

Saginaw, Michigan, which also filed a petition for TAA and was certified on December 3, 2003. The petitioner states that workers of the subject firm and workers of National Pattern, Inc. build tooling for the Foundry and Mold Industry and both firms are impacted by foreign competition. The Union further alleges that because workers of National Pattern, Inc. were certified eligible for TAA, workers of the subject firm should also be eligible.

A review of competitors is not relevant to an investigation concerning import impact on workers applying for trade adjustment assistance. The review of both cases revealed that workers of Wolverine Pattern & Machine, Inc. and National Pattern, Inc. are engaged in the production for Foundry and Mold Industry; however, they do not share the same customer base and have no affiliation with each other. As noted above, "contributed importantly" test is generally demonstrated through a survey of customers of the workers' firm to examine the direct impact on a specific firm. While customers of National Pattern, Inc., Saginaw, Michigan reported an increase in imports of casting tooling during the relevant period, no imports were evidenced during the survey of subject firm's customers.

The Union also alleges that customers of the subject firms are importing tooling and moving facilities abroad.

A company official was requested to supply additional list of customers who might have awarded their contracts to foreign firms or were importing industrial molds and tooling. The official was not aware of any such contracts.

## 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 at Washington, DC this 20th day of February, 2004

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Wage and Hour Division; Minimum wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29

CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

#### Volume I

None

#### Volume II

##### Pennsylvania

PA030001 (Jun. 13, 2003)  
 PA030003 (Jun. 13, 2003)  
 PA030005 (Jun. 13, 2003)  
 PA030007 (Jun. 13, 2003)  
 PA030008 (Jun. 13, 2003)  
 PA030009 (Jun. 13, 2003)  
 PA030010 (Jun. 13, 2003)  
 PA030018 (Jun. 13, 2003)  
 PA030019 (Jun. 13, 2003)  
 PA030020 (Jun. 13, 2003)  
 PA030023 (Jun. 13, 2003)  
 PA030024 (Jun. 13, 2003)  
 PA030026 (Jun. 13, 2003)  
 PA030035 (Jun. 13, 2003)  
 PA030038 (Jun. 13, 2003)  
 PA030040 (Jun. 13, 2003)  
 PA030042 (Jun. 13, 2003)  
 PA030051 (Jun. 13, 2003)  
 PA030052 (Jun. 13, 2003)

PA030054 (Jun. 13, 2003)  
 PA030059 (Jun. 13, 2003)  
 PA030060 (Jun. 13, 2003)  
 PA030061 (Jun. 13, 2003)  
 PA030065 (Jun. 13, 2003)

#### Volume III

##### Tennessee

TN030001 (Jun. 13, 2003)  
 TN030002 (Jun. 13, 2003)  
 TN030005 (Jun. 13, 2003)  
 TN030062 (Jun. 13, 2003)

#### Volume IV

##### Illinois

IL030019 (Jun. 13, 2003)

##### Wisconsin

WI030001 (Jun. 13, 2003)  
 WI030004 (Jun. 13, 2003)  
 WI030005 (Jun. 13, 2003)  
 WI030009 (Jun. 13, 2003)  
 WI030019 (Jun. 13, 2003)

#### Volume V

##### Iowa

IA030008 (Jun. 13, 2003)  
 IA030010 (Jun. 13, 2003)  
 IA030028 (Jun. 13, 2003)

##### Louisiana

LA030009 (Jun. 13, 2003)  
 LA030012 (Jun. 13, 2003)  
 LA030014 (Jun. 13, 2003)  
 LA030017 (Jun. 13, 2003)  
 LA030018 (Jun. 13, 2003)  
 LA030052 (Jun. 13, 2003)

##### Nebraska

NE030003 (Jun. 13, 2003)  
 NE030005 (Jun. 13, 2003)  
 NE030007 (Jun. 13, 2003)  
 NE030010 (Jun. 13, 2003)  
 NE030011 (Jun. 13, 2003)  
 NE030021 (Jun. 13, 2003)

#### Volume VI

##### Idaho

ID030019 (Jun. 13, 2003)

##### Washington

WA030001 (Jun. 13, 2003)  
 WA030002 (Jun. 13, 2003)  
 WA030003 (Jun. 13, 2003)  
 WA030004 (Jun. 13, 2003)  
 WA030005 (Jun. 13, 2003)  
 WA030006 (Jun. 13, 2003)  
 WA030007 (Jun. 13, 2003)  
 WA030008 (Jun. 13, 2003)  
 WA030010 (Jun. 13, 2003)  
 WA030011 (Jun. 13, 2003)  
 WA030023 (Jun. 13, 2003)  
 WA030025 (Jun. 13, 2003)

#### Volume VII

##### California

CA030033 (Jun. 13, 2003)

##### Hawaii

HI030001 (Jun. 13, 2003)

##### Nevada

NV030001 (Jun. 13, 2003)  
 NV030005 (Jun. 13, 2003)  
 NV030007 (Jun. 13, 2003)

### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon And Related Acts." This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at [www.access.gpo.gov/davisbacon](http://www.access.gpo.gov/davisbacon). They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate Volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 4th day of March, 2004.

**Terry Sullivan,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 04-5276 Filed 3-11-04; 8:45 am]

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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. Mingo Logan Coal Company

[Docket No. M-2004-007-C]

Mingo Logan Coal Company, 1000 Mingo Logan Avenue, Wharncliffe, West Virginia 25651 has filed a petition to modify the application of 30 CFR 77.214(a) (Refuse piles; general) to its Black Bear Preparation Plant (MSHA I.D. No. 46-07985) located in Mingo County, West Virginia. The petitioner proposes to use coarse coal mine refuse material from the Black Bear Preparation Plant to cover and reclaim abandoned mine openings at the Select No. 5 Mine. The petitioner has listed specific procedures in this petition that would be followed when its 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. Remington, LLC

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

Remington, LLC, 160 Lockheed Drive, Beaver, West Virginia 25813 has filed a petition to modify the application of 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility) to its Stockburg No. 2 Mine (MSHA I.D. No. 46-08635) located in Kanawha County, West Virginia. The petitioner proposes to use a high-voltage 2,400-volt Joy 14CM27 continuous miner at the Stockburg No. 2 Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 3. Christy Minerals Company

[Docket No. M-2004-002-M]

Christy Minerals Company, P.O. Box 159, High Hill, Missouri 63350 has filed a petition to modify the application of 30 CFR 56.12028 (Testing grounding systems) to its Christy Minerals Plant (MSHA I.D. No. 46-08634) located in Montgomery County, Missouri. The petitioner proposes to conduct a visual inspection in lieu of an annual resistance test on all fixed outdoor installations where the equipment grounding conductor and other conduit are run above ground. The petitioner states that an annual resistance test, already in place at the plant, will be continued on any fixed installations subject to flexing, vibrations, and where the conduit is located below ground. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.