

control of NewPage Corporation, Niagara Mill.

Based on these findings, the Department is amending this certification to include workers leased from Scott VanCourt, Inc. working on-site at the Niagara, Wisconsin location of the subject firm.

The intent of the Department's certification is to include all workers employed at NewPage Corporation, Niagara Mill, Niagara, Wisconsin who were adversely affected by increased imports of coated mechanical printing paper.

The amended notice applicable to TA-W-63,691 is hereby issued as follows:

"All workers of NewPage Corporation, Niagara Mill, including on-site leased workers from PSI, Naico, Gunville Trucking, Advanced Service Providers, and Scott VanCourt, Inc., Niagara, Wisconsin, who became totally or partially separated from employment on or after July 11, 2007, through July 31, 2010, 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 30th day of September 2008.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-23852 Filed 10-7-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-63,086]

#### **Palm Beach Precision Molding Company, Including Workers Whose Wages Were Paid by Ultimate Staffing Service, d/b/a K-Industries, USA, LLC, Riviera Beach, FL; 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 Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on April 9, 2008, applicable to workers of K-Industries, USA, LLC, Riviera Beach, Florida. The notice was published in the **Federal Register** on April 23, 2008 (73 FR

21991). The certification was amended on May 15, 2008 to include workers whose wages were reported under the Unemployment Insurance (UI) tax account for Ultimate Staffing Service.

The notice was published in the **Federal Register** on May 21, 2008 (73 FR 29537)

At the request of a State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of injection-molded plastic parts.

New information provided by the State and the company shows that the correct name of the subject firm should read Palm Beach Precision Molding Company, d/b/a K-Industries, USA, LLC, including workers whose wages were paid by Ultimate Staffing Service, Riviera Beach, Florida.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Palm Beach Precision Molding Company, d/b/a K-Industries, USA, LLC who were adversely affected by a shift in production to the Dominican Republic.

The amended notice applicable to TA-W-63,086 is hereby issued as follows:

All workers of Palm Beach Precision Molding Company, d/b/a K-Industries, USA, LLC, including workers whose wages were paid by Ultimate Staffing Service, Riviera Beach, Florida, who became totally or partially separated from employment on or after March 27, 2007, through April 9, 2010, 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 30th day of September 2008.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for

workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the period of September 22 through September 26, 2008.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. the sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. there has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. the country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. there has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group

eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

#### **Affirmative Determinations for Worker Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) of the Trade Act have been met.

*None.*

#### **Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-63,745; *Briggs & Stratton Power Products Group, Simplicity Div., Port Washington, WI: July 24, 2007*

TA-W-63,857; *Flexsteel Industries, Inc., Lancaster, PA: August 4, 2007*

TA-W-64,040; *Borg Warner Thermal Systems, Friday's Staffing, Fletcher, NC: September 5, 2007*

TA-W-63,677; *T.L. Bayne Co., Inc., Harlan, KY: July 10, 2007*

TA-W-63,794; *Norwalk Furniture Corporation, Norwalk, OH: July 23, 2007*

TA-W-63,818; *Delphi Thermal Systems, Lockport Operations, Lockport, NY: August 4, 2007*

TA-W-63,871; *Maui Pineapple Co., Kahului, HI: August 6, 2007*

TA-W-63,997; *Lapeer Metal Stamping Companies, Inc., Dearborn Division, Dearborn, MI: September 4, 2007*

TA-W-64,002; *Lapeer Metal Stamping Companies, Sebewaing Div., Sebewaing, MI: September 5, 2007*

TA-W-64,003; *Lapeer Metal Stamping Companies, Mt. Clemens Divisions, Mt. Clemens, MI: September 5, 2007*

TA-W-64,044; *Kace International, LLC, Dana Division, Shreveport, LA: September 12, 2007*

TA-W-64,045; *Kace International, LLC, Siegel Reports Division, Shreveport, LA: September 12, 2007*

TA-W-63,841; *Great Lakes Industry, Inc., Jackson, MI: December 17, 2007*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-63,967; *Merkle-Korff Industries, Mt. Prospect Road Plant Division, Des Plaines, IL: August 18, 2007*

TA-W-63,980; *Stoneridge Control Devices, A Subsidiary Stoneridge, Pollak Division, Canton, MA: September 2, 2007*

TA-W-63,994; *JCIM US, LLC, Wages Paid By LDM Technologies, d/b/a Plastech, Hartland, MI: August 20, 2007*

TA-W-64,033; *Eaton Corporation, Clutch Division, Auburn, IN: September 10, 2007*

TA-W-64,035; *The Hershey Company, Reading Plant, Reading, PA: September 11, 2007*

TA-W-63,911; *Cypress Semiconductor (Texas), Inc., Cypress Semiconductor Fab2, Round Rock, TX: August 19, 2007*

TA-W-63,917; *Materials Management, Inc., Easley, SC: August 21, 2007*

TA-W-64,022; *Honeywell International, Scanning Mobility, Manpower, Skaneateles Falls, NY: September 9, 2007*

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-63,771; *Blue Water Automotive Systems, Inc., Burlington, NC: July 25, 2008*

TA-W-63,867; *Unifi, Inc., Staunton, VA: August 12, 2007*

TA-W-63,971; *Trim Masters, Inc., Automotive Technology Systems Division, Lawrenceville, IL: September 2, 2007*

TA-W-64,049; *Meridian Automotive Systems, Leased Workers From Manpower, Shreveport, LA: September 12, 2007*

TA-W-64,054; *Modas, LLC, Shreveport, LA: September 12, 2007*

TA-W-64,082; *Precision Manufacturing and Assembly, Dayton, OH: September 13, 2007*

The following certifications have been issued. The requirements of Section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

*None.*

#### **Negative Determinations for Alternative Trade Adjustment Assistance**

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

The Department has determined that criterion (1) of Section 246 has not been met. The firm does not have a

significant number of workers 50 years of age or older.

None.

The Department has determined that criterion (2) of Section 246 has not been met. Workers at the firm possess skills that are easily transferable.

None.

The Department has determined that criterion (3) of Section 246 has not been met. Competition conditions within the workers' industry are not adverse.

None.

**Negative Determinations For Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.) (employment decline) have not been met.

TA-W-63,805; *International Paper Company, Pensacola Mill, Cantonment, OH.*

TA-W-63,887; *Sun Microsystems, Inc., Sun Learning Services Division, Broomfield, PA.*

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-63,923; *Vanguard Furniture, Conover, MI.*

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-63,728; *Leggett and Platt, Nova Bond Facility, Nashville, WI.*

TA-W-63,811; *H. B. Fuller Company, Wise Personnel, Paducah, NY.*

TA-W-63,895; *Sewall Gear Manufacturing, St. Paul, HI.*

TA-W-63,897; *IAC Canton, LLC, Inter'l Automotive Components Group North America, Canton, MI.*

TA-W-63,942; *Mega Building Systems Ltd, Springfield, MI.*

TA-W-63,962; *GE Consumer and Industrial Lighting, Willoughby Lucalox Plant, Willoughby, NC.*

TA-W-63,964; *Boise Cascade LLC, Salem Converting Division, Salem, LA.*

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-64,074; *First Insight Corporation, Customer Service Department, Hillsboro,*

The investigation revealed that criteria of Section 222(b)(2) has not been met. The workers' firm (or subdivision) is not a supplier to or a downstream producer for a firm whose workers were certified eligible to apply for TAA.

TA-W-63,539; *DMAX, LTD., Dayton, KY.*

I hereby certify that the aforementioned determinations were issued during the period of September 22 through September 26, 2008. Copies of these determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: October 2, 2008.

**Erin Fitzgerald,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. E8-23850 Filed 10-7-08; 8:45 am]

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221(a)

of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than October 20, 2008.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than October 20, 2008.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 1st day of October 2008.

**Erin Fitzgerald,**

*Director, Division of Trade Adjustment Assistance.*

**APPENDIX**

[TAA petitions instituted between 9/22/08 and 9/26/08]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
64086	Talbot, Inc. (Wkrs)	Portland, OR	09/22/08	09/19/08
64087	Affymetrix (Wkrs)	West Sacramento, CA	09/22/08	09/18/08
64088	Rexam Closures Systems, Inc. (Comp)	Bowling Green, OH	09/22/08	09/15/08
64089	Bill Sills Sportswear (Comp)	Lexington, TN	09/22/08	09/17/08
64090	Yuhshin USA Limited dba Ortech (Comp)	Kirkville, MO	09/22/08	09/19/08
64091	All-Luminum dba Rio Brands (Comp)	Philadelphia, PA	09/22/08	09/18/08