for reconsideration and has determined that the Department

will conduct an investigation to determine whether the subject workers supplied components to a company adversely impacted by imports and whether the workers are eligible to apply for TAA and ATAA.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 21st day of April 2006.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-6821 Filed 5-4-06; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-59,150]

Demetron Kerr, Danbury, CT; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on April 4, 2006 in response to a worker petition filed by a single worker on behalf of workers at Demetron Kerr, Danbury, Connecticut.

The petition regarding the investigation has been deemed invalid. Valid petitions must be filed by three or more workers, by a duly authorized representative of such workers, by employers of such workers, by one-stop operators, or by one-stop partners. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 17th day of April 2006.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-6848 Filed 5-4-06; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-59,159]

Eagle Picher, Hillsdale, MI; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on April 5,

2006 in response to a worker petition filed by a state agency representative on behalf of workers at Eagle Picher, Hillsdale, Michigan.

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

Signed at Washington, DC this 14th day of April 2006.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-6855 Filed 5-4-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-57,582 and TA-W-57,582B]

EPEC, LLC, New Bedford, MA; EPEC, LLC, Bethel, CT; Amended Notice of 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 August 16, 2005, applicable to workers of EPEC, LLC, New Bedford, Massachusetts. The notice was published in the **Federal Register** on September 8, 2005 (70 FR 53390).

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 have occurred involving employees of the New Bedford, Massachusetts facility of EPEC, LLC located in Bethel, Connecticut. The Bethel Connecticut workers provide support function services for the production of printed circuit boards at the New Bedford, Massachusetts location of the subject firm.

Based on these findings, the Department is amending this certification to include employees of the New Bedford, Massachusetts facility of EPEC, LLC located in Bethel, Connecticut.

The intent of the Department's certification is to include all workers of EPEC, LLC, New Bedford,