

APPENDIX—TAA PETITIONS INSTITUTED BETWEEN 3/2/09 AND 3/6/09—Continued

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
65467	Kenworth Truck Company (PACCAR, Inc.) (IAMAW)	Renton, WA	03/04/09	03/02/09
65468	Utah Stamping Company (Wkrs)	Clearfield, UT	03/04/09	03/03/09
65469	The Hershey Company (Wkrs)	Hershey, PA	03/04/09	02/05/09
65470	Fluidmaster, Inc. (Comp)	San Juan Capistrano, CA	03/04/09	03/03/09
65471	Nabors Drilling USA, LP (State)	Fruita, CO	03/04/09	02/27/09
65472	Lincoln Industrial Corporation (UAW)	St. Louis, MO	03/04/09	02/26/09
65473	Bakers Pride Oven Company, Inc. (Comp)	New Rochelle, NY	03/04/09	02/25/09
65474	Smart Apparel (US) Inc. (18951)	Quakertown, PA	03/04/09	03/04/09
65475	Mohawk Industries, Inc. (Wkrs)	Dillon, SC	03/04/09	02/04/09
65476	Valentine Tool and Stamping, Inc. (Comp)	Norton, MA	03/04/09	03/03/09
65477	Osborne and Osborne Wood Products (Wkrs)	Galax, VA	03/04/09	02/19/09
65478	Metaldyne (Comp)	Whitsett, NC	03/04/09	03/03/09
65479	Vaagen Bros. Lumber, Inc. (Comp)	Colville, WA	03/04/09	03/04/09
65480	Tech Group (State)	Van Buren, AR	03/04/09	03/03/09
65481	IM Flash Technologies, LLC (Wkrs)	Lehi, UT	03/04/09	03/02/09
65482	Northeast Pellets, LLC (Comp)	Ashland, ME	03/04/09	02/27/09
65483	Viasystems (Comp)	Newberry, SC	03/04/09	03/03/09
65484	Lineage Power (Comp)	Tustin, CA	03/04/09	02/26/09
65485	Sapa HE Tubing (USW)	Louisville, KY	03/04/09	03/03/09
65486	Ortho Pharmaceutical (State)	Manati, PR	03/04/09	03/04/09
65487	Boralex Sherman, LLC (Comp)	Stacyville, ME	03/04/09	03/02/09
65488	Great Lakes Recovery Systems (USW)	Ecorse, MI	03/04/09	02/18/09
65489	Tecumseh Products Company (Wkrs)	Paris, TN	03/04/09	02/17/09
65490	Mold-Tech Michigan (CWA)	Fraser, MI	03/04/09	02/19/09
65491	Mazer Corporation (Wkrs)	Dayton, OH	03/04/09	02/27/09
65492	Kimball Office (Wkrs)	Borden, IN	03/05/09	02/13/09
65493	Plains Cotton Cooperative Association (Comp)	Lubbock, TX	03/05/09	02/11/09
65494	Mega Brands (State)	Livingston, NJ	03/05/09	03/04/09
65495	Gerber Technology and Gerber Service (Comp)	New York, NY	03/05/09	03/04/09
65496	Ovonc Energy Products, Inc. (IUECWA)	Springboro, OH	03/05/09	03/05/09
65497	Masterbrand (Wkrs)	Littlestown, PA	03/05/09	03/04/09
65498	Mine Safety Appliances (Wkrs)	Callery, PA	03/05/09	02/23/09
65499	Celanese (Wkrs)	Pampa, TX	03/05/09	03/03/09
65500	Plum Creek MDF, Inc. (Comp)	Columbia Falls, MT	03/05/09	03/04/09
65501	R. H. Donnelley, Inc. (Wkrs)	Dunmore, PA	03/05/09	02/20/09
65502	Gerber Coburn and Gerber Service (Comp)	Fort Gibson, OK	03/06/09	03/02/09
65503	Gerber Technology (Comp)	Tolland, CT	03/06/09	03/02/09
65504	Telephan Videocom Services (Comp)	New Castle, DE	03/06/09	03/01/09
65505	Weiler Corporation (Comp)	Cresco, PA	03/06/09	03/04/09
65506	1928 Jewelry Company (Wkrs)	Burbank, CA	03/06/09	01/29/09
65507	Arcelor Mittal (Wkrs)	Marion, OH	03/06/09	03/04/09
65508	Camp-Hill Corporation (Wkrs)	McKeesport, PA	03/06/09	03/05/09
65509	Moose River Lumber Company, Inc. (Comp)	Moose River, ME	03/06/09	03/05/09
65510	Bemis Contract Group (Wkrs)	Lenoir, NC	03/06/09	03/05/09
65511	FMC Manufacturing, LLC (Wkrs)	Monmouth, IL	03/06/09	03/05/09
65512	AK Steel Corporation (IAMAW)	West Chester, OH	03/06/09	03/05/09
65513	Tyrone Mining, LLC (Wkrs)	Tyrone, NM	03/06/09	02/27/09

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DEPARTMENT OF LABOR

Employment and Training
Administration

[TA-W-64,796]

Tracy Evans Ltd, New York, NY; Notice
of Negative Determination Regarding
Application for Reconsideration

By application dated March 9, 2009, petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment

Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on January 27, 2009 and published in the **Federal Register** on February 23, 2009 (74 FR 8116).

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 initial investigation resulted in a negative determination which was based on the finding that imports of designs and patterns for women's garments did not contribute importantly to worker separations at the subject plant and there was no shift of production to a country that is a party to a free trade agreement with the United States or a beneficiary country. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's declining domestic customers. In this instance, the subject firm did not sell designs and patterns for women's garments to outside domestic customers, thus a

survey was not conducted. The subject firm did not import designs and patterns for women's garments into the United States during the relevant period.

In the request for reconsideration the petitioner alleged that Tracy Evans transferred its U.S. operations to a foreign country. Furthermore, the petitioner referred to an article reporting a "problematic industrial trend of garment jobs being outsourced to foreign countries within the garment district in New York City."

When assessing eligibility for TAA, the Department exclusively considers production of articles like or directly competitive with the ones manufactured at the subject firm during the relevant period (one year prior to the date of the petition). The issue of a shift in production by the subject firm to a foreign country was addressed during the initial investigation. It was revealed that the subject firm did not shift production of designs and patterns for women's garments during the relevant period.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) A mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

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 13th day of March, 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-7101 Filed 3-30-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-64,792]

Aetrium Corporation, Corporate Division, North St. Paul, MN; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 31, 2008 in response to a petition filed by a State agency representative on behalf of workers of Aetrium Corporation, Corporate Division, North St. Paul, Minnesota.

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

Signed at Washington, DC, this 17th day of March 2009.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-7124 Filed 3-30-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-65,343]

Air Products and Chemicals Inc., Electronics Division, Easton, PA; 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 petition filed by a company official on behalf of workers of Air Products and Chemicals Inc., Electronics division, Easton, Pennsylvania.

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

Signed at Washington, DC, this 16th day of March 2009.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-7109 Filed 3-30-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-65,386]

ANP Dimensional Lumber; Ogema, WI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 25, 2009 in response to a worker petition filed on behalf of workers at ANP Dimensional Lumber, Ogema, Wisconsin.

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

Signed at Washington, DC, this 18th day of March 2009.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-7146 Filed 3-30-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-64,774]

Anthology, Inc., A Division of R. R. Donnelley & Sons Company, Pre-Media Technologies Division; Arlington Heights, IL; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 23, 2008 in response to a petition filed on behalf of the workers at Anthology, Inc., a Division of R. R. Donnelley & Sons Company, Pre-Media Technologies Division, Arlington Heights, Illinois.

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

Signed at Washington, DC, this 17th day of March 2009.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-7123 Filed 3-30-09; 8:45 am]

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