

of the content of Fokker 70/100 Service Letter (SL) 272. This SL informs not to operate the door lock handle after the aircraft has started to move or before it has come to a complete standstill.

After inspection, it was found that the false red light might be the result of an incorrect clearance between lever Part Number (P/N) A26997-003 and the Up-Limit Switch. If the Up-Limit Switch has an incorrect clearance, the combination with cabin differential pressure build-up after lift-off might result in a false steady illuminating red "DOOR NOT LOCKED" indication on the Door Indication Panel. The original Fokker Service Bulletin SBF100-52-044 and the associated Aircraft Maintenance Manual (AMM) task mentioned a clearance of 1,3 mm ± 0,3 mm. Later, based on a trial, an improved clearance of 0,3 mm ± 0,2 mm was introduced. Both documents have been revised for that reason. Later production serial number aircraft with downward opening passenger doors had the correct clearance introduced before delivery, but no action was taken to inspect and adjust the clearance on previously delivered or modified (per SBF100-52-044) serial numbers.

Since an unsafe condition has been identified that is likely to exist or develop on other aircraft of the same type design, this [EASA] Airworthiness Directive (AD) requires two actions:

- The installation of a warning placard near the status lights of the door lock indication panel, instructing the cabin crew not to operate the door handle during flight and to inform the flight crew of the "DOOR NOT LOCKED" indication; and
- A one-time inspection of the clearance between lever P/N A26997-003 and the Up-Limit Switch. If this clearance deviates from the limits given in AMM task 52-71-01-400-814-A, which is 0,3 mm ± 0,2 mm (0.0118 inch ± 0.0079 inch), corrective actions are required.

The unsafe condition is inadvertent opening of the door lock handle in flight, which could result in rapid decompression of the airplane or ejection of a passenger or crewmember through the door. The corrective action for improper clearance is adjusting the clearance between the lever and the up-limit switch.

#### Actions and Compliance

(f) Unless already done, do the following actions:

(1) Within 500 flight cycles or 4 months after the effective date of this AD, whichever occurs first, install a new warning placard near the status lights of the panel of the door lock indication, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-11-025, Revision 1, dated December 13, 2007.

(2) Within 4,000 flight cycles after the effective date of this AD, do a one-time inspection of the clearance between lever P/N A26997-003 and the up-limit switch, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-52-086, dated November 1, 2007.

(3) If any clearance is found outside the range defined in the service bulletin during the inspection required by paragraph (f)(2) of

this AD, before further flight, correct the clearance in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-52-086, dated November 1, 2007.

(4) If done before the effective date of this AD, installing the warning placard near the status lights of the panel of the door lock indication, in accordance with Fokker Service Bulletin SBF100-11-025, dated November 1, 2007, is acceptable for compliance with the requirements of paragraph (f)(1) of this AD.

(5) Modifying the airplane in accordance with Fokker Service Bulletin SBF 100-52-044, Revision 1, dated November 1, 2007, terminates the requirements of paragraph (f)(2) of this AD.

#### FAA AD Differences

**Note 1:** This AD differs from the MCAI and/or service information as follows: Note 1 of the "Compliance" section of European Aviation Safety Agency Airworthiness Directive 2008-0020, dated January 28, 2008, states that any airplane that has not yet been modified in accordance with Fokker Service Bulletin SBF 100-52-069, dated December 3, 2001, must be done prior to or concurrently with paragraph (f)(1) of this AD. However, all U.S. airplanes have met this requirement with issuance of AD 2006-03-07, amendment 39-14471; therefore, modification in accordance with Fokker Service Bulletin SBF 100-52-069, dated December 3, 2001, is not applicable.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI EASA Airworthiness Directive 2008-0020, dated January 28, 2008, and Fokker Service Bulletin SBF100-11-025, Revision 1, dated December 13, 2007; and Fokker Service Bulletin SBF100-52-086, dated November 1, 2007; for related information.

Issued in Renton, Washington, on June 1, 2009.

**Stephen P. Boyd,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Parts 617, 618, 665, and 671

#### RIN 1205-AB32 and 1205-AB40

#### Withdrawal of Certain Proposed Rules for Trade Adjustment Assistance

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

**ACTION:** Notice of withdrawal.

**SUMMARY:** The Employment and Training Administration (ETA) of the Department of Labor (Department) announces the withdrawal of two notices of proposed rulemaking (NPRMs) on the Trade Adjustment Assistance for Workers (TAA) and Alternative Trade Adjustment Assistance for Older Workers (ATAA) programs under the Trade Act of 1974, as amended (Trade Act). These proposed rules are withdrawn because the American Recovery and Reinvestment Act of 2009, commonly known as the Recovery Act, significantly amended the authorizing legislation, superseding the two NPRMs.

**DATES:** The proposed rules identified in this document are withdrawn as of June 9, 2009.

**FOR FURTHER INFORMATION CONTACT:** Erica Cantor, Administrator, Office of National Response, ETA, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-5311, Washington, DC 20210. Telephone: (202)-693-3560 (voice) (this is not a toll-free number); individuals with hearing or speech impairments may access the telephone number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** The TAA program, under chapter 2 of title II of the Trade Act, provides adjustment assistance (including training, income

support, and job search and relocation allowances) for workers adversely affected by international trade. The Trade Adjustment Assistance Reform Act of 2002 (the Reform Act), Public Law 107-210, reauthorized the TAA program, making significant amendments, including the addition of a health care tax credit (helping workers pay for qualifying health insurance) and ATAA, providing a wage supplement option for older workers.

The Department proceeded to implement the Reform Act through three separate rulemakings. On August 25, 2006, the Department published an NPRM covering TAA program benefits and administration (TAA NPRM) (71 FR 50760). On October 18, 2006, the Department published an NPRM covering the new ATAA program (ATAA NPRM) (71 FR 61618). A planned third rulemaking covering petitions for certification of eligibility to apply for program benefits was not published (RIN 1205-AB44). Subsequently, Congress passed the Continuing Appropriations Resolution, 2007 (Pub. L. 110-5) and the Consolidated Appropriations Act, 2008 (Pub. L. 110-161), that prohibited the Department from finalizing or implementing these proposed regulations.

On February 17, 2009, President Obama signed the Recovery Act, Public Law 111-5, which includes the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA). The TGAAA reauthorized and substantially amended the TAA program, broadening program coverage, expanding benefits, providing employment and case management services, and replacing the ATAA program with the Retraining Adjustment Assistance program.

Because the substantial amendments made by the TGAAA rendered the two 2006 NPRMs obsolete, they are withdrawn. The Department intends to implement the TGAAA through rulemakings, and interested parties will be invited to submit comments on those proposed rules when they publish.

Signed: at Washington, DC this 29th day of May 2009.

**Douglas F. Small,**

*Deputy Assistant Secretary, Employment and Training Administration, Labor.*

[FR Doc. E9-13352 Filed 6-8-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Part 74

RIN 1219-AB61

#### Coal Mine Dust Personal Monitors

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Proposed rule; notice of public hearing; re-opening of comment period.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH) will hold a public hearing on the proposed rule to revise existing requirements to approve sampling devices that monitor miner exposure to respirable coal mine dust. The proposal would establish criteria for the approval of a new type of technology, the "continuous personal dust monitor" (CPDM), which would be worn by the miner and would report exposure to dust levels continuously during the shift. In addition, the proposal would update application requirements for the existing "coal mine dust personal sampler unit" (CMDPSU) to reflect improvements in this sampler over the past 15 years. This rulemaking is limited to approval requirements and does not address requirements concerning how sampling devices must be used to determine compliance, e.g., who, when, and how often to sample. Those requirements are addressed in existing 30 CFR parts 70, 71, and 90. MSHA is also clarifying its intent that the text in proposed § 74.7(f)(2) be accordance with the specific test defined in IEC 61000-4-6.

**DATES:** All post-hearing comments must be received by midnight Eastern Daylight Saving Time (EDST) on August 14, 2009.

MSHA and NIOSH will hold a public hearing on July 8, 2009. The **SUPPLEMENTARY INFORMATION** section of this notice includes details of the hearing.

**ADDRESSES:** Post-hearing comments must be identified with "RIN 1219-AB61" and may be submitted to MSHA by any of the following methods:

(1) *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

(2) *Electronic mail:* [zzMSHA-Comments@dol.gov](mailto:zzMSHA-Comments@dol.gov). Include "RIN 1219-AB61" in the subject line of the message.

(3) *Facsimile:* 202-693-9441. Include "RIN 1219-AB61" in the subject line of the message.

(4) *Regular Mail:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939.

(5) *Hand Delivery or Courier:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939. Sign in at the receptionist's desk on the 21st floor.

Post-hearing comments can be accessed electronically at <http://www.msha.gov> under the "Rules and Regs" link. MSHA will post all comments on the Internet without change, including any personal information provided.

Post-hearing comments may also be reviewed at the Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia. Sign in at the receptionist's desk on the 21st floor.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, at [silvey.patricia@dol.gov](mailto:silvey.patricia@dol.gov) (e-mail), 202-693-9440 (voice), or 202-693-9441 (facsimile).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Existing 30 CFR part 74 specifies requirements by which MSHA and NIOSH jointly approve the design, construction, performance, and manufacturing quality of the CMDPSU. These regulatory requirements, which were issued in 1972, are design specific and do not permit the approval of any other sampling device of a different design. The CMDPSU is currently the only personal dust monitor design that is approved for collecting respirable dust samples in coal mines.

MSHA and NIOSH recognize that the ability to directly measure in real time the amount of respirable coal mine dust to which a miner is exposed offers the best solution for protecting miners from disabling occupational lung disease. Therefore, on January 16, 2009, MSHA and NIOSH issued a proposed rule (74 FR 2915) that would revise requirements in 30 CFR part 74 for the approval of coal mine personal dust sampling devices. The proposed rule would establish performance-based and other requirements for approval of the new personal monitoring device, the CPDM. The CPDM is capable of continuously monitoring and displaying dust concentration measurements during the shift and providing end of shift summary measurements. The performance-based approach in the proposed rule would allow for continued innovation in CPDM designs to accommodate improvements or