

published in the **Federal Register** on October 4, 2006 (71 FR 58632).

In the request for reconsideration, the Union alleges that the Department's initial investigation did not include all of the articles produced at the subject firm. The determination states that the subject worker group produces calcium fluoride crystals.

Based on a careful review of previously-submitted documents, the Department determines on reconsideration that during the relevant period (May 2005 through May 2006), the subject workers produced more than one line of crystals and are not separately identifiable by product line.

During the reconsideration investigation, the Union asserted that cadmium, calcium fluoride, magnesium fluoride, lithium fluoride, and barium fluoride products were produced by the subject firm (August 17, 2006 letter) and that workers produced cadmium tungstate until "Saint Gobain Crystals made the decision to transfer this operation to India" (September 14, 2006 letter).

According to a company official, calcium fluoride has been the only product produced in significant volume at the subject facility since April 2005. Calcium fluoride constitutes about 90% of subject facility production. The remaining percentage of production at the subject facility during the relevant period consisted of magnesium fluoride, lithium fluoride, barium fluoride, lead chloride, lead bromide and cadmium tungstate.

The company official also stated that cadmium tungstate production ceased in May 2005 and was shifted to India. The shift was completed in November 2005. When the cadmium tungstate production ceased, workers were shifted to other crystal lines, including the calcium fluoride line. Cadmium tungstate sales were a minuscule fraction (less than 0.24%) of calcium fluoride sales.

Production of the remaining products (magnesium fluoride, lithium fluoride, barium fluoride, lead chloride, lead bromide, and calcium fluoride) ceased at the end of September 2006 and the subject facility will be completely closed by the end of 2006.

The Department has determined that the predominant cause of worker separations at the subject facility is not related to increased imports or a shift of production abroad. The subject facility's customers were foreign entities and all sales were shipped abroad. Furthermore, the subject firm is leaving the calcium fluoride crystal business due to insufficient demand for the product due to lack of progress in

targeted markets and technological developments.

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 Saint Gobain Crystals, Solon, Ohio.

Signed at Washington, DC this 6th day of December 2006.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-21105 Filed 12-11-06; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-60,055]

Swift Textiles, d/b/a/ Swift Galey, Midland, GA; Notice of Revised Determination on Reconsideration

By letter dated November 6, 2006, the subject company requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm. The denial was issued on October 17, 2006. The Department's Notice of determination was published in the **Federal Register** on November 6, 2006 (71 FR 65004). Workers produce denim fabric.

The denial was based on the Department's findings that the denim fabric is exported, there was no shift of production of fabric abroad, and the subject firm did not import denim fabric.

The request for reconsideration, dated November 6, 2006, states that the subject firm will be closing at the end of 2006 and alleges that the closure is due to increased imports.

During the reconsideration investigation, the Department was informed that the denim yarn produced at Swift Galey, Columbus, Georgia (TA-W-59,234; certified May 22, 2006 based on import impact from Mexico) was sent

to Swift Galey, Midland, Georgia to be finished into denim fabric.

Based on this new information, the Department has determined that the subject firm is a downstream producer to Swift Galey, Columbus, Georgia and conducted an investigation to determine whether the subject workers are eligible to apply for Trade Adjustment Assistance (TAA) as workers of a secondarily-affected firm (a firm that either supplied component parts for articles produced by a firm with a currently TAA-certified worker group or assembled/finished articles provided by a firm with a currently TAA-certified worker group).

In order for the subject workers to be certified on a secondarily-affected basis, the following criteria must be met: (1) A significant number or proportion of the subject firm separated or threatened with separations and (2) the subject firm is a supplier or a downstream producer to a firm or subdivision that employed a TAA-certified worker group and such supply or production is related to the article that was the basis for the certification. In the case of downstream producers, the primary certification must be based on a shift of production to Canada or Mexico or import impact from Canada or Mexico.

Based on previously-submitted information and information obtained during the reconsideration investigation, the Department determines that Swift Textile, d/b/a/ Swift Galey, Midland, Georgia qualifies as a secondarily-affected firm.

In accordance with Section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department 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 information obtained in the reconsideration investigation, I determine that workers of Swift Textiles, d/b/a/ Swift Galey, Midland, Georgia, qualify as adversely affected secondary workers under Section 222 of

the Trade Act of 1974, as amended. In accordance with the provisions of the Act, I make the following certification:

All workers of Swift Textile, d/b/a Swift Galey, Midland, Georgia who became totally or partially separated from employment on or after September 11, 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 6th day of December 2006.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-21107 Filed 12-11-06; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-60,494]

Walter McIlvain Co., Acme, PA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 28, 2006 in response to a petition filed by a company official on behalf of workers at Walter McIlvain Co., Acme, Pennsylvania.

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

Signed in Washington, DC, this 1st day of December, 2006.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E6-21109 Filed 12-11-06; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the

period of November 27 through December 1, 2006.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

TA-W-60,355; *Xyron, Inc., Garden Grove, CA: October 26, 2005.*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) of the Trade Act have been met.

TA-W-60,332; *Valley-Dynamo, Richland Hills, TX: October 26, 2005.*

The following certifications have been issued. The requirements of Section