

additional documentation indicating that there was either a mistake in the determination of facts not previously considered or a misinterpretation of facts or of the law justifying reconsideration of the initial determination. Based on these findings, the Department determines that 29 CFR 90.18(c) has not been met.

### Conclusion

After review of the applications and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 12th day of February, 2013.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-04023 Filed 2-21-13; 8:45 am]

**BILLING CODE 4510-FN-P**

## 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 February 4, 2013 through February 8, 2013.

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

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

#### **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.

| TA-W number  | Subject firm   | Location               | Impact date        |
|--------------|--|------------------------|--------------------|
| 82,105 ..... | Thorco Industries LLC, Penmac .....                                      | Cassville, MO .....    | October 19, 2011.  |
| 82,155 ..... | Juniata Fabrics, Inc., Manpower .....                                    | Altoona, PA .....      | October 26, 2011.  |
| 82,176 ..... | Rock Tenn Company, dba Rocktenn, Container Division.                     | Martinsville, VA ..... | November 16, 2011. |
| 82,302 ..... | Wausau Paper, Brainerd Converting Operation, Employment Resource Center. | Brainerd, MN .....     | December 27, 2011. |

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or

services) of the Trade Act have been met.

| TA-W number   | Subject firm  | Location               | Impact date       |
|---------------|---|------------------------|-------------------|
| 82,305 .....  | YP Connecticut Information Services LLC, Publishing Operations, YP LLC, YP Holdings LLC, Ameritraining, Inc.. | New Haven, CT .....    | January 2, 2012.  |
| 82,320 .....  | Steelcase, Inc., The Manpower Group/Tapfin .....  | Grand Rapids, MI ..... | February 5, 2013. |
| 82,320A ..... | Steelcase, Inc., The Manpower Group/Tapfin .....  | Kentwood, MI .....     | January 7, 2012.  |
| 82,321 .....  | Stoneridge, Inc., Global Wiring Division, Product Cost Department and Business Development.                   | Warren, OH .....       | January 1, 2012.  |
| 82,322 .....  | American Silk Mills LLC, Gerli and Company .....  | Plains, PA .....       | January 7, 2012.  |
| 82,324 .....  | Wells Fargo Bank, Online Customer Service Department, Email Division, Wells Fargo, etc.                       | Concord, CA .....      | January 4, 2012.  |
| 82,367 .....  | Athena Health, Inc .....  | Birmingham, AL .....   | January 24, 2012. |
| 82,377 .....  | Allied-Baltic Rubber, Inc., dba Zhongding USA, Anhui Zhongding Sealing Parts, Mancan, Randstad, etc.          | Strasburg, OH .....    | January 24, 2012. |

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers

are certified eligible to apply for TAA) of the Trade Act have been met.

| TA-W number  | Subject firm                                 | Location             | Impact date        |
|--------------|--|----------------------|--------------------|
| 82,282 ..... | Exide Technologies, Recycling Division ..... | Laureldale, PA ..... | December 19, 2011. |

#### **Negative Determinations for Worker 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.

The investigation revealed that the criteria under paragraphs(a)(2)(A)

(increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

| TA-W number  | Subject firm  | Location          | Impact date |
|--------------|---|-------------------|-------------|
| 82,261 ..... | Genzyme Corporation, Research and Development Group, PRO-Unlimited. | Waltham, MA ..... |             |
| 82,312 ..... | Eaton Corporation, Clutch Division, Bartech .....                   | Auburn, IN .....  |             |

**Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance**

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as

required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioning groups of

workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

| TA-W number  | Subject firm                                    | Location              | Impact date |
|--------------|---|-----------------------|-------------|
| 82,209 ..... | Cognizant Technology Solutions U.S. Corporation | Teaneck, NJ .....     |             |
| 82,212 ..... | BJR Selected Trucking, Inc. ....                | Washington, PA .....  |             |
| 82,310 ..... | HCL America, HCL Technologies Limited .....     | Wilsonville, OR ..... |             |

The following determinations terminating investigations were issued

because the petitions are the subject of ongoing investigations under petitions

filed earlier covering the same petitioners.

| TA-W number  | Subject firm                                     | Location         | Impact date |
|--------------|--|------------------|-------------|
| 82,359 ..... | American Silk Mills LLC, Gerli and Company ..... | Plains, PA ..... |             |

I hereby certify that the aforementioned determinations were issued during the period of February 4, 2013 through February 8, 2013. These determinations are available on the Department's Web site *tradeact/taa/taa-search-form.cfm* under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

Dated: February 12, 2013.

**Elliott S. Kushner**

*Certifying Officer, Division of Trade Adjustment Assistance .*

[FR Doc. 2013-04018 Filed 2-21-13; 8:45 am]

**BILLING CODE 4510-FN-P**

**DEPARTMENT OF LABOR****Employment and Training Administration****Investigations Regarding Eligibility To Apply for Worker Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221 (a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 4, 2013.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 4, 2013.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N-5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC this 13th day of February 2013.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

**APPENDIX**

[30 TAA petitions instituted between 2/4/13 and 2/8/13]

| TA-W        | Subject firm (petitioners)                     | Location              | Date of institution | Date of petition |
|-------------|--|-----------------------|---------------------|------------------|
| 82407 ..... | Superior Fibers (Company) .....                | Bremen, OH .....      | 02/04/13            | 02/01/13         |
| 82408 ..... | Bush Industries, Inc. of PA (Company) .....    | Erie, PA .....        | 02/04/13            | 02/01/13         |
| 82409 ..... | Dominion Resources Inc (State/One-Stop) ....   | Kewaunee, WI .....    | 02/04/13            | 02/01/13         |
| 82410 ..... | Sabreliner Corporation (3 Locations) (Union)   | Perryville, MO .....  | 02/05/13            | 02/04/13         |
| 82411 ..... | FPL Food LLC (Workers) .....                   | Augusta, GA .....     | 02/05/13            | 02/04/13         |
| 82412 ..... | The Body Shop (Workers) .....                  | Wake Forest, NC ..... | 02/05/13            | 01/17/13         |
| 82413 ..... | Mersen USA Bn Corp, Bay City Branch (Company). | Bay City, MI .....    | 02/05/13            | 02/04/13         |
| 82414 ..... | Sears Holdings (Workers) .....                 | Round Rock, TX .....  | 02/05/13            | 02/04/13         |
| 82415 ..... | Masco Cabinetry LLC (Company) .....            | Atkins, VA .....      | 02/05/13            | 02/04/13         |
| 82416 ..... | Xerox Corporation (Workers) .....              | Wilsonville, OR ..... | 02/05/13            | 02/04/13         |