

Signed at Washington, DC, November 15, 2006.

Elliott S. Kushner,
*Certifying Officer, Division of Trade
 Adjustment Assistance.*

[FR Doc. E6-19792 Filed 11-22-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Modine Manufacturing, Blythewood, SC; Notice of Affirmative Determination Regarding Application for Reconsideration

By application postmarked October 31, 2006, a worker requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers and former workers of the subject firm. The determination was issued on October 12, 2006. On October 25, 2006, the Department's Notice of determination was published in the **Federal Register** (71 FR 62490).

The negative determination was based on the Department's findings that the subject firm did not shift production abroad during the relevant period, that subject firm sales increased from 2004 to 2005 while production remained constant, and that there were no decline in either sales or production in January through August 2006 compared to the same period in 2005.

In the request for reconsideration, the worker provided additional information regarding the subject firm's closure (July 20, 2006 WARN letter: "It is anticipated that the plant closing will commence on September 15 2006 and will continue into 2007").

The Department has carefully reviewed the 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 Department of Labor's prior decision. The application is, therefore, granted.

Dated: November 16, 2006.

Elliott S. Kushner,
*Certifying Officer, Division of Trade
 Adjustment Assistance.*

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-59,884]

Rexnord Industries, LLC, Industrial Chain and Conveyor Division, Milwaukee, WI; Notice of Revised Determination on Reconsideration of Alternative Trade Adjustment Assistance

By letter dated October 18, 2006, United Steelworkers Local 1527 AFL-CIO requested administrative reconsideration regarding Alternative Trade Adjustment Assistance (ATAA) applicable to workers of the subject firm. The negative determination was signed on September 7, 2006, and was published in the **Federal Register** on September 21, 2006 (71 FR 55218).

The workers of Rexnord Industries, LLC, Industrial Chain and Conveyor Division, Milwaukee, Wisconsin, were certified eligible to apply for Trade Adjustment Assistance (TAA) on September 7, 2006.

The initial ATAA investigation determined that the skills of the subject worker group are easily transferable to other positions in the local area.

In the request for reconsideration, the petitioner provided sufficient information confirming that the skills of the workers at the subject firm are not easily transferable in the local commuting area.

Additional investigation has determined that the workers possess skills that are not easily transferable. A significant number or proportion of the worker group are age 50 years or over. Competitive conditions within the industry are adverse.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that the requirements of Section 246 of the Trade Act of 1974, as amended, have been met for workers at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

All workers of Rexnord Industries, LLC, Industrial Chain and Conveyor Division, Milwaukee, Wisconsin, who became totally or partially separated from employment on or after July 20, 2005 through September 7, 2008, are eligible to apply for trade adjustment assistance under Section 223 of the Trade Act of 1974 and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, November 14, 2006.

Elliott S. Kushner,
*Certifying Officer, Division of Trade
 Adjustment Assistance.*

[FR Doc. E6-19795 Filed 11-22-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Rodman Industries, Marinette, WI; Notice of Negative Determination Regarding Application for Reconsideration

By application dated September 12, 2006 and by application dated September 18, a company official and United Steelworkers 12-14A, District 2, requested administrative reconsideration of the Department's negative determination regarding 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 denial notice was signed on August 16, 2006 and published in the **Federal Register** on September 6, 2006 (71 FR 52584).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Rodman Industries, Marinette, Wisconsin was denied because criteria (a)(2)(A)(I.B) and (a)(2)(B)(II.B) were not met. The negative determination was based on the findings that sales and production of particle board by the subject firm increased from 2004 to 2005 and from January through June of 2006 when compared with the same period in 2005. The subject firm did not shift production to a foreign country during the relevant period.

The petitioner provided additional information in the request for reconsideration. Review of the original investigation indicated that the subject facility ceased its production of particle board on August 14, 2006. Therefore, sales and production at the subject firm