

until it is recorded on media device, there was no shift in production of an "article" within the meaning of the Trade Act of 1974.

In your request for reconsideration, you doubt the accuracy of the information provided by Parametric Technology Corporation and request copies of all the submissions made by the subject firm during the investigation process.

The Department has no evidence that would suggest that the officials of the Parametric Technology Corporation had any reason to mislead the investigation or that they had any interest in the outcome of this determination that might have been adverse to the former employees of the subject firm.

The Department is unable to provide you with the requested copies of documents as all commercial and financial data submitted by the subject firm is entitled to confidential treatment, in accordance with 29 CFR 90.33, and will not be disclosed except to the extent required by applicable law or court order.

### 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 in Washington, DC, this 10th day of September, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2306 Filed 9-21-04; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,482]

#### TI Automotive, Cass City, MI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on August 20, 2004 in response to petition filed by a company official on behalf of workers at TI Automotive, Cass City, Michigan.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC, this 27th day of August, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Summary of Decisions Granting in Whole or in Part Petitions for Modification

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of affirmative decisions issued by the Administrators for Coal Mine Safety and Health and Metal and Nonmetal Mine Safety and Health on petitions for modification of the application of mandatory safety standards.

**SUMMARY:** Under section 101 of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor (Secretary) may allow the modification of the application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Final decisions on these petitions are based on the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. MSHA, as designee of the Secretary, has granted or partially granted the requests for modification listed below. In some instances, the decisions are conditioned upon compliance with stipulations stated in the decision. The term FR Notice appears in the list of affirmative decisions below. The term refers to the **Federal Register** volume and page where MSHA published a notice of the filing of the petition for modification.

**FOR FURTHER INFORMATION CONTACT:** Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations, and Variances, MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. For further information contact Barbara Barron at 202-693-9447.

Dated at Arlington, Virginia this 15th day of September 2004.

**Marvin W. Nichols, Jr.,**

*Director, Office of Standards, Regulations, and Variances.*

#### Affirmative Decisions on Petitions for Modification

*Docket No.:* M-2002-028-C.

*FR Notice:* 67 FR 19284.

*Petitioner:* Consolidation Coal Company.

*Regulation Affected:* 30 CFR

75.364(b)(2).

*Summary of Findings:* Petitioner's proposal is to amend the Proposed Decision and Order (PDO) for its previously granted petition for modification, docket number M-1993-275-C, as it relates to air courses ventilating the No. 3 North seals and the No. 2½ North seals at the Loveridge No. 22 Mine. The petitioner's request is to amend paragraph 4 of the previous PDO to permit a certified person to conduct weekly examinations of each of the eight (8) monitoring stations to evaluate the quality of methane and oxygen content (measured by a hand-held instrument) and quantity of air entering and exiting the monitoring station, and to determine air course leakage. This is considered an acceptable alternative method for the Loveridge No. 22 Mine. MSHA grants the petition for modification for continuous monitoring using intrinsically safe sensors installed as part of the mine's Atmospheric Monitoring System (AMS) and weekly evaluation of air entering and leaving the intake air courses ventilating No. 3 North seals and No. 2½ North seals for the Loveridge No. 22 Mine with conditions.

*Docket No.:* M-2002-043-C.

*FR Notice:* 67 FR 37443.

*Petitioner:* Lone Mountain Processing, Incorporated.

*Regulation Affected:* 30 CFR

75.901(a).

*Summary of Findings:* Petitioner's proposal is to use a 480-volt, three-phase, 300KW/375VA diesel powered generator (DPG) set to supply power to a three-phase wye connected 300 KVA auto transformer and three-phase 480-volt and 995-volt power circuits. This is considered an acceptable alternative method for the Darby Fork No. 1 Mine. MSHA grants the petition for modification for the LIMA MAC, 480-volt, Model No. 68MDL10094, 300KW diesel powered generator (DPG) set, supplying power to a 300 KVA autotransformer to develop 995-volt power circuits for the Darby Fork No. 1 Mine with conditions.

*Docket No.:* M-2002-044-C.