

worker adjustment assistance for workers and former workers of International Business Machines (IBM), Software Group Business Unit, Quality Assurance Group, San Jose, California.

Signed in Washington, DC on this 22nd day of August, 2011.

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

[FR Doc. 2011-22562 Filed 9-1-11; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-80,213]

Healthlink, a Wellpoint, Inc. Company, Accounts Receivable and Collections Division, St. Louis, MO; Notice of Negative Determination Regarding Application for Reconsideration

By application received July 14, 2011, a worker requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers HealthLink, a Wellpoint, Inc. Company, Accounts Receivable and Collections Division, St. Louis, Missouri (HealthLink-Accounts Receivable Collections Division). The negative determination was issued on June 21, 2011. The Department's Notice of Determination was published in the **Federal Register** on July 8, 2011 (76 FR 40402). The workers of HealthLink-Accounts Receivable Collections Division are engaged in activities related to the supply of health insurance services: Accounts payable and collections services.

The petition was filed on behalf of "finance" workers at HealthLink, St. Louis, Missouri (HealthLink). The petition states that the service supplied by HealthLink is a "network of providers through contracts to payors—insurers and third party administrators" and that "production has been/is being sent to India and services are being outsourced to India."

The negative determination was based on the Department's findings that HealthLink does not produce an article within the meaning of Section 222(a) or Section 222(b) of the Act. In order to be considered eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, the worker group seeking certification (or on whose behalf certification is being sought) must work for a "firm" or appropriate subdivision that produces an article.

In the request for reconsideration, the petitioner asserts that subject worker group separations were due to a shift to India and stated that "other Wellpoint petitions for several other locations of Financial Operation departments" have worker groups eligible to apply for TAA.

The determinations referenced in the request for reconsideration are Wellpoint, Inc., Financial Operations Recovery Department (TA-W-74,661 through TA-W-74,661H; issued on January 7, 2011).

Workers covered by TA-W-74,661 were eligible to apply for worker adjustment assistance because the worker group eligibility requirements of the Trade and Globalization Adjustment Assistance Act of 2009 (Trade Act of 2009) was satisfied. Specifically, the Department determined that there was a shift by the workers' firm to a foreign country in the supply of services like or directly competitive with those supplied by the workers' firm and that the shift of services abroad contributed importantly to worker group separations.

Pursuant to 29 CFR 90.18(c), administrative reconsideration may be granted under the following circumstances:

(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 mis-interpretation of facts or of the law justified reconsideration of the decision.

After the Trade Act of 2009 expired in February 2011, petitions for TAA were instituted under the Trade Adjustment Assistance Reform Act of 2002 (Trade Act of 2002). Therefore, the statute applicable to TA-W-80,213 is the Trade Act of 2002. The applicable regulation is codified in 29 CFR 90, subpart B.

Section 222 of the Trade Act of 2002 establishes the worker group eligibility requirements. The requirements include either "imports of articles like or directly competitive with articles produced by such firm or subdivision have increased" or "a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision."

The request for reconsideration asserts that workers separated at the HealthLink, St. Louis, Missouri facility are similar to workers covered by "other

locations of Financial Operation departments that have been approved."

The certification for TA-W-74,661 was issued based on the Department's findings that the workers' firm supplied a service and that the supply of services was shifted to a foreign country. The shift of services that was the basis for certification under the Trade Act of 2009 cannot be the basis for certification under the Trade Act of 2002 because the two statutes have different worker group eligibility criteria.

After careful review of the request for reconsideration, previously submitted materials, the applicable statute, and relevant regulation, the Department determines that there is no new information, mistake in fact, or misinterpretation of the facts or of the law.

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 18th day of August, 2011.

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

[FR Doc. 2011-22552 Filed 9-1-11; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-75,183]

Reynolds Food Packaging LLC, a Subsidiary of Reynolds Group Holding Limited, Grove City, PA; Notice of Revised Determination on Reconsideration

On June 6, 2011, the Department of Labor (Department) issued a Notice of Affirmative Determination Regarding Application for Reconsideration to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Reynolds Food Packaging LLC, a subsidiary of Reynolds Group Holding Limited, Grove City, Pennsylvania (subject firm). Workers at the subject firm are engaged in employment related to the production of disposable food service containers and bulk sheet.

During the reconsideration investigation, the Department received new information that revealed that there

has been a shift in a portion of production of disposable food service containers and bulk sheet by the subject firm to a foreign country.

Criterion I has been met because 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.

Criterion II has been met because there has been a shift in production of disposable food service containers and bulk sheet by the subject firm to a foreign country.

Criterion III has been met because the shift in production to a foreign country contributed importantly to worker group separations at the subject firm.

Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers and former workers of the subject firm, who are engaged in employment related to the production of disposable food service containers or bulk sheet, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of Reynolds Food Packaging LLC, a subsidiary of Reynolds Group Holding Limited, Grove City, Pennsylvania, who became totally or partially separated from employment on or after January 26, 2010, through two years from the date of this revised certification, and all workers in the group threatened with total or partial separation from employment on 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 26th day of August, 2011.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2011-22558 Filed 9-1-11; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-75,181]

Sony Music Holdings, Inc., D/B/A Sony DADC Americas a Subsidiary of Sony Corporation of America Including On-Site Leased Workers From Employment Plus, Aerotek, and Robert Half Pitman, NJ; Notice of Revised Determination on Reconsideration

On June 28, 2011, the Department of Labor (Department) issued a Notice of Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Sony Music Holdings, Inc. ("SMHI"), d/b/a Sony DADC Americas, a subsidiary of Sony Corporation of America, including on-site leased workers from Employment Plus, Aerotek, and Robert Half, Pitman, New Jersey (subject firm) to apply for Trade Adjustment Assistance. The Department's Notice was published in the **Federal Register** on July 8, 2011 (76 FR 40400). Workers at the subject firm were engaged in activities related to the production of optical discs containing content.

During the reconsideration investigation, the Department received new information that revealed that the subject firm shifted to a foreign country a portion of the production of articles like or directly competitive with the articles produced by the subject firm workers.

Criterion I has been met because a significant number or proportion of workers at the subject firm have become totally or partially separated or are threatened with such separation.

Criterion II has been met because the subject firm shifted to a foreign country a portion of the production of articles like or directly competitive with the articles produced by the subject firm workers.

Criterion III has been met because the shift in production contributed importantly to the workers' separation or threat of separation at the subject firm.

Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers and former workers of the subject firm, who are engaged in employment related to the production of optical discs containing content, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act,

19 U.S.C. 2273, I make the following certification:

All workers of Sony Music Holdings, Inc. ("SMHI"), d/b/a Sony DADC Americas, a subsidiary of Sony Corporation of America, including on-site leased workers from Employment Plus, Aerotek, and Robert Half, Pitman, New Jersey, who became totally or partially separated from employment on or after February 7, 2010, through two years from the date of this revised certification, and all workers in the group threatened with total or partial separation from employment on 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 18th day of August, 2011.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2011-22557 Filed 9-1-11; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

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 submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below to modify the application of existing mandatory safety standards codified 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 3, 2011.

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

1. *Electronic Mail:* zzMSHA-comments@dol.gov. Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202-693-9441.

3. *Regular Mail:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, Attention: Roslyn B. Fontaine, Acting Director, Office of Standards, Regulations and Variances.