

mine transits, total station surveying equipment, distance meters, and data loggers. The petitioner states that:

(1) To comply with requirements for mine ventilation maps and mine maps in 30 CFR 75.372, 75.1002(a), and 75.1200, use of the most practical and accurate surveying equipment is necessary. To ensure the safety of the miners in active mines and to protect miners in future mines that may mine in close proximity to these same active mines, it is necessary to determine the exact location and extent of the mine workings.

(2) Underground mining by its nature and size, and the complexity of mine plans, requires that accurate and precise measurements be completed in a prompt and efficient manner. The petitioner proposes the following as an alternative to the existing standard:

(a) Nonpermissible electronic surveying equipment will be used within 150 feet of pillar workings. Such nonpermissible surveying equipment includes, but is not limited to, portable battery-operated total station surveying equipment, mine transit distance meters, and data loggers.

(b) All nonpermissible electronic surveying equipment to be used within 150 feet of pillar workings will be examined prior to use to ensure the equipment is being maintained in a safe operating condition. These examinations will include the following steps:

(i) Checking the instrument for any physical damage and the integrity of the case;

(ii) Removing the battery and inspecting for corrosion;

(iii) Inspecting the contact points to ensure a secure connection to the battery;

(iv) Reinserting the battery and powering up and shutting down to ensure proper connections; and

(v) Checking the battery compartment cover to ensure that it is securely fastened.

(c) The results of such examinations will be recorded and retained for one year and made available to MSHA on request.

(d) A qualified person as defined in 30 CFR 75.151 will continuously monitor for methane immediately before and during the use of nonpermissible surveying equipment within 150 feet of pillar workings.

(e) Nonpermissible surveying equipment will not be used if methane is detected in concentrations at or above one percent for the area being surveyed. When methane is detected at such levels while the nonpermissible surveying equipment is being used, the equipment

will be deenergized immediately and the nonpermissible electronic equipment withdrawn further than 150 feet from pillar workings.

(f) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as required in 30 CFR 75.320.

(g) Batteries in the surveying equipment will be changed out or charged in fresh air more than 150 feet from pillar workings.

(h) Qualified personnel who use surveying equipment will be properly trained to recognize the hazards and limitations associated with the use of nonpermissible surveying equipment in areas where methane could be present.

(i) The nonpermissible surveying equipment will not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions in this petition.

Within 60 days after the Proposed Decision and Order becomes final, the petitioner will submit proposed revisions for its approved 30 CFR part 48 training plan to the DM. The revisions will specify initial and refresher training regarding the terms and conditions in the Proposed Decision and Order.

The petitioner asserts that application of the existing standard would result in a diminution of safety to the miners and that the proposed alternative method will at all times guarantee no less than the same measure of protection as that afforded by the existing standard.

Dated: August 9, 2013.

**George F. Triebisch,**

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

[FR Doc. 2013-19767 Filed 8-14-13; 8:45 am]

**BILLING CODE 4510-43-P**

## **MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION**

### **Sunshine Act Meetings**

**TIME AND DATE:** Electronic meeting to be held via email exchanges Tuesday, August 27, 2013, 8:00 a.m. (PDT), through Friday, August 30, 2013.

**PLACE:** Executive Session held via email.

**STATUS:** This special meeting of the Board of Trustees, to be held Electronically (in accordance with Foundation Operating Procedures), is closed to the public since it is necessary for the Board to consider items in Executive Session.

**MATTERS TO BE CONSIDERED:** Discuss and vote on the candidate for Executive Director of the Morris K. Udall and Stewart L. Udall Foundation, Philip J. Lemanski, as proposed by the Executive Committee as appointed and acting as the required Selection Committee.

**CONTACT PERSON FOR MORE INFORMATION:** Stephanie Zimmt-Mack, General Counsel, 130 South Scott Avenue, Tucson, AZ 85701, (520) 901-8500.

Dated: August 9, 2013.

**Elizabeth E. Monroe,**

*Executive Assistant, Morris K. Udall and Stewart L. Udall Foundation, and Federal Register Liaison Officer.*

[FR Doc. 2013-19812 Filed 8-14-13; 8:45 am]

**BILLING CODE 6820-FN-P**

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**[Notice 13-095]**

### **Notice of Intent To Grant Exclusive License**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of Intent to Grant Exclusive License.

**SUMMARY:** This notice is issued in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). NASA hereby gives notice of its intent to grant an exclusive license in the United States to practice the inventions described and claimed in U.S. Patent No. 7,790,787; NASA Case No. KSC-12890 entitled "Aerogel/Polymer Composite Materials;" U.S. Patent No. 7,309,738; NASA Case No. KSC-12697 entitled "Approach for Achieving Flame Retardancy While Retaining Physical Properties in a Compatible Polymer Matrix;" and U.S. Patent No. 7,968,648; KSC-12697-3 entitled "Approach for Achieving Flame Retardancy While Retaining Physical Properties in a Compatible Polymer Matrix;" to AeroPlastic LP, having its principal place of business at 1325 White Drive, Titusville, FL 32780. The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective exclusive license will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7.

**DATES:** The prospective exclusive license may be granted unless, within fifteen (15) days from the date of this published notice, NASA receives written objections including evidence and argument that establish that the grant of the license would not be