

One comment stated that determining green job occupations based on OES assumes that green jobs are distributed throughout the workforce in the same proportion by occupation as all jobs. The commenter stated that results of their State survey indicated that green jobs seem to be widely disbursed, but are more concentrated in construction and extraction, production, and farming and fishing occupations. BLS responds that occupational employment will be estimated using OES data for specific establishments, according to whether or not they produce green goods or services. This is different from using OES estimates for overall employment.

Two comments concerned the BLS plan to count jobs in all occupations in the establishment in the green goods and services survey, with one comment agreeing and one comment saying there is "no need to count support jobs, such as accountants or administrative staff, because their job duties are not affected directly by the green product or service and thus they do not require additional training." BLS notes that its green jobs definition is not based on skill differences, but instead on the environmental impact of the good or service produced or the production process used. However, data users can select the occupations they wish to consider for training offerings from those BLS identifies as occurring in establishments producing green goods and services. The O\*NET green occupations taxonomy should be useful in this type of analysis.

*Data by public ownership.* One comment encouraged BLS to generate data that identify the level of public sector green employment in the NAICS-defined industries and the characteristics of the public sector green jobs. BLS responds that it intends to provide data from the green goods and services survey by public versus private ownership.

*Process approach to measuring green jobs.* BLS plans to develop a special employer survey to test the feasibility of collecting data on jobs associated with use of environmentally friendly production processes. Environmentally friendly production processes and practices are those that reduce the environmental or natural resources impact resulting from production of any good or service. These production processes include (1) production of green goods and services for use within the establishment, and (2) use of technologies and practices that have a positive environmental or natural resources conservation impact.

Sixteen comments addressed the process approach. Five comments

supported using this approach and one comment recommended against. Three of these comments emphasized that all industries should be included in the process survey. BLS responds that, as stated in the March 16, 2010, notice, the scope of the process survey will be all industries.

Six comments indicated the need for more clarity in the process approach. BLS responds that the approach is under development and will be described in a future notice.

Two comments recommended using product life-cycle criteria for identifying green goods, with one of these comments suggesting that "a 'green good' and a good produced with 'green processes' will become increasingly indistinguishable in the marketplace among the leading experts and stakeholders in the sustainable products field." BLS responds that applying life-cycle criteria or identifying "sustainable" products is not feasible in its data collection.

Signed at Washington, DC, this 26th day of August 2010.

**Kimberley Hill,**

*Chief, Division of Management Systems,  
Bureau of Labor Statistics.*

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## 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 August 30, 2010 through September 3, 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
72,531 .....	Riley Power, Inc., Vogt-Nem, Inc. and Babcock Power, Inc	Erie, PA .....	October 2, 2008.
73,656 .....	JK Products and Services, Inc., Leased Workers Aid Temporary Services, Inc., Staffmark, and Appleone, etc.	Jonesboro, AR .....	March 5, 2009.
73,965 .....	Angell-Demmel North America Corp, Sellner Corporation ..	Dayton, OH .....	April 9, 2009.
74,025 .....	Babcock Lumber Company, Hardwood Division; leased Workers Staff Right Services, etc.	St. Marys, PA .....	April 23, 2009.
74,134 .....	Reynoldsville Holding Company .....	Reynoldsville, PA .....	May 10, 2009.
74,267 .....	Mason County Forest Products .....	Shelton, WA .....	June 14, 2009.
74,277 .....	Westcode, Inc .....	Binghamton, NY .....	June 21, 2009.
74,307 .....	Brockway Mould, Inc., Ross Mould, Inc .....	Brockport, PA .....	June 25, 2010.
74,384 .....	Shipbuilders of Wisconsin, Inc., Burger Boat Company; Leased Workers Aerotek and Skilled Trade Services.	Manitowoc, WI .....	June 8, 2009.
74,534 .....	DuPont Teijin Films, Leased Workers from Schenkers Logistics, Inc.	Florence, SC .....	November 7, 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
73,547 .....	Axiom Corporation, Leased Workers from CJC, Kyntex, Premier Staffing, Quintex, etc.	Little Rock, AR .....	February 22, 2009.
73,547A .....	Axiom Corporation, Leased Workers from CJC, Kyntex, Premier Staffing, Quintex, etc.	Conway, AR .....	February 22, 2009.
73,608 .....	PricewaterhouseCoopers, LLP ("PwC"), Internal Firm Services ("IFS") Group.	Charlotte, NC .....	February 26, 2009.
73,829 .....	Suncor Energy (U.S.A.), Inc., A Subsidiary of Suncor Energy, Inc.	Greenwood Village, CO .....	March 11, 2009.
73,887 .....	ITT Water & Wastewater Leopold, Inc., ITT Corporation; Leased Workers Account Temps, Kelly Services, Adecco, etc.	Zelienople, PA .....	May 22, 2010.

TA-W No.	Subject firm	Location	Impact date
74,008 .....	Cooper, Crouse-Hinds MTL, Inc., Cooper, Crouse-Hinds; Cooper Industries; Leased Workers from Accountemps, etc.	West Melbourne, FL .....	April 22, 2009.
74,028 .....	Imhauser Corporation .....	Romney, WV .....	April 28, 2009.
74,065 .....	ShopKo Stores Operating Co., LLC, Information Services Division; SKO Group Holding, LLC; Leased Workers, etc.	Green Bay, WI .....	May 7, 2009.
74,085 .....	Avery Dennison, Leased Workers from Adecco, Inc. ....	Lenoir, NC .....	May 13, 2009.
74,086 .....	Unisys Corporation, Managed Service Center; Leased Workers from Apex Systems and Pinnacle.	Austin, TX .....	May 13, 2009.
74,142 .....	World Color Mt. Morris, IL LLC, Premedia Chicago Division; Leased Workers from The Creative Group, etc.	Schaumburg, IL .....	May 21, 2009.
74,377 .....	Sony Pictures Entertainment, IT Department, Leased Workers from Banctec, CCP Global, Invision, etc.	Culver City, CA .....	June 28, 2009.
74,414 .....	PricewaterhouseCoopers LLP, Internal Firm Services Group.	Cleveland, OH .....	July 13, 2009.
74,454 .....	LSI Corporation, Integrated Circuit Testing Department ....	Fort Collins, CO .....	July 22, 2009.
74,455 .....	Uniboard Fostoria, Inc., Uniboard Canada .....	Fostoria, OH .....	July 26, 2009.
74,483 .....	Wood Group Component Repair Services, Inc., Wood Group Gas Turbine Services, Inc.	East Windsor, CT .....	August 3, 2009.
74,505 .....	Neff Motivation, Inc., Visant Corporation .....	Unadilla, GA .....	August 9, 2009.
74,518 .....	Peco II by Lineage Power, Leased Workers from Waycraft, Incorporated.	Galion, OH .....	July 27, 2009.
74,524 .....	TD Ameritrade, Inc., TD Ameritrade Clearing, Inc.; TD Ameritrade Holding Corporation etc.	Fort Worth, TX .....	August 5, 2009.
74,530 .....	Hewlett Packard Company, Human Resources Division ....	Auburn and other Cities in California, CA.	August 4, 2009.
74,530A .....	Hewlett Packard Company, Human Resources Division ....	Boise, ID .....	August 4, 2009.
74,530B .....	Hewlett Packard Company, Human Resources Division ....	Ellicott City, MD .....	August 4, 2009.
74,530C .....	Hewlett Packard Company, Human Resources Division ....	Canton, MI .....	August 4, 2009.
74,530D .....	Hewlett Packard Company, Human Resources Division ....	Wake Forest, NC .....	August 4, 2009.
74,530E .....	Hewlett Packard Company, Human Resources Division ....	Corvallis, OR .....	August 4, 2009.
74,530F .....	Hewlett Packard Company, Human Resources Division ....	Blue Bell, PA .....	August 4, 2009.
74,530G .....	Hewlett Packard Company, Human Resources Division ....	Houston and other Cities in Texas, TX.	August 4, 2009.
74,530H .....	Hewlett Packard Company, Human Resources Division ....	Herndon, VA .....	August 4, 2009.
74,530I .....	Hewlett Packard Company, Human Resources Division ....	Vancouver, WA .....	August 4, 2009.
74,545 .....	HAVI Logistics, North America, HAVI Group, LP; Leased Worker from Express Personnel Services, etc.	Bloomington, IL .....	August 11, 2009.
74,550 .....	Artisans, Inc. ....	Glen Flora, WI .....	August 20, 2009.
74,552 .....	CKE Restaurants, Inc., Client Services Division; Leased Workers from B2B Staffing Services.	Anaheim, CA .....	August 18, 2009.
74,561 .....	Hilton Reservations and Customer Care, Hemet Division of Hilton Worldwide.	Hemet, CA .....	August 11, 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
73,203 .....	Hitachi Automotive Products (USA), Inc., Hitachi America, Ltd.; Leased Workers from Nesco Resource Company.	Harrodsburg, KY .....	December 31, 2009.
73,486 .....	Ethan Allen Retail, Inc. ....	Lombard, IL .....	February 10, 2009.
73,496 .....	Guardian Automotive Corp., SRG Global Inc. ....	LaGrange, GA .....	March 27, 2009.
74,495 .....	General Electric Company, Transportation Division; Leased Workers from Adecco Technical.	Grove City, PA .....	August 3, 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 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
73,021 .....	BJ Services, A Baker Hughes Incorporated Company .....	Eldorado, TX .....	
73,721 .....	RCL Burco, Inc., RCL Services Group, LLC .....	Culloden, WV .....	

TA-W No.	Subject firm	Location	Impact date
73,722 .....	Sojitz Corporation of America, Sojitz Corporation; Forest Products Department.	Seattle, WA .....	
74,035 .....	OSRAM Sylvania, Siemens .....	Warren, PA .....	
74,246 .....	Bank of America, Card Customer Assistance Division .....	State College, PA .....	
74,290 .....	Supermedia LLC, Idearc Media LLC; SuperMedia Information Services LLC; Client Care, etc..	Middleton, MA .....	

### 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
73,707 .....	JD Norman Industries, Inc., Brooklyn Facility .....	Brooklyn, OH .....	
73,759 .....	Eskco, Inc .....	Dayton, OH .....	
74,353 .....	Riverhawk Aviation .....	Hickory, NC .....	

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
73,625 .....	Compuware Corporation .....	Warren, MI .....	

I hereby certify that the aforementioned determinations were issued during the period of August 30, 2010 through September 3, 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: September 10, 2010.

**Elliott S. Kushner**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-70,344]

#### Atlantic Southeast Airlines, a Subsidiary of Skywest, Inc., Airport Customer Service Division, Including On-Site Leased Workers of Delta Global Services, Inc., Fort Smith, AR; Notice of Negative Determination on Remand

On July 6, 2010, the United States Court of International Trade (USCIT) granted the Department of Labor's request for voluntary remand to conduct further investigation in *Former Employees of Atlantic Southeast Airlines, a Subsidiary of Skywest, Inc., Airport Customer Service Division v. United States Secretary of Labor* (Court No. 09-00522).

#### Background

On September 28, 2009, the Department of Labor (Department) issued a Negative Determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) under the Trade Act of 1974, as amended (hereafter referred to as the Act) applicable to workers and former workers of Atlantic Southeast Airlines, a Subsidiary of Skywest, Inc., Airport Customer Division, Fort Smith,

Arkansas (subject firm). AR 35. Workers at the subject firm (subject worker group) provided airline ground services, such as baggage handling, at the Fort Smith, Arkansas airport. AR 8, 14, 17, 25-26, 34. The Department's Notice of negative determination was published in the **Federal Register** on November 17, 2009 (74 FR 59251). AR 48.

The negative determination stated that the subject firm did not import services like or directly competitive with the services supplied by the subject workers in the period under investigation nor shift the supply of these services to a foreign country during this period. A customer survey was not conducted because the subject firm's customers were private individuals who traveled through Fort Smith, Arkansas airport. AR 35-38.

By application dated October 19, 2009, a petitioner requested administrative reconsideration on the Department's negative determination. In the request for reconsideration, the petitioner alleged that workers at the subject firm provided services to individuals employed at firms that employed workers eligible to apply for TAA and that workers at the subject firm should also be eligible to apply for TAA as "downstream producers" to these firms. AR 42-43.

Because the petitioner did not provide information that had not been previously considered, the Department