

Dated: March 16, 2000.

Carol J. Jones,

Director, Office of Standards, Regulations and Variances.

Affirmative Decisions on Petitions for Modification

Docket No.: M-1999-011-C.

FR Notice: 64 FR 16760.

Petitioner: D & D Coal Company.

Regulation Affected: 30 CFR 75.1202 and 75.1202-1(a).

Summary of Findings: Petitioner's proposal is to revise and supplement mine maps annually instead of every 6 months, and to update maps daily by hand notations. This is considered an acceptable alternative method for the 7' Drift Mine. MSHA grants the petition for modification for the 7' Drift Mine with conditions.

Docket No.: M-1999-033-C.

FR Notice: 64 FR 32552.

Petitioner: Snyder Coal Company.

Regulation Affected: 30 CFR 75.1202 and 75.1202-1(a).

Summary of Findings: Petitioner's proposal is to conduct mine surveys and revise and supplement mine maps annually instead of every 6 months, to update maps daily by hand notations, and to conduct surveys prior to commencing retreat mining and whenever a drilling program under 30 CFR 75.388 or plan for mining into inaccessible areas under 30 CFR 75.389 is required. This is considered an acceptable alternative method for the Rattling Run Slope Mine. MSHA grants the petition for modification for the Rattling Run Slope Mine with conditions.

Docket No.: M-1999-047-C.

FR Notice: 64 FR 32554.

Petitioner: Little Buck Coal Company.

Regulation Affected: 30 CFR 75.1200(d), (h), and (i)

Summary of Findings: Petitioner's proposal is to use on its mine map cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, at 1,000 foot intervals of advance from the intake slope, and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels. This is considered an acceptable alternative method for the #3 Slope Mtn. Mine. MSHA grants the petition for modification for the #3 Slope Mtn. Mine with conditions.

Docket No.: M-1999-048-C.

FR Notice: 64 FR 32554.

Petitioner: Little Buck Coal Company.

Regulation Affected: 30 CFR 75.1202 and 75.1202-1(a).

Summary of Findings: Petitioner's proposal is to conduct mine surveys and revise and supplement mine maps annually instead of every 6 months, to update maps daily by hand notations, and to conduct surveys prior to commencing retreat mining and whenever a drilling program under 30 CFR 75.388 or plan for mining into inaccessible areas under 30 CFR 75.389 is required. This is considered an acceptable alternative method for the #3 Slope Buck Mtn. Mine. MSHA grants the petition for modification for the #3 Slope Buck Mtn. Mine with conditions.

Docket No.: M-1999-056-C.

FR Notice: 64 FR 41140.

Petitioner: Monterey Coal Company.

Regulation Affected: 30 CFR 75.1909(b)(6).

Summary of Findings: Petitioner's proposal is to lower the blade on its road grader to stop and control the grader instead of adding front wheel brakes on the grader. This is considered an acceptable alternative method for the No. 1 Mine. MSHA grants the petition for modification for the No. 1 Mine with conditions.

Docket No.: M-1999-059-C.

Petitioner: Independence Coal Company, Inc..

Regulation Affected: 30 CFR 75.1002-1(a).

Summary of Findings: Petitioner's proposal is to use 4,160 volt cables to supply power to the permissible longwall face equipment. This is considered an acceptable alternative method for the Cedar Grove Mine No. 1. MSHA grants the petition for modification for the Cedar Grove Mine No. 1 with conditions.

Docket No.: M-1999-062-C.

FR Notice: 64 FR 49246.

Petitioner: PennAmerican Coal L.P.

Regulation Affected: 30 CFR 75.1100-2(e)(2).

Summary of Findings: Petitioner's proposal is to use two fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations instead of using one portable fire extinguisher and 240 pounds of rock dust. This is considered an acceptable alternative method for the Burrell Mine. MSHA grants the petition for modification for the Burrell Mine.

Docket No.: M-1999-065-C.

FR Notice: 64 FR 49246.

Petitioner: Canterbury Coal Company.

Regulation Affected: 30 CFR 75.1100-2(e)(2).

Summary of Findings: Petitioner's proposal is to use two fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations instead of using

one fire extinguisher and 240 pounds of rock dust. This is considered an acceptable alternative method for the DiAnne Mine MSHA grants the petition for modification for the DiAnne Mine.

Docket No.: M-1999-075-C.

FR Notice: 64 FR 55492.

Petitioner: Independence Coal Company, Inc.

Regulation Affected: 30 CFR 75.1700.

Summary of Findings: Petitioner's proposal is to plug and mine through oil and gas wells and to notify the District Manager or designee prior to mining within 300 feet of a plugged oil and gas well. This is considered an acceptable alternative method for the Cedar Grove Mine No. 1. MSHA grants the petition for modification for the Cedar Grove Mine No. 1 with conditions.

Docket No.: M-1998-115-C.

FR Notice: 64 FR 2519.

Petitioner: Primrose Coal #2.

Regulation Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal is to use wooden materials of moderate size and weight to construct seals due to difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings, to use a design criteria in the 10 psi range, and for seals installed in pairs, to permit the water trap to be installed only in the gangway seal and the sampling tube in the monkey seal. This is considered an acceptable alternative method for the Buck Mountain Vein Slope Mine. MSHA grants the petition for modification for the Buck Mountain Vein Slope with conditions.

[FR Doc. 00-7907 Filed 3-29-00; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Williams Brothers Coal Company, Inc.

[Docket No. M-2000-012-C]

Williams Brothers Coal Company, Inc., 238 Cantrell Road, Mouthcard, Kentucky 41548 has filed a petition to modify the application of 30 CFR 75.1100-2(b) (quantity and location of firefighting equipment) to its No. 3 Mine (I.D. No. 15-16666) located in Pike County, Kentucky. The petitioner proposes to leave the fire hose outlets in

the entry adjacent to the conveyor belt entry. The petitioner states that in the event of a belt fire, the water line would be protected and the fire fighters would have safe access to the outlets. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

2. Europa Coal Company, Inc.

[Docket No. M-2000-013-C]

Europa Coal Company, Inc., 430 Harper Park Drive, Beckley, West Virginia 25801 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Europa Mine (I.D. No. 46-08798) located in Boone County, West Virginia. The petitioner proposes to use a 2,400 volt Joy 14CM continuous miner instead of a 1,000 volt continuous miner in by the last open crosscut and within 150 feet from pillar workings using the specific terms and conditions listed in this petition for modification. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

3. Blue Mountain Energy, Inc.

[Docket No. M-2000-014-C]

Blue Mountain Energy, Inc., 3607 County Rd. #65, Rangely, Colorado 81648 has filed a petition to modify the application of 30 CFR 75.1908(a)(5) (nonpermissible diesel-powered equipment; categories) to its Deserado Mine (I.D. No. 05-03505) located in Rio Blanco County, Colorado. The petitioner requests a modification of the standard to permit the use of diesel-powered pickup trucks to tow diesel fuel transportation units. The petitioner proposes to only use diesel-powered pickup trucks to tow diesel fuel transportation units if the rated capacity of the truck exceeds the load by a fraction of 50 percent, and equip diesel fuel transportation units with automatic fire suppression devices when towed by the pickup trucks. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

4. RAG Cumberland Resources LP

[Docket No. M-2000-015-C]

RAG Cumberland Resources LP, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219-1410 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its (I.D. No. 36-05018)

located in Greene County, Pennsylvania. The petitioner requests a modification of the standard to permit the use of a 1,000 foot trailing cable on full-face continuous miners and other face equipment during development mining using the specific terms and conditions listed in this petition for modification. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

5. Elk Run Coal Company

[Docket No. M-2000-016-C]

Elk Run Coal Company, Box 497, Sylvester, West Virginia 25193 has filed a petition to modify the application of 30 CFR 75.350 (air courses and belt haulage entries) to its White Knight Mine (I.D. No. 46-08055) located in Boone County, West Virginia. The petitioner proposes to use air coursed through the conveyor belt entry at a velocity of at least 50 feet per minute to ventilate active working places using the specific terms and conditions listed in this petition for modification. The petitioner proposes to install a low-level carbon monoxide monitoring system as an early warning fire detection system in all belt entries used to course intake air to a working place. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

6. FKZ Coal, Inc.

[Docket No. M-2000-017-C]

FKZ Coal, Inc., P.O. Box 62, Locust Gap, Pennsylvania 17840 has filed a petition to modify the application of 30 CFR 75.1202 and 75.1202-1(a) (temporary notations, revisions, and supplements) to its No. 1 Slope Mine (I.D. No. 36-08637) located in Northumberland County, Pennsylvania. The petitioner proposes to conduct mine surveys and revise and supplement mine maps annually instead of every 6 months as required, and to update maps daily by hand notations. The petitioner also proposes to conduct surveys prior to commencing retreat mining and whenever a drilling program under 30 CFR 75.388 or plan for mining into inaccessible area under 30 CFR 75.389 is required. The petitioner asserts that low production and slow rate of advance in anthracite mining make surveying on 6-month intervals impractical. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

7. FKZ Coal, Inc.

[Docket No. M-2000-018-C]

FKZ Coal, Inc., P.O. Box 62, Locust Gap, Pennsylvania 17840 has filed a petition to modify the application of 30 CFR 75.1200(d) and (i) (mine map) to its No. 1 Slope Mine (I.D. No. 36-08637) located in Northumberland County, Pennsylvania. The petitioner proposes to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000 foot intervals of advance from the intake slope; and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels using the specific terms and conditions specified in the petition for modification. The petitioner asserts that due to the steep pitch encountered in mining anthracite coal veins, contours provide no useful information and their presence would make portions of the mine illegible. The petitioner further asserts that use of cross-sections in lieu of contour lines has been practiced since the late 1800's thereby providing critical information relative to the spacing between veins and proximity to other mine workings which fluctuate considerably. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

8. Basic Mining Corp.

[Docket No. M-2000-019-C]

Basic Mining Corp., P.O. Box 1197, Vansant, Virginia 24656 has filed a petition to modify the application of 30 CFR 75.1710-1(a) (canopies or cabs; self-propelled diesel-powered and electric face equipment; installation requirements) to its Mine No. 2 (I.D. No. 44-05032) located in Dickenson County, Virginia. The petitioner proposes to operate its Joy 21 SC Shuttle Cars without canopies in mining heights less than 50 inches. The petitioner asserts that the Lower Banner coal seam of the mine is 34 inches thick; the mining height ranges from 44-50 inches with the majority of the area being 47 inches; the shuttle car frames are 30 inches high and the installed canopy height is 38 inches creating a visibility problem for the operator by limiting field of vision to 4 inches, compromises the safety of the miners, and create pinch points for the shuttle car operators during the mining of cross-cut entries. The petitioner also asserts that the Lower Banner seam has a fire clay bottom with water in the mine floor that tends to

break up and out, and that shuttle cars traveling over this uneven, undulating surface causes canopies to contact the mine roof and dislodge or shear off the permanent roof support resulting in a diminution of safety to the equipment operator.

Request for Comments

Persons interested in these petitions are encouraged to submit comments via e-mail to "comments@msha.gov," or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 1, 2000. Copies of these petitions are available for inspection at that address.

Dated: March 20, 2000.

Carol J. Jones,

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

[FR Doc. 00-7908 Filed 3-29-00; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR-1218-0126(2000)]

Acrylonitrile (AN) Standard (29 CFR 1910.1045); Extension of the Office of Management of Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA); Labor.

ACTION: Notice of an opportunity for public comment.

SUMMARY: OSHA solicits comments concerning the extension of the information collection requirements contained in the Acrylonitrile Standard (the "AN" Standard) (29 CFR 1910.1045).

Request for Comment: The Agency has a particular interest in comments on the following issues:

- Whether the information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of the Agency's estimate of the burden (time and costs) of the information-collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and

- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information-collection and -transmission techniques.

DATES: Submit written comments on or before May 30, 2000.

ADDRESSES: Submit written comments to the Docket Office, Docket No. ICR-1218-0126(2000), Occupational Safety and Health Administration, U.S. Department of Labor, Room N2625, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2350. Commenters may transmit written comments of 10 pages or less in length by facsimile to (202) 693-1648.

FOR FURTHER INFORMATION CONTACT:

Todd R. Owen, Directorate of Policy, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3641, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2444. A copy of the Agency's Information-Collection Request (ICR) supporting the need for the information collection requirements in the AN Standard is available for inspection and copying in the Docket Office, or you may request a mailed copy by telephoning Todd R. Owen at (202) 693-2444. For electronic copies of the ICR on the AN Standard, OSHA on the Internet at <http://www.osha.gov>.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing information-collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments clearly understood, and OSHA's estimate of the information burden is correct. The Occupational Safety and Health Act of 1970 (the Act) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

The information-collection requirements specified in the AN Standard protect employees from the adverse health effects that may result from their exposure to AN. The major information-collection requirements of

the AN Standard include notifying employees of their AN exposures, implementing a written compliance program, providing examining physicians with specific information, ensuring that employees receive a copy of their medical-examination results, maintaining employees' exposure-monitoring and medical records for specific periods, and providing access to these records by OSHA, the National Institute for Occupational Safety and Health, the affected employees, and designated representatives.

II. Proposed Actions

OSHA proposes to reduce the existing burden hour estimate, and to extend OMB's approval, of the collection of information (paperwork) requirements contained in the AN Standard. The Agency is reducing its previous estimate, 6,857 hours, by 2,719 hours as a result of lowering the number of establishments affected by the paperwork requirements. OSHA will summarize the comments submitted in response to this notice, and will include this summary in the request to OMB to extend the approval of the information-collection requirements contained in the AN Standard.

Type of Review: Extension of currently approved information-collection requirements.

Title: Acrylonitrile Standards (29 CFR 1910.1045).

OMB Number: 1218-0126.

Affected Public: Business or other for-profit; Federal government; state, local or tribal government.

Number of Respondents: 23.

Frequency: On occasion.

Total Responses: 18,838.

Average Time per Response: Varies from 5 minutes to provide information to the examining physician to 2 hours for employers to provide OSHA area offices with information about AN emergencies.

Estimated Total Burden Hours: 4,138.

Estimated Cost (Operations and Maintenance): \$189,835.

III. Authority and Signature

Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506) and Secretary of Labor's Order No. 6-96 (62 FR 111).

Signed at Washington, DC, on March 24, 2000.

Charles N. Jeffress,

Assistant Secretary of Labor.

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