

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–2022–022–C.

*Petitioner:* M&D Anthracite Coal Company, 71 Hill Road, Hegins, Pennsylvania, 17938.

*Mine:* Slope #1, MSHA ID No. 36–09976, located in Schuylkill County, Pennsylvania.

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

*Modification Request:* The petitioner requests a modification of 30 CFR 75.1002(a) to permit the use of non-permissible electric equipment, including drags and battery locomotives, within 150 feet of the pillar line.

The petitioner states that:

(a) The mine is a pitching anthracite mine.

(b) The use of drags on less than moderate pitching veins (less than 20 degrees pitch) is the only practical system of mining in use.

(c) Permissible drags are not commercially available. Partly due to their small size, permissible locomotives are not commercially available.

(d) Because of low daily production rates and full timbering support, in-rushes of methane resulting from massive pillar falls are unlikely to occur.

(e) Recovery of the pillars above the first miner heading is usually accomplished on the advance within 150 feet of the section intake (gangway) and the remaining minable pillars are recovered from the deepest point of penetration outby.

The petitioner proposes the following alternative method:

(a) The equipment shall be operated in the working section's only intake entry (gangway) which is regularly traveled and examined.

(b) Methane testing shall occur on an hourly basis and the test results shall be recorded in the on-shift examination record.

(c) Equipment operation shall be suspended if the methane concentration at the equipment reaches 0.5% methane during a pre-shift examination or operation.

(d) The required intake air flow of 5,000 cubic feet per minute shall be measured just outby the nonpermissible equipment, with the ventilating air passing over the equipment to ventilate the pillar being mined.

(e) The electrical equipment shall be attended during operation and shall be de-energized at the intersection of the working gangway and intake slope.

(f) Where more than one active line of pillar breast recovery exist, the locomotive may travel to a point just outby the deepest active chute/breast (room) workings or last open crosscut in a developing set of entries.

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

### Occupational Safety and Health Administration

[Docket No. OSHA–2016–0005]

### Preparations for the 43rd Session of the UN Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice of public meetings.

**SUMMARY:** This notice is to advise interested persons that OSHA will conduct a virtual public meeting in advance of the 43rd session of the United Nations Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (UNSCCEGHS) to be held as a hybrid (in-person and virtual) meeting

December 7–9, 2022, in Geneva, Switzerland. OSHA, along with the U.S. Interagency Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Coordinating Group, plans to consider the comments and information gathered at this public meeting when developing the U.S. Government positions for the UNSCEGHS meeting. This meeting will occur jointly with the Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA), to discuss proposals in preparation for the 61st session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCETDG), to be held as a hybrid meeting November 28–December 6, 2022.

**DATES:** The virtual public meeting will take place on November 16, 2022. Specific information for each meeting will be posted when available on the OSHA website at [https://www.osha.gov/dsg/hazcom/hazcom\\_international.html#meeting-notice](https://www.osha.gov/dsg/hazcom/hazcom_international.html#meeting-notice).

**ADDRESSES:** The virtual meetings will be hosted through the Department of Transportation (DOT) Headquarters Conference Center, 1200 New Jersey Avenue SE, Washington, DC 20590.

**Written Comments:** Interested parties may submit comments from November 6 through December 6, 2022, on the Working and Informal Papers for the 43rd session of the UNSCEGHS to the docket established for International/Globally Harmonized System (GHS) efforts at: <http://www.regulations.gov>, Docket No. OSHA–2016–0005.

**Registration to Attend and/or to Participate in the Virtual Meetings:** The OSHA and PHMSA meetings will be open to the public on a first-come, first served basis, as space is limited. Advanced meeting registration information will be posted on the PHMSA website listed below. DOT is committed to providing equal access to this meeting for all participants. If you need interpretation or alternative formats or services because of a disability, such as sign language or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Attendees may use the same form to pre-register for both meetings. Failure to pre-register may delay your access into the DOT Headquarters conference call line. Conference call-in and “Teams meeting” capability will be provided for both meetings. Information on how to access the conference call and “Teams meeting” will be posted when available at: <https://www.phmsa.dot.gov/international-program/international->

*program-overview* under Upcoming Events. This information will also be posted on OSHA's Hazard Communication website on the international tab at: [https://www.osha.gov/dsg/hazcom/hazcom\\_international.html#meeting-notice](https://www.osha.gov/dsg/hazcom/hazcom_international.html#meeting-notice).

**FOR FURTHER INFORMATION CONTACT:**

*At the Department of Transportation:* Please contact Mr. Steven Webb or Mr. Aaron Wiener, Office of Hazardous Materials Safety, Department of Transportation, telephone: (202) 366-8553.

*At the Department of Labor:* Please contact Ms. Maureen Ruskin, OSHA Directorate of Standards and Guidance, Department of Labor, telephone: (202) 693-1950, email: [ruskin.maureen@dol.gov](mailto:ruskin.maureen@dol.gov).

**SUPPLEMENTARY INFORMATION:** OSHA will conduct a virtual public meeting in advance of the 43rd session of the UNSCEGHS to be held as a hybrid (in-person and virtual) meeting December 7–9, 2022, in Geneva, Switzerland. This virtual public meeting will occur jointly with the DOT PHMSA to discuss proposals in preparation for the 61st session of the UNSCETDG to be held as a hybrid meeting November 28–December 6, 2022. Advanced meeting registration information will be posted on the PHMSA website.

For each of these meetings, OSHA and PHMSA will solicit public input on U.S. government positions regarding proposals submitted by member countries in advance of each meeting.

**The OSHA Meeting**

OSHA is hosting an open informal public meeting of the 43rd session of the UNSCEGHS which will represent the fourth and final meeting scheduled for the 2020–2022 biennium. Information on the work of the UNSCEGHS, including meeting agendas, working and informal papers, reports, and documents from previous sessions can be found on the United Nations Economic Commission for Europe (UNECE) Transport Division website located at: [http://www.unece.org/trans/danger/publi/ghs/ghs\\_welcome\\_e.html](http://www.unece.org/trans/danger/publi/ghs/ghs_welcome_e.html).

**The PHMSA Meeting**

Additional information regarding the UNSCETDG and related matters can be found on PHMSA's website at: <https://www.phmsa.dot.gov/international-program/international-program-overview>.

**Authority and Signature**

James S. Fredrick, Deputy Assistant Secretary for Occupational Safety and Health, U.S. Department of Labor,

authorized the preparation of this notice under the authority granted by sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657), and Secretary's Order 1–2012 (77 FR 3912), (Jan. 25, 2012).

Signed at Washington, DC, on October 18, 2022.

**James S. Fredrick,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

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**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

[NARA–22–0023; NARA–2023–003]

**Records Schedules; Availability and Request for Comments**

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

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice of certain Federal agency requests for records disposition authority (records schedules). We publish notice in the **Federal Register** and on [regulations.gov](https://www.regulations.gov) for records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on such records schedules.

**DATES:** We must receive responses on the schedules listed in this notice by December 9, 2022.

**ADDRESSES:** To view a records schedule in this notice, or submit a comment on one, use the following address: <https://www.regulations.gov/docket/NARA-22-0023/document>. This is a direct link to the schedules posted in the docket for this notice on [regulations.gov](https://www.regulations.gov). You may submit comments by the following method:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. On the website, enter either of the numbers cited at the top of this notice into the search field. This will bring you to the docket for this notice, in which we have posted the records schedules open for comment. Each schedule has a 'comment' button so you can comment on that specific schedule. For more information on [regulations.gov](https://www.regulations.gov) and on submitting comments, see their FAQs at <https://www.regulations.gov/faq>.

If you are unable to comment via [regulations.gov](https://www.regulations.gov), you may email us at

[request.schedule@nara.gov](mailto:request.schedule@nara.gov) for instructions on submitting your comment. You must cite the control number of the schedule you wish to comment on. You can find the control number for each schedule in parentheses at the end of each schedule's entry in the list at the end of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Kimberly Richardson, Strategy and Performance Division, by email at [regulation\\_comments@nara.gov](mailto:regulation_comments@nara.gov) or at 301–837–2902. For information about records schedules, contact Records Management Operations by email at [request.schedule@nara.gov](mailto:request.schedule@nara.gov) or by phone at 301–837–1799.

**SUPPLEMENTARY INFORMATION:**

**Public Comment Procedures**

We are publishing notice of records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on these records schedules, as required by 44 U.S.C. 3303a(a), and list the schedules at the end of this notice by agency and subdivision requesting disposition authority.

In addition, this notice lists the organizational unit(s) accumulating the records or states that the schedule has agency-wide applicability. It also provides the control number assigned to each schedule, which you will need if you submit comments on that schedule.

We have uploaded the records schedules and accompanying appraisal memoranda to the [regulations.gov](https://www.regulations.gov) docket for this notice as "other" documents. Each records schedule contains a full description of the records at the file unit level as well as their proposed disposition. The appraisal memorandum for the schedule includes information about the records.

We will post comments, including any personal information and attachments, to the public docket unchanged. Because comments are public, you are responsible for ensuring that you do not include any confidential or other information that you or a third party may not wish to be publicly posted. If you want to submit a comment with confidential information or cannot otherwise use the [regulations.gov](https://www.regulations.gov) portal, you may contact [request.schedule@nara.gov](mailto:request.schedule@nara.gov) for instructions on submitting your comment.

We will consider all comments submitted by the posted deadline and consult as needed with the Federal agency seeking the disposition authority. After considering comments,