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–60,639; Hospira Worldwide, Inc., Hospira Sedation Division, North Billerica, MA: December 15, 2005.*

*TA–W–60,791; Vintage Verandah, Inc., Lamp Division, Marion, AR: January 18, 2006.*

*TA–W–60,881; Schnadig Corporation, Des Plaines, IL: January 31, 2006.*

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.

*None.*

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–60,653; Progress Casting Group, Inc., Twin Cities Division, Plymouth, MN.*

*TA–W–60,694; Stover Industries, Inc., Pt. Pleasant, WV.*

*TA–W–60,758; Bosch Security System, Inc., Lancaster, PA.*

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–60,398; Chilton Products, Plastic Products Group, A Subsidiary of Western Industries, Chilton, WI.*

*TA–W–60,536; Accotex, Inc., Formerly Known as Day International, Mauldin, SC.*

*TA–W–60,562; Seagate Technology LLC, Recording Heads Division, Bloomington, MN.*

*TA–W–60,565; Briggs and Stratton Power Products Group, LLC, Home Power Products Division, Jefferson, WI.*

*TA–W–60,777; J and M Plating, Inc., Leased Workers of Albion Personnel Services, Albion, MI.*

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 under a free trade agreement or a beneficiary country under a preferential trade agreement, or there has been or is likely to be an increase in imports).

*None.*

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

*TA–W–60,759; Charter Communications, Inc., Irwindale, CA.*

*TA–W–60,769; Airfoil Technologies International, Compton, CA.*

*TA–W–60,808; Invista S.A.R.L., Nylon Apparel Filament Fibers Group, A Subsidiary of Koch Industries, Inc., Chattanooga, TN.*

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 period of February 5 through February 9, 2007. 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.

**Ralph Dibattista,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. E7–2863 Filed 2–20–07; 8:45 am]

**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

### Labor Certification Process for the Temporary Employment of Aliens in Agriculture and Logging in the United States: 2007 Adverse Effect Wage Rates, Allowable Charges for Agricultural and Logging Workers' Meals, and Maximum Travel Subsistence Reimbursement

**AGENCY:** Employment and Training Administration, Department of Labor.

**ACTION:** Notice of Adverse Effect Wage Rates (AEWRs), allowable charges for meals, and maximum travel subsistence reimbursement for 2007.

**SUMMARY:** The Employment and Training Administration (ETA) of the U.S. Department of Labor (Department or DOL) is issuing this Notice to announce the 2007 AEWRs for employers seeking to employ temporary or seasonal nonimmigrant foreign workers to perform agricultural labor or services (H–2A workers) or logging (H–2 logging workers); the allowable charges for 2007 that employers seeking H–2A workers and H–2 logging workers may levy upon their workers when three meals a day are provided by the employer; and the maximum travel subsistence reimbursement which a worker with receipts may claim in 2007.

AEWRs are the minimum wage rates the Department has determined must be offered and paid by employers of H–2A workers or H–2 logging workers to U.S. and foreign workers. AEWRs are established in order to prevent the employment of these foreign workers from adversely affecting wages of similarly employed U.S. workers. The Department also announces the minimum and maximum charge of travel subsistence expenses a worker may claim in 2007.

**EFFECTIVE DATE:** February 21, 2007.

**FOR FURTHER INFORMATION CONTACT:** William L. Carlson, Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, Room C–4312, 200 Constitution Avenue, NW., Washington, DC 20210. *Telephone*: 202–693–3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The U.S. Citizenship and Immigration Services may not approve an employer's petition for admission of H–2A workers or H–2 logging workers in the United States unless the petitioner has received from DOL an H–2A or H–2 labor certification, as appropriate. Approved labor certifications attest: (1) There are not sufficient U.S. workers who are able, willing, and qualified and who will be available at the time and place needed to perform the labor or services involved in the petition; and (2) the employment of the foreign worker in such labor or services will not adversely affect the wages and working conditions of workers in the U.S. similarly employed. 8 U.S.C. 1101(a)(15)(H)(ii)(a),1184(c), and 1188.

DOL's regulations for the H–2A and H–2 program require employers to offer and pay their U.S., H–2A, and H–2 workers no less than the appropriate hourly AEWR in effect at the time the work is performed. 20 CFR 655.102(b)(9)

and 655.202(b)(9). *See also* 20 CFR 655.107, 20 CFR 655.207, and the preamble of the Final Rule, 54 FR 28037–28047 (July 5, 1989), which explains in great depth the purpose and history of AEWRs, DOL's policy in setting AEWRs, and the AEWR computation methodology at 20 CFR 655.107(a). *See also* 52 FR 20496, 20502–20505 (June 1, 1987).

**A. Adverse Effect Wage Rates for 2007**

AEWRs are the minimum wage rates which must be offered and paid to U.S. and foreign workers by employers of H–2A workers or H–2 logging workers. Employers of H–2A workers must pay the highest of (i) the AEWR in effect at the time the work is performed, (ii) the applicable prevailing wage, or (iii) the statutory minimum wage, as specified in the regulations. 20 CFR 655.102(b)(9). As U.S. Department of Agriculture (USDA) regional surveys are not available for logging occupations, employers of H–2 logging workers must pay at least the prevailing wage in the area of intended employment, which is deemed to be the AEWR. 20 CFR 655.202(b)(9) and 20 CFR 655.207(a).

Except as otherwise provided in 20 CFR part 655, subpart B, the region-wide AEWR for all agricultural employment (except those occupations deemed inappropriate under the special circumstance provisions of 20 CFR 655.93) for which temporary H–2A certification is being sought, is equal to the annual weighted average hourly wage rate for field and livestock workers (combined) for the region as published annually by the USDA. 20 CFR 655.107(a). USDA does not provide data on Alaska.

20 CFR 655.107(a) requires the Assistant Secretary, Employment and Training Administration, to publish USDA field and livestock worker (combined) wage data as AEWRs in a **Federal Register** Notice. Accordingly, the 2007 AEWRs for agricultural work performed by U.S. and H–2A workers on or after the effective date of this Notice are set forth in the table below:

TABLE.—2007 ADVERSE EFFECT WAGE RATES

| State | 2007 AEWR |
|---|---|
| Alabama | 8.51 |
| Arizona | 8.27 |
| Arkansas | 8.01 |
| California | 9.20 |
| Colorado | 8.64 |
| Connecticut | 9.50 |
| Delaware | 9.29 |
| Florida | 8.56 |
| Georgia | 8.51 |
| Hawaii | 10.32 |
| Idaho | 8.76 |
| Illinois | 9.88 |
| Indiana | 9.88 |
| Iowa | 9.95 |
| Kansas | 9.55 |
| Kentucky | 8.65 |
| Louisiana | 8.01 |
| Maine | 9.50 |
| Maryland | 9.29 |
| Massachusetts | 9.50 |
| Michigan | 9.65 |
| Minnesota | 9.65 |
| Mississippi | 8.01 |
| Missouri | 9.95 |
| Montana | 8.76 |
| Nebraska | 9.55 |
| Nevada | 8.64 |
| New Hampshire | 9.50 |
| New Jersey | 9.29 |
| New Mexico | 8.27 |
| New York | 9.50 |
| North Carolina | 9.02 |
| North Dakota | 9.55 |
| Ohio | 9.88 |
| Oklahoma | 8.66 |
| Oregon | 9.77 |
| Pennsylvania | 9.29 |
| Rhode Island | 9.50 |
| South Carolina | 8.51 |
| South Dakota | 9.55 |
| Tennessee | 8.65 |
| Texas | 8.66 |
| Utah | 8.64 |
| Vermont | 9.50 |
| Virginia | 9.02 |
| Washington | 9.77 |
| West Virginia | 8.65 |
| Wisconsin | 9.65 |
| Wyoming | 8.76 |

For all logging employment, the AEWR shall be the prevailing wage rate in the area of intended employment, and the employer is required to pay at least that rate. 20 CFR 655.207(a).

**B. Allowable Meal Charges**

Among the minimum benefits and working conditions which DOL requires employers to offer their U.S., H–2A, and H–2 logging workers are three meals a day or free and convenient cooking and kitchen facilities. 20 CFR 655.102(b)(4) and 655.202(b)(4). Where the employer provides meals, the job offer must state the charge, if any, to the worker for meals.

DOL has published at 20 CFR 655.102(b)(4) and 655.111(a) the methodology for determining the maximum amounts that H–2A agricultural employers may charge their U.S. and foreign workers for meals. The same methodology is applied at 20 CFR 655.202(b)(4) and 655.211(a) to H–2 logging employers. These rules provide for annual adjustments of the previous year's allowable charges based upon Consumer Price Index (CPI) data.

Each year, the maximum charges allowed by 20 CFR 655.102(b)(4) and 655.202(b)(4) are adjusted by the same percentage as the twelve-month percent change in the CPI for all Urban Consumers for Food (CPI–U for Food). ETA may permit an employer to charge workers no more than the higher maximum amount set forth in 20 CFR 655.111(a) and 655.211(a), as applicable, for providing them with three meals a day, if justified and sufficiently documented. Each year, the higher maximum amounts permitted by 20 CFR 655.111(a) and 655.211(a) are changed by the same percentage as the twelve-month percent change in the CPI–U for Food. The program's regulations require DOL to make the annual adjustments and to publish a Notice in the **Federal Register** each calendar year, announcing annual adjustments in allowable charges that may be made by agricultural and logging employers for providing three meals daily to their U.S. and foreign workers. The 2006 rates were published in the **Federal Register** at 71 FR 13633 (March 16, 2006).

DOL has determined the percentage change between December of 2005, and December of 2006, for the CPI–U for Food was 2.4 percent. Accordingly, the maximum allowable charges under 20 CFR 655.102(b)(4), 655.202(b)(4), 655.111, and 655.211 were adjusted using this percentage change, and the new permissible charges for 2007 are as follows: (1) Charges under 20 CFR 655.102(b)(4) and 655.202(b)(4) shall be no more than $9.52 per day, unless ETA has approved a higher charge pursuant to 20 CFR 655.111 or 655.211 and (2) charges under 20 CFR 655.111 and 655.211 shall be no more than $11.80 per day, if the employer justifies the charge and submits to ETA the documentation required to support the higher charge.

**C. Maximum Travel Subsistence Expense**

The regulations at 20 CFR 655.102(b)(5) establish that the minimum daily travel subsistence expense, for which a worker is entitled to reimbursement, is equivalent to the employer's daily charge for three meals or, if the employer makes no charge, the amount permitted under 20 CFR 655.102(b)(4). The regulation is silent about the maximum amount to which a qualifying worker is entitled.

The Department established the maximum meals component of the standard Continental United States (CONUS) per diem rate established by the General Services Administration

(GSA) and published at 41 CFR Pt. 301, Appendix A. The CONUS meal component is now $39.00 per day. Workers who qualify for travel reimbursement are entitled to reimbursement up to the CONUS meal rate for related subsistence when they provide receipts. In determining the appropriate amount of subsistence reimbursement, the employer may use the GSA system under which a traveler qualifies for meal expense reimbursement per quarter of a day. Thus, a worker whose travel occurred during two quarters of a day is entitled, with receipts, to a maximum reimbursement of $19.50. If a worker has no receipts, the employer is not obligated to reimburse above the minimum stated at 20 CFR 655.102(b)(4) as specified above.

Signed in Washington, DC this 13th day of February, 2007.

**Emily Stover DeRocco,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. E7–2859 Filed 2–20–07; 8:45 am]

**BILLING CODE 4510–30–P**

## NUCLEAR REGULATORY COMMISSION

**[EA–07–014]**

### In the Matter of Dairyland Power Cooperative: La Crosse Boiling Water Reactor; Order Imposing Additional Security Measures (Effective Immediately)

**I**

The Licensee, Dairyland Power Cooperative, holds a license issued by the U.S. Nuclear Regulatory Commission (NRC or Commission) for La Crosse Boiling Water Reactor, in accordance with the Atomic Energy Act of 1954, as amended, and 10 CFR part 50, authorizing it to possess and transfer items containing radioactive material quantities of concern. This Order is being issued to all such Licensees who may transport radioactive material quantities of concern under the NRC's authority to protect the common defense and security. The Orders require compliance with specific additional security measures to enhance the security for transport of certain radioactive material quantities of concern.

**II**

On September 11, 2001, terrorists simultaneously attacked targets in New York, NY, and Washington, DC, utilizing large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to Licensees in order to strengthen Licensees' capabilities and readiness to respond to a potential attack on this regulated activity. The Commission has also communicated with other Federal, State and local government agencies and industry representatives to discuss and evaluate the current threat environment in order to assess the adequacy of the current security measures. In addition, the Commission commenced a comprehensive review of its safeguards and security programs and requirements.

As a result of its initial consideration of current safeguards and security requirements, as well as a review of information provided by the intelligence community, the Commission has determined that certain security measures are required to be implemented by Licensees as prudent, interim measures to address the current threat environment in a consistent manner. Therefore, the Commission is imposing requirements, as set forth in Attachment A [1] of this Order, on the Licensee. These additional security measures, which supplement existing regulatory requirements, will provide the Commission with reasonable assurance that the common defense and security continue to be adequately protected in the current threat environment. These additional security measures will remain in effect until the Commission determines otherwise.

The Commission recognizes that the Licensee may have already initiated many of the measures set forth in Attachment A to this Order in response to previously issued Safeguards and Threat Advisories or on its own. It is also recognized that some measures may not be possible or necessary for all shipments of radioactive material quantities of concern, or may need to be tailored to accommodate the Licensee's specific circumstances to achieve the intended objectives and avoid any unforeseen effect on the safe transport of radioactive material quantities of concern.

Although the security measures implemented by Licensees in response to the Safeguards and Threat Advisories have been adequate to provide reasonable assurance of adequate protection of common defense and security, in light of the continuing threat environment, the Commission concludes that the security measures must be embodied in an Order, consistent with the established regulatory framework. The Commission has determined that the security measures contained in Attachment A of this Order contain Safeguards Information and will not be released to the public as per Order entitled, ''Issuance of Order Imposing Requirements for the Protection of Certain Safeguards Information,'' issued on November 15, 2006, to the Licensee. To provide assurance that Licensees are implementing prudent measures to achieve a consistent level of protection to address the current threat environment, the Licensee shall implement the requirements identified in Attachment A to this Order. In addition, pursuant to 10 CFR 2.202, I find that in light of the common defense and security matters identified above, which warrant the issuance of this Order, the public health and safety require that this Order be immediately effective.

**III**

Accordingly, pursuant to Sections 53, 81, 149, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR part 50, *it is hereby ordered, effective immediately, that the licensee shall comply with the following:*

A. The Licensee shall, notwithstanding the provisions of any Commission regulation or license to the contrary, comply with the requirements described in Attachment A to this Order. The Licensee shall immediately start implementation of the requirements in Attachment A to the Order and shall complete implementation by August 11, 2007 or before the first shipment of radioactive material quantities of concern, whichever is sooner.

B.1. The Licensee shall, within twenty (20) days of the date of this Order, notify the Commission, (1) If it is unable to comply with any of the requirements described in Attachment A, (2) if compliance with any of the requirements is unnecessary in its specific circumstances, or (3) if implementation of any of the requirements would cause the Licensee to be in violation of the provisions of any Commission regulation or its license. The notification shall provide the Licensee's justification for seeking relief from or variation of any specific requirement.

2. If the Licensee considers that implementation of any of the requirements described in Attachment A to this Order would adversely impact

[1] Attachment A contains Safeguards Information and will not be released to the public.