

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Petitions for Modification**

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

**1. Peabody Coal Company**

[Docket No. M-2002-046-C]

Peabody Coal Company, 1970 Barrett Court, P. O. Box 1990, Henderson, Kentucky 42419-1990 has filed a petition to modify the application of 30 CFR 75.1101-1(b) (Deluge-type water spray system) to its Gibraltar Highwall Mine (I.D. No. 15-17495) located in Muhlenberg County, Kentucky. The petitioner requests a modification of the existing standard to permit an alternative method for conducting functional tests of its complete deluge-type water system. The petitioner proposes to conduct these tests on a weekly basis instead of annually. The petitioner states that the existing standard will not allow the system to be functionally tested weekly because the dust covers could be blown off and to return the water spray system safely for compliance with the existing standard, the belt would have to be de-energized, locked and tagged, and the dust cover would have to be replaced, which would take approximately 30 minutes per belt drive. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard since any restrictions to the spray system otherwise prevented by the blow-off dust covers would be recognized during the weekly functional test and promptly corrected. The petitioner has requested that this petition be withdrawn due to the mine being worked out and ceasing operations.

**2. Husky Coal Company, Inc.**

[Docket No. M-2002-047-C]

Husky Coal Company, Inc., P.O. Box 3311, Pikeville, Kentucky 41502 has filed a petition to modify the application of 30 CFR 75.503 and 30 CFR 18.41(f) (Permissible electric face equipment; maintenance) to its No. 12 Mine (I.D. No. 15-16974) located in Pike County, Kentucky. The petitioner proposes to use a permanently installed, spring-loaded device on mobile battery-powered machine plug connectors in lieu of a padlock to prevent unintentional loosening of battery plugs from battery receptacles to eliminate the hazards associated with difficult

removal of padlocks during emergency situations. 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 would provide at least the same measure of protection as the existing standard.

**3. Buck Mountain Coal Company**

[Docket No. M-2002-048-C]

Buck Mountain Coal Company, 11 S. Pine Street, Tremont, Pennsylvania 17981 has filed a petition to modify the application of 30 CFR 75.381 (Escapeways; anthracite mines) to its Buck Mountain Slope Mine (I.D. No. 36-01962) located in Schuylkill County, Pennsylvania. The petitioner proposes to establish two separate and distinct travelable passageways designated as escapeways continuous from each working section to a point within the mine at the intersection of these two escapeways with an existing rock tunnel and maintain one means of ingress/egress from this point to approximately 900 feet to the surface. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**4. Peabody Coal Company**

[Docket No. M-2002-049-C]

Peabody Coal Company, 202 Laidley Tower, P.O. Box 1233, Charleston, West Virginia 25324-1233 has filed a petition to modify the application of 30 CFR 75.901 (Protection of low- and medium-voltage three-phase circuits used underground) to its Highland Mine (I.D. No. 15-02709) located in Union County, Kentucky. The petitioner proposes to use a 480-volt, three-phase diesel powered generator to move equipment using specific procedures outlined in this petition. The petitioner states that specific hands on training will be provided to all qualified persons on the proper testing procedures to be utilized and incorporate this training in its part 48 training plans and in the annual refresher training plans for the mine and submit the proposed revisions for its part 48 training plan to the Coal Mine Safety and Health District Manager. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**5. Bubber Coal Company, Inc.**

[Docket No. M-2002-050-C]

Bubber Coal Company, Inc., P.O. Box 43, Kite, Kentucky 41653 has filed a petition to modify the application of 30 CFR 75.503 (Permissible electric face

equipment; maintenance) and 30 CFR 18.41(f) (Plug and receptacle-type connectors) to its No. 1 Mine (I.D. No. 15-17547) located in Knott County, Kentucky. The petitioner proposes to use permanently installed, spring-loaded locking devices to prevent unintentional loosening of battery plugs from battery receptacles to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**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, 1100 Wilson Boulevard, 23rd Floor, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before August 8, 2002. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 2nd day of July, 2002.

**Marvin W. Nichols, Jr.,**

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

[FR Doc. 02-17112 Filed 7-8-02; 8:45 am]

**BILLING CODE 4510-43-P**

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION****Agency Information Collection Activities: Submission for OMB Review; Comment Request**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice.

**SUMMARY:** NARA is giving public notice that the agency has submitted to OMB for approval the information collection described in this notice. The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted to OMB at the address below on or before August 8, 2002, to be assured of consideration.

**ADDRESSES:** Comments should be sent to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: Ms. J. Zieher, Desk Officer for NARA, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the proposed information collection and supporting statement should be directed to Tamee Fechhelm at telephone number 301-837-1694 or fax number 301-837-3213.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13), NARA invites the general public and other Federal agencies to comment on proposed information collections. NARA published a notice of proposed collection for this information collection on April 16, 2002 (67 FR 18638 and 18639). No comments were received. NARA has submitted the described information collection to OMB for approval.

In response to this notice, comments and suggestions should address one or more of the following points: (a) Whether the proposed information collection is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of information technology. In this notice, NARA is soliciting comments concerning the following information collection:

*Title:* Generic clearance for user satisfaction research on Internet sites.

*OMB number:* 3095-NEW.

*Agency form number:* N/A.

*Type of review:* Regular.

*Affected public:* Individuals and households.

*Estimated number of respondents:* 4,000.

*Estimated time per response:* 5 minutes.

*Frequency of response:* On occasion.

*Estimated total annual burden hours:* 333 hours.

*Abstract:* This is a request for a three-year generic clearance to conduct user satisfaction research for our Internet sites. This effort is made according to Executive Order 12862, which directs Federal agencies that provide significant services directly to the public to survey customers to determine the kind and quality of services they want and their level of satisfaction with existing services.

Dated: July 1, 2002.

**L. Reynolds Cahoon,**

*Assistant Archivist for Human Resources and Information Services.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 030-36000]**

### **Environmental Assessment and Finding of No Significant Impact for a New Byproduct Material License Requested by the U.S. Army Contaminated Equipment Retrograde Team Field Service Facility, Rock Island Arsenal, Rock Island, IL; Notice of Availability**

#### **Environmental Assessment Summary**

The U.S. Nuclear Regulatory Commission is considering issuing a new Byproduct Material License Number 12-00722-15 to the Department of the Army to authorize the collection of unwanted Army commodities containing radiological sources, and preparation of these sources for shipment and proper disposal using the Army Contaminated Equipment Retrograde Team Field Services Facility (ACERTSF) located in Rock Island, Illinois.

This Environmental Assessment (EA) reviewed the potential environmental impacts associated with the proposed activities outlined in the Department of the Army's April 10, 2002, license application. The EA considered the licensee's proposed radiation protection program, and the types, quantities, the physical forms of the radioactive materials to be received, processed, stored and shipped by the Army at its proposed location. The EA included evaluation of the building, adjoining grounds, security, fire protection, and engineering controls used to ensure the safe use of licensed materials.

#### **Proposed Action**

The ACERTSF proposes to receive unwanted DoD commodities containing radiological sources, consolidate the sources into U.S. Department of Transportation (DOT) approved shipping containers, and ship the consolidated sources to an NRC approved disposal facility, or to another authorized NRC or Agreement State licensee for reuse.

The Service Facility will process radioactive sealed sources or commodities containing radioactive material in solid, non-dispersible form. The consolidation process will not

involve any physical or chemical work which could damage or change the integrity of the radioactive sealed sources. If a commodity is determined to be damaged upon receipt with the potential for leakage of the radioactive sealed source, it will be repackaged appropriately, without any processing, and sent to an appropriate waste disposal facility.

The isotopes to be received will include americium-241, carbon-14, cesium-137, lead-210, nickel-63, promethium-147, cobalt-60, strontium-90, thorium (natural and alloyed with magnesium), uranium (depleted), special nuclear material (check sources only) and sealed sources in gaseous form i.e. hydrogen 3 and krypton 85. The radioactive sealed sources have been evaluated and registered with the NRC pursuant to 10 CFR Part 32, § 32.210, Registration of product information. Additionally, ACERTSF management has established maximum possession limits for each isotope, such that an Emergency Plan pursuant to 10 CFR Part 30, § 30.72 Schedule C—Quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release, is not required. The Army also does not intend to store radioactive material for long periods of time. The Army has committed to make shipments of material after repackaging, approximately every 180 days.

#### **Need for Proposed Action**

The Army request will:

- Reduce personnel and transportation costs associated with the retrieval of the sealed sources, from temporary job-sites throughout the U.S. or U.S. military bases in other countries;
- Reduce the disposal cost, since the use of each DOT shipping container can be maximized by filling each container to capacity rather than putting one device/sealed source in it for disposal;
- Conserve limited land disposal resources;
- Ensure that the personnel retrieving the sealed sources and devices are specifically authorized to perform these activities, and that they have the most current and highest level of radiological training;
- Ensure that processing of the radioactive materials will be done in a specially designed facility, rather than at temporary job-sites and foreign US military bases; and
- Reduce the turn around time for receipt of reports of leak tests performed on radioactive sources, to verify their acceptability for receipt or transfer.