

- Dentists.
- Veterinarians.
- Pharmacists.
- Registered Nurses.
- Therapists.
- Dieticians.
- Medical and Dental Technology.
- Other Health Care Practitioners.

#### Occupations in Financial and Administrative Fields

- Accountants/Auditors.
- Bookkeepers/Payroll Services.
- Budget and Management Systems Analysis.

#### Finance, Insurance, and Real Estate Management.

- Purchasing Managers.
- Agents/Appraisers.

#### Technology Related Occupations

- Process Technicians.
- Mechanics/Mechanical Engineering Technicians.

[FR Doc. E8-473 Filed 1-14-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,396]

#### **Atreum-Brighton, A Subsidiary of Magna International Decoma International Division Including On-Site Leased Workers From Qualified Staffing, Aerotek and On-Site Workers From Hubbard Supply Company Brighton, MI; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on November 14, 2007, applicable to workers of Atreum-Brighton, a subsidiary of Magna International, Decoma International Division, including on-site leased workers from Qualified Staffing and Aerotek, Brighton, Michigan. The notice was published in the **Federal Register** on December 10, 2007 (72 FR 69710).

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of door panels and various other injection molded parts for the automobile industry.

New information shows that workers of Hubbard Supply Company were employed on-site at the Brighton, Michigan location of Atreum-Brighton, a subsidiary of Magna International, Decoma International Division. The Department has determined that these workers were sufficiently under the control of the subject firm and should be considered part of the affected worker group.

Based on these findings, the Department is amending this certification to include workers of Hubbard Supply Company working on-site at the Brighton, Michigan location of the subject firm.

The intent of the Department's certification is to include all workers at Atreum-Brighton, a subsidiary of Magna International, Decoma International Division, Brighton, Michigan who were adversely-impacted by a shift in production of door panels and various other injection molded parts for automobile industry to Mexico and Canada.

The amended notice applicable to TA-W-62,396 is hereby issued as follows:

All workers of Atreum-Brighton, a subsidiary of Magna International, Decoma International Division, including on-site leased workers from Qualified Staffing and Aerotek, and on-site workers from Hubbard Supply Company, Brighton, Michigan, who became totally or partially separated from employment on or after October 30, 2006, through November 14, 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 8th day of January 2008.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,449]

#### **Newburgh Hardwood Co., Inc.**

#### **Newburgh, IN; Notice of Negative Determination Regarding Application for Reconsideration**

By application dated December 2, 2007, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and

former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on November 16, 2007 and published in the **Federal Register** on December 10, 2007 (72 FR 69711).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, which was filed on behalf of workers at Newburgh Hardwood Co., Inc., Newburgh, Indiana engaged in the hardwood veneer consulting services, was denied based on the findings that the firm did not employ a worker group during the one year prior to the petition filing date, as required by Section 222 of the Trade Act of 1974. A worker group means three or more workers in a firm or appropriate subdivision. The subject firm did not meet this threshold level. The investigation also revealed that the subject firm does not produce an article within the meaning of Section 222(a)(2) of the Act.

In the request for reconsideration the petitioner indicates a number of reasons as to why he should be eligible for TAA.

When assessing eligibility for TAA, the Department makes its determinations based on the requirements as outlined in Section 222 of the Trade Act. In particular, the Department defines an eligible worker "group" as "three or more workers in a firm or an appropriate subdivision thereof." As subject firm's total worker number was one in the relevant period, the worker does not meet the group eligibility requirements for trade adjustment assistance.

#### **Conclusion**

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 7th day of January, 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Refuse Piles and Impounding Structures, Recordkeeping and Reporting Requirements

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or containing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

**DATES:** Submit comments on or before March 17, 2008.

**ADDRESSES:** Send comments to Debbie Ferraro, Records Management Branch, 1100 Wilson Boulevard, Room 2141, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via e-mail to [ferraro.debbie@dol.gov](mailto:ferraro.debbie@dol.gov). Ms. Ferraro can be reached at (202) 693-9821 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Contact the employee listed in the **ADDRESSES** section of this notice.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Coal Mine Health and Safety Act of 1969 was amended by the Federal Mine Safety and Health Act of 1977 after the Buffalo Creek dam failure in 1972 in West Virginia. The refuse pile and impound standards, Title 30 CFR sections 77.215 and 77.216 had been enacted earlier in 1975 and were incorporated into the Act. Additional parts of these Sections were promulgated and enacted in 1992. The

standards require that the agency approve prudently engineered design plans for dams and their impoundments, as well as the plans for hazardous refuse piles that are routinely constructed by coal mine operators. Plan revisions are also required to be submitted for approval. In addition, the standards also require plans when one of these sites is to be abandoned. And plans are required when spontaneous fires erupt and need to be extinguished at the burning site. Records of weekly inspections and instrument monitoring are also required to ensure that the sites remain safe. Finally, the mine operators are also required to submit an annual status report and certification that guarantees that the site is being constructed in accordance with the approved plan, and the site has not been altered during the construction year.

##### II. Desired Focus of Comments

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection requirement related to the Refuse Piles and Impoundment Structures, Recordkeeping and Reporting Requirements. MSHA is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of MSHA's functions, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Address the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (e.g., permitting electronic submissions of responses) to minimize the burden of the collection of information on those who are to respond.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **ADDRESSES** section of this notice or viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov/>) and selecting "Rules and Regs", and then selecting "Fed Reg Docs."

##### III. Current Actions

There are approximately 646 coal mine impounding structures and 46 hazardous refuse piles, for a total of 692

sites. All impoundments and hazardous refuse piles are required by the standards to be constructed and operated in an approved manner. In addition, coal mine operators frequently revise construction plans to accommodate mining conditions, cycles or markets. Since these revisions to the structures can adversely affect a great number of people, such changes are required to be planned in a prudent manner and approved by the agency. Fire extinguishing plans are only required from an operator when a spontaneous combustion has occurred, and the operator is directed to extinguish the fire. Inspections on a weekly basis, or inspections at a longer interval for long established and stable impoundments (after the regulation changes in 1992), are required to ensure that precipitation, seismic activity, or perhaps an unknown construction flaw, has not adversely affected any part of the dam site. The annual status report and certification ensures that the company's engineers confirm that the site is in accordance with the approved engineering plan. An abandonment plan approved by the agency ensures that a hazardous site is not left in place after all mining activity has ceased.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Impounding Safety and Refuse Piles, Reporting Requirements, Certifications and Recordkeeping.

*OMB Number:* 1219-0015.

*Recordkeeping:* 3 years.

*Affected Public:* Business or other for profit.

*Cite/Reference/Form/etc.:* 30 CFR Sections 77.215 and 77.216.

*Total Respondents:* 692.

*Total Responses:* 11,054.

*Total Burden Hours:* 32,081.

*Total Burden Cost:* \$6,816,460.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated at Arlington, Virginia, this 10th day of January, 2008.

**David L. Meyer,**

*Director, Office of Administration and Management.*

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