

workers of the Medical Products Division of National Medical Care has wages reported under Erika of Texas; consequently, their unemployment insurance (UI) taxes were paid to Erika of Texas.

Accordingly, the Department is amending the certification to properly reflect this matter.

The amended notice applicable to TA-W-30,367 is hereby issued as follows:

"All workers of National Medical Care, Medical Products Division, also known as (a/k/a) Erika of Texas, McAllen, Texas who became totally or partially separated from employment on or after September 19, 1993 are eligible to apply for adjustment assistance under Section 223 of Trade Act of 1974."

Signed at Washington, D.C., this 4th day of January 1995.

Victor J. Trunzo,

*Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 95-1326 Filed 1-18-95; 8:45 am]

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[TA-W-29,065 Midland, Texas; TA-W-29,066 Houston, Texas]

#### **Penetrators, Inc., Revised Determination on Reconsideration**

The Department, on its own motion, has further considered the findings in the subject investigation. New findings in the investigation show that all of the Group Eligibility Requirements of the Trade Act are met.

The findings show that Penetrators, Inc., provides drilling services to unaffiliated production firms in the oil and gas industry.

The findings show substantial worker separations occurred in 1993 and the subject firm experienced a decline in revenues in 1993 compared to 1992.

U.S. imports of crude oil and natural gas increased in 1993 compared to 1992.

#### **Conclusion**

After careful review of the additional facts obtained on reconsideration, it is concluded that increased imports of articles like or directly competitive with crude oil and natural gas for which drilling services were performed by workers of Penetrators, Inc., in Midland and Houston, Texas contributed importantly to the decline in sales or production and to the total or partial separation of workers of the subject firm. In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

All workers of Penetrators, Inc., in Midland, Texas and Houston, Texas who become totally or partially separated from

employment on or after September 16, 1992 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 23rd day of December 1994.

Victor J. Trunzo,

*Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 95-1327 Filed 1-18-95; 8:45 am]

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[TA-W-29,916 etc.]

#### **Smith Equipment Co. Inc., Clifton, New Jersey, et al.; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance**

TA-W-29,916 Smith Equipment Company, Inc., Clifton, New Jersey and operating in the following States: TA-W-29,916A California, TA-W-29,916D Oregon, TA-W-29,916B Missouri, TA-W-29,916E Washington, TA-W-29,916C Ohio and TA-W-29,917 Smith Megapak, Inc., Clifton, New Jersey, and operating in the following States: TA-W-29,917A California, TA-W-29,917D Oregon, TA-W-29,917B Missouri, TA-W-29,917E Washington, TA-W-29,917C Ohio; amended certification regarding eligibility to apply for worker adjustment assistance.

In accordance with section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 2, 1994, applicable to all workers of the subject firm. The certification notice will soon be published in the Federal Register.

At the request of the State Agency, the Department reviewed the certification for workers of the subject firm. New findings show that worker separations occurred in the states of California, Missouri, Ohio, Oregon and Washington.

This amendment also corrects the location in the operative portion of the initial certification to Clifton, New Jersey instead of Clayton, New Jersey.

The intent of the Department's certification is to include all workers of Smith Equipment Company, Inc., and its operating subsidiary Smith Megapak, Inc., both located in Clifton, New Jersey.

The amended notice applicable to TA-W-29,916 and TA-W-29,917 is hereby issued as follows:

All workers of Smith Equipment Company, Inc., Clifton, New Jersey and operating in the following states of California, Missouri, Ohio, Oregon and Washington and all workers of Smith Megapak, Inc., Clifton, New Jersey and operating in the states of California, Missouri,

Ohio, Oregon and Washington who became totally or partially separated from employment on or after May 16, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1994.

Signed at Washington, DC, this 4th day of January, 1995.

Victor J. Trunzo,

*Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 95-1328 Filed 1-18-95; 8:45 am]

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#### **Occupational Safety and Health Administration**

##### **Utah State Standards; Notice of Approval**

##### **Background**

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667), (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State Plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On January 10, 1973, notice was published in the Federal Register (38 FR 1178) of the approval of the Utah State Plan and the adoption of Subpart E to Part 1952 containing the decision. Utah was granted final approval on Section 18(e) of the Act on July 16, 1985. By law (Section 63-46a-16 Utah Code), the Utah Administrative Rulemaking Procedure is the authorized compilation of the administrative law of Utah and "shall be received in all the courts, and by all judges, public officers, commissioners, and departments of the State government as evidence of the administrative law of the State of Utah \* \* \*" The Utah Occupational Safety and Health Division revised its Administrative Rulemaking Act) Chapter 46a, title 63, Utah annotated, 1953) which became effective on April 29, 1985, a State Plan Supplement was submitted to the Occupational Safety and Health Administration (OSHA) for approval and publication in the Federal Register of Utah's revised Administrative Rulemaking Act. The Plan supplement was published in the Federal Register (53 FR 43688) on October 28, 1988. The supplement

provides for adoption of Federal standards by reference through the publication of standards in the Utah State Digest. Utah now adopts Federal OSHA standards by reference using the OSHA numbering system.

Following the publication date, the agency shall allow at least 30 days for public comment on the rule. During the public comment period the agency may hold a hearing on the rule. Except as provided in statutes 63-46a-6 and 63-46a-7, a proposed rule becomes effective on any date specified by the agency which is no fewer than 30 nor more than 90 days after the publication date. The agency shall provide written notification of the rule's effective date to the office. Notice of the effective date shall be published in the next issue of the bulletin.

OSHA regulations (29 CFR 1953.22 and .23) require that States respond to the adoption of new or revised permanent Federal Standards by State promulgation of comparable standards within six months of OSHA publication in the Federal Register, and within 30 days for emergency temporary standards. Although adopted State Standards or revisions to Standards must be submitted for OSHA review and approval under procedures set forth in part 1953, they are enforceable by the State prior to Federal review and approval.

The State submitted statements along with copies of the Utah State Digest, to verify the adoption of standards by reference from the Code of Federal Regulations. The adoption by reference standards actions occurred as follows:

1. The Utah Occupational Safety and Health Administration on May 14, 1994, published for adoption by reference the revised as of July 1, 1993 edition of 29 CFR part 1910 (General Industry) and 29 CFR part 1926 (Construction). The effective date of the action was May 15, 1994.

2. The Utah Occupational Safety and Health Division adopted by reference on January 31, 1994, the new Federal Standard Electrical Power Generation, Transmission and Distribution; Electrical Protective Equipment; Final Rule as published in 59 FR 4320. The effective date of the State Rule is June 14, 1994.

#### Decision

The Statement of incorporation of the aforementioned Federal Standards by reference has been printed in the Utah Administrative 1990 code. The code contains the statement of the incorporation of Federal Standards by reference as compiled by the Occupational Safety and Health

Division of the Industrial Commission of Utah. Copies of the Utah Administrative Code have been reviewed and verified at the Regional Office. OSHA has determined that the Federal Standards incorporated by reference form 29 CFR part 1910 and 29 CFR part 1926 are identical to Federal Standards and therefore approves the Utah Standards.

#### Location of Supplement for Inspection and Copying

A copy of the standards along with the approved plan may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, 1999 Broadway, Suite 1690 Denver, Colorado 80202-5716; Utah State Industrial Commission, UOSH offices at 160 East 300 South, Salt Lake City, Utah 84151; and the Director of Federal-State Operations, room N3700, 200 Constitution Avenue, NW., Washington, DC 20210.

#### Public Participation

Under 29 CFR 1953.2(C), the Assistant Secretary may prescribe alternative procedures, or show any other good cause consistent with applicable laws, to expedite the review process. The Assistant Secretary finds that good cause exists for not publishing the supplements to the Utah State Plan as a proposed change and makes the Regional Administrator's approval effective upon publication for the following reason(s): The Standards were adopted in accordance with the procedural requirements of State law which include public comment, and further participation would be repetitious. This decision is effective September 22, 1994.

Authority: SEC. 18, Public Law 91-596, 84 Stat. 1608 (29 U.S.C. 667) Signed at Denver, Colorado this 22nd day of September, 1994.

Harry C. Borchelt,

*Assistant Regional Administrator, VIII.*

[FR Doc. 95-1329 Filed 1-18-95; 8:45 am]

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### Wyoming State Standards; Notice of Approval

#### Background

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under delegation of authority from the Assistant Secretary of

Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a state Plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On May 3, 1974, notice was published in the Federal Register (39 FR 15394) of the approval of the Wyoming Plan and adoption of Subpart BB to Part 1952 containing the decision.

The Plan provides for the adoption of Federal Standards as State Standards By: (1) Advisory Committee coordination; (2) Publication in newspapers of general/major circulation with a 45-day waiting period for public comment and hearings; (3) Adoption by the Wyoming Health and Safety Commission; (4) Review and approval by the Governor; (5) Filing with Secretary of State and designation of an effective date.

OSHA regulations (29 CFR 1953, 22 and 23) require that States respond to the adoption of new or revised permanent Federal Standards by State promulgation of comparable standards within six months of OSHA publication in the Federal Register, and within 30 days for emergency temporary standards. Although adopted State Standards or revisions to standards must be submitted for OSHA review and approval under procedures set forth in Part 1953, they are enforceable by the State prior to Federal review and approval.

By letter received May 1, 1994 from Stephan R. Foster, OSHA Program Manager, Wyoming Department of Employment, Division of Employment Affairs-OSHA to Byron R. Chadwick, OSHA Regional Administrator, the State submitted rules and regulations in response to the following General Industry Standards, 29 CFR 1910.1000 Air Contaminants Rule 58 FR 35340, 6/30/93; 29 CFR 1910.1001 Asbestos (revision) 57 FR 24330, 29 CFR 1910.1048 Occupational Exposure to Formaldehyde Final Rule (amendments) 57 FR 22307, 6/27/92; 29 CFR 1910.1027 Occupational Exposure to Cadmium Final Rule, 57 FR 42389, 29 CFR 1910.146 Permit-Required confined Space, 58 FR 4549 29 CFR 1910.1450 Occupational Exposure to Hazardous Chemicals in Laboratories (correction) 57 FR 29204 7/1/92; and 29 CFR 1910.1050 Occupational Exposure to 4,4-Methylenedianiline (MDA) Final rule 57 FR 35666 8/10/92.

The above adoptions of federal standards have been incorporated in the State Plan and are contained in the Wyoming Occupational Health and Safety Rules and Regulations (General),