

strap tension loads must not exceed 2,000 pounds.

#### Test Requirements

The above performance measures must not be exceeded during the following dynamic tests:

(a) Conduct a longitudinal test per § 25.562(b)(2) with a SID, undeformed floor, no yaw, and with all lateral structural supports (armrests/walls).

Pass/fail injury assessments: TTI and pelvic acceleration.

(b) Conduct a longitudinal test per § 25.562(b)(2) with the Hybrid II ATD, deformed floor, 10 degrees yaw, and with all lateral structural supports (armrests/walls).

Pass/fail injury assessments: HIC, upper torso restraint load, restraint system retention and pelvic acceleration.

(c) Conduct a downward vertical test per § 25.562(b)(1) with a modified Hybrid II ATD with existing pass/fail criteria.

Issued in Renton, Washington, on August 18, 2003.

**Kyle Olsen,**

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

[FR Doc. 03-21769 Filed 8-25-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA 2003-15887; Airspace Docket No. 03-AWP-11]

#### Proposed Establishment of Class D Airspace; Ramona, CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class D airspace at Ramona, CA. A non-federal contract tower is being constructed at the Ramona Airport. Weather reporting service will be available. Therefore, the airport will meet criteria for Class D airspace. Class D surface area airspace is required when the control tower is open to contain Standard Instrument Approach Procedures (SIAPs) and other Instrument Flight Rules (IFR) operations at the airport. This action would establish Class D airspace extending upward from the surface to but not including 3,800 feet MSL within a 4-mile radius of the airport.

**DATES:** Comments must be received on or before October 1, 2003.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2003-15887/Airspace Docket No. 03-AWP-11, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, Room 2010, 15000 Aviation Boulevard, Lawndale, California 90261.

**FOR FURTHER INFORMATION CONTACT:** Debra Trindle, Airspace Specialist, Airspace Branch, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California; telephone (310) 725-6613.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2003-15887/Airspace Docket No. 03-AWP-11." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report

summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>. Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class D airspace at Ramona, CA. Class D airspace designations for airspace areas extending upward from the surface of the earth are published in Paragraph 5000 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9K, Airspace Designations and Reporting Points, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

*Paragraph 5000 Class D Airspace*  
\* \* \* \* \*

**AWP CA D Ramona, CA [NEW]**

Ramona, CA  
(Lat. 33°02.35' N, long. 116°54.92' W)  
That airspace extending upward from the surface to but not including 3,800 feet MSL within a 4-mile radius of the Ramona Airport. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.  
\* \* \* \* \*

Issued in Los Angeles, California, on August 13, 2003.

**John Clancy,**  
*Manager, Air Traffic Division, Western-Pacific Region.*

[FR Doc. 03–21770 Filed 8–25–03; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**30 CFR Part 57**

**RIN 1219–AB29**

**Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Proposed rule; notice of public hearings; close of comment period.

**SUMMARY:** This document announces the addition of a fourth public hearing to receive comment on the proposed rule addressing diesel particulate matter exposure of underground metal and nonmetal miners published in the **Federal Register** on August 14, 2003 (68 FR 48668).

**DATES:** Post-hearing comments must be received on or before October 14, 2003. For dates of the public hearings, see the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** Please identify your request to make an oral presentation or comments by Docket ID Number [RIN 1219–AB29]. Submit your request or comments to MSHA by any of the following methods:

- Fax to: 202–693–9441.
- Mail to: Marvin W. Nichols, Jr., Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2352, Arlington, Virginia 22209–3939.
- Hand delivery or Courier to: Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia.

For access to the docket to read comments received, go to <http://www.msha.gov/currentcomments.htm> and/or the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 2309, 1100 Wilson Boulevard, Arlington, Virginia.

For locations of the public hearings, see the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Marvin W. Nichols, Jr., Director, Office of Standards, Regulations and Variances, MSHA; phone: (202) 693–9440; facsimile: (202) 693–9441; E-mail: [nichols-marvin@msha.gov](mailto:nichols-marvin@msha.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On August 14, 2003 (68 FR 48668), we published a proposed rule in the **Federal Register** that would revise the existing diesel particulate matter (DPM) interim concentration limit measured by total carbon (TC) to a comparable permissible exposure limit (PEL) measured by elemental carbon (EC) which renders a more accurate DPM exposure measurement; increase flexibility of compliance by requiring MSHA’s longstanding hierarchy of controls for its other exposure-based health standards at metal and nonmetal mines, but prohibit rotation of miners for compliance; allow MSHA to consider economic as well as technological feasibility in determining if operators qualify for an extension of time in which to meet the DPM limits; and simplify requirements for a DPM control plan. The proposed rule would also make conforming changes to existing provisions concerning compliance determination, environmental monitoring and recordkeeping.

**II. Public Hearings**

In the **Federal Register** notice published on August 14, 2003, (68 FR 48668), we announced that we would hold three public hearings on the proposed rule. However, since that time, we have added a fourth public hearing. Please note the date below.

The public hearings will begin at 9 a.m. and will end after the last scheduled speaker testifies. The hearings will be held on the following dates and at the locations indicated.

Date	Location	Phone
September 16, 2003 .....	University Park Marriott, 480 Wakara Way, Salt Lake City, UT 84108 .....	(801) 581–1000
September 18, 2003 .....	Renaissance St. Louis Hotel Airport, 9801 Natural Bridge Road, St. Louis, MO 63134.	(314) 429–1100
September 23, 2003 .....	Hilton Pittsburgh, 600 Commonwealth Place, Pittsburgh, PA 15222 .....	(412) 391–4600
October 7, 2003 .....	U.S. Department of Labor, Mine Safety and Health Administration, 1100 Wilson Boulevard, MSHA Conference Room, 25th Floor, Arlington, VA 22209.	(202) 693–9440

The hearings will begin with an opening statement from MSHA, followed by an opportunity for members

of the public to make oral presentations to a panel. You do not have to make a written request to speak. Speakers will

speak in the order that they sign in. Any unallotted time will be made available for persons making same-day requests.