

import, and the Attorney General may approve the application if the Attorney General determines that the approval is necessary to provide for medical, scientific, or other legitimate purposes regarding the chemical.

**Editor's Note:** This excerpt of the amendment is published for the convenience of the reader. The official text is published at 21 U.S.C. 952(a) and (d)(1).

The proposed year 2009 assessment of annual needs represents those quantities of ephedrine, pseudoephedrine, and phenylpropanolamine which may be manufactured domestically and/or imported into the United States to provide adequate supplies of each substance for: the estimated medical, scientific, research, and industrial needs of the United States; lawful export requirements; and the establishment and maintenance of reserve stocks.

To develop the 2009 assessment of annual needs for the United States, DEA considered applications for 2009 import, manufacturing, and procurement quotas received from DEA registered manufacturers and importers. DEA further considered information contained in import and export declarations (DEA-486) along with information relating to trends in the national rate of disposals, actual and estimated inventories, and projected demand for the List I chemicals ephedrine, pseudoephedrine and phenylpropanolamine in accordance with 21 CFR 1315.11.

Therefore, under the authority vested in the Attorney General by Section 306 of the CSA (21 U.S.C. 826), and delegated to the Administrator of the DEA by 28 CFR 0.100, and redelegated to the Deputy Administrator pursuant to 28 CFR 0.104, the Deputy Administrator hereby proposes the following 2009 assessment of annual needs for the List I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine for 2009, expressed in kilograms of anhydrous base:

List I chemicals	Proposed Year 2009 assessment of annual needs
Ephedrine (for sale) ..	2,500 kg
Ephedrine (for conversion).	110,000 kg
Pseudoephedrine (for sale).	415,000 kg
Phenylpropanolamine (for sale).	7,500 kg
Phenylpropanolamine (for conversion).	50,000 kg

Ephedrine (for conversion) refers to the industrial use of ephedrine, i.e., that which will be converted to another

basic drug class such as methamphetamine or pseudoephedrine. Phenylpropanolamine (for conversion) refers to the industrial use of phenylpropanolamine, i.e., that which will be converted to another basic drug class such as amphetamine used for the manufacture of drug products for the treatment of attention-deficit hyperactivity disorders. The "for sale" assessments refer to the amount of ephedrine, pseudoephedrine, and phenylpropanolamine intended for ultimate use in products containing these List I chemicals.

All interested persons are invited to submit their comments in writing or electronically regarding this proposal following the procedures in the "ADDRESSES" section of this document. A person may object to or comment on the proposal relating to any of the above-mentioned substances without filing comments or objections regarding the others. If a person believes that one or more of these issues warrant a hearing, the individual should so state and summarize the reasons for this belief. Persons wishing to request a hearing should note that such requests must be written and manually signed; requests for a hearing will not be accepted via electronic means. In the event that comments or objections to this proposal raise one or more issues which the Deputy Administrator finds warrant a hearing, the Deputy Administrator shall order a public hearing by notice in the **Federal Register**, summarizing the issues to be heard and setting the time for the hearing as per 21 CFR 1315.13(e).

#### Regulatory Certifications

##### *Regulatory Flexibility Act*

The Deputy Administrator hereby certifies that this action will not have a significant economic impact upon small entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601–612. The establishment of the assessment of annual needs for ephedrine, pseudoephedrine, and phenylpropanolamine is mandated by law. The assessments are necessary to provide for the estimated medical, scientific, research and industrial needs of the United States, for lawful export requirements, and the establishment and maintenance of reserve stocks. Accordingly, the Deputy Administrator has determined that this action does not require a regulatory flexibility analysis.

##### *Executive Order 12866*

The Office of Management and Budget has determined that notices of

assessment of annual needs are not subject to centralized review under Executive Order 12866.

##### *Executive Order 13132*

This action does not preempt or modify any provision of state law; nor does it impose enforcement responsibilities on any state; nor does it diminish the power of any state to enforce its own laws. Accordingly, this action does not have federalism implications warranting the application of Executive Order 13132.

##### *Executive Order 12988*

This action meets the applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988 Civil Justice Reform.

##### *Unfunded Mandates Reform Act of 1995*

This action will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$120,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

##### *Congressional Review Act*

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: September 10, 2008.

**Michele M. Leonhart,**

*Deputy Administrator.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 Director of the Division 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 Director, Division of Trade Adjustment Assistance, at the address shown below, not later than September 29, 2008.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address

shown below, not later than September 29, 2008.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 10th day of September 2008.

**Erin FitzGerald,**

*Director, Division of Trade Adjustment Assistance.*

#### APPENDIX

[TAA petitions instituted between 9/2/08 and 9/5/08]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
63961	Saginaw Machine Systems, Inc. (State)	Saginaw, MI	09/02/08	08/27/08
63962	GE Consumer Industrial Lighting (IUE)	Willoughby, OH	09/02/08	08/18/08
63963	Fisher Corporation (Comp)	Troy, MI	09/02/08	09/01/08
63964	Boise Cascade LLC (AWPPW)	Salem, OR	09/02/08	08/29/08
63965	General Motors Vehicle Manufacturing (UAW)	Oklahoma City, OK	09/03/08	09/02/08
63966	Honeywell (Wkrs)	Elberton, GA	09/03/08	08/27/08
63967	Merkle-Korff Industries Mt. Prospect Rd. Plant (Comp)	Des Plaines, IL	09/03/08	08/18/08
63968	Genie Company—Overhead Door Corp. (Wkrs)	Shenandoah, VA	09/03/08	08/27/08
63969	HD Supply, Inc. (Wkrs)	Columbus, GA	09/03/08	08/18/08
63970	A. Klein & Company, Inc. (Comp)	Claremont, NC	09/03/08	08/29/08
63971	ATS Automotive Technology Systems (State)	Lawrenceville, IL	09/03/08	09/02/08
63972	DeRoyal Industries, Inc. (Wkrs)	Powell, TN	09/03/08	08/26/08
63973	Steelcase Inc. (State)	Grand Rapids, MI	09/03/08	08/21/08
63974	Element Customer Care LLC (Wkrs)	Durham, NC	09/03/08	08/18/08
63975	Hubbell Power Systems, Inc. (Comp)	Elkton, TN	09/03/08	08/21/08
63976	Stauble Machine and Tool (Wkrs)	Louisville, KY	09/03/08	09/02/08
63977	Easy Garment, Inc. (Wkrs)	New York, NY	09/03/08	08/29/08
63978	Rieter Automotive (State)	Saint Joseph, MI	09/03/08	07/22/08
63979	Emerson Power Transmission (Wkrs)	Aurora, IL	09/04/08	08/22/08
63980	Pollak (Comp)	Canton, MA	09/04/08	09/02/08
63981	Prime Tanning (Comp)	Berwick, ME	09/04/08	09/02/08
63982	Moraine Sequencing Center, Inc. (OH)	Moraine, OH	09/04/08	09/02/08
63983	Hillerick and Bradsby (Wkrs)	Ontario, CA	09/04/08	09/03/08
63984	Norwalk Furniture (Comp)	Livingston, TN	09/04/08	09/03/08
63985	Cooper Standard Automotive (Union)	Auburn, IN	09/04/08	09/02/08
63986	Khoury, Inc. (Comp)	Kingsford, MI	09/04/08	09/03/08
63987	Metaldyne (UAW)	St Marys, PA	09/04/08	08/28/08
63988	Porter Engineered Systems, Inc. (Comp)	Westfield, IN	09/04/08	09/03/08
63989	JLG Industries (Wkrs)	McConnellsburg, PA	09/04/08	09/03/08
63990	Whirlpool Oxford Division (Comp)	Oxford, MS	09/05/08	09/04/08
63991	United Steel and Wire Company (State)	Battle Creek, MI	09/05/08	09/04/08
63992	Owens-Corning Composite Materials (Wkrs)	Anderson, SC	09/05/08	08/23/08
63993	Stanley-Bostitch, Inc. (State)	Clinton, CT	09/05/08	09/04/08
63994	Johnson Controls Interior Manufacturing (Comp)	Hartland, MI	09/05/08	08/20/08
63995	Wyeth Biotech (Wkrs)	Andover, MA	09/05/08	09/05/08
63996	MPC Computers, LLC—Nampa (Comp)	Nampa, ID	09/05/08	09/04/08

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#### DEPARTMENT OF LABOR

#### Mine Safety and Health Administration

#### Petitions for Modification

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice of petitions for modification of existing mandatory safety standards.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR Part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing

mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations, and Variances on or before October 20, 2008.

**ADDRESSES:** You may submit your comments, identified by “docket number” on the subject line, by any of the following methods: