

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The negative determination of the TAA petition filed on behalf of workers at Specialty Chemicals, Inc., Franklin, Virginia, was based on the finding that there was no shift/acquisition of production of precipitated calcium carbonate from the subject firm to a foreign country; nor was there any increase in imports of articles like or directly competitive with precipitated calcium carbonate produced at the subject facility; nor was the component part produced by the subject firm (precipitated calcium carbonate) directly incorporated into a firm's production of an article that was the basis of a primary TAA certification.

The company official's request for reconsideration stated that the workers of the subject firm should be eligible for TAA because "our customer, International Paper (IP) Franklin, Virginia is certified as a Primary Producer (see TA-W-70,243). The date of the certification is still within the relevant period for the separations for which benefits are sought." The company official asserts that workers of the subject firm are eligible to apply for TAA as adversely affected secondary workers.

The initial investigation revealed that there are two International Paper Company facilities in Franklin, Virginia, that employed workers who are eligible to apply for TAA. Workers at International Paper Company (Lumber Plant) Franklin, Virginia were certified as adversely affected primary workers (TA-W-70,243) and workers at International Paper Company, Franklin Pulp and Paper Mill, Franklin, Virginia were certified as adversely affected secondary workers (TA-W-72,764).

The Department believes that the company official misidentified the petition number of International Paper Company, Franklin Pulp and Paper Mill, Franklin, Virginia because, during the initial investigation, the company official confirmed that precipitated calcium carbonate was incorporated into the paper produced by International Paper Company, Franklin Pulp and Paper Mill, Franklin, Virginia and International Paper Company confirmed that the subject firm supplied

precipitated calcium carbonate to International Paper Company, Franklin Pulp and Paper Mill, Franklin, Virginia.

The worker's request for reconsideration stated that the subject firm is a "supplier/downstream producer" to "International Paper" and "closed down as a direct result of what happened at the Franklin paper mill." The Department determines that International Paper Company, Franklin Pulp and Paper Mill, Franklin, Virginia is the "Franklin paper mill."

Section 222(c) of the Trade Act of 1974, as amended, states that adversely affected secondary workers must be employed by a firm that is a supplier to a firm that employed a worker group who are adversely affected primary workers. Therefore, the supply of precipitated calcium carbonate to International Paper Company, Franklin Pulp and Paper Mill, Franklin, Virginia cannot be a basis for certification for workers of the subject firm.

The petitioners did not supply facts not previously considered nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

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 19th day of August, 2010.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

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MILLENNIUM CHALLENGE CORPORATION

[MCC FR 10-08]

Notice of the September 15, 2010, Millennium Challenge Corporation Board of Directors Meeting; Sunshine Act Meeting

AGENCY: Millennium Challenge Corporation.

TIME AND DATE: 10 a.m. to 12 p.m., Wednesday, September 15, 2010.

PLACE: Department of State, 2201 C Street, NW., Washington, DC 20520.

FOR FURTHER INFORMATION CONTACT: Information on the meeting may be obtained from Melvin F. Williams, Jr., VP/General Counsel and Corporate Secretary via e-mail at corporatesecretary@mcc.gov or by telephone at (202) 521-3600.

STATUS: Meeting will be closed to the public.

MATTERS TO BE CONSIDERED: The Board of Directors (the "Board") of the Millennium Challenge Corporation ("MCC") will hold a meeting to discuss approval of the Jordan Compact; approval of the Selection Criteria & Methodology Report; Compact Development and Portfolio Update; Threshold Program Review Update; and certain administrative matters. The agenda items are expected to involve the consideration of classified information and the meeting will be closed to the public.

Dated: August 26, 2010.

Melvin F. Williams, Jr.,

VP/General Counsel and Corporate Secretary, Millennium Challenge Corporation.

[FR Doc. 2010-21748 Filed 8-26-10; 4:15 pm]

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MILLENNIUM CHALLENGE CORPORATION

[MCC FR 10-07]

Report on Countries That Are Candidates for Millennium Challenge Account Eligibility in Fiscal Year 2011 and Countries That Would Be Candidates But For Legal Prohibitions

AGENCY: Millennium Challenge Corporation.

ACTION: Notice.

SUMMARY: Section 608(d) of the Millennium Challenge Act of 2003 requires the Millennium Challenge Corporation to publish a report that identifies countries that are "candidate countries" for Millennium Challenge Account assistance during FY 2011. The report is set forth in full below.