

with this final notice to grant CSA's expansion application.

All public documents pertaining to the CSA application are available for review by contacting the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210. These materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2006-0042.

#### Final Decision and Order

NRTL Program staff examined CSA's application, the comparability analysis, and other pertinent information. Based on this examination and the analysis, OSHA finds that CSA meets the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitation and conditions specified below. Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the recognition of CSA, subject to this limitation and these conditions.

#### Limitation

OSHA limits the expansion of CSA's recognition to testing and certification of products for demonstration of conformance to the following test standards, each of which OSHA determines is an appropriate test standard, within the meaning of 29 CFR 1910.7(c):

UL 498A Current Taps and Adapters  
UL 515 Electrical Resistance Heat Tracing for Commercial and Industrial Applications  
UL 1673 Electric Space Heating Cables  
UL 1977 Component Connectors for Use in Data, Signal, Control and Power Applications

The designations and titles of these test standards were current at the time of the preparation of this notice.

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials (*i.e.*, products) for which OSHA standards require third-party testing and certification before use in the workplace. Consequently, if a test standard also covers any product for which OSHA does not require such testing and certification, an NRTL's scope of recognition does not include that product.

The American National Standards Institute (ANSI) may approve the test standards listed above as an American National Standard. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA

Instruction CPL 1-0.3, Appendix C, paragraph XIV), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

#### Conditions

CSA also must abide by the following conditions of the recognition, in addition to those conditions already required by 29 CFR 1910.7:

1. CSA must allow access to its facilities and records to ascertain continuing compliance with the terms of its recognition, and to perform investigations as OSHA deems necessary;
2. If CSA has reason to doubt the efficacy of any test standard it is using under this program, it must promptly inform the test standard-developing organization of this concern, and provide that organization with appropriate relevant information upon which its concern is based;
3. CSA must not engage in, or permit others to engage in, any misrepresentation of the scope or conditions of its recognition. As part of this condition, CSA agrees that it will allow no representation that it is either a recognized or an accredited Nationally Recognized Testing Laboratory (NRTL) without clearly indicating the specific equipment or material to which this recognition applies and that its recognition is limited to certain products;
4. CSA must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major changes in its operations as an NRTL, including details of these changes;
5. CSA will meet all the terms of its recognition and will always comply with all OSHA policies pertaining to this recognition; and
6. CSA will continue to meet the requirements for recognition in all areas to which this recognition applies.

#### Authority and Signature

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210, directed the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to Sections 6(b) and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655 and 657), Secretary of Labor's Order No. 4-2010 (75 FR 55355), and 29 CFR part 1911.

Signed at Washington, DC, on October 20, 2010.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2010-26887 Filed 10-22-10; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker 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 by (TA-W) number issued during the period of October 4, 2010 through October 8, 2010.

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. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) Imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) The increase in imports contributed importantly to such

workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) There has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) The shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies 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) A significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) The acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary 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(c) of the Act must be met.

(1) A significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) Either—

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

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

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) The workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) An affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) An affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) An affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) The petition is filed during the 1-year period beginning on the date on which—

(A) A summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) Notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) The workers have become totally or partially separated from the workers' firm within—

(A) The 1-year period described in paragraph (2); or

(B) Notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

#### **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 No.	Subject firm	Location	Impact date
73,568 .....	Scioto Plastics, LLC .....	Franklin Furnace, OH .....	February 24, 2009.
73,851 .....	Mueller Steam Specialty, Leased Workers from Staffing Alliance, Two Hawk Employment Agency.	St. Pauls, NC .....	April 5, 2009.
74,091 .....	Moore Flame Cutting Co .....	Sterling Heights, MI .....	April 30, 2009.
74,145 .....	Briggs and Stratton Corp., EPPG Div., Adecco .....	Murray, KY .....	May 22, 2009.
74,181 .....	Cold Spring Granite Company, Granite Fabrication Division .....	Cold Spring, MN .....	June 2, 2009.
74,238 .....	Sitel Operating Corporation, Sitel Worldwide Corporation .....	Winfield, AL .....	June 2, 2009.
74,285 .....	Invensys Rail Corp., Safetran Systems Corporation, Ultimate Staffing .....	Rancho Cucamonga, CA .....	June 17, 2009.
74,542 .....	Reiman Media Group, LLC, Premedia Department .....	Greendale, WI .....	August 18, 2009.

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

TA-W No.	Subject firm	Location	Impact date
73,548 .....	R.G. Barry Corporation, Corporate Headquarters, Creative Group, Accounts, etc.	Pickerington, OH ..	February 12, 2009.

TA-W No.	Subject firm	Location	Impact date
73,814 .....	Triumph Aerostructures, LLC, Vought Aircraft, Vought Commercial, Johnson, etc.	Grand Prairie, TX	March 26, 2009.
74,150 .....	VMware, IT Applications Group, Subsidiary of EMC .....	Palo Alto, CA .....	May 24, 2009.
74,150A .....	VMware, Global Support Services Team, Subsidiary of EMC .....	Palo Alto, CA .....	May 24, 2009.
74,325 .....	ExxonMobil Chemical Company, Films Business Div., Manpower .....	Macedon, NY .....	June 25, 2009.
74,359 .....	SuperMedia, LLC, Idearc Media, Publishing Operation, TCS, ASEC, OKS ....	Everett, WA .....	July 1, 2009.
74,379 .....	Phoenix Technology Center, Mattel, Inc., Leased Workers of Paradigm .....	Phoenix, AZ .....	July 12, 2009.
74,418 .....	Husqvarna Outdoor Products, Inc .....	Texarkana, TX .....	June 30, 2009.
74,426 .....	International Business Machines (IBM), Division 7T, Enterprise Systems Development.	Rochester, MN .....	July 22, 2009.
74,427 .....	Mattel, Inc., Infrastructure Services, Pro Unlimited, Inc .....	El Segundo, CA ....	July 20, 2009.
74,514 .....	AstenJohnson, Inc., Leased Workers from SPB and Associates .....	Clinton, SC .....	August 3, 2009.
74,539 .....	Harris Corporation, Broadcast Communications Division .....	Chesapeake, VA ..	August 18, 2009.
74,547 .....	HAVI Logistics, North America, Havi Group, LP, Leased Workers from Office Team.	Davis, CA .....	August 11, 2009.
74,558 .....	United Solar Ovonic .....	Auburn Hills, MI ....	August 23, 2009.
74,559 .....	Solo Cup Operating Corporation, Solo Cup Company, Pennmac Staffing .....	Springfield, MO .....	August 24, 2009.
74,593 .....	Whirlpool Corporation, Career Solutions, TEC Staffing .....	Fort Smith, AR .....	October 2, 2010.
74,611 .....	Schneider Electric USA, Volt Workforce Solutions .....	Knightdale, NC .....	August 27, 2009.
74,612 .....	Covidien, Accounts Payable Department, Kelly Services .....	Mansfield, MA .....	September 8, 2009.
74,620 .....	AMB Property, L.P., Property Accounting Group .....	Boston, MA .....	September 10, 2009.
74,628 .....	Di-Pro, Inc., Bendix-Spicer/Knorr-Bremse, Select .....	Fresno, CA .....	September 9, 2009.
74,642 .....	Covidien, Tyco Healthcare Group LP, Medical Supplies, Kelly Serv .....	Watertown, NY .....	September 17, 2010.
74,665 .....	Aegon USA, dba Transamerica Life Insurance Company .....	Chattanooga, TN ..	September 20, 2009.

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
74,436 .....	Faurecia Automotive Seating, Troy Technical Center, Reliance One, Trialon, EHD, etc.	Troy, MI .....	July 6, 2009.

The following certifications have been issued. The requirements of Section 222(c) (downstream producer for a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
73,913 .....	VersaLogic Corporation, Leased Workers from Barrett Business Services and Adecco.	Eugene, OR .....	April 12, 2009.
74,305 .....	Hanesbrands, Inc., Annapolis Drive Facility .....	Winston-Salem, NC .....	June 18, 2009.

#### Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the eligibility

criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criterion under paragraph (a)(1), or

(b)(1), or (c)(1) (employment decline or threat of separation) of section 222 has not been met.

TA-W No.	Subject firm	Location	Impact date
73,773 .....	V and S Detroit Galvanizing, LLC, Voigt and Schweitzer, LLC	Redford, MI	
74,623 .....	Frost Controls, Inc .....	Smithfield, RI	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W No.	Subject firm	Location	Impact date
74,551 .....	Vaughan Furniture Company .....	Galax, VA	

The investigation revealed that the criteria under paragraphs (a)(2)(A)

(increased imports) and (a)(2)(B) (shift in production or services to a foreign

country) of section 222 have not been met.

TA-W No.	Subject firm	Location	Impact date
72,493 .....	Ananke, Inc .....	Providence, RI	
74,291 .....	South Central Workforce Investment Board, Ozark Action, Inc .....	West Plains, MO	

### Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and

on the Department's Web site, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA-W No.	Subject firm	Location	Impact date
74,544 .....	3M IMTEC .....	Ardmore, OK	
74,616 .....	Orbotech, Inc., A workers working on-site at TTM Technologies .....	Redmond, WA	

The following determinations terminating investigations were issued in cases where these petitions were not filed in accordance with the requirements of 29 CFR 90.11. Every petition filed by workers must be signed

by at least three individuals of the petitioning worker group. Petitioners separated more than one year prior to the date of the petition cannot be covered under a certification of a petition under Section 223(b), and

therefore, may not be part of a petitioning worker group. For one or more of these reasons, these petitions were deemed invalid.

TA-W No.	Subject firm	Location	Impact date
74,488 .....	Computer Sciences Corporation (CSC) .....	Newark, DE	
74,496 .....	Hallmark Cards, Inc .....	Kansas City, MO	

The following determinations terminating investigations were issued because the petitioning groups of

workers are covered by active certifications. Consequently, further investigation in these cases would serve

no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA-W No.	Subject firm	Location	Impact date
74,103 .....	WellPoint, Inc., Doing business as Blue Cross/Blue Shield .....	Denver, CO	

I hereby certify that the aforementioned determinations were issued during the period of October 4, 2010 through October 8, 2010. Copies of these determinations may be requested under the Freedom of Information Act. Requests may be submitted by fax, courier services, or mail to FOIA Disclosure Officer, Office of Trade Adjustment Assistance (ETA), U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 or [tofoiarequest@dol.gov](mailto:tofoiarequest@dol.gov). These determinations also are available on the Department's Web site at <http://www.doleta.gov/tradeact> under the searchable listing of determinations.

Dated: October 15, 2010.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 2010-26768 Filed 10-22-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2007-0041]

### FM Approvals; Expansion of Recognition

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** This notice announces the Occupational Safety and Health Administration's final decision expanding the recognition of FM Approvals LLC as a Nationally Recognized Testing Laboratory under 29 CFR 1910.7.

**DATES:** The expansion of recognition becomes effective on October 25, 2010.

**FOR FURTHER INFORMATION CONTACT:** MaryAnn Garrahan, Director, Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution

Avenue, NW., Room N-3655, Washington, DC 20210, or phone (202) 693-2110.

### SUPPLEMENTARY INFORMATION:

#### Notice of Final Decision

The Occupational Safety and Health Administration (OSHA) hereby gives notice that it is expanding the recognition of FM Approvals LLC (FM) as a Nationally Recognized Testing Laboratory (NRTL). FM's expansion covers the use of additional test standards. OSHA's current scope of recognition for FM may be found in the following informational Web page: <http://www.osha.gov/dts/otpc/nrtl/fm.html>.

OSHA recognition of an NRTL signifies that the organization meets the legal requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition, and is not a delegation or grant of government authority. As a result of