

protective of the rights of participants and beneficiaries of such plan;

(2) The proposed amendments, if granted, will be supplemental to, and not in derogation of, any other provisions of ERISA and the Code including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) If granted, the proposed amendments will be applicable to a particular transaction only if the conditions specified in the class exemption are met.

#### WRITTEN COMMENTS

All interested persons are invited to submit written comments or requests for a hearing on the proposed exemption to the address and within the time period set forth above. All comments and requests for a hearing will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the proposed exemption. Comments received will be available for public inspection at the address set forth above.

#### PROPOSED AMENDMENT

Under the authority of section 408(a) of ERISA and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in 29 CFR 2570, subpart B (55 FR 32836, August 10, 1990), the Department proposes to amend the following class exemptions as set forth below:

1. PTE 75-1 is amended by making the following modifications:

(a) Part III, Paragraph (c)(1) is deleted in its entirety and replaced with the following: "(1) At the time of acquisition, such securities are non-convertible debt securities (i) subject to no greater than moderate credit risk and (ii) sufficiently liquid that such securities can be sold at or near their fair market value within a reasonably short period of time."

(b) Part IV, Paragraph (a)(1), is deleted in its entirety and replaced with the following: "(1) At the time of acquisition, such securities are non-convertible debt securities (i) subject to no greater than moderate credit risk and (ii) sufficiently liquid that such securities can be sold at or near their fair market value within a reasonably short period of time."

2. PTE 80-83 is amended by deleting Paragraph I(C)(3) in its entirety and replacing it with the following: "(3) The issuer of such securities has been in

continuous operation for not less than three years, including the operations of any predecessors, unless at the time of acquisition, such securities are non-convertible debt securities (i) subject to no greater than moderate credit risk and (ii) sufficiently liquid that such securities can be sold at or near their fair market value within a reasonably short period of time."

3. PTE 81-8 is amended by deleting Paragraph II(D) in its entirety and replacing it with the following: "(D) With respect to an acquisition or holding of commercial paper (including an acquisition by exchange) occurring on or after the effective date of this amendment, at the time of acquisition, the commercial paper is (i) subject to a minimal or low amount of credit risk based on factors pertaining to credit quality and the issuer's ability to meet its short-term financial obligations and (ii) sufficiently liquid that such securities can be sold at or near their fair market value within a reasonably short period of time."

4. PTE 95-60 is amended by deleting Paragraph III(a)(2)(B) in its entirety and replacing it with the following: "(B) the certificates acquired by the general account have the credit quality required under the relevant Underwriter Exemption at the time of such acquisition."

5. PTE 97-41 is amended by deleting Paragraph (II)(c)(2) in its entirety and replacing it with the following: "(2) such securities have the same coupon rate and maturity, and at the time of transfer, the same credit quality."

6. PTE 2006-16 is amended by making the following modifications to the definition of "Foreign Collateral" in Section V(f):

(a) Paragraph V(f)(2) is deleted in its entirety and replaced with the following: "(2) foreign sovereign debt securities that are (i) subject to a minimal amount of credit risk, and (ii) sufficiently liquid that such securities can be sold at or near their fair market value in the ordinary course of business within seven calendar days;" and

(b) Paragraph V(f)(4) is deleted in its entirety and replaced with the following: "(4) irrevocable letters of credit issued by a Foreign Bank, other than the borrower or an affiliate thereof, provided that, at the time the letters of credit are issued, the Foreign Bank's ability to honor its commitments

thereunder is subject to no greater than moderate credit risk."

**Lyssa Hall,**

*Director of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.*

[FR Doc. 2013-14790 Filed 6-20-13; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Request for Certification of Compliance—Rural Industrialization Loan and Grant Program

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Employment and Training Administration is issuing this notice to announce the receipt of a "Certification of Non-Relocation and Market and Capacity Information Report" (Form 4279-2) for the following:

*Applicant/Location:* Anderson Behavioral Health, Inc. Marshville, North Carolina.

*Principal Product/Purpose:* The loan, guarantee, or grant is for the construction of a 13,000 sq. ft. administration building, six residence cottages, water, waste, and road infrastructure. It will also be used to purchase furniture and equipment.

The NAICS industry code for this enterprise is 623220 and comprises establishments primarily engaged in providing residential care and treatment for patients with mental health and substance abuse illnesses.

**DATES:** All interested parties may submit comments in writing no later than July 5, 2013. Copies of adverse comments received will be forwarded to the applicant noted above.

**ADDRESSES:** Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., Room S-4231, Washington, DC 20210; or email [AnthonyDais@dol.gov](mailto:AnthonyDais@dol.gov); or transmit via fax (202)693-3015 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais, at telephone number (202)693-2784 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR Part 75, authorizes the United States Department of Agriculture to make or guarantee loans or grants to

finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture that the assistance is not calculated, or likely to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant's business operation; or, (b) An increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed: at Washington, DC, this 6th of June, 2013.

**Gerri Fiala,**

*Acting Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2013-14855 Filed 6-20-13; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Request for Certification of Compliance—Rural Industrialization Loan and Grant Program

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Employment and Training Administration is issuing this notice to announce the receipt of a "Certification of Non-Relocation and Market and Capacity Information Report" (Form 4279-2) for the following:

*Applicant/Location:* Spirit Pharmaceutical, Inc./Summerton, South Carolina

*Principal Product/Purpose:* The loan, guarantee, or grant application will be used to purchase and perform improvements to real estate and to purchase equipment associated with the opening of a new pharmaceutical manufacturing facility. The facility will ultimately create three hundred jobs in a distressed area of South Carolina. The NAICS industry codes for this enterprise are: 325411/325412 (Pharmaceutical and Medicine Manufacturing/Pharmaceutical Preparation Manufacturing)

**DATES:** All interested parties may submit comments in writing no later than July 5, 2013. Copies of adverse comments received will be forwarded to the applicant noted above.

**ADDRESSES:** Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., Room S-4231, Washington, DC 20210; or email *Dais.Anthony@dol.gov*; or transmit via fax (202) 693-3015 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais, at telephone number (202) 693-2784 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR part 75, authorizes the United States Department of Agriculture to make or guarantee loans or grants to finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture that the assistance is not calculated, or likely, to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant's business operation; or, (b) An increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed: at Washington, DC, this 4th day of June, 2013.

**Gerri Fiala,**

*Acting Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2013-14856 Filed 6-20-13; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-82,285]

#### U.S. Steel Tubular Products, Inc., McKeesport Tubular Operations Division, Subsidiary of United States Steel Corporation, McKeesport, Pennsylvania; Notice of Amended Certification

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated in response to a petition for Trade Adjustment Assistance (TAA) filed on December 20, 2012 on behalf of workers of U.S. Steel Tubular Products, McKeesport Tubular Operations Division, a subsidiary of United States Steel Corporation, McKeesport, Pennsylvania (hereafter collectively referred to as "U.S. Steel Tubular Products" or "subject firm"). The workers' firm produces steel drill pipe and drill collars. The worker group does not include on-site leased workers.

On January 28, 2013, the Department issued a certification stating that the criteria set forth in Section 222(e) of the Trade Act of 1974, as amended, was met.

A review of the determination and the petition, however, revealed that the certification was erroneously issued. Specifically, the determination inaccurately stated that the petition was filed within a year of the March 3, 2011 publication in the **Federal Register** of the International Trade Commission's finding that dumping of drill pipes and drill collars from China negatively impacted U.S. firms engaged in production of those articles.

Although the subject firm was publicly identified by name by the International Trade Commission (ITC) as a member of a domestic industry in an investigation resulting in a category of determination that is listed in Section 222(e) of the Act, 19 U.S.C. 2272(e), the petition was filed more than a year after the publication of the ITC's findings in the **Federal Register**.

As such, the Department conducted another investigation to determine whether or not the petitioning worker group has met the criteria set forth in Section 222(a) or (b) of the Trade Act of 1974, as amended.

Based on previously-submitted information and additional information obtained during the amendment investigation, the Department has determined that Section 222(a)(1) has been met because a significant number or proportion of the workers at U.S. Steel Tubular Products have become