

notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or

threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than September 29, 2008.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address

shown below, not later than September 29, 2008.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 10th day of September 2008.

**Erin FitzGerald,**

*Director, Division of Trade Adjustment Assistance.*

#### APPENDIX

[TAA petitions instituted between 9/2/08 and 9/5/08]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
63961	Saginaw Machine Systems, Inc. (State)	Saginaw, MI	09/02/08	08/27/08
63962	GE Consumer Industrial Lighting (IUE)	Willoughby, OH	09/02/08	08/18/08
63963	Fisher Corporation (Comp)	Troy, MI	09/02/08	09/01/08
63964	Boise Cascade LLC (AWPPW)	Salem, OR	09/02/08	08/29/08
63965	General Motors Vehicle Manufacturing (UAW)	Oklahoma City, OK	09/03/08	09/02/08
63966	Honeywell (Wkrs)	Elberton, GA	09/03/08	08/27/08
63967	Merkle-Korff Industries Mt. Prospect Rd. Plant (Comp)	Des Plaines, IL	09/03/08	08/18/08
63968	Genie Company—Overhead Door Corp. (Wkrs)	Shenandoah, VA	09/03/08	08/27/08
63969	HD Supply, Inc. (Wkrs)	Columbus, GA	09/03/08	08/18/08
63970	A. Klein & Company, Inc. (Comp)	Claremont, NC	09/03/08	08/29/08
63971	ATS Automotive Technology Systems (State)	Lawrenceville, IL	09/03/08	09/02/08
63972	DeRoyal Industries, Inc. (Wkrs)	Powell, TN	09/03/08	08/26/08
63973	Steelcase Inc. (State)	Grand Rapids, MI	09/03/08	08/21/08
63974	Element Customer Care LLC (Wkrs)	Durham, NC	09/03/08	08/18/08
63975	Hubbell Power Systems, Inc. (Comp)	Elkton, TN	09/03/08	08/21/08
63976	Stauble Machine and Tool (Wkrs)	Louisville, KY	09/03/08	09/02/08
63977	Easy Garment, Inc. (Wkrs)	New York, NY	09/03/08	08/29/08
63978	Rieter Automotive (State)	Saint Joseph, MI	09/03/08	07/22/08
63979	Emerson Power Transmission (Wkrs)	Aurora, IL	09/04/08	08/22/08
63980	Pollak (Comp)	Canton, MA	09/04/08	09/02/08
63981	Prime Tanning (Comp)	Berwick, ME	09/04/08	09/02/08
63982	Moraine Sequencing Center, Inc. (OH)	Moraine, OH	09/04/08	09/02/08
63983	Hillerick and Bradsby (Wkrs)	Ontario, CA	09/04/08	09/03/08
63984	Norwalk Furniture (Comp)	Livingston, TN	09/04/08	09/03/08
63985	Cooper Standard Automotive (Union)	Auburn, IN	09/04/08	09/02/08
63986	Khoury, Inc. (Comp)	Kingsford, MI	09/04/08	09/03/08
63987	Metaldyne (UAW)	St Marys, PA	09/04/08	08/28/08
63988	Porter Engineered Systems, Inc. (Comp)	Westfield, IN	09/04/08	09/03/08
63989	JLG Industries (Wkrs)	McConnellsburg, PA	09/04/08	09/03/08
63990	Whirlpool Oxford Division (Comp)	Oxford, MS	09/05/08	09/04/08
63991	United Steel and Wire Company (State)	Battle Creek, MI	09/05/08	09/04/08
63992	Owens-Corning Composite Materials (Wkrs)	Anderson, SC	09/05/08	08/23/08
63993	Stanley-Bostitch, Inc. (State)	Clinton, CT	09/05/08	09/04/08
63994	Johnson Controls Interior Manufacturing (Comp)	Hartland, MI	09/05/08	08/20/08
63995	Wyeth Biotech (Wkrs)	Andover, MA	09/05/08	09/05/08
63996	MPC Computers, LLC—Nampa (Comp)	Nampa, ID	09/05/08	09/04/08

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

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

**ACTION:** Notice of petitions for modification of existing mandatory safety standards.

**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 filed by the parties listed below to modify the application of existing

mandatory safety standards published 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 20, 2008.

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

1. *Electronic Mail: Standards-Petitions@dol.gov.*

2. *Facsimile: 1-202-693-9441.*

3. *Regular Mail: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

4. *Hand-Delivery or Courier: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Barron, Office of Standards, Regulations, and Variances at 202-693-9447 (Voice), *barron.barbara@dol.gov* (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary determines that: (1) An alternative method of achieving the result of such standard exists, which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or (2) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modifications.

**II. Petitions for Modification**

*Docket Number: M-2008-039-C through M-2008-043-C.*

*Petitioner: AMFIRE Mining Company, LLC, One Energy Place, Latrobe, PA 15650.*

*Mine: Dora 8 Mine, MSHA I.D. No. 36-08704, located in Jefferson County, Pennsylvania; Ondo Extension Mine,*

*MSHA I.D. No. 36-09005, Nolo Mine, MSHA I.D. No. 36-08850, Gillhouser Run Mine, MSHA I.D. No. 36-09033, all located in Indiana County, Pennsylvania; and Madison Mine, MSHA I.D. No. 36-09127, located in Cambria County, Pennsylvania.*

*Regulation Affected: 30 CFR 75.1101-1(b) (Deluge-type water spray systems).*

*Modification Request: The petitioner requests a modification of the existing standard to permit the use of deluge-type water spray systems installed at belt conveyor drives in lieu of using blow-off dust covers. The petitioner proposes to have a person who is trained in the testing procedure specific to the deluge-type water spray fire suppression systems conduct examinations on a weekly basis as follows: (1) Conduct a visual examination of each deluge-type water spray fire suppression system; (2) conduct a functional test of each deluge-type water spray system fire suppression system and observe its performance weekly instead of annually; and (3) record the results of the examination and functional test in a book maintained on the surface, which would be retained and made available to the authorized representative of the Secretary. The petitioner states that: (1) Any malfunction or clogged nozzle detected as a result of the weekly examination or functional test will be corrected immediately; (2) the proposed alternative will provide a greater measure of protection because the weekly functional tests will ensure that the system functions properly and that all deluge-type nozzles respond as designed with adequate pressure and flow rates; and (3) the methods and conditions in this petition will be included in the initial and annual refresher training as required in its approved Part 48 training plans to ensure that the miners are aware of the stipulations contained in the petition. The petitioner asserts that the proposed alternative method at all times guarantees no less than the same measure of protection afforded by the standard.*

*Docket Number: M-2008-002-M.*

*Petitioner: East Tennessee Zinc Company, LLC, P.O. Box 160, 2421 W. Old Andrew Johnson Highway, Strawberry Plains, TN 37871.*

*Mine: Coy Mine, MSHA I.D. No. 40-00166 and Young Mine, MSHA I.D. No. 40-00168, both located in Jefferson County, Tennessee; and Immel Mine, MSHA I.D. No. 40-00170, located in Knox County, Tennessee.*

*Regulation Affected: 30 CFR 57.11052(d) (Refuge areas).*

*Modification Request: The petitioner requests a modification of the existing standard related to compressed air lines, water lines, suitable hand tools, and stopping materials to permit an alternative method of compliance to use self-supporting refuge chambers. The petitioner states that: (1) The refuge chambers presently used (Strata Safety Mine Refuge Chamber) contain an internal air supply with a carbon dioxide scrubber; (2) in the event of main power failure, the unit has a built in battery back-up, which will operate for a minimum of 48 hours; (3) the chambers have enough food, water and bathroom facilities for the designated occupancy; and (4) the chambers meet the intent of the proposed rules for refuge alternatives for underground coal mines even though they are being utilized in an underground metal mine. The petitioner further states that: (1) The chambers are used in a non-combustible environment so the control systems are electrical; (2) by allowing the use of refuge chambers that do not require air and water lines to be connected, there will be greater flexibility in usage location; (3) flexibility will allow the refuge chambers to be relocated quickly to working areas as the work face advances; and (4) by having air and water inside the chamber, there is minimal opportunity for damage to these services from normal mining operations (i.e. scaling, blasting, etc.) thus making them a safety improvement. The petitioner asserts that the alternative method would provide the same degree of safety as the existing standard.*

**Patricia W. Silvey,**

*Director, Office of Standards, Regulations, and Variances.*

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**NATIONAL SCIENCE FOUNDATION**

**National Science Board**

**Sunshine Act Meetings; Notice**

The National Science Board, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**AGENCY HOLDING MEETING:** National Science Board.