

and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-64,974; *Fredon Development Industries, LLC*, Newton, NJ; January 23, 2008

TA-W-64,421; *Pacific Automotive Components and Systems International, ImLay City, MI*; November 12, 2007

TA-W-64,870; *Molded Fiber Glass Co.*, Stevenson, WA; January 12, 2008

TA-W-64,902; *Shin Etsu Handoti America, Inc., Leased Workers of Volt and Kelly Temporary*, Vancouver, WA; January 14, 2008

TA-W-64,960; *Pax Machine Works, Inc.*, Celina, OH; January 21, 2008

TA-W-65,102; *Kelsey Hayes Company, North American Braking and Suspension Division* Fenton, MI; February 3, 2008

TA-W-65,178; *Louis Lavitt Company, Inc.*, Hickory, NC; February 6, 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.

TA-W-64,952; *Heritage Footwear, Inc.*, Fort Payne, AL

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

TA-W-64,802; *HR Solutions, LLC, Subsidiary of Affiliated Computer Services*, Pittsburgh, PA

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-W-64,420; *Nordyne, Inc., On-Site Leased Workers From Lifestyle Staffing* Poplar Bluff, MO.

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.

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-64,186; *American Polymers, Inc.*, Oxford, MA.

TA-W-64,793; *Lukas Confections, Inc., dba The Classic Caramel Co.*, York, PA.

TA-W-64,846; *Tracker Marine Group, LLC*, Bolivar, MO.

TA-W-64,875A; *Rosboro Lumber Company, Plywood Division* Springfield, OR.

TA-W-64,875B; *Rosboro Lumber Company, Glulam Beams Division* Springfield, OR.

TA-W-65,252; *Hutchinson Technology, Inc.*, Plymouth, MN.

TA-W-65,160; *Hutchinson Technology, Inc.*, Hutchinson, MN.

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

TA-W-64,912; *Road and Rail Services*, Venice, IL.

TA-W-65,013; *Axcelis Technologies, Global Customer Operations*, Portland, OR.

TA-W-65,021; *EcoLab, Inc., Accounts Receivable Division, Research and Development Division*, Eagan, MN.

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.

TA-W-64,570; *ZF Lemforder, LLC*, Chicago, IL.

I hereby certify that the aforementioned determinations were issued during the period of February 17 through February 20, 2009. Copies of these determinations are available for inspection in Room N-5428, 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.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

Dated: March 3, 2009.

[FR Doc. E9-5037 Filed 3-9-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-64,190]

Hafner USA, Inc., New York, NY; Notice of Negative Determination on Reconsideration

On January 13, 2009, the Department issued an Affirmative Determination Regarding Application for Reconsideration of the 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 Hafner USA, Inc., New York, New York (subject firm). The Department's Notice was published in the **Federal Register** on January 26, 2009 (74 FR 4460).

The initial determination was based on the Department's findings that the subject worker group does not support a firm or appropriate subdivision that produces an article domestically.

In order to apply for TAA based on increased imports, the subject worker group must meet the group eligibility requirements under Section 222(a) of the Trade Act of 1974, as amended. Under Section 222(a)(2)(A), the following criteria must be met:

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; and

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.

29 CFR 90.2 states that a group means "three or more workers in a firm or an appropriate subdivision thereof" and that a significant number or proportion of the workers means "at least three workers in a firm (or appropriate subdivision thereof) with a work force

of fewer than 50 workers.” The regulation also states that “increased imports means that imports have increased either absolutely or relative to domestic production compared to a representative base period. The representative base period shall be one year consisting of the four quarters immediately preceding the date which is twelve months prior to the date of the petition.”

Because the petition date is October 3, 2008, the relevant period (the twelve months prior to the date of the petition) is October 2007 through September 2008 and the representative base period is October 2006 through September 2007.

The Department has carefully reviewed information submitted during the initial and reconsideration investigations. The Department determines that the petition did not cover a valid worker group (the group consisted of only two workers at the subject firm) and that, during relevant period, less than three workers were separated or were threatened with separation from the subject firm.

Based on the information above, the Department determines that the group eligibility requirements under Section 222(a) of the Trade Act of 1974, as amended, were not met.

Even if there was a valid worker group and the worker separation threshold was met, the Department would not have issued a certification applicable to the subject worker group.

During the reconsideration investigation, the Department confirmed that the subject firm ceased production in the United States in 2005. The North Carolina facility identified in the request for reconsideration was a marketing office. The Virginia facility identified in the request for reconsideration (Hafner LLC, a subsidiary of Hafner, Inc., Gordonsville, Virginia) was certified on May 16, 2005 (TA-W-57,119) based on a shift of production to Canada.

Because there was no domestic production during the relevant period, the Department determines that there was no domestic production that increased imports could have impacted. Further, the Department determines that there was no shift of production to a foreign country during the relevant period.

In order for the Department to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA), the subject worker group must be certified eligible to apply for Trade Adjustment Assistance (TAA). Since the subject workers are denied

eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

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 Hafner USA, Inc., New York, New York.

Signed at Washington, DC, this 24th day of February 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-5042 Filed 3-9-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-65,280]

Eaton Corporation, Mentor, OH; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 18, 2009 in response to a worker petition filed by a company official on behalf of workers of Eaton Corporation, Mentor, Ohio.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 24th day of February 2009.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-5047 Filed 3-9-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-65,214]

Everett Charles Technologies, Inc., Fixture and Services Group, Longmont, CO; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 11, 2009 in response to a worker petition filed by a company official on behalf of workers of Everett Charles Technologies, Inc., Fixture and Services Group, Longmont, Colorado.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 24th day of February 2009.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-5046 Filed 3-9-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-65,326]

Horton Mfg. Co. LLC, Tallmadge, OH; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 23, 2009 in response to a worker petition filed on behalf of workers of Horton Mfg. Co. LLC, Tallmadge, Ohio.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 25th day of February 2009.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-5049 Filed 3-9-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-65, 359]

The Modesto Bee; Ad Production Group; Modesto, CA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 24, 2009, in response to a worker petition filed on behalf of workers at The Modesto Bee; Ad Production Group; Modesto, California.

The petitioning group of workers is covered by an active certification (TA-W-64, 860) which expires on February 11, 2011.

Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC this 25th day of February 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-5036 Filed 3-9-09; 8:45 am]

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