

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 Number:* M-2010-040-C.

*Petitioner:* Kingston Mining, Inc., Route 1, Box 76-C, Scarbro, West Virginia 25917.

*Mine:* Kingston No. 1 Mine, MSHA I.D. No. 46-08625, located in Fayette County, West Virginia.

*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 deluge-type water spray systems to be used without blow-off dust covers on the nozzles. The petitioner states that: (1) Weekly inspections and functional tests of its complete deluge-type water spray system are currently being conducted at the mine; (2) each nozzle is provided with a blow-off dust cover; (3) due to frequent inspections and functional testing of the system, the dust covers are not necessary because the nozzles can be maintained in an unclogged condition through weekly use; and (4) it is burdensome to recap the large number of covers weekly after each inspection and functional test. The petitioner proposes to continue its weekly inspection and functional testing of the complete deluge-type water spray system at the Kingston No. 1 Mine, and to remove the blow-off dust covers from the nozzles. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners as would be provided by the existing standard.

*Docket Number:* M-2010-041-C.

*Petitioner:* Twentymile Coal LLC, Three Gateway Center, Suite 1340, 401 Liberty Avenue, Pittsburgh, Pennsylvania 15222-1000.

*Mine:* Foidel Creek Mine, MSHA I.D. No. 05-03836, located in Routt County, Colorado.

*Regulation Affected:* 30 CFR 75.1714-2(b) (Self-rescue devices; use and location requirements).

*Modification Request:* The petitioner requests a modification of the existing standard to permit an alternative method of compliance to allow additional outby storage caches of Self-

Contained Self-Rescuers (SCSR's) to be stored along normal travelways in lieu of carrying one-hour SCSR units by pumpers, examiners, and other persons who do not have a fixed work location. The petitioner seeks modification of the existing standard that requires that self-rescue devices be worn or carried at all times by each person when underground. The petitioner states that: (1) Twentymile utilizes three entry gateroads for longwall mining. (2) Gateroad lengths range from 6,000 feet to 20,000 feet. (3) Main entry lengths range from 4,000 feet to 8,500 feet. (4) Mine examiners travel (walk) belt line entries three times per day. (5) Maximum SCSR cache spacing is 5700 feet along primary and alternate escapeways. The petitioner further states that: (a) Additional SCSR outby storage caches will be placed a maximum of 2,000 feet apart in beltlines and return air courses; (b) these additional SCSR outby storage caches will have no less than two units available for pumpers, examiners, and other persons who do not have a fixed work location and who would be expected to be traveling in the area; (c) pumpers, examiners, and other persons who do not have a fixed work location traveling along the normal travel routes will at no time be farther than 1,000 feet from a one-hour SCSR; (d) all full time personnel are issued and wear or carry an Ocenco M-20 SCSR; (e) individuals would carry a one-hour SCSR with them along with the Ocenco M-20-SCSR while traveling in mantrips or other mobile equipment; and (f) individuals traveling in mantrips or other mobile equipment will at no time be farther than 1425 feet from additional SCSRs. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection to all miners as would be provided by the standard.

*Docket Number:* M-2010-043-C.

*Petitioner:* Twentymile Coal LLC, Three Gateway Center, Suite 1340, 401 Liberty Avenue, Pittsburgh, Pennsylvania 15222-1000.

*Mine:* Foidel Creek Mine, MSHA I.D. No. 05-03836, located in Routt County, Colorado.

*Regulation Affected:* 30 CFR 75.1714-4(b) (Additional self-contained self-rescuers (SCSRs)).

*Modification Request:* The petitioner requests a modification of the existing standard to permit an alternative method of compliance to allow additional mantrip storage caches of Self-Contained Self-Rescuers (SCSRs) to be stored along travelways in lieu of additional SCSRs carried and stored on mantrips or mobile equipment. The

petitioner seeks modification of the existing standard that requires additional SCSRs on mantrips. The petitioner states that: (1) Twentymile utilizes diesel pick-up mantrips and utility vehicles and diesel material haulage equipment for underground transportation; (2) Normal mantrip travel time to operating sections is less than 1 hour; (3) During the winter months, outside temperatures reach 40 degrees below zero Fahrenheit for extended periods of time; (4) The manufacturer recommends the unit be stored at temperatures above 10 degrees below zero Fahrenheit; (5) Because of such temperatures and the storage of SCSRs on the mantrips, there is a potential for damage to the SCSRs while they are outside the mine; (6) Maximum SCSR cache spacing is 5700 feet along primary and alternate escapeways; (7) Twentymile propose to provide additional SCSRs along travelways in lieu of additional SCSRs carried and stored on mantrips or mobile equipment. In that regard, Twentymile proposes the following alternative to providing additional oxygen along travelways: (a) the petitioner will provide additional SCSR mantrip storage caches placed half way between the existing escapeway SCSRs required by 30 CFR 75.1502 and 30 CFR 75.1714-4(c); (b) these additional SCSR mantrip storage caches will have no less than the maximum number of individuals that can be carried by the largest capacity personnel carrier; (c) all full time personnel are issued and shall wear or carry an Ocenco M-20 SCSR; (d) individuals will carry a one-hour SCSR with them along with the Ocenco M-20 SCSR while traveling in mantrips or other mobile equipment; (e) individuals traveling in mantrips or other mobile equipment will at no time be farther than 1425 feet from additional SCSRs. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection to all miners as would be provided by the standard.

Dated: March 18, 2011.

**Patricia W. Silvey,**  
Certifying Officer.

[FR Doc. 2011-6918 Filed 3-23-11; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations and Variances on or before April 25, 2011.

**ADDRESSES:** You may submit your comments, identified by the petition's "docket number" on the subject line, using any of the following methods:

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 1-202-693-9441.

3. *Regular Mail:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, Attention: April E. Nelson, Acting Director, Office of Standards, Regulations and Variances.

4. *Hand-Delivery or Courier:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, Attention: April E. Nelson, Acting Director, Office of Standards, Regulations, and Variances.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron, Office of Standards, Regulations and Variances at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

**SUPPLEMENTARY INFORMATION:****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 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 Number:* M-2011-001-C.

*Petitioner:* Left Fork Mining Company, Inc., P.O. Box 13, Arjay, Kentucky 40902.

*Mines:* Straight Creek No. 1 Mine, MSHA I.D. No 15-12564, located in Bell County, Kentucky.

*Regulation Affected:* 30 CFR 75.364(b)(1) (Weekly examination).

*Modification Request:* The petitioner requests a modification of the existing standard to permit evaluation points to be established for weekly evaluation of the affected area of the intake return. The petitioner states that: (1) This petition is necessary for the intake slope entry due to a 26 degree incline. Three evaluation points located along the slope entry will be established for weekly evaluation of the affected area; (2) a certified person will examine each of the evaluation points at least every 7 days, including: (a) examine for hazards on the approaches to and at the evaluation points; (b) evaluate and measure the quality and quantity of air flowing past the evaluation points to determine the methane, oxygen, and carbon monoxide concentrations using a MSHA approved hand-held device; (c) measure air quantity using an appropriately calibrated anemometer; (d) not permitting harmful gases to accumulate in exceed of the legal limits for a return air course; (e) if an increase of 0.5 percent methane above the previous reading or a 10 percent unplanned change in airflow quantity from the previous reading is determined at these evaluation points, an immediate examination and evaluation of the cause will be conducted; (f) a date board will be provided at each evaluation point where a certified examiner will record the date, time, and his or her initials; and (g) the results of each weekly examination in a book maintained on the surface; (3) the permanent ventilation controls and evaluation points will be shown on the annual mine ventilation map in accordance with 30 CFR 75.372; and (4) all evaluation points and approaches to the

evaluation points will be maintained in a safe condition at all times. 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.

*Docket Number:* M-2011-002-C.

*Petitioner:* Rosebud Mining Company, P.O. Box 1025, Northern Cambria, Pennsylvania 15714.

*Mines:* Beaver Valley Mine, MSHA I.D. No. 36-08725, located in Beaver County, Pennsylvania. Bergholz Mine, MSHA I.D. No. 33-04565, located in Jefferson County, Ohio. Cherry Tree Mine, MSHA I.D. No. 36-09224; Harmony Mine, MSHA I.D. No. 36-09477; Penfield Mine, MSHA I.D. No. 36-09355, located in Clearfield County, Pennsylvania. Clementine Mine, MSHA I.D. No. 36-08862; Darmac #2 Mine, MSHA I.D. No. 36-08135; Dutch Run Mine, MSHA I.D. No. 36-0870; Logansport Mine, MSHA I.D. No. 36-08841; Tracy Lynne Mine, MSHA I.D. No. 36-08603, located in Armstrong County, Pennsylvania. Heilwood Mine, MSHA I.D. No. 36-09407; Knob Creek Mine, MSHA I.D. No. 36-09394; Lowry Mine, MSHA I.D. No. 36-09287; Tom's Run Mine, MSHA I.D. No. 36-08525, located in Indiana County, Pennsylvania. Little Toby Mine, MSHA I.D. No. 36-08847, located in Elk County, Pennsylvania. Mine 78, MSHA I.D. No. 36-09371, located in Somerset County, Pennsylvania. Tusky Mine, MSHA I.D. No. 33-04509, located in Tuscarawas County, Ohio. Twin Rocks Mine, MSHA I.D. 36-08836, located in Cambria County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.503 (Permissible electric face equipment) and 30 CFR 18.35(a)(2) (Portable trailing cables and cords).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of MSHA approved five (5) conductor 10 American Wire Gauge (AWG) cable (SO cable) with a diameter of 0.77 with a tolerance of +/- 0.03. The petitioner states that: (1) The cable will be hung on insulated hangers for the entire length at all times; (2) within 60 days after the proposed decision and order becomes final, proposed revisions for its approved 30 CFR part 48 training plan will be submitted to the District Manager. In addition, the proposed revisions will specify initial and refresher training regarding the terms and conditions stated in the proposed decision and order. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the standard.

*Docket Number:* M-2011-003-C.  
*Petitioner:* Frasure Creek Mining, LLC,  
 P.O. Box 142, Justice, West Virginia  
 24851.

*Mine:* Deep Mine No. 11, MSHA I.D.  
 No. 46-09329, located in Fayette  
 County, West Virginia, and Isaban Deep  
 Mine No. 3, MSHA I.D. No. 46-09245,  
 located in Mingo County, West Virginia.

*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 eliminate the use of blow-  
 off dust covers for the spray nozzles of  
 a deluge-type water spray system. The  
 petitioner proposes to conduct a weekly  
 inspection and functional test of its  
 complete deluge-type spray system. The  
 petitioner states that: (1) The system  
 consists of an average of thirty (30)  
 sprays along each of approximately ten  
 (10) primary belt-conveyor drives and  
 an average of sixty (60) sprays along  
 each of eight (8) secondary drives; (2)  
 the nozzles are currently provided with  
 blow-off dust covers, but the dust covers  
 are not necessary because the nozzles  
 can be maintained in an unclogged  
 condition through weekly use; and (3) it  
 is burdensome to recap the large  
 number of covers weekly after each  
 inspection and functional test. The  
 petitioner asserts that the proposed  
 alternative method will at all times  
 guarantee no less than the same measure  
 of protection afforded the miners than  
 the existing standard.

*Docket Number:* M-2011-001-M.  
*Petitioner:* Carmeuse Industrial Sands,  
 P.O. Box 429, Brady, Texas 76825.

*Mine:* Brady Plant, MSHA I.D. No. 41-  
 01371, located in McCulloch County,  
 Texas.

*Regulation Affected:* 30 CFR 56.13020  
 (Use of compressed air).

*Modification Request:* The petitioner  
 requests a modification of the existing  
 standard to permit the implementation  
 of a clothes cleaning booth process that  
 has been jointly developed with and  
 successfully tested by the National  
 Institute for Occupational Safety and  
 Health (NIOSH). This process utilizes  
 controlled compressed air for the  
 purpose of cleaning miners' dust laden  
 clothing. The petitioner states: (1) Only  
 miners trained in the operation of the  
 NIOSH-tested clothes cleaning booth  
 process will be permitted to use the  
 process. (2) Clothes cleaning booth  
 process training will be incorporated  
 into the Part 46 training plan. (3) All  
 miners entering the NIOSH-tested  
 clothes cleaning booth will be required  
 to wear full seal goggles for eye  
 protection, ear plugs or muffs for  
 hearing protection, and fit-tested  
 respirators with N100 filters for

respiratory protection. (4) The clothes  
 cleaning booth will have a caution sign,  
 conspicuously posted, indicating that  
 the use of respirators, hearing  
 protection, and goggles are required  
 before entering the booth. (5) Air  
 pressure through the spray manifold  
 will be limited to 30 pounds per square  
 inch. A lock-box with a single key  
 controlled by the Plant Manager will be  
 used to prevent tampering with the  
 regulator. (6) The air spray manifold  
 will consist of 1.5 inch schedule 80  
 pipe, which has a failure pressure of  
 1,300 pounds per square inch, capped at  
 the base and actuated by an electrically-  
 controlled ball valve at the top. (7) The  
 air spray manifold will contain 26 total  
 nozzles of which 25 will be 18.4 SCFM  
 @ 3 psig and the 26th and lowermost  
 nozzle will be 19.2 SCFM @ 30 psig. (8)  
 The uppermost spray nozzle will be  
 located at a height of not more than 56  
 inches. Those miners with a shoulder  
 height less than 56 inches will use  
 mechanical air spray deflectors, which  
 are quick, effective, and easy to use. (9)  
 Miners will be use side deflectors to  
 eliminate the possibility of incidental  
 contact with the air nozzles during use  
 of the clothes cleaning booth. (10)  
 Spraying Systems Company Nozzle No.  
 AA727-23 contains a recessed design to  
 provide air escape should the nozzle be  
 accidentally placed against a surface. (11)  
 An electrically actuated valve will be  
 inter-locked into the bag house dust  
 collector to prevent use of the clothes  
 cleaning booth if the dust collection  
 system is not functioning or inoperable. (12)  
 The clothes cleaning booth will be  
 fitted with a stand-alone dust collection  
 system. (13) Airflow through the clothes  
 cleaning booth will be sufficient to  
 maintain negative pressure during its  
 use in order to prevent contamination of  
 the environment outside of the booth. (14)  
 The air receiver tank supplying air to  
 the manifold system will be of  
 sufficient volume to permit not less than  
 20 seconds of continuous cleaning time. (15)  
 Airflow through the booth will be  
 in the downward direction, thereby  
 moving contaminants away from the  
 miner's breathing zone. (16) Miners  
 entering the clothes cleaning booth will  
 perform regular user checks examining  
 the valves and nozzle for damage of  
 malfunction and ensure that the door is  
 fully closed before opening the air  
 valve. (17) Periodic maintenance checks  
 will be performed in accordance with  
 the NIOSH recommendation contained  
 within the "Clothes Cleaning Process  
 Instruction Manual." No significant  
 safety or health concerns have been  
 identified because the eyes are protected  
 by full seal goggles, the skin is protected

by work clothes, hearing is protected by  
 plugs or muffs, and the lungs are  
 protected by a respirator, and air is  
 limited to 30 pounds per square inch,  
 which is the Occupational Safety and  
 Health Administration (OSHA) limit for  
 cleaning purposes. The petitioner  
 asserts that the cleaning process will  
 provide a more effective clothes  
 cleaning method and a direct reduction  
 of a miners' exposure to respirable  
 crystalline silica dust, thus reducing  
 their health risks while providing no  
 less a degree of safety than that  
 provided by the standard.

Dated: March 18, 2011.

**Patricia W. Silvey,**  
*Certifying Officer.*

[FR Doc. 2011-6919 Filed 3-23-11; 8:45 am]

**BILLING CODE 4510-43-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (11-024)]

### NASA Advisory Council; Aeronautics Committee; Meeting

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

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the  
 Federal Advisory Committee Act, Public  
 Law 92-463, as amended, the National  
 Aeronautics and Space Administration  
 announces a meeting of the Aeronautics  
 Committee of the NASA Advisory  
 Council. The meeting will be held for  
 the purpose of soliciting from the  
 aeronautics community and other  
 persons research and technical  
 information relevant to program  
 planning.

**DATES:** Thursday, April 14, 2011, 8:30  
 a.m. to 3:30 p.m., Local Time; Friday,  
 April 15, 2011, 8:30 a.m. to 11:15 a.m.,  
 Local Time.

**ADDRESSES:** Thursday, April 14, 2011—  
 NASA Dryden Flight Research Center  
 (DFRC), Lilly Drive Building 4825,  
 Edwards, CA 93523. Friday, April 15,  
 2011—The AERO Institute, 38256 Sierra  
 Highway, Palmdale, CA 93550.

**FOR FURTHER INFORMATION CONTACT:** Ms.  
 Susan L. Minor, Executive Secretary for  
 the Aeronautics Committee, National  
 Aeronautics and Space Administration  
 Headquarters, Washington, DC 20546,  
 (202) 358-0566, or  
[susan.l.minor@nasa.gov](mailto:susan.l.minor@nasa.gov).

**SUPPLEMENTARY INFORMATION:** The  
 meeting will be open to the public up  
 to the capacity of the room. Any person  
 interested in participating in the  
 meeting by Webex and telephone