

TA-W-73,955: Cole Ford Mercury of Winchester, Inc., Winchester, KY

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-73,279: JP Morgan Chase, Fort Worth, TX

TA-W-73,498: ADC Telecommunications, Shakopee, MN

TA-W-73,930: Dee Van Enterprise USA, Inc., Fremont, CA

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-72,501: PCC Airfoils, LLC, Precision Castparts Corporation, Crooksville, OH

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions

filed earlier covering the same petitioners.

TA-W-74,059: Freescale Semiconductors, Woburn, MA

I hereby certify that the aforementioned determinations were issued during the period of June 1, 2010, through June 4, 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 to foiarequest@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: June 9, 2010.

**Elliott S. Kushner,**  
Certifying Officer, Division of Trade Adjustment Assistance.

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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 June 28, 2010.

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 June 28, 2010.

Copies of these petitions 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 to foiarequest@dol.gov.

Signed at Washington, DC, this 3rd day of June 2010.

**Richard Church,**  
Certifying Officer, Division of Trade Adjustment Assistance.

**Appendix**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**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 Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has

**TAA PETITIONS INSTITUTED BETWEEN 5/24/10 AND 5/28/10**

TA-W	Subject firm (Petitioners)	Location	Date of institution	Date of petition
74132	DuPont Performance Polymers Hypalon Unit (Company)	Nederland, TX	05/24/10	05/20/10.
74133	Time Sensitive Circuits, Inc. (Company)	Amesbury, MA	05/24/10	05/20/10.
74134	Reynoldsville Holding Company (Workers)	Reynoldsville, PA	05/24/10	05/10/10.
74135	Wood Products Northwest (Company)	Days Creek, OR	05/24/10	05/19/10.
74136	Parker Paint Company (Workers)	Beaverton, OR	05/25/10	05/24/10.
74137	SPS Technologies (Company)	Cleveland, OH	05/25/10	05/24/10.
74138	Louis Baldinger & Son (Union)	Astoria, NY	05/25/10	05/24/10.
74139	KDH Defense Systems, Inc. (Workers)	Johnstown, PA	05/25/10	05/24/10.
74140	Sweater Project (Workers)	North Bergen, NJ	05/25/10	05/11/10.
74141	ACS Enterprise Solutions, Inc. (State/One-Stop)	Dallas, TX	05/25/10	05/24/10.
74142	World Color (Workers)	Schaumburg, IL	05/25/10	05/21/10.
74143	Providence Watch Hospital (Workers)	Cranston, RI	05/25/10	05/13/10.
74144	Hoffmann La Roche (Workers)	Nutlex, NJ	05/25/10	05/10/10.
74145	Briggs & Stratton (Workers)	Murray, KY	05/25/10	03/16/10.
74146	Furniture Crafters of Virginia (Workers)	Collinsville, VA	05/25/10	05/14/10.
74147	ABB, Inc. (Company)	Mount Pleasant, PA	05/25/10	05/10/10.
74148	PBR Knoxville, LLC (Company)	Knoxville, TN	05/25/10	05/21/10.
74149	Hartford Financial Services Group, Inc. (Company)	Hartford, CT	05/26/10	04/29/10.
74150	VMware, Inc. (Company)	Palo Alto, CA	05/26/10	05/24/10.
74151	Dick Lucier Excavation (Company)	Frenchtown, MT	05/27/10	05/11/10.
74152	Northwest Aluminum Company (Company)	The Dalles, OR	05/27/10	05/25/10.

## TAA PETITIONS INSTITUTED BETWEEN 5/24/10 AND 5/28/10—Continued

TA-W	Subject firm (Petitioners)	Location	Date of institution	Date of petition
74153	Freescall Semiconductor (Workers)	Austin, TX	05/28/10	05/27/10.
74154	Staedtler, Inc. (Company)	Chatsworth, CA	05/28/10	05/27/10.
74155	Atlas Copco Secoroc, LLC (Company)	Roanoke, VA	05/28/10	05/24/10.
74156	Mattel, Inc. (Company)	City of Industry, CA	05/28/10	05/17/10.
74157	Home Fashions International (Workers)	Taylorsville, NC	05/28/10	05/22/10.
74158	Cameron Surface Systems (Company)	Oklahoma City, OK	05/28/10	05/24/10.

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-70,201]

**Tivoly, Inc., Derby Line, VT; Notice of Negative Determination on Reconsideration**

On November 16, 2009, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on December 8, 2009 (74 FR 64,711).

The initial investigation resulted in a negative determination based on the finding that imports of cutting tools did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration, the International Association of Machinists and Aerospace Workers, Local Lodge 1829, requested that additional customer surveys be done beyond the two that had been completed during the earlier investigation.

In response to that request, the Department of Labor conducted a survey of five more major declining customers of the subject firm regarding their purchases of cutting tools, taps, and reamers during 2007, 2008, and during the months of January through May 2008 and January through May 2009.

Those five surveys, added to the two surveys completed during the investigation, included customers who accounted for 89 percent of the subject firm's total sales during 2007 and 2008, and customers who accounted for 65 percent of the total subject firm's total sales during the period January through May 2009.

The customers surveyed also accounted for 89 percent of the decline in total subject firm sales from 2007 to 2008, and 88 percent of the decline in

total subject firm sales during the period January through May 2009 as compared with the same five months in 2008.

Those surveys showed customer imports of cutting tools, taps, and reamers to be insignificant as a percent of total subject firm sales during 2007 and 2008, and showed that there were no customer imports of cutting tools during the period January through May 2009.

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Tivoly, Inc., Derby Line, Vermont.

Signed at Washington, DC this 27th day of May 2010.

**Del Min Amy Chen,***Certifying Officer, Division of Trade Adjustment Assistance.*

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**DEPARTMENT OF LABOR****Employee Benefits Security Administration****Prohibited Transaction Exemptions: Morgan Stanley & Co., Inc. and Its Current and Future Affiliates and Subsidiaries and Union Bank, N.A., and Its Affiliates; The Bank of New York Mellon Corp.; Boston Carpenters Apprenticeship and Training Fund; Correction**

**AGENCY:** Employee Benefits Security Administration, Department of Labor (the Department).

**ACTION:** Notice of technical correction.

In the June 11, 2010 issue of the **Federal Register**, the Department published separate administrative exemptions from the prohibited transaction provisions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1986 for: (1) Morgan Stanley & Co., Inc., and Its Current and Future Affiliates and Subsidiaries and Union

Bank, N.A., and Its Affiliates (hereinafter "the Morgan Stanley Grant"); and (2) The Bank of New York Mellon Corporation (hereinafter "the BNY Mellon Grant"). The Department also published, in the same issue of the **Federal Register**, an administrative exemption from the prohibited transaction provisions of the Act for the Boston Carpenters Apprenticeship and Training Fund (hereinafter "the Boston Carpenters Grant").

The Department notes that the operative language of the Morgan Stanley Grant (which begins at the middle of the third column of page 33333 of the June 11, 2010 issue of the **Federal Register** after the italicized heading "Exemption") was not preceded by the customary caption indicating the prohibited transaction grant number and the corresponding exemption application file number. Accordingly, to correct this publication error, the following caption should be inserted immediately before the italicized heading "Exemption" on page 33333, third column:

[Prohibited Transaction Exemption 2010-16; Exemption Application Number D-11521]

In addition, the Department notes that the operative language of the BNY Mellon Grant (which begins at the middle of the first column of page 33338 of the June 11, 2010 issue of the **Federal Register** after the italicized heading "Exemption") was not preceded by the customary caption indicating the name of the entity seeking the exemption, the prohibited transaction exemption grant number, and the exemption application file number. Accordingly, to correct this publication error, the following caption should be inserted immediately before the italicized heading "Exemption" on page 33338, first column:

**The Bank of New York Mellon Corporation (BNY Mellon), Located in Pittsburgh, Pennsylvania**

[Prohibited Transaction Exemption 2010-17; Exemption Application Number D-11584]

In addition, the Department notes that the operative language of the Boston Carpenters Grant (which begins at the