

## APPENDIX—Continued

[TAA petitions instituted between 8/7/06 and 8/11/06]

TA-W	Subject firm (petitioners)	Location	Date of in- stitution	Date of pe- tition
59855	Reliance Trading Company of America (Comp)	Bennettsville, SC	08/07/06	08/07/06
59856	Kimball Electronics (Wkrs)	Jasper, IN	08/08/06	08/02/06
59857	Culpepper Plastics Corporation (Comp)	Clinton, AR	08/08/06	08/02/06
59858	Cardsmart (Comp)	Pawtucket, RI	08/08/06	08/07/06
59859	IBM (State)	Lexington, KY	08/08/06	08/03/06
59860	Project Service, Inc. (Wkrs)	Parks Falls, WI	08/08/06	08/04/06
59861	Bayer Healthcare (Wkrs)	West Haven, CT	08/08/06	08/07/06
59862	Creative Window Fashions, Inc. (Comp)	Fall River, MA	08/08/06	08/08/06
59863	Delphi Automotive (IUE)	Moraine, OH	08/08/06	08/08/06
59864	YKK (U.S.A.), Inc. (Comp)	Lyndhurst, NJ	08/08/06	08/07/06
59865	L.A. Dreyfus Company (Comp)	Edison, NJ	08/09/06	08/08/06
59866	Troy Design, Inc. (State)	Troy, MI	08/09/06	08/04/06
59867	Johnson Controls, Inc. (State)	Mt. Clemens, MI	08/09/06	08/08/06
59868	Global Accessories, Inc. (Comp)	Fremont, OH	08/09/06	08/08/06
59869	Coors Brewing Company (Wkrs)	Memphis, TN	08/09/06	08/08/06
59870	Cerro Flow Products, Inc. (USW)	Sauget, IL	08/09/06	08/08/06
59871	Agilent Technologies (Wkrs)	Andover, MA	08/09/06	07/24/06
59872	Tri-Matic Screw Products, Inc. (Comp)	Howell, MI	08/09/06	08/08/06
59873	JC Tec Industries, Inc. (Comp)	Annville, KY	08/09/06	08/07/06
59874	AHLStrom Air Media, LLC (Wkrs)	New Windsor, NY	08/09/06	08/01/06
59875	Gerard Daniel Worldwide (Comp)	Hanover, PA	08/09/06	08/09/06
59876	Glide Lumber, LLC (Comp)	Glide, OR	08/09/06	07/25/06
59877	BIC Corporation (Comp)	Milford, CT	08/09/06	08/09/06
59878	Bank of America (Wkrs)	Scranton, PA	08/09/06	07/24/06
59879	Fashion Ave Knits, Inc. (Wkrs)	New York, NY	08/09/06	08/09/06
59880	Meredith's Home Fashions (Comp)	Westwood, MA	08/10/06	08/02/06
59881	Russell Corporation (Comp)	Alexander City, AL	08/10/06	08/09/06
59882	Safetran Traffic Systems, Inc. (Comp)	Colorado Springs, CO	08/10/06	08/09/06
59883	MacDonald's Industrial Products (Comp)	Spencerville, OH	08/10/06	08/08/06
59884	Rexnord Corp. (Union)	Milwaukee, WI	08/10/06	07/20/06
59885	Skyland Tool and Mold, Inc. (Comp)	Arden, NC	08/10/06	08/09/06
59886	Apex Apparel Co. (State)	Kearny, NJ	08/10/06	08/10/06
59887	Llink Technologies, LLC (Comp)	Romeo, MI	08/10/06	08/10/06
59888	Oakwood Plastics (Comp)	Taylor, MI	08/10/06	08/10/06
59889	Kirin Cutting Service, Inc. (Wkrs)	San Francisco, CA	08/11/06	08/10/06
59890	Markar Architectural Products (Wkrs)	Lancaster, NY	08/11/06	08/10/06
59891	NER Data Products Inc. (Comp)	Denver, CO	08/11/06	08/11/06
59892	Golden Star Manufacturing (Wkrs)	Atchinson, KS	08/11/06	08/11/06
59893	Corinth Products Co., Inc. (Comp)	Corinth, ME	08/11/06	08/10/06
59894	Hewitt Tool Co. (State)	Royal Oak, MI	08/11/06	08/02/06
59895	Brake Parts, Inc. (Comp)	Litchfield, IL	08/11/06	08/11/06
59896	Advantage Technologies, Inc. (Comp)	Plymouth, MI	08/11/06	08/11/06

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**DEPARTMENT OF LABOR****Employment and Training  
Administration****Notice of Determinations Regarding  
Eligibility To Apply for Worker  
Adjustment Assistance and Alternative  
Trade 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 (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the

period of August 7 through August 11, 2006.

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. Section (a)(2)(A)—all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles

produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B)—both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected 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(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) 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 (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (*i.e.*, conditions within the industry are adverse).

#### **Affirmative Determinations for Worker Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) of the Trade Act have been met.

*None.*

#### **Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-59,680; *Fiskars Royal Floor Mats, Fiskars Brands, Inc., Calhoun, GA: July 6, 2005*

TA-W-59,716; *Pinnacle Frames and Accents, Inc., Piggott, AR: April 1, 2006*

TA-W-59,747; *Khoury, Inc., Kingsford, MI: July 5, 2005*

TA-W-59,829; *AEG Photoconductor Corp., Hamilton, OH: July 31, 2005*

TA-W-59,018; *Anthony Wilcock Enterprises, Inc., Touch-Flo Manufacturing Co., Burbank, CA: March 13, 2008*

TA-W-59,755; *Belden, Americas Division, Fort Mill, SC: July 19, 2005*

TA-W-59,896; *Advantage Technologies, Inc., Plymouth, MI: August 14, 2006*

The following certifications have been issued. The requirements of Section

222(a)(2)(B) (shift in production) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-59,298; *Honeywell International, Inc., Aerospace Division, On-Site Leased Workers of Manpower, Phoenix, AZ: April 27, 2005*

TA-W-59,723; *C and D Technologies, Huguenot, NY: August 10, 2006*

TA-W-59,728; *Zoom Technologies, Inc., Also Known as Zoom Telephonics, Inc., Boston, MA: July 12, 2005*

TA-W-59,775; *LENA Phillips-Advance Transformer, Lighting Electronics Div., Boscobel, WI: August 13, 2006*

TA-W-59,781; *Morse Automotive, A Division of Morse Automotive Corp., Cartersville, GA: March 31, 2006*

TA-W-59,826; *Burlington Worldwide, International Textile Group, Manpower, Kelly, Hurt, VA: July 28, 2005*

TA-W-59,656; *Nautilus, Inc., On-Site Leased Workers of Express Personnel Services, Tyler, TX: June 29, 2005*

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-59,626; *Tower Automotive, Inc., On-Site Leased Workers of Peoplelink, Milan, TN: June 12, 2005*

TA-W-59,735; *SODICO, Shrewsbury, PA: July 12, 2005*

TA-W-59,748; *Highlands Diversified Services, Inc., On-Site Leased Workers of CBS Temporary Service, London, KY: July 18, 2005*

TA-W-59,764; *Astro Dye Works, Calhoun, GA: July 20, 2005*

TA-W-59,784; *Johnson Controls, Inc., Manpower, West Carrollton, OH: July 13, 2005*

The following certifications have been issued. The requirements of Section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

*None.*

#### **Negative Determinations for Alternative Trade Adjustment Assistance**

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

The Department has determined that criterion (1) of Section 246 has not been met. Workers at the firm are 50 years of age or older.

None.

The Department as determined that criterion (2) of Section 246 has not been met. Workers at the firm possess skills that are easily transferable.

None.

The Department as determined that criterion (3) of Section 246 has not been met. Competition conditions within the workers' industry are not adverse.

None.

#### Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

Since the workers of the firm are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.) (employment decline) have not been met.

TA-W-59,671; Bernard Chaus, Cynthia Steffe Division, New York, OH.

TA-W-59,721; Mercury Marine, A Division of Brunswick Corp., Fond du Lac, SC.

TA-W-59,738; Para Chem Southern, Inc., Coating Division, Simpsonville, GA.

TA-W-59,751; Continental Industries LLC, Benzonia, VA.

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-59,710; Oxbow Machine Products, On-Site Leased Workers of TKO Staffing, 3-D Personnel and Batton Technical, Livonia, NY.

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-59,630; Johnson Controls Inc., Oklahoma City, GA.

TA-W-59,645; Metal Ware Corporation (The), Two Rivers, MI.

TA-W-59,681; Saputo Cheese USA, Inc., Peru, AZ.

TA-W-59,709; Stimson Lumber Company, St. Helens, TX.

TA-W-59,760; Huntington Foam Corp., Mt. Pleasant, MI.

TA-W-59,766; HBD/Thermoid, Inc., Workers Producing Hoses Oneida Plant, HBD Industries, Oneida, TN.

The investigation revealed that the predominate cause of worker

separations is unrelated to criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.C.) (shift in production to a foreign country).

TA-W-59,571; Fairchild Semiconductor International, Information Technology Div., South Portland, CA.

TA-W-59,636; Larose, Inc., New York, AR.

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

TA-W-59,713; State Farm Insurance, Shared Services Department, Parsippany, NJ.

TA-W-59,736; RSM Company, Inc., Charlotte, WI.

TA-W-59,770; Surgical Support Services, Div. of Surgical Synergies, Eureka, PA.

TA-W-59,790; Premier Turbines, Division of Dallas Airmotive, Neosho, KY.

TA-W-59,797; Canteen Vending, On-Site Workers at Broyhill Pacemaker Furniture Co., Lenior, GA.

TA-W-59,820; Airfoil Technologies International-Ohio, Mentor, OH.

TA-W-59,822; AmerisourceBergen Corporation, Orange, ME.

TA-W-59,846; Coville, Inc., Winston-Salem, OK.

The investigation revealed that criteria of Section 222(b)(2) has not been met. The workers' firm (or subdivision) is not a supplier to or a downstream producer for a firm whose workers were certified eligible to apply for TAA.

None.

I hereby certify that the aforementioned determinations were issued during the month of August 7 through August 11, 2006. Copies of these determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: August 16, 2006.

Erica R. Cantor,

Director, Division of Trade Adjustment Assistance.

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

#### 1. Eastern Associated Coal, LLC

[Docket No. M-2006-016-C]

Eastern Associated Coal, LLC, 1044 Miracle Run Road, Fairview, West Virginia 26570 has filed a petition to modify the application of 30 CFR 75.500(d) (Permissible electric equipment) to its Federal No. 2 Mine (MSHA I.D. No. 46-01456) located in Monongalia County, West Virginia. The petitioner requests a modification of the existing standard to permit the use of non-permissible battery-powered hand-held computers in or inby the last open crosscut, including in the return airways. The petitioner proposes to use the hand-held computers to allow supervisors and selected miners to collect and record data pertinent to safety observations during work processes. The petitioner has listed specific procedures in this petition that will be followed when the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 2. AMFIRE Mining Company, LLC

[Docket No. M-2006-017-C]

AMFIRE Mining Company, LLC, One Energy Place, Latrobe, Pennsylvania 15650 has filed a petition to modify the application of 30 CFR 75.1100-2(e)(2) (Quantity and location of firefighting equipment) to its Gillhouser Run Mine (MSHA I.D. No. 36-09033) located in Cambria County, Pennsylvania. The petitioner requests a modification of the existing standard to permit an alternative method of compliance with the firefighting equipment required at temporary electrical installations. The petitioner proposes to use two (2) fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations in lieu of using 240 pounds of rock dust. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 3. Eastern Associated Coal, LLC

[Docket No. M-2006-018-C]

Eastern Associated Coal, LLC, Three Gateway Center, 401 Liberty Avenue, Suite 1340, Pittsburgh, Pennsylvania 15222 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its Federal No. 2 Mine (MSHA I.D. No. 46-01456) located in Monongalia County, West Virginia. The petitioner requests a modification of the existing standard to permit oil and gas wells to be plugged and abandoned in order to mine through them or to reduce