

production process at General Motors, Spring Hill, Tennessee. The workers of Premier Manufacturing Support Services provided services (janitorial, maintenance, and hazardous waste disposal) that were directly involved in the production process at General Motors, Spring Hill, Tennessee. In contrast, the worker of the subject firm provided services (cafeteria services and vending machine services) that are not directly involved in the production process at General Motors, Spring Hill, Tennessee.

In the request for reconsideration, the Union also asserts that the workers "are under the operational control of the General Motors Corporation in Spring Hill, Tennessee and were considered joint employees."

A careful review of previously-submitted information from American Food and Vending revealed no evidence that supports either of the aforementioned assertions. For example, the workers' wages have not been reported under any Federal Employer Identification Number (FEIN) other than the subject firm's FEIN.

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 3rd day of May 2010.

**Del Min Amy Chen,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 2010-12107 Filed 5-19-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-71,401]

#### Setco Automotive, Inc., Paris, TN; Notice of Revised Determination on Reconsideration

By application dated April 5, 2010, the Tennessee AFL-CIO Technical Assistance Office (Union) requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of the subject firm.

The initial investigation resulted in a negative determination, issued on March 9, 2010, that was based on the finding that there was no increase in imports by the workers' firm or customers of the subject firm, nor was there a shift or acquisition by the workers' firm, and neither the workers' firm nor its customers reported imports of articles like or directly competitive with articles into which the automotive clutch products produced by the workers' firm was directly incorporated into. The Department's Notice of determination was published in the **Federal Register** on April 23, 2010 (FR 75 21358).

The reconsideration investigation revealed that, during 2008 and 2009, the subject firm sold component parts (automotive clutch products) to be incorporated into an article to a firm that employed a worker group currently eligible to apply for TAA, and that the article was the basis for the certification. The subject firm's sales to that customer in each of those two years amounted to approximately twenty percent of the subject firm's total sales.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers of Setco Automotive, Inc., Paris, Tennessee meet the worker group certification criteria under Section 222(c) of the Act, 19 U.S.C. 2272(c). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of Setco Automotive, Inc., Paris, Tennessee, who became totally or partially separated from employment on or after June 25, 2008, through two years from the date of this certification, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed in Washington, DC, this 4th day of May, 2010.

**Del Min Amy Chen,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 2010-12115 Filed 5-19-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission, [NRC-2010-0002].

**DATE:** Week of May 24, 2010.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

### ADDITIONAL ITEMS TO BE CONSIDERED:

**Week of May 24, 2010**

*Thursday, May 27, 2010*

9:25 a.m. Affirmation Session (Public Meeting) (Tentative).

a. South Texas Project Nuclear Operating Co. (South Texas Project Units 3 and 4), Intervenor's Notice of Appeal, Brief in Support of Intervenor's Appeal of Atomic Safety and Licensing Board's Order of January 29, 2010 (Feb. 9, 2010) (Tentative).

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Angela Bolduc, Chief, Employee/Labor Relations and Work Life Branch, at 301-492-2230, TDD: 301-415-2100, or by e-mail at [angela.bolduc@nrc.gov](mailto:angela.bolduc@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969),

or send an e-mail to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: May 17, 2010.

**Rochelle C. Bavol,**

*Office of the Secretary.*

[FR Doc. 2010-12224 Filed 5-18-10; 11:15 am]

BILLING CODE 7590-01-P

## PENSION BENEFIT GUARANTY CORPORATION

### Proposed Submission of Information Collection for OMB Review; Comment Request; Payment of Premiums

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of intention to request extension of OMB approval of revised collection of information.

**SUMMARY:** The Pension Benefit Guaranty Corporation (PBGC) is modifying the collection of information under Part 4007 of its regulation on Payment of Premiums (OMB control number 1212-0007; expires April 30, 2011) and intends to request that the Office of Management and Budget (OMB) extend approval of the collection of information under the Paperwork Reduction Act for three years. This notice informs the public of PBGC's intent and solicits public comment on the collection of information.

**DATES:** Comments must be submitted by July 19, 2010.

**ADDRESSES:** Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the Web site instructions for submitting comments.

- *E-mail:* [reg.comments@pbgc.gov](mailto:reg.comments@pbgc.gov).

- *Fax:* 202-326-4224.

- *Mail or Hand Delivery:* Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

Comments received, including personal information provided, will be posted to <http://www.pbgc.gov>.

Copies of the collection of information and comments may be obtained without charge by writing to the Disclosure Division, Office of General Counsel, at the above address or by visiting the Disclosure Division or calling 202-326-4040 during normal business hours. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.) The premium payment regulation and the

premium instructions (including illustrative forms) for 2010 and prior years can be accessed on PBGC's Web site at <http://www.pbgc.gov>.

#### FOR FURTHER INFORMATION CONTACT:

James Bloch, Program Analyst, Legislative and Policy Division, or Catherine B. Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; 202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:** Section 4007 of Title IV of the Employee Retirement Income Security Act of 1974 (ERISA) requires pension plans covered under Title IV pension insurance programs to pay premiums to PBGC. Pursuant to section 4007, PBGC has issued its regulation on Payment of Premiums (29 CFR part 4007). Under § 4007.3 of the premium payment regulation, plan administrators are required to file premium payments and information prescribed by PBGC. Premium information must be filed electronically using "My Plan Administration Account" ("My PAA") through PBGC's Web site except to the extent PBGC grants an exemption for good cause in appropriate circumstances, in which case the information must be filed using an approved PBGC form. The plan administrator of each pension plan covered by Title IV of ERISA is required to submit one or more premium filings for each premium payment year. Under § 4007.10 of the premium payment regulation, plan administrators are required to retain records about premiums and information submitted in premium filings.

PBGC needs information from premium filings to identify the plans for which premiums are paid, to verify whether the amounts paid are correct, to help PBGC determine the magnitude of its exposure in the event of plan termination, to help track the creation of new plans and transfer of participants and plan assets and liabilities among plans, and to keep PBGC's insured-plan inventory up to date. That information and the retained records are also needed for audit purposes.

All plans covered by Title IV of ERISA pay a flat-rate per-participant premium. An underfunded single-employer plan also pays a variable-rate premium based on the value of the plan's unfunded vested benefits.

Large-plan filers (*i.e.*, plans that were required to pay premiums for 500 or

more participants for the prior plan year) are required to pay PBGC's flat-rate premium early in the premium payment year. Because the participant count often is not available until late in the premium payment year, PBGC permits filers to make an "Estimated flat-rate premium filing."

All plans are required to make a "Comprehensive premium filing." Comprehensive filings are used to report (i) the flat-rate premium and related data (all plans), (ii) the variable-rate premium and related data (single-employer plans), and (iii) additional data such as identifying information and miscellaneous plan-related or filing-related data (all plans). For large plans, the Comprehensive filing also serves to reconcile an estimated flat-rate premium paid earlier in the year.

PBGC intends to revise the 2011 filing instructions to:

- Remove references to a transition rule in section 430 of the Internal Revenue Code that no longer applies.
- Remove instructions about the credit card payment option for premium payments, which is being eliminated because of low usage.
- Clarify that if a plan has been frozen more than once, a filer should report the most recent date that the plan became closed to new entrants. These instructions parallel the benefit-accrual-freeze instructions.

- Make other minor changes.

PBGC intends to revise the 2012 filing instructions to require plans using the alternative premium funding target to report the "effective interest rate" (defined in section 430(h) of the Internal Revenue Code). PBGC will use this information to update its annual contingency list and financial statements more timely and accurately. PBGC is not making this change until 2012 to provide time to modify its premium accounting system to handle the new data element.

The collection of information under the regulation has been approved through April 30, 2011, by OMB under control number 1212-0007. PBGC intends to request that OMB extend approval of the collection of information (with modifications) for another three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that it will receive 34,300 premium filings per year from 28,500 plan administrators under this collection of information. PBGC further estimates that the average annual burden of this collection of information is 9,000 hours and \$59,960,000.