

inspections adequately using its own staff located at its recognized site(s). Accordingly, OSHA would continue to deny use of such a program, or withdraw its prior approval to use such a program, when it determines that a NRTL/applicant is not testing, evaluating, and performing inspections adequately using its own staff located at its recognized site(s).

#### *Additional Condition*

As described above, while QPS has testing and evaluation procedures, OSHA could not review how QPS has implemented them because QPS has not used them for testing and certifying products under the program. In addition, as also described above, while QPS has factory-inspection procedures, it currently does not conduct regular factory inspections. Some of these testing- and factory-inspection procedures are newly developed by QPS. Therefore, OSHA also must review the effectiveness of QPS's testing and evaluation procedures, and its factory-inspection program should OSHA grant NRTL recognition to QPS, and do so within a reasonable period after granting recognition. Consequently, OSHA proposes to recognize QPS conditionally, *i.e.*, subject to a later determination of the effectiveness of these procedures. OSHA would include these conditions in the final notice should OSHA recognize QPS as a NRTL. These conditions apply solely to QPS's operations as a NRTL, and solely to those products that it certifies for purposes of enabling employers to meet OSHA product-approval requirements. These conditions would be in addition to all other conditions that OSHA normally imposes in its recognition of an organization as a NRTL.

Imposing these conditions is consistent with OSHA's past recognition of certain organizations as NRTLs that met the basic recognition requirements, but needed to further refine or implement their procedures (for example, *see* 63 FR 68306, 12/10/1998, and 65 FR 26637, 05/08/2000). Given the applicant's current activities in testing and certification, OSHA is confident that QPS will properly perform its activities in the areas noted above.

Therefore, the following conditions would apply should OSHA recognize QPS under the NRTL Program:

Within 30 days of certifying its first products under the NRTL Program, QPS will notify the OSHA NRTL Program Director of this activity so that OSHA may schedule its first audit of QPS. At this first audit of QPS, QPS must demonstrate that it properly conducted testing, review, and evaluation,

and factory inspections, and, for inspections, did so at the frequency set forth in the applicable NRTL Program policy.

#### *Preliminary Finding on the Application*

QPS submitted an acceptable application for recognition as a NRTL. OSHA's review of the application file and the results of the on-site review indicate that QPS can meet the requirements prescribed by 29 CFR 1910.7 for recognition to use the test standards listed above. This preliminary finding does not constitute an interim or temporary approval of the application. QPS corrected the discrepancies noted by OSHA during the on-site review, and these corrections are described in its response to the on-site review report (NA).

Following examination of the application file and the on-site review report, the NRTL Program staff concluded that OSHA can grant the applicant recognition as a Nationally Recognized Testing Laboratory for its Toronto, Ontario, facility, subject to the conditions described above. The staff, therefore, recommended preliminarily that the Assistant Secretary approve the application.

OSHA welcomes public comment as to whether QPS meets the requirements of 29 CFR 1910.7 for recognition as a Nationally Recognized Testing Laboratory. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. OSHA must receive the written request for an extension by the due date for comments. OSHA will limit any extension to 30 days unless the requester justifies a longer period. OSHA may deny a request for an extension if it is not adequately justified. To obtain or review copies of the publicly available information in QPS's application and other pertinent documents (including exhibits), and all submitted comments, contact the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address; these materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2010-0046.

The NRTL Program staff will review all comments submitted to the docket in a timely manner, and, after addressing the issues raised by these comments, will recommend whether to grant NRTL recognition to QPS. The Assistant Secretary will make the final decision on granting NRTL recognition, and, in making this decision, may undertake other proceedings prescribed in

Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

#### *Authority and Signature*

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210, directed the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to Sections 6(b) and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655 and 657), Secretary of Labor's Order No. 4-2010 (75 FR 55355), and 29 CFR part 1911.

Signed at Washington, DC on this 15th day of November 2010.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2010-29125 Filed 11-17-10; 8:45 am]

**BILLING CODE 4510-26-P**

## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

#### **Notice of Determinations Regarding Eligibility To Apply for Worker 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 by (TA-W) number issued during the period of November 1, 2010 through November 5, 2010.

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. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by

such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) Imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) The increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) There has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) The shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies 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) A significant number or proportion of the workers in the public agency have

become totally or partially separated, or are threatened to become totally or partially separated;

(2) The public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) The acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary 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(c) of the Act must be met.

(1) A significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) Either—

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

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

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) The workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) An affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) An affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) An affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) The petition is filed during the 1-year period beginning on the date on which—

(A) A summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) Notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) The workers have become totally or partially separated from the workers' firm within—

(A) The 1-year period described in paragraph (2); or

(B) Notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

**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.

TA-W No.	Subject firm	Location	Impact date
73,933 .....	Exide Technologies, SLI Division; Leased Workers Adecco Employment Services and Countrywide, etc.	Reading, PA .....	April 14, 2009.
74,358 .....	PW Hardwood, LLC .....	Brookville, PA .....	June 23, 2009.
74,630 .....	Federal-Mogul Corporation .....	Boyertown, PA .....	September 13, 2009.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or

services) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
73,875	TechTeam Global, Inc., Leased Workers Human Capital Staffing, LLC, K-Force, Accountstemps, etc.	Southfield, MI	April 2, 2009.
74,365	Sigue Corporation, Formerly Known As Envios El CID, Inc	Glendale, CA	June 28, 2009.
74,601	Motorola, Inc., Motorola Mobility, Inc.; Mobility Division, etc	Horsham, PA	September 3, 2009.
74,619	Sematic USA, Inc., Sematic Group	Twinsburg, OH	August 16, 2009.
74,649	DSTsystems, Inc., Leased Workers from Comsys Information Technology Services, Megaforce, etc.	Kansas City, MO	September 21, 2009.
74,688	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Tampa, FL	September 30, 2009.
74,688A	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Sacramento and San Jose, CA	September 30, 2009.
74,688B	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Washington, DC	September 30, 2009.
74,688C	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Atlanta, GA	September 30, 2009.
74,688D	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Chicago, IL	September 30, 2009.
74,688E	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Boston, MA	September 30, 2009.
74,688F	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Detroit, MI	September 30, 2009.
74,688G	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Florham Park and Jersey City, NJ	September 30, 2009.
74,688H	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Melville, NY	September 30, 2009.
74,688I	PricewaterhouseCoopers LLP, Internal Firm Services, IT Services, Leased Workers Infosys, Comsys, etc.	Dallas, TX	September 30, 2009.
74,691	Smurfit-Stone Container Corporation, Shared Services Division	Jacksonville, FL	September 29, 2009.
74,734	Chrysler Group, LLC, Trenton Engine Plant	Trenton, MI	December 17, 2010.
74,736	Universal Lighting Technologies, Inc., Regional Distribution Center.	Lincoln Park, NJ	October 14, 2009.
74,752	Morse Automotive Corporation, Warehousing Operations Division	Chicago, IL	November 5, 2010.

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

TA-W No.	Subject firm	Location	Impact date
74,419	Huntington Foam, LLC, Brockway Branch, Leased Workers from Manpower.	Brockway, PA	July 14, 2009.

**Negative Determinations for Worker 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.

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i)

(decline in sales or production, or both) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W No.	Subject firm	Location	Impact date
74,333	Quantumplus Limited Partnership, dba Tabs Direct, Inc., Subsidiary of RAPP.	Irving, TX	

The investigation revealed that the criteria under paragraphs(a)(2)(A) (increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W No.	Subject firm	Location	Impact date
73,457	Hayes-Lemmerz International, Commercial Highway, Inc	Akron, OH	
73,764	Amazon.com, Amazon Mobile Engineering Team	Seattle, WA	
74,342	International Paper Company	Jonesboro, AR	
74,370	Boulder Community Hospital	Boulder, CO	
74,595	Connect North America U.S.A., Inc., Black Diamond Financial Corporation, Inc.	Presque Island, ME	
74,622	Southwest AMT, Inc., Advanced Machine and Tool Corporation	McAllen, TX	
74,656	Providence Washington Insurance Solutions, LLC, Information Technology.	East Providence, RI	

TA-W No.	Subject firm	Location	Impact date
74,684 .....	World Color (USA), LLC, Quad-Graphics, Inc .....	Clarksville, TN .....	

I hereby certify that the aforementioned determinations were issued during the period of November 1, 2010 through November 5, 2010. Copies of these determinations may be requested under the Freedom of Information Act. Requests may be submitted by fax, courier services, or mail to FOIA Disclosure Officer, Office of Trade Adjustment Assistance (ETA), U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 or [tofoiarequest@dol.gov](mailto:tofoiarequest@dol.gov). These determinations also are available on the Department's Web site at <http://www.doleta.gov/tradeact> under the searchable listing of determinations.

Dated: November 12, 2010.

**Michael W. Jaffe,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 2010-29093 Filed 11-17-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2010-0045]

#### Advisory Committee on Construction Safety and Health (ACCSH)

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Announcement of a meeting of the Advisory Committee on Construction Safety and Health (ACCSH) and ACCSH Work Group meetings.

**SUMMARY:** ACCSH will meet December 9 and 10, 2010 in Washington, DC. In conjunction with the ACCSH meeting, ACCSH Work Groups will meet December 7 and 8, 2010.

**DATES:**

*ACCSH:* ACCSH will meet from 8 a.m. to 4 p.m., Thursday, December 9, 2010, and from 8 a.m. to noon, Friday, December 10, 2010.

*ACCSH Work Groups:* ACCSH Work Groups will meet Tuesday, December 7, and Wednesday, December 8, 2010. (For Work Group meeting times and locations, see the Work Group Schedule information in the **SUPPLEMENTARY INFORMATION** section of this notice.)

*Written comments, requests to speak, speaker presentations, and requests for special accommodation:* Comments, requests to address the ACCSH meeting,

written or electronic speaker presentations, and requests for special accommodations for the ACCSH and ACCSH Work Group meetings must be submitted (postmarked, sent, transmitted) by November 24, 2010.

**ADDRESSES:** *ACCSH and ACCSH Work Group:* ACCSH and ACCSH Work Group meetings will be held in Room N-3437 A-C, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington DC 20210.

*Submission of comments, requests to speak, and speaker presentations:* Interested persons may submit comments, requests to speak at the ACCSH meeting, and speaker presentations using any one of the following methods:

*Electronically:* You may submit materials, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the on-line instructions for submissions or comments.

*Facsimile (Fax):* If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* You may submit a copy of your comments, request to speak, and speaker presentation to the OSHA Docket Office, Docket No. OSHA-2010-0045, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350 (TTY (877) 889-5627). Deliveries (hand deliveries, express mail, messenger, and courier service) are accepted during the Department of Labor's and OSHA Docket Office's normal business hours, 8:15 a.m.-4:45 p.m., e.t., weekdays. Because of security-related procedures, submissions by regular mail may experience significant delays.

*Requests for special accommodations:* Please submit requests for special accommodation to attend the ACCSH and ACCSH Work Group meetings to Ms. Veneta Chatmon, OSHA, Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1999; e-mail [chatmon.veneta@dol.gov](mailto:chatmon.veneta@dol.gov).

**FOR FURTHER INFORMATION CONTACT:**

*For press inquiries:* Ms. MaryAnn Garrahan, OSHA, Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution

Avenue, NW., Washington, DC 20210; telephone (202) 693-1999.

*For general information about ACCSH and ACCSH meetings:* Mr. Francis Dougherty, OSHA, Directorate of Construction, Room N-3468, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2020; e-mail [dougherty.francis@dol.gov](mailto:dougherty.francis@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**ACCSH Meeting**

ACCSH will meet Thursday, December 9, 2010, and Friday, December 10, 2010, in Washington DC. The meeting is open to the public.

ACCSH is authorized to advise the Secretary of Labor and Assistant Secretary of Labor for Occupational Safety and Health (Assistant Secretary) in the formulation of standards affecting the construction industry and on policy matters arising in the administration of the safety and health provisions under the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 3701 *et seq.*) and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*) (see also 29 CFR 1911.10 and 1912.3).

The agenda topics for this meeting include:

- *Welcome/Remarks from the Office of the Assistant Secretary;*
- *Remarks from the Directorate of Construction;*
- *Mast Climbing Work Platform presentation;*
- *Update on the Injury and Illness Prevention Program rulemaking;*
- *Update on the Severe Violator Enforcement Program;*
- *Update on Cooperative and State Programs;*
- *Work Group Reports, Work Group and Committee Administration;*
- *Public Comment Period.*

ACCSH meetings are transcribed and detailed minutes of the meetings are prepared. The transcript and minutes are placed in the public docket for the meeting. The docket also includes ACCSH Work Group reports, speaker presentations, comments, and other materials and requests submitted to the Committee.

**ACCSH Work Group Meetings**

In conjunction with the ACCSH meeting, the following ACCSH Work Groups will meet December 7-8, 2010: