

(240-foot × 184-foot and 222-foot × 90-foot).

(g) Distribution boxes are redundant pieces of electrical equipment that must be handled and advanced every crosscut, progressively, to achieve the same results as a 1,000-foot trailing cable.

The petitioner proposes the following alternative method:

(a) The maximum length of 995-volt trailing cables will be 1,000 feet. The size of 995-volt trailing cables will be:

(1) no smaller than 2/0 for continuous mining machines;

(2) no smaller than No. 2 AWG for roof bolters and shuttlecars.

(b) All circuit breakers used to protect 2 AWG trailing cables exceeding 700 feet in length or 2/0 cables exceeding 850 feet in length shall have circuit breakers properly calibrated and adjusted to trip at no more than the smallest of the following values:

(1) The setting specified in 30 CFR 75.601-1,

(2) The setting specified in the approval documentation for the machine, or

(3) 70 percent of the minimum phase to phase short-circuit current available at the end of the trailing cable.

(c) Cable size and maximum allowable circuit breaker instantaneous settings will be labeled at the breaker. In addition, permanent warning labels will be installed and maintained warning miners not to change or alter the short-circuit settings.

(d) Prior to each production shift, persons designated by the operator will visually examine trailing cables to ensure that the cables are in safe operating condition and that the instantaneous settings of calibrated circuit breakers are compliant with labeled settings.

(e) Any trailing cable that is not in safe operating condition shall be removed from service immediately and repaired or replaced.

(f) Each splice or repair to the trailing cables shall be made in a workmanlike manner and in accordance with the instructions of the manufacturer of the splice repair kit. Splices will be made with an MSHA-approved splice wrap.

(g) The petitioner's alternative method will not be implemented until all miners who have been designated to examine trailing cables and verify instantaneous settings have received all the elements of necessary training.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same

measure of protection afforded the miners under the mandatory standard.

**Song-ae Aromie Noe,**

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

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**BILLING CODE 4520-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petition for Modification of Application of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before October 31, 2022.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA-2022-051 by any of the following methods:

1. *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2022-051.

2. *Fax:* 202-693-9441.

3. *Email:* [petitioncomments@dol.gov](mailto:petitioncomments@dol.gov).

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452, *Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

**FOR FURTHER INFORMATION CONTACT:** S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), [Petitionsformodification@dol.gov](mailto:Petitionsformodification@dol.gov) (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing,

and disposition of petitions for modification.

### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any 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. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

### II. Petition for Modification

*Docket Number:* M-2022-020-C.

*Petitioner:* UC Mining, LLC, 835 State Route 1179, Waverly, Kentucky, 42462.

*Mine:* UC Mining, LLC Mine, MSHA ID No. 15-02709, located in Union County, Kentucky.

*Regulation Affected:* 30 CFR 77.1914 (a), Electrical equipment.

*Modification Request:* The petitioner requests a modification of 30 CFR 77.1914 (a) to permit using a non-permissible brake car on the slope hoist to transport men and materials in and out of the slope, inby the collar during the excavation of the 11 seam turnout in the mine slope.

The petitioner states that:

(a) Miners will be better protected from hoist overspeed and rope breakage by using a brake car for transportation in and out of the slope.

(b) Miners will also be better protected by riding in a covered car versus an open car.

The petitioner proposes the following alternative method:

(a) The battery-powered Frontier Kemper/Lake Shore Sanford-Day Brakeman Car, serial number BC-163-19, model number BSD-2-42 will be operated in intake air at all times.

(b) The intake air in the slope will remain below 1 percent methane at all times.

(c) If the methane level approaches or reaches 1 percent, all power including the battery-powered Brakeman Car shall be removed and corrections to the ventilation system shall be made.

(d) Tests for methane shall be conducted within the slope as required by the standard.

(e) The Brakeman car shall be equipped with onboard communication and an emergency stop feature.

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

**Song-ae Aromie Noe,**

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

[FR Doc. 2022-21096 Filed 9-28-22; 8:45 am]

**BILLING CODE 4520-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petition for Modification of Application of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before October 31, 2022.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA-2022-0048 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2022-0048.
2. *Fax:* 202-693-9441.
3. *Email:* [petitioncomments@dol.gov](mailto:petitioncomments@dol.gov).
4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452, *Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

**FOR FURTHER INFORMATION CONTACT:** S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), [Petitionsformodification@dol.gov](mailto:Petitionsformodification@dol.gov) (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

#### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any 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. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

#### II. Petition for Modification

*Docket Number:* M-2022-018-C.

*Petitioner:* Buchanan Minerals, LLC, Company, PO Drawer L, Oakwood VA 24631.

*Mine:* Buchanan No. 1 Mine, MSHA ID No. 44-04856 located in Buchanan County, Virginia.

*Regulation Affected:* 30 CFR 75.1100-2 (b), Quantity and location of firefighting equipment.

*Modification Request:* The petitioner requests a modification of 30 CFR 75.1100-2 (b) to allow an alternative to the installation of a parallel waterline along the entire length of the belt conveyor that will be utilized in the development of three-entry longwall headgate and subsequent longwall retreat sections. The petitioner proposes installing the waterline in the adjacent entry to the belt conveyor and extending the distance between fire hydrants to 320 feet on three-entry longwall headgate development and subsequent longwall retreat sections.

The petitioner states that:

(a) Currently, as numbered left to right, No.1 entry serves as the return, No. 2 entry serves as the intake/track entry, and No. 3 entry serves as the belt entry.

(b) The headings are on 160-foot centers and the crosscuts from the No.2 Entry to the No.3 Entry are on 60-foot centers. The No. 2 intake/track entry is isolated from the No. 3 belt entry by permanent cement block stoppings. The mine seam heights are 48 inches or

higher. In accordance with 30 CFR 75.333 (c) (1), personnel doors are installed at distances not to exceed 600 feet.

(c) A 6-inch waterline is installed along the full length of the track.

(d) The following two methods are utilized to facilitate the requirements of 30 CFR 75.1100-2 (b):

(1) A 2-inch waterline is installed along the belt conveyor with fire valves installed at intervals of 300 feet.

(2) The 2-inch waterline is supplied via the 6-inch line through taps at intervals necessary to ensure flow rate requirements are met; or a 2-inch waterline is branched off the 6-inch waterline at every break and extended over to the No. 3 belt entry with a corresponding fire valve fitted on the end of each branch.

(e) The new gateroad design will utilize 1,000-foot-wide longwall faces and require crosscuts to be driven on 160-foot centers. This crosscut spacing is critical to the global stability of the mine environment. The design was reviewed by MSHA's Technical Support Roof Control Group which found it to have merit.

(f) The petitioner is applying to reconfigure the 6-inch waterline in the adjacent entry to the belt conveyor and extend the distance between fire hydrants from 300 feet to 320 feet on three-entry longwall headgate development and subsequent longwall retreat sections. The waterline will be located in the No. 2 intake/track entry with the exception of a final connection that will extend the waterline to the section loading point in the No. 3 belt entry. Additional fire-fighting equipment will be staged and enhanced access between the No. 2 and No. 3 entry will be instituted. The utilization of the waterline in the No. 2 intake/track entry will facilitate both the installation of the waterline during development and removal upon longwall retreat mining.

(g) Should an issue arise affecting the water delivery system, the problem can be readily identified due to the waterline's location along the track that is more frequently traveled than the belt entry.

(h) With the waterline located in the No. 2 intake/track entry as compared to the No. 3 belt entry, it is less likely to be compromised due to fire and extreme heat exposure resulting in pressure loss.

(i) The alternative waterline installation will require less material handling thus reducing the risk of injury, especially hand and back-related injuries.

(j) The additional fire hose, fire hose nozzles, and three-way manifold will