

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

[TA-W-42,113]

**The Wackenhut Corp., San Manuel, AZ; Notice of Revised Determination**

In the matter of *Former Employees of Wackenhut Corporation v. U.S. Secretary of Labor*, No. 02-00758, the Department is issuing a revised determination to certify workers of the subject firm eligible to apply for trade adjustment assistance (TAA).

Workers of The Wackenhut Corporation, San Manuel, Arizona, were working on-site at a copper cathode production facility operated by BHP Copper, Inc. in San Manuel, Arizona. The Wackenhut Corporation workers were denied eligibility to apply for TAA because they provided security services for an unaffiliated firm. All workers of BHP Copper, Inc., San Manuel, Arizona, were certified eligible to apply for TAA.

The Department determined that The Wackenhut Corporation was contracted by BHP Copper, Inc. to provide security services at BHP in San Manuel, Arizona and other BHP locations. During the contract period the leased or contract workers providing a service (Wackenhut) remained under the control by the firm producing the article (BHP Copper, Inc.). In accordance with a reinterpretation of the Trade Act term workers of a firm and the joint employer relationship that existed between Wackenhut and BHP Copper, Inc., the Department has determined that because all workers of BHP Copper, Inc. in San Manuel, Arizona were certified eligible to apply for TAA, the leased or contract employees of The Wackenhut Corporation working at that location are also adversely affected by increased imports of copper cathodes and the closure of the BHP facility.

**Conclusion**

After careful review on reconsideration, I determine that increases of imports of articles like or directly competitive with copper cathodes produced by BHP Copper Inc., San Manuel, Arizona, contributed importantly to the total or partial separation of workers and to the decline in sales or production at that firm or subdivision.

In accordance with the provisions of the Act, I make the following certification:

Workers employed by The Wackenhut Corporation, working at BHP Copper Inc., San Manuel, Arizona, who became totally or partially separated from employment on or

after September 4, 2001, through two years from the date of this determination, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.”

Signed in Washington, DC, this 4th day of May, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-10866 Filed 5-12-04; 8:45 am]

**BILLING CODE 4510-30-P**

**DEPARTMENT OF LABOR****Employment and Training Administration****Labor Certification Process for Temporary Employment of Nonimmigrant Workers in the United States (H-2B Workers); Fiscal Year 2005**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The United States Citizenship and Immigration Services (CIS) has received a sufficient number of H-2B petitions to reach the FY 2004 cap of 66,000. The Employment and Training Administration (ETA) is publishing this notice so the public will understand application procedures for the processing of H-2B applications for FY 2005 (date of need October 1, 2004 or later). These procedures are intended to minimize confusion and burden to employers who use the H-2B program. Any employer who desires to employ an H-2B worker with a start date of need on or after October 1, 2004, must file a new ETA 750, Part A, *Application for Alien Employment*, with a new test of the labor market, with the U.S. Department of Labor (DOL) on or after June 1, 2004. This procedure applies to those employers who have not been able to use a currently approved labor certification due to the H-2B program cap being reached for FY 2004. This action is necessary as the availability of U.S. workers fluctuates over short periods of time and an adequate test of the labor market must be made prior to the approval of a labor certification. Current DOL policy requires employers to file their H-2B application no more than 120 days before the worker is needed thus ensuring the labor market test is reasonably current. For example, employers who filed applications with DOL after March 10, 2004, and were not approved by CIS due to the program cap being reached, will need to file new applications with the DOL no earlier than June 1, 2004, if the employer has a date of need no earlier than October

1, 2004. These applications will be handled according to current ETA policy and must include a current test of the U.S. labor market.

**DATES:** This notice is effective May 13, 2004.

**FOR FURTHER INFORMATION CONTACT:**

William Carlson, Chief, Division of Foreign Labor Certification, U.S. Department of Labor, Room C-4312, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: 202-693-3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The procedures described in this notice relate only to H-2B applications filed with DOL on or after June 1, 2004, for nonimmigrant workers subject to the numerical limitation (cap) for FY 2005 and who will be engaged in temporary work to commence on or after October 1, 2004.

In accordance with ETA's policy, employers may file an H-2B application at least 60 days, but not more than 120 days before the worker is needed. Therefore, employers may begin filing no earlier than June 1, 2004, for a date of need beginning October 1, 2004.

Signed in Washington, DC, this 7th day of May, 2004.

**Emily Stover DeRocco,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 04-10859 Filed 5-12-04; 8:45 am]

**BILLING CODE 4510-30-P**

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION****Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice.

**SUMMARY:** NARA is giving public notice that the agency proposes to request extension of a currently approved information collection used in issuing a building pass to National Archives and Records Administration (NARA) volunteers and employees of NARA contractors so that they can enter NARA facilities to perform their duties. NARA uses the information to ensure that only authorized persons have access. The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be received on or before July 12, 2004 to be assured of consideration.

**ADDRESSES:** Comments should be sent to: Paperwork Reduction Act Comments (NHP), Room 4400, National Archives and Records Administration, 8601 Adelphi Rd, College Park, MD 20740-6001; or faxed to (301) 837-3213; or electronically mailed to [tamee.fechhelm@nara.gov](mailto:tamee.fechhelm@nara.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the proposed information collection and supporting statement should be directed to Tamee Fechhelm at telephone number (301) 837-1694, or fax number (301) 837-3213.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13), NARA invites the general public and other Federal agencies to comment on proposed information collections. The comments and suggestions should address one or more of the following points: (a) Whether the proposed information collection is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of information technology. The comments that are submitted will be summarized and included in the NARA request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this notice, NARA is soliciting comments concerning the following information collection:

*Title:* Request for and Record of Pass.  
*OMB number:* 3095-0026.

*Agency form number:* NA Form 6006.  
*Type of review:* Regular.

*Affected public:* Individuals or households, business or other for-profit organizations and institutions, and Federal government.

*Estimated number of respondents:* 1,300.

*Estimated time per response:* 3 minutes.

*Frequency of response:* On occasion.

*Estimated total annual burden hours:* 65 hours.

*Abstract:* The collection of information is necessary as a security measure to protect employees, information, and property in NARA facilities and to facilitate the issuance of passes. Use of the form is authorized by 44 U.S.C. 2104. Respondents who are contractors are given a building pass which expires at the end of each fiscal year; those who are volunteers are given

a pass valid for 2 years. At the NARA College Park facility, individuals receive an access card with the pass that is electronically coded to permit access to secure zones ranging from a general nominal level to stricter access levels for classified records zones. The access card system is part of the security management system which meets the accreditation standards of the Government intelligence agencies for storage of classified information, and serves to comply with E.O. 12958.

Dated: May 6, 2004.

**L. Reynolds Cahoon,**

*Assistant Archivist for Human Resources and Information Services.*

[FR Doc. 04-10894 Filed 5-12-04; 8:45 am]

**BILLING CODE 7515-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-266 and 50-301]**

### **Nuclear Management Company, LLC, Point Beach Nuclear Plant, Units 1 and 2; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process**

Nuclear Management Company, LLC (NMC) has submitted an application for renewal of Facility Operating Licenses DPR-24 and DPR-27 for an additional 20 years of operation at the Point Beach Nuclear Plant, Units 1 and 2 (PBNP). PBNP is located on the western shore of Lake Michigan in Two Rivers, Wisconsin, approximately 30 miles southeast of Green Bay, Wisconsin. The operating licenses for PBNP, Units 1 and 2, expire on October 5, 2010, and March 8, 2013, respectively. The application for renewal was received on February 26, 2004, pursuant to title 10 of the Code of Federal Regulations part 54 (10 CFR part 54). A notice of receipt and availability of the application, which included the environmental report (ER), was published in the **Federal Register** on March 8, 2004 (69 FR 10765). A notice of acceptance for docketing of the application for renewal of the facility operating licenses was published in the **Federal Register** on April 13, 2004, (69 FR 19559). The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) in support of the review of the license renewal application and to provide the public an opportunity to participate in the environmental scoping process, as defined in title 10 of the Code of Federal Regulations, section 51.29 (10 CFR 51.29). In addition, as outlined in title

36 of the Code of the Federal Regulations, section 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with section 106 of the National Historic Preservation Act in meeting the requirements of the National Environmental Policy Act of 1969 (NEPA).

In accordance with title 10 of the Code of the Federal Regulations, section 51.53(c) (10 CFR 51.53(c)) and title 10 of the Code of the Federal Regulations, section 54.23 (10 CFR 54.23), NMC submitted the ER as part of the application. The ER was prepared pursuant to title 10 of the Code of the Federal Regulations, part 51 (10 CFR part 51) and is available for public inspection at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Electronic Reading Room link. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The application may also be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/point-beach.html>. In addition, the Lester Public Library, located at 1001 Adams Street, Two Rivers, Wisconsin, 54241 has made the ER available for public inspection.

This notice advises the public that the NRC intends to gather the information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants," (NUREG-1437) in support of the review of the application for renewal of the PBNP operating licenses for an additional 20 years. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC is required by title 10 of the Code of the Federal Regulations, section 51.95 (10 CFR 51.95) to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with the National Environmental Policy Act of 1969 (NEPA) and the NRC's regulations found