

mandatory safety standard to a coal or other mine if the Secretary of Labor 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 modification.

## II. Petitions for Modification

*Docket Numbers:* M–2014–035–C and M–2014–036–C.

*Petitioner:* Sunrise Coal LLC, 12661 Agricare Road, Oaktown, Indiana 47561.

*Mines:* Oaktown Fuels Mine No. 1, MSHA I.D. No. 12–02394, and Oaktown Fuels Mine No. 2, MSHA I.D. No. 12–02418, both located in Knox County, Indiana.

*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 weekly examinations and functional testing of the deluge-type water fire suppression systems to be conducted in lieu of providing blow-off dust covers. The petitioner proposes to conduct weekly examinations and functional tests of the deluge system to provide an improvement in safety and to ensure that the spray nozzles do not become plugged. The petitioner states that replacing the dust caps creates an unnecessary hazard by exposing miners to the risk of a slip/fall type accident. The petitioner further states that:

(1) A person trained in the testing procedures specific to the deluge-type water spray system utilized at each belt drive will, once every seven 7 days:

(a) Conduct a visual examination of each of the deluge-type water spray fire suppression systems.

(b) Conduct a functional test of the deluge-type water spray fire suppression systems by actuating the system and observing its performance.

(c) Record the results of the examination and functional test in a book maintained on the surface, made available to authorized representatives of the Secretary and retained at the mine for one year.

(2) Any malfunction or clogged nozzle detected as a result of the weekly examination or functional test will be corrected immediately.

(3) The procedure used to perform the functional test will be posted at or near

each belt drive that utilizes a deluge-type water spray fire suppression system.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure or protection afforded by the existing standard.

*Docket Number:* M–2014–019–M.

*Petitioner:* J.S. Redpath Corporation, 1410 Greg Street Suite 404, Sparks, Nevada 89431.

*Mine:* Sumitomo Metal Mining Pogo LLC, Pogo Mine, MSHA I.D. No. 50–01642, 49 Mile Shaw Creek Road, Delta Junction, Alaska 99737, located in Southeast Fairbanks County, Alaska.

*Regulation Affected:* 30 CFR 57.14207 (Parking procedures for unattended equipment).

*Modification Request:* The petitioner requests a modification of the existing standard to eliminate the use of park brakes on light vehicle fleets during the coldest months of the year for only the surface areas of the Pogo Mine Site. The petitioner states that:

(1) The coldest of months of the year in Southeast Fairbanks County, Alaska are between October 15th and April 1st.

(2) The fleet vehicles are currently Ford F series 4X4 pickup trucks and one 4X4 Ford passenger van. All of the vehicles are equipped with automatic transmissions.

(3) This modification request is only for these types of vehicles with external cable and park brake assemblies.

(4) The alternate method of securing these light vehicles will be the use of a parking ditch, or a parking rack. When the vehicles are parked on the surface during the cold months the two front tires or two back tires of the vehicle will be put into a parking ditch 5 to 6 inches deep, or driven into the parking rack. The parking racks are constructed of 4-inch steel angle iron. Along with the parking ditch or rack the vehicles will be secured with chock blocks on both sides of an opposite axle tire.

(5) The vehicles are used both underground and on the surface. When the vehicles are used in the wet underground environment and then driven to the surface, the extreme cold temperatures immediately cause the park brake components to freeze. Temperatures at the mine often exceed -50 degrees Fahrenheit for extended periods of time. Setting the park brakes will damage the brakes and will often lock the tires in place.

(6) The vehicles are driven in and out of the mine many times in a 24-hour period. They are used to haul men, equipment, tools and supplies. The vehicles are an extremely important part

of the mine's day to day operations. The vehicles are maintained in a safe and reliable condition and are inspected prior to each shift use.

(7) The parking racks will be constructed in approximate 20 foot width. The bottom side of the parking rack will have some form of metal teeth to create friction between the rack and ground to keep it from sliding on a frozen surface.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the existing standard.

Dated: November 14, 2014.

**Sheila McConnell,**

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

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (14–120)]

### Performance Review Board, Senior Executive Service (SES)

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of Membership of SES Performance Review Board.

**SUMMARY:** The Civil Service Reform Act of 1978, Public Law 95–454 (Section 405) requires that appointments of individual members to the Performance Review Board (PRB) be published in the **Federal Register**.

The performance review function for the SES in NASA is being performed by the NASA PRB. The following individuals are serving on the Board:

### Performance Review Board

Chairperson, Associate Administrator,  
NASA Headquarters

Chair, Executive Resources Board,  
NASA Headquarters

Deputy Associate Administrator, NASA  
Headquarters

Associate Administrator for Mission  
Support Directorate, NASA  
Headquarters

Associate Administrator for Diversity  
and Equal Opportunity, NASA  
Headquarters

**Cheryl E. Parker,**

*Federal Register Liaison Officer.*

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