

The previous investigation initiated on September 3, 2008, resulted in a negative determination issued on November 7, 2008, was based on the finding that imports of metal stamping parts did not contribute importantly to worker separations at the subject firm and no shift in production to a foreign source occurred. The denial notice was published in the **Federal Register** on November 25, 2008 (73 FR 71696).

On reconsideration, the Department requested an additional list of customers of the subject firm and conducted a customer survey to determine whether imports of metal stamping parts negatively impacted employment at the subject firm.

The survey of the major declining customers revealed that the customers increased imports of metal stamping parts while decreasing purchases from the subject firm during January through August 2008 over the corresponding 2007 period.

In accordance with Section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at Stauble Machine and Tool Co., Inc., Louisville, Kentucky, contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Stauble Machine and Tool Co., Inc., Louisville, Kentucky, who became totally or partially separated from employment on or after September 2, 2007, through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment

assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC this 15th day of January 2009.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-1494 Filed 1-23-09; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,742]

#### **American Axle & Manufacturing, Inc., Detroit Forge Plant, Detroit, MI; Notice of Termination of Investigation**

In accordance with Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 19, 2008, in response to a petition filed by a Michigan State Workforce Office on behalf of workers of American Axle & Manufacturing, Inc., Detroit Forge Plant, Detroit, Michigan.

The worker group is included in an active certification which covers all workers of American Axle & Manufacturing, Inc., Detroit Manufacturing Complex, Detroit, Michigan (TA-W-64,083, amended).

Therefore, the petitioner has requested that the petition be withdrawn and the investigation has been terminated.

Signed in Washington, DC, this 12th day of January 2009.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-1481 Filed 1-23-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,546]

#### **Hightower Technology Capital, Inc.: Working On Site at Hewlett-Packard Company; Vancouver, WA; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 26, 2008, in response to a worker petition filed by a company official on behalf of workers at Hightower Technology Capital, Inc., working on site at Hewlett-Packard Company, Vancouver, Washington.

There are two existing certifications applicable to the petitioning group of workers:

(1) Hewlett-Packard Company, Inkjet Consumer Solutions, HP Consumer Hardware Inkjet Lab, Vancouver, Washington (TA-W-64,127; certified October 23, 2008; amended January 9, 2009).

(2) Hewlett-Packard Company, Imaging and Printing Group, Edgeline Development and Light Production Systems Operations Division, Edgeline Development and Operations, Vancouver, Washington (TA-W-64,633; certified December 19, 2008).

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

Signed at Washington, DC, this 9th day of January 2009.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-1482 Filed 1-23-09; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,536]

#### **Industrial Paint and Strip, Inc., Woodfield, OH; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 25, 2008 in response to a petition filed by a company official on behalf of workers of Industrial Paint and Strip, Inc., Woodfield, Ohio.

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

Signed at Washington, DC, this 15th day of January 2009.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-1496 Filed 1-23-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,805]

#### **Lane Home Furnishing (Wren), Tupelo, MS; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an

investigation was initiated on January 2, 2009 in response to a petition filed on behalf of workers of Lane Home Furnishing (Wren), Tupelo, Mississippi.

The petitioning worker group is included in an earlier petition (TA-W-64,749) filed on December 17, 2008, that is the subject of an ongoing investigation for which a determination has not yet been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

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

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-1499 Filed 1-23-09; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,718]

#### TAC Automotive, Flint, MI; Notice of Termination of Investigation

In accordance with Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 17, 2008 in response to a petition filed on behalf of workers of TAC Automotive, Flint Michigan.

The petitioners are included in amended certifications issued for on-site leased workers of TAC Automotive at Delphi Corporation, Dayton, Ohio, under petition numbers TA-W-62,273, TA-W-62,273A and TA-W-62,273B.

Consequently further investigation would serve no purpose and the petition investigation is terminated.

Signed in Washington, DC, this 13th day of January 2009.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-1497 Filed 1-23-09; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice of petitions for modification of existing mandatory safety standards.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations, and Variances on or before February 25, 2009.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic Mail: Standards-Petitions@dol.gov.*
2. *Facsimile: 1-202-693-9441.*
3. *Regular Mail: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*
4. *Hand-Delivery or Courier: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron, Office of Standards, Regulations, and Variances at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers.]

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary determines that: (1) An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of

protection afforded the miners of such mine by such standard; or (2) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR §§ 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

##### II. Petitions for Modification

*Docket Number:* M-2008-054-C.  
*Petitioner:* Parkwood Resources, Inc., 511 Railroad Avenue, Homer City, Pennsylvania 15748.

*Mine:* Cherry Tree Mine, MSHA I.D. No. 36-090224, located in Clearfield County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.500(d) (Permissible electric equipment).

*Modification Request:* The petitioner requests a modification of the existing standard to permit an alternative method of compliance to use battery-powered non-permissible surveying equipment, including, but not limited to, portable battery operated mine transits, total station surveying equipment, distance meters, and laptop computers, in or inby the last open crosscut. The petitioner proposes to: (1) Use non-permissible electronic surveying equipment in or inby the last open crosscut and examine the equipment prior to use to ensure that the equipment is in safe operating condition; (2) have a qualified person examine the equipment at intervals not to exceed 7 days and record the examination results in the weekly electrical equipment examination book. The examination will include: (i) Checking the instrument for any physical damage and the integrity of the case; (ii) removing the battery and inspecting for corrosion; (iii) inspecting the contact points to ensure a secure connection to the battery; (iv) reinserting the battery and powering up and shutting down to ensure proper connections; and (v) checking the battery compartment cover to ensure that it is securely fastened. In addition, the operator will also (1) have a qualified person continuously monitor for methane immediately before and during the use of non-permissible surveying equipment in or inby the last open crosscut or in the return; (2) eliminate the use of non-permissible surveying equipment if methane is detected in concentrations at or above 1.0 percent methane; (3) de-energize the equipment immediately and withdraw the equipment outby the last open crosscut when 1.0 percent or more of methane is detected while in use; (4) eliminate the use of non-permissible surveying equipment where float coal