

**DEPARTMENT OF JUSTICE****Notice of Lodging Proposed Consent Decree**

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States, et al. v. Greer Industries, Inc., et al.*, Case No. 1:17-cv-00004-IMK, was lodged with the United States District Court for the Northern District of West Virginia on January 9, 2017.

This proposed Consent Decree concerns a complaint filed by the United States and the State of West Virginia against Greer Industries, Inc., Deckers Creek Limestone Company, and Pikewood, Inc., pursuant to 33 U.S.C. Sections 1319(b) and (d) of the Clean Water Act and W. Va. Code Section 22-11-22, to obtain injunctive relief from and impose civil penalties against the Defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States and waters of the State of West Virginia. The proposed Consent Decree resolves these allegations by requiring the Defendants to restore the impacted areas and/or perform mitigation and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Austin Saylor, Trial Attorney, United States Department of Justice, Environment and Natural Resources Division, Environmental Defense Section, Post Office Box 7611, Washington, DC 20044, and refer to *United States, et al. v. Greer Industries, Inc., et al.*, DJ # 90-5-1-1-19059.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Northern District of West Virginia, 1125 Chapline Street, Suite 1000, Wheeling, West Virginia 26003. In addition, the proposed Consent Decree may be examined electronically at <http://www.justice.gov/enrd/consent-decrees>.

**Cherie L. Rogers,**

*Assistant Section Chief, Environmental Defense Section, Environment and Natural Resources Division.*

[FR Doc. 2017-01133 Filed 1-18-17; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-91,755]

**Kraft Heinz Foods Company, a Subsidiary of the Kraft Heinz Company, Including On-Site Leased Workers From Kelly Services, U.S. Securities, West Side Hammer Electric, and Goodwill Keystone Area, Allentown, Pennsylvania; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on May 23, 2016, applicable to workers of Kraft Heinz Foods Company, a subsidiary of The Kraft Heinz Company, including on-site leased workers from Kelly Services, Allentown, Pennsylvania (TA-W-91,755). The Department's notice of determination was published in the **Federal Register** on June 28, 2016 (81 FR 41999).

At the request of the Pennsylvania Department's Workforce Partnership & Operations, the Department reviewed the certification for workers of the subject firm. The workers firm is engaged in activities related to the production of Tassimo Coffee Pods, K-cups, and condiments.

The company reports that workers leased from U.S. Securities, West Side Hammer Electric, and Goodwill Keystone Area were employed on-site at the Allentown, Pennsylvania location of Kraft Heinz Company. The Department has determined that these workers were sufficiently under the operational control of the subject firm to be considered leased workers.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by a shift in production of Tassimo Coffee Pods, K-cups, and condiments to a foreign country.

Based on these findings, the Department is amending this certification to include workers leased from U.S. Securities, West Side Hammer Electric, and Goodwill Keystone Area working on-site at the Allentown, Pennsylvania location of the subject firm.

The amended notice applicable to TA-W-91,755 is hereby issued as follows:

All workers from Kraft Heinz Foods Company, a subsidiary of The Kraft Heinz

Company, including on-site leased workers from Kelly Services, U.S. Securities, West Side Hammer Electric, and Goodwill Keystone Area, Allentown, Pennsylvania who became totally or partially separated from employment on or after April 28, 2015 through May 23, 2018 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 12th day of December, 2016.

**Hope D. Kinglock,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2017-01216 Filed 1-18-17; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-92,084]

**Northern Industrial Erectors, Inc., Grand Rapids, Minnesota; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application dated October 3, 2016, State Workforce Official requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for worker adjustment assistance applicable to workers and former workers of Northern Industrial Erectors, Inc., Grand Rapids, Minnesota. The determination was issued on September 9, 2016.

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 misinterpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the findings that there was no increase in imports by the workers' firm or its customers, nor was there a foreign shift or acquisition by the workers' or its customers. In addition, neither the workers' firm nor its customers reported imports of steel erection services like or directly competitive with steel erection services provided by the workers' firm. Furthermore, the workers' firm was not

a Downstream Producer or a Supplier to a firm in which the workers' firm's services supplied was related to the article the basis of the certification.

The request for reconsideration asserts that the workers' firm should be considered a Downstream Producer.

The Department of Labor has carefully reviewed the request for reconsideration and the existing record, and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 1st day of November 2016.

**Hope D. Kinglock,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2017-01214 Filed 1-18-17; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-91,121; TA-W-91,121A; TA-W-91,121B; TA-W-91,121C]

**REC Silicon LLC, a Wholly Owned Subsidiary of Renewable Energy Corporation ASA, Including Workers Whose Wages Were Reported Under REC Solar Grade Silicon LLC, Including On-Site Leased Workers From Express Employment Professionals, Moses Lake, Washington; REC Silicon ASA, a Wholly Owned Subsidiary of REC Solar Grade Silicon LLC, Including Workers Whose Wages Were Reported Under REC Advanced Silicon Materials, Silver Bow, Montana; Nemo IT Solutions, Working On-Site at REC Silicon LLC, a Wholly Owned Subsidiary of Renewable Energy Corporation ASA, Moses Lake, Washington; Spherion Staffing LLC, Working On-Site at REC Silicon ASA, a Wholly Owned Subsidiary of REC Solar Grade Silicon LLC, Silver Bow, Montana; Notice of Revised Determination on Reconsideration**

On May 16, 2016, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of REC Silicon LLC, a

wholly owned subsidiary of Renewable Energy Corporation ASA, Moses Lake, Washington (TA-W-91,121), and REC Silicon ASA, a wholly owned subsidiary of REC Solar Grade Silicon LLC, Silver Bow, Montana (TA-W-91,121A) (herein referred to as "REC Silicon"). The firm is engaged in activities related to the production of Silane Gas and Polysilicon. The worker group was previously certified eligible to apply for Trade Adjustment Assistance under petition number TA-W-82,458 and TA-W-82,458A which expired on March 22, 2015. The subject worker group includes on-site leased workers from Express Employment Professionals (TA-W-91,121), Nemo IT Solutions (TA-W-91,121B), and Spherion Staffing, LLC (TA-W-91,121C). Nemo IT Solutions and Spherion Staffing, LLC were not included in the certification for TA-W-82,458. The subject worker group also includes workers whose wages were reported under REC Solar Grade Silicon (TA-W-91,121) and REC Advanced Silicon Materials (TA-W-91,121A).

To support the request for reconsideration, the petitioner supplied additional information regarding the firms' previous certification to supplement that which was gathered during the initial investigation.

Based on the new information supplied by the firm and provided by the petitioner during the reconsideration investigation, the Department of Labor determines that a shift in production of silane gas and polysilicon has contributed importantly to the worker separations at the subject firm.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers of REC Silicon LLC, a wholly owned subsidiary of Renewable Energy Corporation ASA, including workers whose wages were reported under REC Solar Grade Silicon LLC, including on-site leased workers from Express Employment Professionals, Moses Lake, Washington (TA-W-91,121), REC Silicon ASA, a wholly owned subsidiary of REC Solar Grade Silicon LLC, including workers whose wages were reported under REC Advanced Silicon Materials, Silver Bow, Montana (TA-W-91,121A), NEMO IT Solutions, working on-site at REC Silicon LLC, a wholly owned subsidiary of Renewable Energy Corporation ASA, Moses Lake, Washington (TA-W-91,121B), and Spherion Staffing LLC, working on-site at REC Silicon ASA, a wholly owned subsidiary of REC Solar Grade Silicon LLC, Silver Bow, Montana

(TA-W-91,121C) who were engaged in employment related to production of saline gas and polysilicon, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of REC Silicon LLC, a wholly owned subsidiary of Renewable Energy Corporation ASA, including workers whose wages were reported under REC Solar Grade Silicon LLC, including on-site leased workers from Express Employment Professionals, Moses Lake, Washington (TA-W-91,121), REC Silicon ASA, a wholly owned subsidiary of REC Solar Grade Silicon LLC, including workers whose wages were reported under REC Advanced Silicon Materials, Silver Bow, Montana (TA-W-91,121A), who became totally or partially separated from employment on or after March 23, 2015, through two years from the date of this 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; AND,

All workers of NEMO IT Solutions, working on-site at REC Silicon LLC, a wholly owned subsidiary of Renewable Energy Corporation ASA, Moses Lake, Washington (TA-W-91,121B) and Spherion Staffing LLC, working on-site at REC Silicon ASA, a wholly owned subsidiary of REC Solar Grade Silicon LLC, Silver Bow, Montana (TA-W-91,121C) who became totally or partially separated from employment on or after November 4, 2014, through two years from the date of this 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 18th day of October 2016.

**Hope D. Kinglock,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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