

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-58,937]

**Rexam, Inc., D/B/A Precise Technology Pgh Tool Shop, North Versailles, PA; Notice of Revised Determination on Reconsideration**

On June 14, 2006, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on June 26, 2006 (71 FR 36365).

The previous investigation initiated on March 1, 2006, resulted in a negative determination issued on April 6, 2006, based on the finding that imports of injection molded products did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred. The denial notice was published in the **Federal Register** on April 18, 2006 (71 FR 19900).

To support the request for reconsideration, the petitioner supplied additional information regarding production at the Tool Shop at the subject facility and company imports of like or directly competitive products with those produced at the Tool Shop. Upon further contact with the subject firm's company official, it was revealed that workers employed at the Tool Shop manufactured injection tools and were separately identifiable from other workers at the subject firm.

Having conducted a detailed investigation on reconsideration, it was revealed that the subject firm ceased production of injection tools manufactured by the Tool Shop, while increasing its reliance on imports of injection tools during the relevant time period.

In accordance with section 246 of 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 Rexam, Inc., d/b/a Precise Technology, Pgh Tool Shop, 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 Rexam, Inc., d/b/a Precise Technology, Pgh Tool Shop, engaged in the production of injection tools, who became totally or partially separated from employment on or after February 28, 2005 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 28th day of September, 2006.

**Elliott S. Kushner**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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[TA-W-60,054]

**Schiffer Dental Care Products Agawam, MA; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 12, 2006 in response to a petition filed by a company official on behalf of workers at Schiffer Dental Care Products, Agawam, Massachusetts.

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

Signed in Washington, DC, this 2nd day of October 2006.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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[TA-W-59,533]

**Yakima Resources, LLC; Yakima, Washington; Notice of Negative Determination on Reconsideration**

On September 12, 2006, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Yakima Resources, LLC, Yakima, Washington (the subject firm). The Department's Notice of Affirmative Determination was published in the **Federal Register** on September 21, 2006 (71 FR 55219). Workers produce plywood.

The petition for the workers of the subject firm was denied because there was no shift of production and the "contributed importantly" group eligibility requirement of section 222 of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through increased imports by the subject firm or its customers. The investigation revealed neither a shift of production abroad nor an increase in imports of plywood during the relevant period.

In the request for reconsideration, the Western Council of Industrial Workers, United Brotherhood of Carpenters and Joiners of America (the Union) alleged that the Department had failed to investigate increased imports of oriented strand board (OSB), which is like and directly competitive with plywood.

During the reconsideration investigation, the Department asked both the subject firm and the subject firm's sole customer of plywood whether they had increased import purchases of OSB. Both respondents answered in the negative.

In order for the Department to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA), the subject worker group must be certified eligible to apply for Trade Adjustment Assistance (TAA). Since the subject workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

**Conclusion**

After careful reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Yakima Resources, LLC, Yakima, Washington.