



DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-82,313]

ICG Knott County Coal, LLC
a Subsidiary of ICG, Inc.
Kite, Kentucky

Notice of Affirmative Determination
Regarding Application for Reconsideration

By application dated May 6, 2013, a petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of ICG Knott County Coal, LLC, a subsidiary of ICG, Inc., Kite, Kentucky (subject firm). The negative determination was issued on April 30, 2013. The workers' firm is engaged in activities related to the production of bituminous coal.

The initial investigation resulted in a negative determination based on the findings that imports of articles like or directly competitive with the articles produced by the workers did not increase during the relevant period; neither the subject firm nor its major customers increased imports of articles like or directly competitive with the articles produced by the subject workers; the subject firm did not shift production of like or directly competitive articles to a foreign country, and did not acquire production of like or directly competitive articles from a foreign country; the subject firm is neither a Supplier nor

Downstream Producer to a firm (or subdivision, whichever is applicable) that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. § 2272(a); and the subject firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

The request for reconsideration included new information regarding the articles produced by the petitioning worker group.

The Department has carefully reviewed the request for reconsideration and the existing record, and will conduct further investigation to determine if workers have met the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 16th day of May, 2013

DEL MIN AMY CHEN
Certifying Officer, Office of
Trade Adjustment Assistance
4510-FN-P

[FR Doc. 2013-12736 Filed 05/29/2013 at 8:45 am; Publication Date:
05/30/2013]