

position called for “co-develop new product and channel feature with U.S. counterpart”. In any event, the position description does not specify that the “co-development” refers to hard disk drives. None of the other positions listed call for development work of hard disk drives or any other products. Also, out of the 17 listings, only three contain the words “develop” or “design” and these three positions call for the development and design of software and code applications, not hard disk drives, which the subject firm has ascertained is the function of the domestic engineers. AR 152, 212–218, 228–231, 244, 245–246, 271–279 and SAR 8, 20, 26. Also, none of the positions provided by the Plaintiffs with the complaint contained the words “develop” or “design”.

The third exhibit consisted of a job announcement and position description of “Western Digital Senior Engineer/Staff Engineer—Asia R&D—Advance Read Channel Engineering”. The description of this position does not mention new product design or any related duties. The description, however, mentions “failure analysis”, which is a duty that the subject firm has explained that occurs both domestically and in Asia, depending on the life stage of a product. AR 208, 292 and SAR 8, 20, 26. Additionally, this position was posted in August 2011, more than two and a half years after the RIF was announced at the subject firm.

The fourth exhibit consisted of a position description of a Product Engineer. This position announcement mentions that the position may include failure analysis and research and development but it does not include a specific description of duties. The work duties listed in this announcement are consistent with those described by the subject firm. In particular, the subject firm has stated that the work of the engineers overseas is designed to carry out the manufacturing process and sustain the work performed on existing hard disk drives. AR 152, 212–218, 228–231, 244, 245–246, 271–279.

The fifth exhibit consisted of the profile, as listed on an online social network, of an engineer employed at one of the subject firm’s facilities in Asia. Although the profile shows that the engineer was employed at the Lake Forest, California facility and then transferred to Malaysia, the profile does not include a description of job duties performed at either location.

The sixth exhibit consisted of Western Digital’s career opportunities page from the subject firm’s Web site which shows that there are manufacturing facilities in California. As the findings of the first

remand investigation showed, the subject firm operates two domestic manufacturing sites in California. The articles produced at the domestic locations are component parts used for internal purposes. The second remand investigation found that one of the domestic facilities also manufactures pilot hard disk drives (see below).

The last exhibit consisted of the subject firm’s company profile from an employment Web site. The profile does not list any specifics related to positions domestically or abroad but mentions that the subject firm operates manufacturing facilities in California. The domestic manufacturing operations of the subject firm are addressed above.

The second remand investigation produced further explanation of the process by which the subject firm produces hard disk drives. As discussed above, the subject worker group designs the hard disk drives domestically. Before the design is sent overseas for mass production, the subject firm manufactures prototype hard disk drives to ensure that the new designs are functional. SAR 8, 20, 26. The subject firm stated that prototype creation is part of the design of hard drives because a prototype must be created, tested, and validated before sending the product for mass production. SAR 8, 20, 26.

Although the pilot hard disk drives produced are used mainly for development purposes, the subject firm operates a White Label program via which it sells a portion of the pilot hard disk drives externally. SAR 8, 20, 26. The subject firm has three prototype production lines located in San Jose, California, Malaysia, and Thailand. SAR 20, 26. In response to Plaintiff’s allegation that prototype production has shifted abroad, the subject firm substantiated that no domestic production of the pilot drives has shifted overseas in the period under investigation. SAR 20, 26.

The Department collected information from the subject firm related to the size of each operation and the number of prototypes that are sold. The numbers revealed that the domestic production of the pilot drives constitutes a small number of the prototypes sold under the White Label program and a negligible portion of overall hard disk drive production. SAR 8, 20, 26.

It is well-established that a negligible shift of production to a foreign country cannot be a basis for TAA certification. In *Barry Callebaut USA, Inc., Van Leer Division, Jersey City, New Jersey* (TA–W–37,000; USCIT No. 03–1113; February 10, 2004), the Department determined that a three percent shift of production was not sufficient basis to

satisfy the criteria for certification. Applying the same analysis in the present case, the Department has determined that because the pilot hard disk drive production at the subject firm is not significant relative to overall hard disk drive production, any trade impact on the pilot hard disk drive production line could not have contributed to separations in the subject worker group.

Upon review of the facts collected during the earlier investigations and the additional information procured through the second remand investigation, the Department has determined that the services provided by engineers at the subject firm’s Asian facilities are not like or directly competitive with the services of the engineers located at the subject facility. Additionally, the domestic production of hard disk drives is de minimus relative to the subject firm’s overall operations, such that any trade impact could not have contributed to worker separations at the subject firm. Accordingly, the Department reaffirms that the petitioning workers have not met the eligibility criteria of section 222(a) of the Act.

### Conclusion

After careful consideration of the record, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance applicable to workers and former workers of Western Digital Technologies, Inc., Hard Drive Development Engineering Group, Irvine (formerly at Lake Forest) California.

Signed at Washington, DC, this 23rd day of January, 2012.

**Del Min Amy Chen,**  
*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2012–3324 Filed 2–13–12; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–80,041]

#### Quad/Graphics, a Subdivision of Quad Graphics, Inc., Including On-Site Leased Workers From SPS Temporaries, Depew, NY; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated in response to a petition filed on March 15, 2011, on behalf of workers of Quad/Graphics, a Subdivision of Quad Graphics, Inc., Depew, New York. The negative

determination was published in the **Federal Register** on July 8, 2011 (76 FR 40402). The worker group includes on-site leased workers from SPS Temporaries.

As required by the Trade Adjustment Assistance (TAA) Extension Act of 2011 (the TAAEA), the investigation into this petition was reopened for a reconsideration investigation to apply the requirements for worker group eligibility under chapter 2 of title II of the Trade Act of 1974, as amended by the TAAEA, to the facts of this petition.

The worker group on whose behalf the petition was filed is covered under a certification (TA-W-73,441G) applicable to workers and former workers of Quad Graphics, Inc., a wholly-owned subdivision of Quad Graphics, Inc., including leased workers from SPS Temporaries, Depew, New York, who were totally or partially separated or threatened with such separation from February 9, 2009 through September 27, 2013. Consequently, the investigation has been terminated.

Signed in Washington, DC, this 20th day of January, 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2012-3326 Filed 2-13-12; 8:45 am]

**BILLING CODE :** P

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### State's Mine Health and Safety Grants

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

**ACTION:** Notice of posting of the Solicitation for Grant Applications for the Fiscal Year 2012 State grant program.

*Announcement Type:* New.  
*Funding Opportunity Number:* MSHA 2012-1.

*Catalog of Federal Domestic Assistance Number:* 17,600.

*Types of Assistance:* Discretionary Grants.

*Number of awards:* 50 to States or other eligible applicants.

*Start date of project period:* October 1, 2011.

*End date of project period:* September 30, 2012.

*Estimated amount of funds to be awarded:* \$8,441,000.

**SUMMARY:** The United States Department of Labor, Mine Safety and Health Administration (MSHA), has posted its solicitation for grant applications (SGA)

for the States Grants Program on <http://www.grants.gov>. The SGA contains all of the necessary information needed to apply for grant funding.

Applicants for these grants are States or State-designated entities. The purpose of these grants is to improve and secure safe and healthy workplaces for U.S. miners. The final amount of each individual grant will be determined by the formula in Section 503(h) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 953(h)) and MSHA's final Fiscal Year 2012 appropriation.

**DATES:** All applications must be received on April 1, 2012 by Midnight, Eastern Daylight Saving Time.

**FOR FURTHER INFORMATION CONTACT:**

Robert Glatter at [glatter.robert@dol.gov](mailto:glatter.robert@dol.gov), at 202-693-9570 (voice), or 202-693-9571 (facsimile) or Valoree Lilley at [lilley.valoree@dol.gov](mailto:lilley.valoree@dol.gov), 202-693-9831. These are not toll-free numbers.

**Authority:** 30 U.S.C. 953.

Dated: *February 8, 2012.*

**Patricia W. Silvey,**

*Deputy Assistant Secretary for Mine Safety and Health.*

[FR Doc. 2012-3341 Filed 2-13-12; 8:45 am]

**BILLING CODE** 4510-43-P

## NATIONAL SCIENCE FOUNDATION

### Astronomy and Astrophysics Advisory Committee; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

**NAME:** Astronomy and Astrophysics Advisory Committee (#13883).

**DATE AND TIME:** March 2, 2012 12 p.m.–5 p.m. EST Teleconference.

**PLACE:** National Science Foundation, Room 680, Stafford I Building, 4201 Wilson Blvd., Arlington, VA, 22230.

**TYPE OF MEETING:** Open.

**CONTACT PERSON:** Dr. James Ulvestad, Division Director, Division of Astronomical Sciences, Suite 1045, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: 703-292-8820.

**PURPOSE OF MEETING:** To provide advice and recommendations to the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies.

**AGENDA:** To discuss the Committee's draft annual report due 15 March 2011 and to receive an update on the FY13 agency budgets.

Dated: February 8, 2012.

**Susanne E. Bolton,**

*Committee Management Officer.*

[FR Doc. 2012-3285 Filed 2-13-12; 8:45 am]

**BILLING CODE** 7555-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2012-0016]

### Applications and Amendments to Facility Operating Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment request; opportunity for comments, request for hearing and petition for leave to intervene, and order.

**DATES:** Comments must be filed by March 15, 2012. A request for a hearing must be filed by April 16, 2012. Any potential party as defined in Title 10 of the *Code of Federal Regulations* (10 CFR) 2.4, who believes access to Sensitive Unclassified Non-Safeguards Information (SUNSI) is necessary to respond to this notice must request document access by February 24, 2012.

**ADDRESSES:** Please include Docket ID NRC-2012-0016 in the subject line of your comments. For additional instructions on submitting comments and instructions on accessing documents related to this action, see "Submitting Comments and Accessing Information" in the **SUPPLEMENTARY INFORMATION** section of this document. You may submit comments by any one of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2012-0016. Address questions about NRC dockets to Carol Gallagher, telephone: 301-492-3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *Mail comments to:* Cindy Bladley, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- *Fax Comments to:* RADB at 301-492-3446.

**SUPPLEMENTARY INFORMATION:**