findings that the subject firm did not import hard and soft cover books, or articles like or directly competitive, during the relevant time period. A survey conducted on the subject firm’s major customer revealed no imports of hard and soft cover books, or articles like or directly competitive. In the request for reconsideration, the petitioners claimed that worker separations at the subject firm were attributable to the subject firm’s international operations and increased import competition of hard and soft cover books, as well as electronic books (e-books).

During the reconsideration investigation, the Department reviewed and confirmed information provided during the initial investigation and collected additional information from the subject firm and the surveyed customer. The reconsideration investigation findings revealed that the subject firm has not shifted the production of hard and soft cover books to a foreign country and does not import hard and soft cover books, or like or directly competitive articles. The reconsideration investigation was extended to consider the trade impact from a shift of production or imports of e-books. The information revealed that the production of e-books by the subject firm takes place domestically. Additionally, subject firm’s customer stated that it does not import e-books.

Based on a careful review of information obtained during the initial investigation and the reconsideration investigation, the Department determines that 29 CFR 90.18(c) has not been met.

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 R.R. Donnelley, Inc., Bloomsburg, Pennsylvania. Accordingly, the application is denied.

Signed in Washington, DC, on this 27th day of April 2012.

Del Min Amy Chen,
Certifying Officer, Office of Trade Adjustment Assistance.
determination was signed on February 17, 2012. The Notice of Determination was published in the Federal Register on March 6, 2012 (77 FR 13355).

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; or

(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 negative determination of the TAA petition filed on behalf of workers at the subject firm was based on the findings that the subject firm did not, during the period under investigation, shift to a foreign country production of articles like or directly competitive with the fence boards produced by the workers or acquire such production from a foreign country. Additionally, the findings revealed that the workers’ separation, or threat of separation, was not related to any increase in imports, by the subject firm or its customers, of articles like or directly competitive with fence boards; and that the workers’ firm is not a supplier or a downstream producer to a firm that employed a group of workers who are eligible to apply for TAA.

In the request for reconsideration, the petitioner stated that worker separations are attributable to increased import competition of articles like or directly competitive with the fence boards produced by the workers, to foreign competition of raw material used in the production of fence boards, and to the Canadian practice of using Bark Beetle affected timber. The documentation supplied by the petitioner included import and export data, news and opinion articles, printed web pages, and a copy of a certification of another fencing company (based on increased imports by that company’s major declining customers).

The Department has carefully reviewed the petitioner’s allegations and support documentation, as well as previously-submitted information. 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 of the law justifying reconsideration of the initial determination. Based on these findings, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After careful 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 24th day of April 2012.

Del Min Amy Chen,
Certifying Officer, Office of Trade Adjustment Assistance.
[FR Doc. 2012–11056 Filed 5–7–12; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

(1) An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

(2) That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

II. Petitions for Modification

Docket Number: M–2012–062–C.

Petitioner: Signal Peak Energy, LLC, 100 Portal Drive, Roundup, Montana 59072.

Mine: Bull Mountain Mine No. 1, Signal Peak Energy, LLC, 100 Portal Drive, Roundup, Montana 59072, located in Musselshell County, Montana.

Regulation Affected: 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).

Modification Request: The petitioner requests a modification of the existing standard to permit the use of nonpermisssible electronic testing or diagnostic equipment in or inby the last open crosscut. The equipment includes laptop computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices, insulation testers (meggers), voltage, current, and power measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, electronic tachometers, total stations,