

Overall Performance Rating (90%) + Overall OBS Rating (5%) + Overall FCI Rating (5%) = Overall Rating for Primary Selection Factors

#### 4. Other Considerations Included in the Closure Methodology

##### a. Job Corps Services in Each State, Puerto Rico, and the District of Columbia

In addition to the above three primary criteria, another consideration in the closure methodology explained in the January 10, 2013 **Federal Register** Notice involved an adequate level of Job Corps services remaining available in each state (Job Corps' goal is to have at least one center operating in each state), the Commonwealth of Puerto Rico, and the District of Columbia. One comment stated that this factor would allow center location to trump center performance, and it stated that local and regional labor markets do not conform to state boundaries. We continue to believe that it is in the best interest of the Job Corps' target population to ensure that this model is available in each state. Therefore, in making the decision about which centers to close, we will maintain at least one Job Corps center in each state, the Commonwealth of Puerto Rico, and the District of Columbia, and will take into consideration whether a center's closure would have a disproportionate impact on students in any one state.

##### b. Sufficiency of Data Available To Evaluate Center Performance

The centers in Ottumwa, Milwaukee, Pinellas, Denison, Long Beach, Gulfport and New Orleans are not included for consideration for closure. For each center, there is not enough OMS data to evaluate the center's performance over the full five-year period for varying reasons. Those reasons include: New centers opened later during the five-year period (Ottumwa and Milwaukee); exclusion from OMS evaluation due to the Center for Excellence (CFE) pilot status (Pinellas County, Denison, and Long Beach); and center closure due to Hurricane Katrina (Gulf Port and New Orleans). No public comments were received regarding application of this criterion.

##### c. Indication of Significant Recent Performance Improvement

The Department has determined that performing in the top half of centers in PY 2013 should be taken as evidence of significant recent performance improvement. Therefore, we propose that a center will not be considered for closure if there is evidence of significant improvement in a center's available PY

2013 performance data. This consideration was not previously proposed, and therefore, we invite public comment on it.

##### d. Job Corps' Commitment to Diversity

The closure methodology will also consider Job Corps' commitment to diversity. Job Corps currently serves a diverse student population and remains committed to serving disadvantaged youth from all backgrounds. In making final closure decisions, we will consider whether a center's closure would result in a significant reduction in student diversity within the overall Job Corps system. No public comments were received regarding Job Corps' commitment to diversity or application of this criterion.

The Department will accept comments for 20 days, beginning on the date of publication of this Notice. After we have received and analyzed any comments, we will finalize the methodology for center closure.

The Department will implement the selection and closure process pursuant to the center closure requirements outlined in the WIA at section 159(g) and as stipulated in the DOL/USDA Interagency Agreement. We anticipate that it will take several months to execute closure of a center, and possibly longer for centers with larger student populations or Civilian Conservation Centers (CCCs).

#### The Process for Closing Job Corps Centers, as Outlined in the Workforce Investment Act

We will ensure that our process for closing Job Corps centers will follow the requirements of Section 159(g) of the WIA, which include the following:

- The proposed decision to close a particular center is announced in advance to the general public through publication in the **Federal Register** or other appropriate means;
- a reasonable comment period, not to exceed 30 days, is established for interested individuals to submit written comments to the Secretary once a decision to close a particular center is made; and
- the Member of Congress who represents the district in which such center is located is notified within a

reasonable period of time in advance of any final decision to close the center.

**Portia Wu,**

*Assistant Secretary for Employment and Training.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-83,321]

#### LATA Environmental Services of Kentucky, LLC, a Wholly Owned Subsidiary of Los Alamos Technical Associates, Inc., Kevil, Kentucky; Notice of Revised Determination on Reconsideration

On January 24, 2014, the Department of Labor issued a Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance applicable to workers and former workers of LATA Environmental Services of Kentucky, LLC, a wholly owned subsidiary of Los Alamos Technical Associates, Inc., Kevil, Kentucky (subject firm). The Department's Notice was published in the **Federal Register** on February 12, 2014 (79 FR 8508). Workers at the subject firm were engaged in employment related to the supply of environmental remediation services. The worker group does not include on-site leased workers.

In an application dated March 11, 2014, the United Steel, paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union requested administrative reconsideration of the negative determination applicable to workers and former workers of the subject firm. The request for reconsideration alleges that workers at the subject firm are eligible to apply for Trade Adjustment Assistance (TAA) under Section 222(b) of the Trade Act, 19 U.S.C. 2272(b).

Previously-submitted information revealed that a significant number or proportion of the workers in the subject firm have been totally or partially separated or threatened by such separation. Therefore, the Department determines that Section 222(b)(1) has been met.

A careful review of administrative record, the request for reconsideration, and publically-available information

confirmed that the subject is a Supplier, as defined by Section 222(c) of the Trade Act, to a firm that employed a worker group eligible to apply for TAA under Section 222(a) of the Act, and that the supply of services is related to the production of the article that was the basis of the primary certification. Therefore, the Department determines that Section 222(b)(2) has been met.

#### Conclusion

After careful review, I determine that workers and former workers of the subject firm, who are engaged in employment related to the supply of environmental remediation services, meet the worker group certification criteria under Section 222(b) of the Act, 19 U.S.C. 2272(b). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of LATA Environmental Services of Kentucky, LLC, a wholly owned subsidiary of Los Alamos Technical Associates, Inc., Kevil, Kentucky, who became totally or partially separated from employment on or after December 20, 2012, through two years from the date of this revised 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 11th day of June 2014.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## 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 June 9, 2014 through June 13, 2014.

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