

Issued: August 17, 2004.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-19248 Filed 8-20-04; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-494]

### In the Matter of Certain Automotive Measuring Devices, Products Containing Same, and Bezels for Such Devices; Notice of Commission Decision Not To Review Two Initial Determinations Terminating the Investigation as to Respondents Old World Industries, Inc., Splitfire International, Inc., Blitz Co., Ltd., and Blitz North America, Inc. on the Basis of Settlement Agreements and Consent Orders; Issuance of Consent Orders

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review two initial determinations ("IDs") issued by the presiding administrative law judge ("ALJ") terminating the above-captioned investigation as to respondents Old World Industries, Inc. and SplitFire International, Inc. (collectively, "OldWorld/Splitfire"), and Blitz Co., Ltd. and Blitz North America, Inc. (collectively, "Blitz") on the basis of consent orders.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3115. Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** The Commission issued a notice of investigation dated June 16, 2003, naming Auto Meter Products, Inc. ("Auto Meter") of Sycamore, Illinois, as the complainant and several companies as respondents. On June 20, 2003, the notice of investigation was published in the **Federal Register**. 68 FR 37023. The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain automotive measuring devices, products containing same, and bezels for such devices, by reason of infringement of U.S. Registered Trademark Nos. 1,732,643 and 1,497,472, and U.S. Supplemental Register No. 1,903908, and infringement of the complainant's trade dress. Subsequently, seven more firms were added as respondents based on two separate motions filed by complainant Auto Meter. The investigation was terminated as to five respondents on the basis of consent orders.

On July 14, 2004, the ALJ issued two IDs (Orders Nos. 34 and 35) terminating the investigation as to respondents OldWorld/Splitfire and Blitz on the basis of settlement agreements and consent orders. The Commission investigative attorney filed responses in support of each of the joint motions. No petitions for review of the IDs were filed.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Issued: August 17, 2007.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-19201 Filed 8-20-04; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

August 13, 2004.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting

documentation, may be obtained by contacting the Department of Labor (DOL). To obtain documentation, contact Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- 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:* Employee Benefits Security Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Regulation Relating to Loans to Plan Participants and Beneficiaries Who are Parties in Interest with Respect to the Plan.

*OMB Number:* 1210-0076.

*Frequency:* On occasion.

*Type of Response:* Third party disclosure.

*Affected Public:* Business or other for-profit; Not-for-profit institutions; and Individuals or households.

*Number of Respondents:* 1,700.

*Number of Annual Responses:* 1,700.

*Estimated Time Per Response:* 3 hours.

*Total Burden Hours:* 1.<sup>1</sup>

<sup>1</sup> Generally, because of the specialized knowledge required, attorneys and professional administrators acting as service providers to plans are most likely to draft amendments that would describe or modify a loan program. Therefore, the burden for the information collected is accounted for as a cost burden.

*Total Annualized capital/startup costs: \$0.*

*Total Annual Costs (operating/maintaining systems or purchasing services): \$428,400.*

*Description:* The Employee Retirement Income Security Act of 1974 (ERISA) prohibits a fiduciary with respect to a plan from causing the plan to engage in the direct or indirect lending of money or other extension of credit between the plan and a party in interest. ERISA section 408(b)(1) exempts loans made by a plan to parties in interest who are participants and beneficiaries of the plan from this prohibition provided that certain requirements are satisfied. The regulation at 29 CFR 2550.408b-1 provides additional guidance on section 408(b)(1)(C), which requires that loans must be made in accordance with specific provisions set forth in the plan. This ICR relates to the specific provisions that must be included in plan documents for those plans that permit loans to participants.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 04-19196 Filed 8-20-04; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,695]

#### **C-Cor Corporation, Repair Services Department, Meriden, Connecticut; Notice of Negative Determination Regarding Application for Reconsideration**

By application postmarked June 17, 2004, petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice applicable to workers of C-Cor Corporation, Repair Services Department, Meriden, Connecticut was signed on May 25, 2004, and published in the **Federal Register** on June 17, 2004 (69 FR 33941).

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 TAA petition was filed on behalf of workers at C-Cor Corporation, Repair Services Department, Meriden, Connecticut engaged in activities related to the repair of broadband communication products. The petition was denied because the petitioning workers did not produce an article within the meaning of section 222 of the Act.

In the request for reconsideration, petitioners allege that the workers supported production of C-Cor products, namely electronic broadband equipment. They further state that the subject firm outsourced repair of its products to Mexico through the third party.

A company official was contacted to clarify the work performed by the Repair Services Department. It was revealed that the subject group of workers did not support any production at the subject facility but performed repair services of the equipment produced by C-Cor Corporation in Meriden, Connecticut.

The official further confirmed the fact established during the original investigation that C-Cor Corporation, Meriden, Connecticut outsourced its repair services to a non-affiliated domestic company in California, which was the cause of the job eliminations of the subject group of workers.

Repair of products already purchased does not constitute production within the context of eligibility requirements for trade adjustment assistance.

#### **Conclusion**

After review of the application 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 in Washington, DC, this 12th day of August, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-19099 Filed 8-20-04; 8:45 am]

**BILLING CODE 4510-30-M**

## 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. Mississippi Lime Company**

[Docket No. M-2004-008-M]

Mississippi Lime Company, 16147 Highway 61, Ste. Genevieve, Missouri 63670 has filed a petition to modify the application of 30 CFR 56.15005 (Safety belts and lines) to its Peerless Mine and Mill (MSHA I.D. No. 23-00542) located in Ste. Genevieve County, Missouri. The petitioner proposes to facilitate non-entry full body harness and lifeline whenever an entrant enters a tank, bin or other dangerous areas, to facilitate non-entry rescue, unless the retrieval equipment would increase the overall risk of entry or not contribute to the rescue of the entrant. When a lifeline is used, the petitioner proposes to have a second person attending the lifeline. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### **2. American Engineering & Construction Company**

[Docket No. M-2004-035-C]

American Engineering & Construction Company, 735 St. Rt. 857, Clay, Kentucky 42404 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (Weekly examination) to its Baker Mine (MSHA I.D. No. 15-14992) located in Webster County, Kentucky. Due to deteriorating roof conditions in the 13 seam seals at the 2nd and 3rd North Main Entries No. 1 Set of Seals, (affected Seals are No.'s 9, 10, 11, 12, and 13), the petitioner proposes to use an alternative method for examinations of the seals in the return air courses of the affected areas. The petitioner proposes to conduct examinations at evaluation points No. 1 and No. 2, and monitor upstream (with respect to air flow) and downstream of the seal locations that cannot be examined. The petitioner states that monitoring at these evaluation points will evaluate the atmosphere going into and coming out from the seals. The petitioner asserts that application of the existing standard will result in a diminution of safety to the miners and that the proposed alternative method would provide at least the same measure of protection as the existing standard.