

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment Standards Administration.

*Type of Review:* Revision of a currently approved collection.

*Title of Collection:* Agreement and Undertaking.

*OMB Control Number:* 1215-0034.

*Agency Form Number(s):* OWCP-1.

*Affected Public:* Businesses or other for-profits.

*Total Estimated Number of*

*Respondents:* 20.

*Total Estimated Annual Burden*

*Hours:* 5.

*Total Estimated Annual Costs Burden:* \$9.

*Description:* The OWCP-1 is a form completed by employers to provide the Secretary of Labor with authorization to sell securities or to bring suit under indemnity bonds deposited by the self-insured employers in the event there is a default in the payment of benefits. For additional information, see related notice published at 73 FR 31889 on June 4, 2008.

*Agency:* Employment Standards Administration.

*Type of Review:* Extension without change of an existing OMB Control Number.

*Title of Collection:* Certificate of Medical Necessity.

*OMB Control Number:* 1215-0113.

*Agency Form Number(s):* CM-893.

*Affected Public:* Businesses or other for-profits, Not-for-profit institutions.

*Total Estimated Number of*

*Respondents:* 3,200.

*Total Estimated Annual Burden*

*Hours:* 1,253.

*Total Estimated Annual Costs Burden:* \$0.

*Description:* The Certificate of Medical Necessity is completed by the coal miner's doctor and is used by the

Division of Coal Mine Worker's Compensation to determine if the miner meets impairment standards to qualify for durable medical equipment, home nursing, and/or pulmonary rehabilitation. For additional information, see related notice published at 73 FR 31890 on June 4, 2008.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E8-22341 Filed 9-23-08; 8:45 am]

**BILLING CODE 4510-CK-P**

## 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 *September 8 through September 12, 2008*.

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 or 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-63,850; *Conn-Selmer, Inc., Monroe, NC: August 11, 2007.*

TA-63,938; *Parker Hosiery Company, Inc., Old Fort, NC: August 25, 2007.*

TA-63,986; *Khoury, Inc., Kingsford, MI: September 3, 2007.*

TA-63,592; *Ganton Technologies, LLC, Intermet Manufacturing Corporation, Pulaski, TN: June 16, 2007.*

TA-63,638; *Modular Technologies of America, Inc., Magna Closures—Shelby Modules Division, Shelby Township, MI: June 24, 2007.*

TA-63,711; *Lear Corporation, SSD Division, Fenton, MI: July 17, 2007.*

TA-63,730; *Chesapeake Hardwood Products, Inc., Chesapeake, VA: July 18, 2007.*

TA-63,835; *Megtec Systems, Inc., Vero Beach, FL: August 7, 2007.*

TA-63,884; *Lan-Tex, Inc., D and G Services, Statesville, NC: August 15, 2007.*

TA-63,808; *Soft Socks, Inc., Burlington, NC: August 1, 2007.*

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-63,828; *Lear Corporation, Liberty, MO: July 14, 2007.*

TA-63,832; *Carestream Health, Inc., Mammography Film Division, Windsor, CO: August 6, 2007.*

TA-63,855; *Dart Container Corporation of California, Corona Production Facility, Corona, CA: August 1, 2007.*

TA-63,907; *Rayloc Division, Division of Genuine Parts Co., Distribution Center, Williamsport, MD: August 19, 2007.*

TA-63,916; *Walker Bay Boats, Inc., A Subsidiary of Orcam Holdings Limited, Yakima, WA: August 19, 2007.*

TA-63,925; *Hutchinson FTS, Low Pressure Byrdstown Division, Byrdstown, TN: September 27, 2008.*

TA-63,937; *Indian Industries, Escalade Sports, Inc., Table Tennis Division, Evansville, IN: June 1, 2008.*

TA-63,951; *CFM U.S. Corporation, Huntington, IN: August 27, 2007.*

TA-63,468; *Circor International, Inc., Flow Technologies Division, Spartanburg, SC: June 2, 2007.*

TA-63,802; *AFA Products, Inc., Continental AFA Dispensing Company, Forest City, NC: August 1, 2007.*

TA-63,843; *Ace Precision Castings, LLC, Helping Hands Temp, Marshalltown, IA: August 8, 2007.*

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-63,788; *Hanes Dye and Finishing, A Subsidiary of Hanes Companies, Leggett & Platt, Inc., Butner, NC: July 30, 2007.*

TA-63,749; *Lear Corporation, Bridgeton, MO: July 24, 2007.*

TA-63,824; *Modern Plastics Corporation, Benton Harbor, MI: July 25, 2007.*

TA-63,963; *Fisher Corporation, Troy, MI: September 29, 2008.*

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. The firm does not have a significant number of workers 50 years of age or older.

*None.*

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

*None.*

The Department has 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.

Because the workers of the firm are not eligible 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-63,827; *Home and Networks Mobility-WiMax System Test Dept., A Subsidiary of Motorola, Inc., Schaumburg, IL.*

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-63,821; *MSSC, LLC, Marion, IL.*

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-62,946; *Pioneer Tool and Mold, Division of Plastek Industries, Inc., Erie, PA.*

TA-63,858; *Ascentron, White City, OR.*

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

TA-63,715; *Quality Logistics Systems, Inc., DePere, WI.*

TA-63,761; *Level 3 Communications, L.L.C., Austin, TX.*

TA-63,822; *ACN Communications, Gwinn, MI.*

TA-63,969; *HD Supply, Inc., Plumbing and HVAC Division, Columbus, GA.*

TA-63,974; *Element Customer Care LLC, Durham, NC.*

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 period of *September 8 through September 12, 2008*. 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: September 18, 2008.

**Erin Fitzgerald,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. E8-22399 Filed 9-23-08; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-63,713]

#### Canterbury Printing Company of Rome Incorporated, Rome, NY; Notice of Affirmative Determination Regarding Application for Reconsideration

On September 11, 2008, the Department of Labor (Department) received a request for administrative reconsideration of the Department's Notice of negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) applicable to workers and former workers of the subject firm. The negative determination was issued on July 28, 2008. The

Department's Notice of determination was published in the **Federal Register** on August 12, 2008 (73 FR 46924). Workers produce printed materials including postcards, calendars, and journals.

The negative determination was based on the Department's findings that the subject firm did not import printed materials or shift production of those articles to a foreign country during the relevant period. The Department's survey of the subject firm's major declining customer revealed no increased imports of postcards, calendars and journals during the relevant period.

In the request for reconsideration, the Graphic Communications Conference of the International Brotherhood of Teamsters Union, Local 503-M (Union) stated that the "import of foreign printed products put a severe economic strain on Canterbury Press, which forced the company to close."

The Department has carefully reviewed the Union's request for reconsideration and has determined that the Department will conduct further investigation.

### 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 17th day of September 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-22403 Filed 9-23-08; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,802]

#### Shorewood Packaging Corporation, a Subsidiary of International Paper, Home Entertainment Division, Edison, NJ; Notice of Negative Determination on Reconsideration

On July 16, 2008, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on July 28, 2008 (73 FR 43787).

The initial investigation resulted in a negative determination based on the finding that imports of printed paper

primarily for music and gaming packaging did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration the petitioner provided an additional list of customers, who purchased packaging products for the pharmaceutical and cosmetic industries.

On reconsideration the Department of Labor contacted the company official of the subject firm to verify the information addressed by the petitioner and requested an additional list of customers. The Department surveyed these customers regarding their purchases of like or directly competitive products with printed paper for packaging during 2006, 2007, and January through February 2008 over the corresponding 2007 period. The survey revealed that only one customer imported printed paper for packaging, however imports by this customer have been declining during the relevant period. The remaining customers did not import like or directly competitive products with printed paper for packaging during the relevant period.

The petitioner also alleged that Shorewood Packaging Corporation "had plans to open new facilities in Europe and Asia" and that Shorewood Packaging was outsourcing jobs from the subject firm overseas.

The company official of the subject firm confirmed that Shorewood Packaging Corporation has facilities abroad and described the functions of each facility. However, the company official stated that there was no shift in production from the subject firm to any foreign facility in the relevant period. The company official clarified that the reason behind the closure of the subject firm was the change in the market for the products manufactured by the Edison facility.

### 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 Shorewood Packaging Corporation, a subsidiary of International Paper, Home Entertainment Division, Edison, New Jersey.

Signed at Washington, DC, this 17th day of September 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-22402 Filed 9-23-08; 8:45 am]

**BILLING CODE 4510-FN-P**