

The amended notice applicable to TA-W-32,712 is hereby issued as follows:

All workers of Johnson & Johnson Medical Inc., El Paso, Texas; and leased workers of Kelly Temporary Services, El Paso, Texas, engaged in the production of surgical gowns, drapes and sheets for Johnson & Johnson Medical Inc. In El Paso, Texas, who became totally or partially separated from employment on or after August 29, 1995, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of January 1997.

Russell T. Kile,

*Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 97-2418 Filed 1-30-97; 8:45 am]

BILLING CODE 4510-30-M

**Investigations Regarding Certifications of Eligibility to Apply for Worker Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221 (a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Program Manager of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may

request a public hearing, provided such request is filed in writing with the Program Manager, Office of Trade Adjustment Assistance, at the address shown below, not later than February 10, 1997.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Program Manager, Office of Trade Adjustment Assistance, at the address shown below, not later than February 10, 1997.

The petitions filed in this case are available for inspection at the Office of the Program Manager, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.c. 20210.

Signed at Washington, D.C. this 30th day of December, 1996.

Russell T. Kile,

*Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

APPENDIX—PETITIONS INSTITUTED ON 12/30/96

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
33,051 .....	Premium Manufacturing (Comp) .....	Gilbert, AZ .....	12/16/96	Bulk Vending Equipment.
33,052 .....	Cesare's Apparel, Inc (UNITE) .....	Danielsville, PA .....	12/11/96	Ladies' Blouses.
33,053 .....	Mid-American Dairymen (Wkrs) .....	Sabetha, KS .....	12/11/96	Dairy Products.

[FR Doc. 97-2415 Filed 1-30-97; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-32,983]

**Rohr Industries Riverside, California; Notice of Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on December 2, 1996 in response to a worker petition which was filed on behalf of workers and former workers at Rohr Industries, located in Riverside, California (TA-W-32,983).

All workers were separated from the subject firm more than one year prior to the date of the petition (November 11, 1996). Section 223 of the Trade Act of 1974 specifies that no certification may apply to any worker whose last separation occurred more than one year before the date of the petition. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, D.C. this 16th day of January 1997.

Curtis K. Kooser,

*Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 97-2416 Filed 1-30-97; 8:45 am]

BILLING CODE 4510-30-M

Signed at Washington, D.C. this 21st day of January, 1997.

Russell T. Kile,

*Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 97-2411 Filed 1-30-97; 8:45 am]

BILLING CODE 4510-30-M

**Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Program Manager of the Office of Trade Adjustment Assistance for workers at American Banknote Co., Bedford Park, Illinois. The review indicated that the application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

NAFTA-01262; American Banknote Company, Bedford Park, Illinois (January 15, 1997)

**Employment Standards Administration**

**Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions**

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

#### Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the Federal Register are in parentheses following the decisions being modified.

#### Volume I

##### Connecticut

CT960001 (March 15, 1996)  
CT960003 (March 15, 1996)  
CT960004 (March 15, 1996)

##### Massachusetts

MA960006 (March 15, 1996)  
MA960007 (March 15, 1996)  
MA960018 (March 15, 1996)

##### New Jersey

NJ960002 (March 15, 1996)  
NJ960003 (March 15, 1996)

#### Volume II

None

#### Volume III

##### Alabama

AL960006 (March 15, 1996)  
AL960008 (March 15, 1996)  
AL960017 (March 15, 1996)  
AL960034 (March 15, 1996)  
AL960042 (March 15, 1996)

##### Kentucky

KY960025 (March 15, 1996)  
KY960027 (March 15, 1996)

#### Volume IV

##### Illinois

IL960001 (March 15, 1996)  
IL960002 (March 15, 1996)  
IL960003 (March 15, 1996)  
IL960004 (March 15, 1996)  
IL960005 (March 15, 1996)  
IL960006 (March 15, 1996)  
IL960007 (March 15, 1996)  
IL960008 (March 15, 1996)  
IL960009 (March 15, 1996)  
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IL960019 (March 15, 1996)  
IL960021 (March 15, 1996)  
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IL960024 (March 15, 1996)  
IL960026 (March 15, 1996)  
IL960029 (March 15, 1996)

IL960031 (March 15, 1996)  
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IL960033 (March 15, 1996)  
IL960034 (March 15, 1996)  
IL960036 (March 15, 1996)  
IL960037 (March 15, 1996)  
IL960038 (March 15, 1996)  
IL960044 (March 15, 1996)  
IL960045 (March 15, 1996)  
IL960046 (March 15, 1996)  
IL960048 (March 15, 1996)  
IL960050 (March 15, 1996)  
IL960051 (March 15, 1996)  
IL960063 (March 15, 1996)  
IL960066 (March 15, 1996)  
IL960067 (March 15, 1996)  
IL960069 (March 15, 1996)  
IL960070 (March 15, 1996)

##### Indiana

IN960001 (May 17, 1996)  
IN960005 (March 15, 1996)  
IN960024 (March 15, 1996)

#### Volume V

None

#### Volume VI

##### Hawaii

HI960001 (March 15, 1996)

##### Idaho

ID960004 (March 15, 1996)  
ID960005 (March 15, 1996)  
ID960013 (March 15, 1996)  
ID960014 (March 15, 1996)

##### North Dakota

ND960004 (March 15, 1996)

##### Oregon

OR960001 (March 15, 1996)

##### Utah

UT960004 (March 15, 1996)

##### Washington

WA960001 (March 15, 1996)  
WA960002 (March 15, 1996)  
WA960008 (March 15, 1996)

#### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the county.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the

State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, D.C. this 24th day of January, 1997.

Margaret Washington,  
Chief, Branch of Construction Wage Determinations.

[FR Doc. 97-2094 Filed 1-30-97; 8:45 am]

BILLING CODE 4510-27-M

## Pension and Welfare Benefits Administration

[Application No. D-10341, et al.]

### Proposed Exemptions; Orders Distributing Co., Inc. Profit Sharing Plan and 401(k) Retirement Savings Plan (the Plan)

**AGENCY:** Pension and Welfare Benefits Administration, Labor.

**ACTION:** Notice of proposed exemptions.

**SUMMARY:** This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restriction of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

#### Written Comments and Hearing Requests

Unless otherwise stated in the Notice of Proposed Exemption, all interested persons are invited to submit written comments, and with respect to exemptions involving the fiduciary prohibitions of section 406(b) of the Act, requests for hearing within 45 days from the date of publication of this Federal Register Notice. Comments and request for a hearing should state: (1) the name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing.

**ADDRESSES:** All written comments and request for a hearing (at least three

copies) should be sent to the Pension and Welfare Benefits Administration, Office of Exemption Determinations, Room N-5649, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Attention: Application No. stated in each Notice of Proposed Exemption. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5507, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

#### Notice to Interested Persons

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the Federal Register. Such notice shall include a copy of the notice of proposed exemption as published in the Federal Register and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

**SUPPLEMENTARY INFORMATION:** The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713,

October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

Orders Distributing Co., Inc. Profit Sharing Plan and 401(k) Retirement Savings Plan (the Plan) Located in Greenville, South Carolina

[Application No. D-10341]

#### Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55

FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of section 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the past sale by the Plan of certain units of limited partnership interests (the Units) to Orders Distributing Co., Inc. (the Employer), a party in interest with respect to the Plan, provided that the following conditions are satisfied:

(1) The terms of the sale were at least as favorable to the Plan as those the Plan could have obtained in a comparable arm's length transaction with an unrelated party; (2) the sale was a one-time transaction for cash; (3) the Plan paid no commissions nor other expenses relating to the sale; (4) the Plan received an amount no less than the fair market value of the Units as of the date of the sale, as determined by an independent appraisal; and (5) within 30 days of publication in the Federal Register of the notice of the grant of this exemption, the Employer makes an additional cash contribution to the Plan to make up for opportunity costs attributable to the Units.

**EFFECTIVE DATE:** The proposed exemption, if granted, will be effective as of January 1, 1995.

#### Summary of Facts and Representations

1. The Plan is a profit sharing/401(k) plan sponsored by the Employer. The Employer, a South Carolina corporation, is engaged in the business of marketing and selling products for the floor covering industry, including carpeting, vinyl, wood and tile flooring, and installation materials, and is located in Greenville, South Carolina. As of September 5, 1996, the Plan had approximately 155 participants and beneficiaries and total assets of approximately \$3,525,785. The trustees of the Plan are William H. Orders, the chairman of the board of directors and a shareholder of the Employer, and C. Michael Smith, an officer, director, and shareholder of the Employer.

2. Among the assets of the Plan were the Units, which were two shares in GolfSouth 1994, L.P. (GolfSouth) purchased in May 1994 by the Plan directly from GolfSouth in a private offering (the Offering) for a total of \$95,000.<sup>1</sup> GolfSouth is a limited partnership that owns and operates three golf courses. On January 1, 1995,

<sup>1</sup> The Department expresses no opinion herein as to whether the acquisition of the Units by the Plan violated any of the provisions of Part 4 of Title I in the Act.