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.

TA–W–65,827; Plasma Automation, Inc., Meadville, PA.

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

TA–W–65,653; Munson Machinery Company, Utica, NY.

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–65,836; EDS, an HP Company, Application Development Services—Landes Division, Kokomo, IN.

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.

None.

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–65,138A; Sierra Pine, Martell Division, Martell, CA.

TA–W–65,138; Sierra Pine, Rocklin Division, Rocklin, CA.

TA–W–65,362; Governors America Corporation, Agawam, MA.

TA–W–65,628; St. Marys Tool and Die Company, St. Marys, PA.

TA–W–65,700; Weyerhaeuser, Raymond Lumbermill, Raymond, WA.

TA–W–65,725; Roseburg Forest Products, Engineered Wood Division, Riddle, OR.

TA–W–65,726; Caterpillar, Aurora, IL.

TA–W–65,760; Classic Leather, Inc., Hickory, NC.

TA–W–65,770A; Westport Shipyard, Inc., Hoquiam, WA.

TA–W–65,770B; Westport Shipyard, Inc., Port Angeles, WA.

TA–W–65,770C; Westport Shipyard, Inc., La Conner, WA.

TA–W–65,770; Westport Shipyard, Inc., Westport, WA.

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

None.

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.

None.

I hereby certify that the aforementioned determinations were issued during the period of May 11, 2009 through June 5, 2009. Copies of these determinations are available for inspection in Room N–5428, 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: June 12, 2009.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9–14327 Filed 6–17–09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–65,467]

Kenworth Truck Company, a Subsidiary of Paccar, Inc., Renton, WA; Notice of Negative Determination Regarding Application for Reconsideration

By application dated May 7, 2009, International Association of Machinists and Aerospace Workers, District Lodge, No. 160 requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA), applicable to workers and former workers of the subject firm. The denial notice was signed on April 14, 2009 and published in the **Federal Register** on April 30, 2009 (74 FR 19996).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the finding that imports of class 8 heavy duty trucks did not contribute importantly to worker separations at the subject facility and there was no shift of production to a foreign country. The subject firm did not import class 8 heavy duty trucks during the relevant period. The ''contributed importantly'' test is generally demonstrated through a survey of the workers' firm's declining domestic customers. In this case the survey was not conducted because the customers purchased all Class 8 heavy duty trucks exclusively from the subject firm.

The petitioner alleged that subject firm's competitors import heavy trucks and parts of heavy trucks, thus having an advantage over the subject firm in locating potential customers.

The impact of competitors on the domestic firms is revealed in an investigation through customer surveys and aggregate import analysis. In the case at hand, the Department solicited information from the customers of the subject firm to determine if customers purchased imported Class 8 heavy duty trucks. The information was intended to determine if competitor imports contributed importantly to layoffs at the subject firm. The investigation revealed no imports of Class 8 heavy duty trucks during the relevant period. The subject firm did not import class 8 heavy duty trucks nor was there a shift in production of class 8 heavy duty trucks from subject firm abroad during the relevant period. Furthermore, U.S. aggregate imports of Class 8 heavy duty trucks have been declining since 2006.

The petitioner also stated that other divisions of Kenworth Truck Company and a supplier of interior components for heavy duty trucks have been recently certified for TAA and thus workers of the subject facility should also be eligible for TAA.

The Kenworth Truck Company divisions indicated by the petitioner were certified eligible for TAA in January 2009 since the company shifted production of cabs for Class 8 trucks to Mexico. The certifications of these divisions are not relevant to this investigation as certified workers engaged in production of cabs are separately identifiable from workers of the subject firm who are engaged in production of Class 8 heavy duty trucks. The certification of a company supplying interior components for heavy duty trucks is also not relevant to this investigation.

When assessing eligibility for TAA, the Department exclusively considers shift in production of articles like or directly competitive with the ones manufactured at the subject firm during the relevant period (one year prior to the date of the petition). The issue of a shift in production by the subject firm to a foreign country was addressed during the initial investigation. It was revealed that the subject firm did not shift production of Class 8 heavy duty trucks during the relevant period.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed in Washington, DC, this 19th day of May 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9–14323 Filed 6–17–09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–64,979]

Fiberweb, PLC, Simpsonville, SC; Notice of Negative Determination on Reconsideration

On May 12, 2009, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice will soon be published in the **Federal Register**.

The initial investigation resulted in a negative determination based on the finding that imports of filtration media did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration, the petitioner alleged that the workers of the subject firm also produced non-filtration products, specifically nonwoven fabrics used in medical applications, hygiene applications and nonwoven rolled goods. The petitioner also alleged that the subject firm shifted production of non-filtration products abroad and that there was an increase in imports of non-filtration products.

The Department of Labor contacted a company official to verify this information. The company official stated that the subject firm ceased production of the non-filtration products at the end of 2006 and that none of the articles outlined by the petitioner were manufactured by workers of the subject firm since 2006.

When assessing eligibility for TAA, the Department exclusively considers production and import impact during the relevant time period (one year prior to the date of the petition). Therefore, events occurring prior to January 22, 2008 are outside of the relevant period and are not relevant in this investigation.

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 Fiberweb, PLC, Simpsonville, South Carolina.

Signed at Washington, DC, this 9th day of June 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9–14332 Filed 6–17–09; 8:45 am]

BILLING CODE 4510–FN–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–424 and 50–425; NRC–2009–0241]

Southern Nuclear Operating Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards, Consideration Determination, and Opportunity for a Hearing, and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information (SUNSI) for Contention Preparation

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. NPF–68 and NPF–81 issued to Southern Nuclear Operating Company (the licensee) for operation of the Vogtle Electric Generating Plant, Units 1 and 2, located in Burke County, Georgia.

The proposed amendment would revise Technical Specification (TS) 5.5.9, ''Steam Generator (SG) Program,'' to exclude portions of the tubes within the tubesheet from periodic SG inspections. In addition, this amendment proposes to revise TS 5.6.10, ''Steam Generator Tube Inspection Report'' to remove reference to previous interim alternate repair criteria and provide reporting requirements specific to the permanent alternate repair criteria. The proposed change defines the safety significant portion of the tube that must be inspected and repaired. The amendment application dated May 19, 2009, contains sensitive unclassified non-safeguards information (SUNSI).

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR), Section 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant