

Attn: Executive Director. Any interested person also may file a written statement for consideration by the Joint Board and the Committee by sending it to the Internal Revenue Service, Joint Board for the Enrollment of Actuaries, Attn: Executive Director, SE:OPR, 1111 Constitution Avenue, NW., Washington, DC 20224.

Dated: December 2, 2010.

**Patrick W. McDonough,**

*Executive Director, Joint Board for the Enrollment of Actuaries.*

[FR Doc. 2010-30708 Filed 12-7-10; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF JUSTICE

### Notice of Proposed Consent Decree Under the Clean Water Act

Notice is hereby given that on December 2, 2010, a proposed Consent Decree was lodged. *United States et al. v. Beazer Homes USA, Inc.*, Civil Action No. 3:10-cv-01133, was lodged with the United States District Court for the Middle District of Tennessee.

The Consent Decree in this Clean Water Act enforcement action against Beazer Homes USA, Inc. ("Beazer") resolves allegations by the Environmental Protection Agency, asserted in a complaint filed together with the Consent Decree, under Section 309 of the Clean Water Act, 33 U.S.C. 1319, for alleged stormwater violations at Beazer's home sites in 21 states nationwide. The proposed Consent Decree also resolves separate but related state law claims brought by co-plaintiff States of Colorado, Florida, Indiana, Maryland, Nevada, Tennessee, and Virginia. In addition to the payment of civil penalties, the settlement requires Beazer to develop improved pollution prevention plans for each construction site, conduct additional site inspections, and promptly correct any problems detected. Beazer must properly train construction managers and contractors, and implement a management and internal reporting system to improve oversight of on-the-ground operations.

The Department of Justice will receive comments relating to the proposed Consent Decrees for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to the matters as *United States et al. v. Beazer*

*Homes USA, Inc.*, DOJ Ref. No. 90-5-1-1-08420.

The Consent Decree may be examined at the Region 4 Office of the United States Environmental Protection Agency, located at the Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303-8960.

During the public comment period, the proposed agreements may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/ConsentDecrees.html>. Copies of the proposed agreements may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting from the Consent Decree Library a copy of the consent decree for *United States et al. v. Beazer Homes USA, Inc.*, Civil Action No. 3:10-cv-01133, please enclose a check in the amount of \$44.00 (25 cents per page reproduction cost), payable to the U.S. Treasury.

**Maureen Katz,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2010-30743 Filed 12-7-10; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-74,390]

#### Haldex Brake Corporation, Commercial Vehicle Systems, Including On-Site Leased Workers of Johnston Integration Technologies, a Subsidiary of Johnston Companies, Iola, KS; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 19, 2010, applicable to workers of Haldex Brake Corporation, Commercial Vehicle Systems, Iola, Kansas. The Department's notice of determination was published in the **Federal Register** on September 3, 2010 (75 FR 54186).

At the request of the State workforce agency, the Department reviewed the certification for workers of the subject

firm. The workers were engaged in the production of automotive brake system components.

The company reports that workers leased from Johnston Integration Technologies, a subsidiary of Johnston Companies were employed on-site at the Iola, Kansas location of Haldex Brake Corporation. The Department has determined that these workers were sufficiently under the control of the subject firm to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Johnston Integration Technologies, a subsidiary of Johnston Companies working on-site at the Iola, Kansas location of Haldex Brake Corporation.

The amended notice applicable to TA-W-74,390 is hereby issued as follows:

All workers of Haldex Brake Corporation, Commercial Vehicle Systems, including on-site leased workers of Johnston Integration Technologies, a subsidiary of Johnston Companies, Iola, Kansas, who became totally or partially separated from employment on or after July 15, 2009 through August 19, 2012, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed in Washington, DC this 24th day of November, 2010.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2010-30746 Filed 12-7-10; 8:45 am]

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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 November 22, 2010 through November 26, 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
73,821 .....	Shaw Diversified, Plant LW, 07, Head Surfaces, Leased Workers From Select Staffing.	Algona, WA .....	March 26, 2009.
73,828 .....	GKN Axles Jackson Center, GKN Armstrong Wheels, Leased Workers from Staffmark.	Jackson Center, OH .....	March 31, 2009.
73,880 .....	Weston Wear Inc .....	San Francisco, CA .....	April 2, 2009.
74,015 .....	Hutchins and Perreault, Inc. ....	East Barre, VT .....	April 27, 2009.

TA-W No.	Subject firm	Location	Impact date
74,533 .....	Belding Hausman, Inc .....	Lincolnton, NC .....	August 13, 2009.
74,584 .....	Sylvan America, Inc., Sylvan, Inc.; Leased Workers from Adecco Employment Services.	Kittanning, PA .....	September 1, 2009.
74,638 .....	Western Refining Yorktown, Inc., Leased Workers from Headway Staffing.	Grafton, VA .....	September 10, 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
74,175 .....	JPMorgan Chase, Card Services Division .....	Frederick, MD .....	June 1, 2009.
74,540 .....	BMC Software, Inc., Leased Workers from Comsys ITS .....	Houston, TX .....	July 22, 2009.
74,553 .....	Fiserv, Inc .....	Owings Mills, MD .....	August 18, 2009.
74,560 .....	Wyman Gordon Forgings, Precision Cast Parts, Machining Division.	Houston, TX .....	August 20, 2009.
74,610 .....	Ocwen Loan Servicing, LLC, Workers Whose Wages Were Reported Under Homeq Servicing.	North Highlands, CA .....	September 7, 2009.
74,696 .....	Motorola, Inc., CDMA Messaging Product Group .....	Arlington Heights, IL .....	September 22, 2009.
74,823 .....	Hartford Financial Service Group, Inc., EIT/CCM/Technology Shared Services.	Hartford, CT .....	November 1, 2009.
74,823A .....	Hartford Financial Service Group, Inc., EIT/CCM/Technology Shared Services.	Southington, CT .....	November 1, 2009.
74,823B .....	Hartford Financial Service Group, Inc., EIT/CCM/SMS (BI) .....	Hartford, CT .....	November 1, 2009.
74,823C .....	Hartford Financial Service Group, Inc., EIT/CCM/SMS (BI) .....	Windsor, CT .....	November 1, 2009.
74,823D .....	Hartford Financial Service Group, Inc., EIT/TSS/L2 Help Desk .....	Hartford, CT .....	November 1, 2009.
74,823E .....	Hartford Financial Service Group, Inc., EIT/CCM/Claims .....	Hartford, CT .....	November 1, 2009.
74,823F .....	Hartford Financial Service Group, Inc., EIT/TSS/CITS .....	Hartford, CT .....	November 1, 2009.
74,823G .....	Hartford Financial Service Group, Inc., EIT/CCM/Reinsurance Accounting.	Hartford, CT .....	November 1, 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
73,581 .....	Dell Products LP, Dell, Inc., East Coast Fulfillment Center .....	Nashville, TN .....	February 16, 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
73,351 .....	Sandy Alexander .....	Clifton, NJ .....	
73,615 .....	Smurfit-Stone Container Corporation, Container Division .....	Jefferson, OH .....	
74,626 .....	Newell Window Furnishings, Inc., Newell Rubbermaid, Inc. ....	Athens, GA .....	
74,681 .....	Tower-OHL .....	Jacksonville, FL .....	
74,724 .....	International Business Machines (IBM), Global Technology Services Delivery, Band 7 Oracle, Off-Site Teleworkers.	Endicott, NY .....	

I hereby certify that the aforementioned determinations were issued during the period of November 22, 2010 through November 26, 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: December 1, 2010.

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

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