

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.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-80,086; Eastman Kodak Company, Rochester, New York.

TA-W-80,145; Truelove Dental Laboratory, Inc., Norman, Oklahoma.

TA-W-80,146; International Business Machines (IBM), Armonk, New York.

TA-W-80,249; Staples, Inc., Broomfield, Colorado.

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

TA-W-80,021; Pitney Bowes Mail Services Management Sales, Purchase, New York.

TA-W-80,114; Ceva Logistics, East Liberty, Ohio.

TA-W-80,114A; Ceva Logistics, Van Wert, Ohio.

TA-W-80,167; SunGard Business Systems, LLC, Birmingham, Alabama.

TA-W-80,228; Continental Casualty Company, Chicago, Illinois.

TA-W-80,279; Paris Accessories, Inc., Yellville, Arkansas.

TA-W-80,290; MGM Resorts International Operations, Inc., Las Vegas, Nevada.

Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA-W-80,157; Cognis Corp., Cincinnati, Ohio.

TA-W-80,157A; Cognis Corp., Cincinnati, Ohio.

TA-W-80,345; Pet Are Remembered, Mount Vernon, Indiana.

The following determinations terminating investigations were issued because the petitioning groups of workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA-W-80,062; Ericsson Services, Inc., Kansas City, Missouri.

I hereby certify that the aforementioned determinations were issued during the period of August 8, 2011 through August 12, 2011. 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. These determinations also are available on the Department's Web site at <http://www.doleta.gov/tradeact> under the searchable listing of determinations.

Dated: August 19, 2011.

Michael W. Jaffe,
Certifying Officer, Office of Trade Adjustment Assistance.

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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, Office of Trade Adjustment Assistance, at the address shown below, not later than September 12, 2011.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than September 12, 2011.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N-5428, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 19th day of August 2011.

Michael W. Jaffe,
Certifying Officer, Office of Trade Adjustment Assistance.

Appendix

43 TAA PETITIONS INSTITUTED BETWEEN 8/1/11 AND 8/12/11

| TA-W | Subject firm (petitioners) | Location | Date of institution | Date of petition |
|-------|---|-----------------|---------------------|------------------|
| 80327 | Mohawk (Workers) | Laurel Hill, NC | 08/01/11 | 07/28/11 |
| 80328 | Valley Care Health System Northside Medical Center (State/One-Stop) | Youngstown, OH | 08/01/11 | 07/29/11 |
| 80329 | DHL Express (State/One-Stop) | Houston, TX | 08/01/11 | 07/29/11 |
| 80330 | Baker Hughes Enterprise Finance Organization (State/One-Stop) | Houston, TX | 08/01/11 | 07/29/11 |
| 80331 | BLD Products (Workers) | Holland, MI | 08/02/11 | 07/22/11 |
| 80332 | Chute Chemical Company (Company) | Bangor, ME | 08/02/11 | 07/21/11 |

43 TAA PETITIONS INSTITUTED BETWEEN 8/1/11 AND 8/12/11—Continued

| TA-W | Subject firm (petitioners) | Location | Date of institution | Date of petition |
|-------|---|-----------------------|------------------------|---------------------|
| 80333 | Kimball Electronics Fremont (Workers) | Fremont, CA | 08/02/11 | 08/01/11 |
| 80334 | RR Donnelley (Workers) | Eldridge, IA | 08/02/11 | 07/15/11 |
| 80335 | Linear Motion, LLC (Union) | Saginaw, MI | 08/02/11 | 07/21/11 |
| 80336 | Dell Inc., Dell Financial Services (Workers) | Austin, TX | 08/02/11 | 07/18/11 |
| 80337 | 84 Lumber Company-Forest Grove OR (State/One-Stop) | Forest Grove, OR | 08/03/11 | 08/02/11 |
| 80338 | Thermal Dynamics Corporation (Thermadyne) (Company) | West Lebanon, NH | 08/03/11 | 08/02/11 |
| 80339 | West Point Home (Company) | Greenville, AL | 08/04/11 | 07/27/11 |
| 80340 | Bush Industries, Inc.—Allen Street (Company) | Jamestown, NY | 08/04/11 | 08/02/11 |
| 80341 | Hartford Financial Services Group, Inc. (Workers) | Hartford, CT | 08/05/11 | 07/27/11 |
| 80342 | Motorola Mobility Inc. (Workers) | Libertyville, IL | 08/05/11 | 08/01/11 |
| 80343 | Jostens State College (Company) | State College, PA | 08/05/11 | 08/03/11 |
| 80344 | Flextronics (Workers) | San Diego, CA | 08/08/11 | 08/03/11 |
| 80345 | Pets Are Remembered (Company) | Mount Vernon, IN | 08/08/11 | 08/05/11 |
| 80346 | Graceway Pharmaceuticals, LLC (Company) | Exton, PA | 08/08/11 | 08/05/11 |
| 80347 | Pension Systems Corporation (Company) | Sherman Oaks, CA | 08/08/11 | 08/06/11 |
| 80348 | THE ESAB GROUP, INC. (Union) | Ashtabula, OH | 08/08/11 | 08/05/11 |
| 80349 | Philips Lighting Company (Union) | Bath, NY | 08/08/11 | 08/05/11 |
| 80350 | Baby Bliss Inc. (Company) | Middleville, MI | 08/09/11 | 08/08/11 |
| 80351 | Neapco Components, LLC (Company) | Pottstown, PA | 08/09/11 | 08/08/11 |
| 80352 | Penske-Delphi Packard Wiring Harness Division (State/One-Stop) | El Paso, TX | 08/09/11 | 08/09/11 |
| 80353 | The HON Company (State/One-Stop) | Owensboro, KY | 08/10/11 | 08/09/11 |
| 80354 | Avery Dennison (Workers) | Greensboro, NC | 08/10/11 | 07/29/11 |
| 80355 | Pacific Northwest Marine Services, LLC (Company) | Gig Harbor, WA | 08/10/11 | 08/09/11 |
| 80356 | Zebra Technologies (Company) | Camarillo, CA | 08/11/11 | 08/09/11 |
| 80357 | Sykes (Company) | Chavies, KY | 08/11/11 | 08/10/11 |
| 80358 | Wipro Technologies (Company) | Alpharetta, GA | 08/11/11 | 07/15/11 |
| 80359 | Perfect Fit Industries, LLC (Company) | Monroe, NC | 08/11/11 | 08/09/11 |
| 80360 | Pepsico (Company) | Deerfield Beach, FL | 08/11/11 | 08/08/11 |
| 80361 | Bank Of America (Workers) | Scranton, PA | 08/11/11 | 08/10/11 |
| 80362 | Rock Tenn (Williamsport, PA Plant) (Union) | Williamsport, PA | 08/11/11 | 08/09/11 |
| 80363 | Hutchinson Technology, Inc. (State/One-Stop) | Hutchinson, MN | 08/11/11 | 08/09/11 |
| 80364 | Gray Interplant Systems, Inc. (Workers) | Peoria, IL | 08/11/11 | 08/08/11 |
| 80365 | Lineal Veneer & Components, LLC. (Company) | Caldwell, ID | 08/11/11 | 08/10/11 |
| 80366 | Technicolor (Workers) | Greenwood Village, CO | 08/12/11 | 08/10/11 |
| 80367 | Fidelity Information Services (Workers) | St. Petersburg, FL | 08/12/11 | 08/08/11 |

43 TAA PETITIONS INSTITUTED BETWEEN 8/1/11 AND 8/12/11—Continued

| TA-W | Subject firm (petitioners) | Location | Date of institution | Date of petition |
|-------------|---|--------------------|---------------------|------------------|
| 80368 | Hartford Financial Services Group, Inc. (Company) | Hartford, CT | 08/12/11 | 08/11/11 |
| 80369 | St. Louis Post-Dispatch | St Louis, MO | 08/12/11 | 08/11/11 |
| | (State/One-Stop) | | | |

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-75,135]

Flowserve Corporation, Albuquerque, NM; Notice of Negative Determination on Reconsideration

On April 6, 2011, the Department of Labor (Department) issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Flowserve Corporation, Albuquerque, New Mexico (subject firm). The Notice was published in the **Federal Register** on April 14, 2011 (76 FR 21040). Workers at the subject firm manufactured industrial pumps. The petitioner (a State of New Mexico workforce agent) alleged that the subject firm shifted production to a foreign country.

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the findings that Section 222(a) of the Trade Act of 1974, as amended, was not met because no workers were totally or partially separated, or threatened with such separation, during the one year period before the petition date (January 21, 2011).

In request for reconsideration, the State of New Mexico workforce agent asserted that “at least 4 workers were separated during the one year period prior to the petition date” and provided

four support documents (“Separation Agreement and Release” related to Louis Reynolds; “Notice to Employees” which is part of the “Separation Agreement and Release”; “Signatures” which is part of the “Separation Agreement and Release”; and “Support Documentation”) provided by Louis Reynolds.

The “Separation Agreement and Release” document established that Louis Reynolds was separated from employment with Flowserve Corporation (Flowserve) on January 25, 2010.

The “Notice to Employees” document identifies four individuals in the “Charlotte, NC facility” selected for separation and has a handwritten note that Louis Reynolds is one of the individuals.

The “Signatures” document shows that Louis Reynolds signed the “Separation Agreement and Release” on March 4, 2010.

The fourth document is a narrative by Mr. Reynolds about the closure of the Albuquerque, New Mexico facility on March 31, 2009; his reassignment to Vernon, California in October 2009; his weekly commute to and from Albuquerque, New Mexico and Vernon, California during October 2009 through January 2010; and his separation from employment with Flowserve on January 25, 2010.

During the reconsideration investigation, the Department contacted the State of New Mexico workforce agent who filed both the petition and the request for reconsideration for clarification. The Department also contacted Flowserve for clarification of previously-submitted information and additional information.

The State of New Mexico workforce agent confirmed that his intent in filing the Trade Adjustment Assistance petition and the request for reconsideration was to assist Mr. Reynolds.

Flowserve confirmed that production at the Albuquerque, New Mexico facility ceased in May 2009, that all production employees were separated in July 2009, and that all non-production employees were reassigned to the Vernon, California facility during August-

September 2009. Flowserve also confirmed that by January 2010, there were no workers at the Albuquerque, New Mexico facility.

Flowserve also clarified that although Mr. Reynolds was reassigned from Albuquerque, New Mexico to Charlotte, North Carolina in June 2009, he assisted with the closure of the New Mexico facility until the end of July 2009 and worked at Vernon, California from August 2009 until he was separated from Flowserve.

The reconsideration investigation also confirmed that neither the Vernon, California facility nor the Charlotte, North Carolina facility of Flowserve employed workers who are eligible to apply for Trade Adjustment Assistance.

After a careful review of previously-submitted information and additional information obtained by the Department during the reconsideration investigation, the Department determines that there was no worker group at Flowserve Corporation, Albuquerque, New Mexico during the investigation period. Therefore, no workers were totally or partially separated from employment at Flowserve Corporation, Albuquerque, New Mexico, or threatened with such separation. Further, the Department determines that there was no mistake in fact and no misinterpretation of the facts or the law.

Conclusion

After careful consideration of the administrative record, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Flowserve Corporation, Albuquerque, New Mexico.

Signed in Washington, DC, on this 12th day of August, 2011.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

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