

circuit breakers shall have permanent, legible labels, identifying the circuit breakers as being set for the size of the cable.

(g) Replacement circuit breakers and/or instantaneous trip units used to protect No. 2 AWG cables shall be set to trip at 600 amperes and shall be sealed.

(h) During each production day, persons designated by the operator shall visually examine the trailing cables to ensure that the cables are in safe operating condition and that the trip settings are sealed and do not exceed the settings stipulated in this petition.

(i) Any trailing cable that is not in safe operating condition shall be removed from service immediately and repaired or replaced. In addition, if mining methods or operation procedures cause or contribute to the damage of any trailing cable, additional precautions shall be taken to ensure that the cable is protected and maintained in a safe operating condition.

(j) Each splice or repair in the trailing cable shall be made in a proper workmanlike manner and in accordance with the instructions of the manufacturer of the splice or repair kit. The outer jacket of each splice or repair shall be vulcanized with flame resistant material or made with material that has been accepted by MSHA as flame resistant under 30 CFR part 18.

(k) Permanent warning labels shall be installed and maintained on the covers of each circuit breaker and trailing cable disconnecting device indicating that the trailing cable can only be connected to a properly adjusted and sealed circuit breaker. These labels shall warn miners not to change or alter the sealed trip settings and not to connect the trailing cables to an improperly adjusted circuit breaker.

(l) The conditions of this petition shall not be implemented until all miners designated to examine the integrity of the seals, verify the trip settings, and examine trailing cables for defects have received the training outlined in this petition.

(m) Within 60 days after the proposed decision and order becomes final, the petitioner shall submit proposed revisions to its approved 30 CFR part 48 training plan to the MSHA District Manager. The proposed revisions shall specify task training for miners designated to verify that the trip settings of the circuit interrupting devices protecting the affected trailing cables do not exceed the specified settings. The training shall include the following elements:

1. The hazards of setting the circuit interrupting device too high to adequately protect the trailing cable.

2. How to verify that the circuit interrupting devices protecting the trailing cables are properly set and maintained.

3. Mining methods and operating procedures to protect the trailing cables against damage.

4. Proper procedures for examining the affected trailing cables to ensure they are in safe operating condition.

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,**

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

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**BILLING CODE 4520-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Affirmative Decisions on Petitions for Modification Granted in Whole or in Part

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

**ACTION:** Notice.

**SUMMARY:** The Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations govern the application, processing, and disposition of petitions for modification of mandatory safety standards. Any mine operator or representative of miners may petition for an alternative method of complying with an existing safety standard. MSHA reviews the content of each submitted petition, assesses the mine in question, and ultimately issues a decision on the petition. This notice includes a list of petitions for modification that were granted after MSHA's review and investigation, between July 1, 2021 and December 31, 2021.

**ADDRESSES:** Copies of the final decisions are posted on MSHA's website at <https://www.msha.gov/regulations/rulemaking/petitions-modification>. The public may also inspect the petitions and final decisions in person at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, Virginia, between 9:00 a.m. and 5:00 p.m. Monday through Friday, except federal holidays. 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 (facsimile). [These are not toll-free numbers.]

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Under section 101 of the Federal Mine Safety and Health Act of 1977, any mine operator or representative of miners may

petition to use an alternative approach to comply with a mandatory safety standard. In response, the Secretary of Labor (Secretary) or his or her designee may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) An alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision. In other instances, MSHA may deny, dismiss, or revoke a petition for modification. In accordance with 30 CFR 44.5, MSHA publishes every final action granting a petition for modification.

##### II. Granted Petitions for Modification

On the basis of the findings of MSHA's investigation, and as designee of the Secretary, MSHA granted or partially granted the petitions for modification below. Since the previous **Federal Register** notice (86 FR 41519) included petitions granted through June 30, 2021, listed below are petitions granted between July 1, 2021 and December 31, 2021. The granted petitions are shown in the order that MSHA received them.

- **Docket Number:** M-2020-009-C.

**FR Notice:** 85 FR 47404 (8/5/2020).

**Petitioner:** Century Mining LLC, 200 Chapel Brook Drive, Bridgeport, West Virginia 26330.

**Mine:** Longview Mine, MSHA I.D. No. 46-09447, located in Barbour County, West Virginia.

**Regulation Affected:** 30 CFR 75.500(d) (Permissible electric equipment).

- **Docket Number:** M-2020-023-C.

**FR Notice:** 85 FR 66582 (10/20/2020).

**Petitioner:** Century Mining LLC, 200 Chapel Brook Drive, Bridgeport, West Virginia 26330.

**Mine:** Longview Mine, MSHA I.D. No. 46-09447, located in Barbour County, West Virginia.

**Regulation Affected:** 30 CFR 75.507-1 (Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements.).

- **Docket Number:** M-2020-025-C.

**FR Notice:** 85 FR 66582 (10/20/2020).

*Petitioner:* Century Mining LLC, 200 Chapel Brook Drive, Bridgeport, West Virginia 26330.

*Mine:* Longview Mine, MSHA I.D. No. 46–09447, located in Barbour County, West Virginia.

*Regulation Affected:* 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility.)

- *Docket Number:* M–2021–002–C.  
*FR Notice:* 86 FR 16641 (3/30/2021).

*Petitioner:* Blue Mountain Energy, Inc., 3607 County Road #65, Rangely, Colorado 81648.

*Mine:* Deserado Mine, MSHA ID No. 05–03505, located in Rio Blanco County, Colorado.

*Regulation Affected:* 30 CFR 75.507–1(a) (Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements).

- *Docket Number:* M–2021–003–C.  
*FR Notice:* 86 FR 16641 (3/30/2021).

*Petitioner:* Blue Mountain Energy, Inc., 3607 County Road #65, Rangely, Colorado 81648.

*Mine:* Deserado Mine, MSHA ID No. 05–03505, located in Rio Blanco County, Colorado.

*Regulation Affected:* 30 CFR 75.500(d) (Permissible electric equipment).

- *Docket Number:* M–2021–004–C.  
*FR Notice:* 86 FR 16641 (3/30/2021).

*Petitioner:* Blue Mountain Energy, Inc., 3607 County Road #65, Rangely, Colorado 81648.

*Mine:* Deserado Mine, MSHA ID No. 05–03505, located in Rio Blanco County, Colorado.

*Regulation Affected:* 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).

- *Docket Number:* M–2021–005–C.  
*FR Notice:* 86 FR 16644 (3/30/2021).

*Petitioner:* Blue Diamond Mining, LLC, 1021 Tori Drive, Hazard, Kentucky, 41701.

*Mine:* Calvary Mine #81, MSHA ID No. 15–12753, located in Leslie County, Kentucky.

*Regulation Affected:* 30 CFR 75.364 (Weekly examination). 30 CFR 75.364(b)(2) requires that at least every 7 days an examination for hazardous conditions shall be made by a certified person designated by the operator in at least one entry of each return air course, in its entirety, so that the entire air course is traveled.

- *Docket Number:* M–2021–007–C.  
*FR Notice:* 86 FR 27898 (5/24/2021).

*Petitioner:* Mountain Coal Company, L.L.C., 5174 Highway 133, Somerset, Colorado, 81434.

*Mine:* West Elk Mine, MSHA ID No. 05–03672, located in Gunnison County, Colorado.

*Regulation Affected:* 30 CFR 75.507–1(a) (Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements).

- *Docket Number:* M–2021–009–C.  
*FR Notice:* 86 FR 27898 (5/24/2021).

*Petitioner:* Mountain Coal Company, L.L.C., 5174 Highway 133, Somerset, Colorado, 81434.

*Mine:* West Elk Mine, MSHA ID No. 05–03672, located in Gunnison County, Colorado.

*Regulation Affected:* 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).

- *Docket Number:* M–2021–004–M.  
*FR Notice:* 86 FR 38360 (7/20/2021).

*Petitioner:* Genesis Alkali, LLC, 580 Westvaco Rd., Green River, Wyoming, 82935.

*Mine:* Genesis Alkali @WESTVACO, MSHA ID No. 48–00152, located in Sweetwater County, Wyoming.

*Regulation Affected:* 30 CFR 57.22305 (Approved equipment (III mines)).

- *Docket Number:* M–2021–026–C.  
*FR Notice:* 86 FR 46018 (8/17/21).

*Petitioner:* Marion County Coal Resources, Inc., 151 Johnnycake Road, Metz, West Virginia (Zip 26585).

*Mine:* Marion County Mine, MSHA ID No. 46–01433, located in Marion County, West Virginia.

*Regulation Affected:* 30 CFR 75–1700 (Oil and gas wells).

**Song-ae Aromie Nae,**

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

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**BILLING CODE 4520–43–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NOTICE: [22–013]]

### Requirement for NASA Recipients of Financial Assistance Awards To Obtain a Quotation From Small and/or Minority Businesses, Women's Business Enterprises and Labor Surplus Area Firms

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

**ACTION:** Request for public comment on new term and condition that requires recipients of NASA financial assistance to obtain a quotation from small and/or minority businesses, women's business enterprises or labor surplus area firms.

**SUMMARY:** The Grants Policy and Compliance Branch (GPC) in the National Aeronautics and Space

Administration's (NASA) Office of the Chief Financial Officer is soliciting public comment on the Agency's proposed implementation of a new term and condition that requires recipients of NASA financial assistance to obtain a quotation from small and/or minority businesses, women's business enterprises or labor surplus area firms when the acquisition of goods or services exceeds the simplified acquisition threshold. In response to the Executive Order regarding Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, NASA has been working to identify and address barriers that underserved communities and individuals may face in taking advantage of procurement, contracting, or grant opportunities. To address these barriers, NASA has taken a few actions including proposing the term and condition described above. NASA is taking this action to ensure that entities funded by NASA are compliant with the procurement standards in the uniform guidance. NASA's expectation is that this action will result in an increase in contracting opportunities for small and/or minority businesses, women's business enterprises and labor surplus area firms that contract with NASA financial assistance recipients.

**DATES:** Comments must be received by March 25, 2022.

**ADDRESSES:** Comments should be addressed to National Aeronautics and Space Administration Headquarters, 300 E Street SW, Rm. 6087, Washington, DC 20546 or sent through [www.regulations.gov](http://www.regulations.gov); Phone Number: 202–358–2180, FAX Number: 202–358–3336. We encourage respondents to submit comments electronically to ensure timely receipt. We cannot guarantee that comments mailed will be received before the comment closing date. Please include "Requirement to obtain a quotation from small and/or minority businesses, women's business enterprises or labor surplus area firms" in the subject line of the email message. Please also include the full body of your comments in the text of the message and as an attachment. Include your name, title, organization, postal address, telephone number, and email address in your message.

**FOR FURTHER INFORMATION CONTACT:** Christiane S. Diallo, email: [Christiane.diallo@nasa.gov](mailto:Christiane.diallo@nasa.gov), telephone (202) 358–5179.

**SUPPLEMENTARY INFORMATION:** On January 25, 2021, President Biden issued E.O. 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal