

None.

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

None.

The Department as 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.

Since the workers of the firm are denied eligibility 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-59,671; Bernard Chaus, Cynthia Steffe Division, New York, OH.

TA-W-59,721; Mercury Marine, A Division of Brunswick Corp., Fond du Lac, SC.

TA-W-59,738; Para Chem Southern, Inc., Coating Division, Simpsonville, GA.

TA-W-59,751; Continental Industries LLC, Benzonia, VA.

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.

TA-W-59,710; Oxbow Machine Products, On-Site Leased Workers of TKO Staffing, 3-D Personnel and Batton Technical, Livonia, NY.

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-59,630; Johnson Controls Inc., Oklahoma City, GA.

TA-W-59,645; Metal Ware Corporation (The), Two Rivers, MI.

TA-W-59,681; Saputo Cheese USA, Inc., Peru, AZ.

TA-W-59,709; Stimson Lumber Company, St. Helens, TX.

TA-W-59,760; Huntington Foam Corp., Mt. Pleasant, MI.

TA-W-59,766; HBD/Thermoid, Inc., Workers Producing Hoses Oneida Plant, HBD Industries, Oneida, TN.

The investigation revealed that the predominate cause of worker

separations is unrelated to criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.C.) (shift in production to a foreign country).

TA-W-59,571; Fairchild Semiconductor International, Information Technology Div., South Portland, CA.

TA-W-59,636; Larose, Inc., New York, AR.

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

TA-W-59,713; State Farm Insurance, Shared Services Department, Parsippany, NJ.

TA-W-59,736; RSM Company, Inc., Charlotte, WI.

TA-W-59,770; Surgical Support Services, Div. of Surgical Synergies, Eureka, PA.

TA-W-59,790; Premier Turbines, Division of Dallas Airmotive, Neosho, KY.

TA-W-59,797; Canteen Vending, On-Site Workers at Broyhill Pacemaker Furniture Co., Lenior, GA.

TA-W-59,820; Airfoil Technologies International-Ohio, Mentor, OH.

TA-W-59,822; AmerisourceBergen Corporation, Orange, ME.

TA-W-59,846; Coville, Inc., Winston-Salem, OK.

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.

None.

I hereby certify that the aforementioned determinations were issued during the month of August 7 through August 11, 2006. Copies of these determinations are available for inspection in Room C-5311, 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.

Dated: August 16, 2006.

**Erica R. Cantor,**

Director, Division of Trade Adjustment Assistance.

[FR Doc. E6-14222 Filed 8-25-06; 8:45 am]

**BILLING CODE 4510-30-P**

## 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. Eastern Associated Coal, LLC

[Docket No. M-2006-016-C]

Eastern Associated Coal, LLC, 1044 Miracle Run Road, Fairview, West Virginia 26570 has filed a petition to modify the application of 30 CFR 75.500(d) (Permissible electric equipment) to its Federal No. 2 Mine (MSHA I.D. No. 46-01456) located in Monongalia County, West Virginia. The petitioner requests a modification of the existing standard to permit the use of non-permissible battery-powered hand-held computers in or inby the last open crosscut, including in the return airways. The petitioner proposes to use the hand-held computers to allow supervisors and selected miners to collect and record data pertinent to safety observations during work processes. The petitioner has listed specific procedures in this petition that will be followed when the 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. AMFIRE Mining Company, LLC

[Docket No. M-2006-017-C]

AMFIRE Mining Company, LLC, One Energy Place, Latrobe, Pennsylvania 15650 has filed a petition to modify the application of 30 CFR 75.1100-2(e)(2) (Quantity and location of firefighting equipment) to its Gillhouser Run Mine (MSHA I.D. No. 36-09033) located in Cambria County, Pennsylvania. The petitioner requests a modification of the existing standard to permit an alternative method of compliance with the firefighting equipment required at temporary electrical installations. The petitioner proposes to use two (2) fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations in lieu of using 240 pounds of rock dust. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 3. Eastern Associated Coal, LLC

[Docket No. M-2006-018-C]

Eastern Associated Coal, LLC, Three Gateway Center, 401 Liberty Avenue, Suite 1340, Pittsburgh, Pennsylvania 15222 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its Federal No. 2 Mine (MSHA I.D. No. 46-01456) located in Monongalia County, West Virginia. The petitioner requests a modification of the existing standard to permit oil and gas wells to be plugged and abandoned in order to mine through them or to reduce

the size of the barrier around them. The petitioner proposes to use the following procedures when plugging oil and gas wells: (1) Clean out and prepare oil and gas wells prior to plugging; (2) Plug oil and gas wells to the surface by setting a cement plug in the wellbore by pumping expanding cement slurry down the tubing to displace the gel and fill the borehole to the surface, and embed steel or other magnetic particles in the top of the cement to serve as a magnetic monument; (3) Plug oil and gas wells using the vent pipe method; and (4) Plug oil and gas wells for use as degasification boreholes by setting a cement plug and a degasification casing. The petitioner states that whenever the safety barrier diameter is reduced to a distance less than what the District Manager would approve pursuant to Section 75.1700, or proceeds with the intent to cut through a plugged well, additional cut-through procedures would apply. These procedures would include submitting a mining plan to the District Manager or designee for approval for each well to be intersected or where the barrier required by Section 75.1700 will be reduced. The details of these procedures can be requested from MSHA's Office of Standards, Regulations, and Variances, Room 2350, 1100 Wilson Boulevard, Arlington, Virginia 22209 via mail, or by phone, contact Barbara Barron at 202-693-9447. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### Request for Comments

Persons interested in these petitions are encouraged to submit comments by any of the following methods: via E-mail: [zzMSHA-Comments@dol.gov](mailto:zzMSHA-Comments@dol.gov). Include "petitions for modification" in the subject line of the email; Fax: (202) 693-9441. Include "petitions for modification in the subject line of the fax; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. If hand-delivered in person or by courier, please stop by the 21st floor first to check in with the receptionist before continuing on to the 23rd floor. All comments must be postmarked or received in that office on or before September 27, 2006. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 21st day of August 2006.

**Patricia W. Silvey,**

*Acting Director, Office of Standards, Regulations, and Variances.*

[FR Doc. E6-14258 Filed 8-25-06; 8:45 am]

**BILLING CODE 4510-43-P**

### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-438 and 50-439]

#### Tennessee Valley Authority; Bellefonte Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a letter terminating Construction Permit No. CPPR-122 for Bellefonte Nuclear Plant (BLN), Unit 1, and CPPR-123 for BLN, Unit 2, issued to the Tennessee Valley Authority (TVA, permittee). The facility is located about 6 miles East-Northeast of Scottsboro, Alabama, on the west shore of the Guntersville Reservoir at Tennessee River Mile 392, in Jackson County, Alabama. This action is in accordance with the permittee's request in a letter dated April 6, 2006, as supplemented by letter dated June 29, 2006.

#### Environmental Assessment

##### *Identification of the Proposed Action*

The proposed action is issuance of a letter that would terminate Construction Permit No. CPPR-122 for BLN Unit 1 and CPPR-123 for BLN Unit 2. Canceling construction of the existing facility and withdrawal of the construction permits is necessary in order to close out the existing BLN project. These actions also facilitate the consideration of other possible uses of the BLN site.

Because there are other ongoing activities on the BLN site (i.e., training centers for the Transmission Service Organization and the Tennessee Valley Public Power Association), and because the switchyard at BLN is utilized as a substation for system operations in the region, TVA would not withdraw existing environmental permits or remove equipment associated with these other activities.

TVA would keep and maintain BLN in regulatory compliance. Compliance activities would include National Pollutant Discharge Elimination System permits, division monitoring reports, demolition permits, and air permits that are applicable to the entire site. These measures would continue as long as

TVA has ownership of the BLN site. Maintaining and complying with these existing permits and regulations would ensure the stability of the site, until such time that TVA may decide, if or how the site would be alternatively utilized.

Because so much of the site will be maintained, the general activities associated with the redress of the site are relatively minor in nature. Most of the minor environmental impacts resulting from redress would be associated with removal of equipment or structures not identified as necessary for other site activities. Materials and structures removed would be above grade or in areas that have experienced substantial previous ground disturbance for the original construction of the plant. TVA currently plans to maintain such major components as the intake and discharge facilities, cooling towers, wastewater system, and transmission switch yards. The existing containment, turbine, and auxiliary buildings would not be demolished. The other structures not identified as necessary would be sold, taken apart, and removed from the site, abandoned in place, or demolished. Most of these structures are metal and wood warehouses located along the western portion of the site. Any unwanted construction material or waste associated with disposition of equipment and structures would be properly disposed of in appropriately permitted solid waste or other disposal facilities in accordance with pertinent Federal, state, and local laws, regulations and ordinances, as well as TVA processes and procedures.

Equipment identified as unnecessary would have the power disconnected and would either be reused by other TVA facilities, sold for reuse, or abandoned in place. Such items may include, but are not limited to: valves, strainers, battery boards and chargers, transfer switches, vent fans, motors, cabinet panels, breakers, power systems, shop equipment such as lathes, air compressors, and dryers; as well as other miscellaneous equipment. Additional materials may include, but are not limited to items such as: piping, tubing, conduit, cable, instrumentation, and general construction materials. TVA would continue to conduct periodic site inspections to ensure that none of the equipment or materials are causing environmental, health, or safety problems.

Redress would involve the removal of diesel generator fuel and lube, or control fluids from the main turbine lube oil tanks, feedwater pump lube oil tanks, reactor coolant pump motors, control fluid tanks, and diesel generator lube oil