

*Petitioner:* ACNR Holdings, Inc.,  
46226 National Road, St. Clairsville, OH  
43950.

*Mines:* Ohio County Mine, MSHA ID  
No. 46–01436, located in Marshall  
County, West Virginia; Marshall County  
Mine, MSHA ID No. 46–01437, located  
in Marshall County, West Virginia;  
Marion County Mine, MSHA ID No. 46–  
01433, located in Marion County, West  
Virginia; Harrison County Mine, MSHA  
ID No. 46–01318, located in Wetzel  
County, West Virginia.

*Regulation Affected:* 30 CFR  
75.1002(a), Permissible electric  
equipment.

*Modification Request:* The petitioner  
requests a modification of the  
application of 30 CFR 75.1002(a) to  
allow the use of an alternative method  
of respirable dust protection.  
Specifically, the petitioner is requesting  
to utilize the 3M Versaflo TR–800  
Powered Air Purifying Respirator  
(PAPR) to be used within 150 feet of  
pillar workings or longwall faces.

The petitioner states that:

(a) The 3M Versaflo TR–800 Powered  
Respirator is an intrinsically safe  
Powered Air Purifying Respirator  
(PAPR) which is certified by UL under  
the ANSI/UL 60079–11 standard to be  
used in hazardous locations because it  
meets the intrinsic safety protection  
level and is acceptable in other  
jurisdictions to use in mines with the  
potential for methane accumulation.

(b) ACNR Holdings, Inc. currently has  
approved petitions for modification  
pertaining to 30 CFR 75.500(d), 75.507–  
1(a) and 75.1002(a) to utilize the  
CleanSpace EX in areas where  
permissible equipment is used.

(c) ACNR Holdings, Inc. previously  
used the 3M airstream helmets to  
provide miners respirable dust  
protection on the longwall faces.

(d) 3M has discontinued the  
Airstream helmet and there are no other  
MSHA approved PAPRs available.

The petitioner proposes the following  
alternative method:

(a) The equipment shall be examined  
at least weekly by a qualified person  
according to 30 CFR 75.512–2 and  
examination results shall be recorded  
weekly and may be expunged after one  
year.

(b) A qualified person under 30 CFR  
75.151 shall monitor for methane as is  
required by the standard in the affected  
area of the mine.

(c) If methane is detected in  
concentrations of 1.0 percent or more,  
procedures in accordance with 30 CFR  
75.323 shall be followed.

(d) The examinations for the Versaflo  
TR–800 PAPRs shall include:

(1) Check the equipment for any  
physical damage and the integrity of the  
case;

(2) Remove the battery and examine  
for corrosion;

(3) Inspect the contact points to  
ensure a secure connection to the  
battery;

(4) Reinsert the battery and power up  
and shut down to ensure proper  
connections;

(5) Check the battery compartment  
cover or battery attachment to ensure  
that it is securely fastened; and

(6) For equipment utilizing lithium  
type cells, ensure that lithium cells and/  
or packs are not damaged or swollen.

(e) The 3M Versaflo TR–800 PAPR  
shall only use the 3M TR–830 battery  
pack or manufacturer equivalent.

(f) Before each shift when the Versaflo  
TR–800 is to be used, all batteries and  
power units for the equipment shall be  
charged sufficiently for the expected  
usage on that shift. If spare battery packs  
for the Versaflo TR–800 PAPR are  
provided, all battery “change outs” shall  
occur in intake air outby the last open  
crosscut.

(g) The following maintenance and  
use conditions shall apply to equipment  
containing lithium-type batteries:

(1) The TR–830 Battery Pack shall not  
be disassembled or modified by anyone  
other than permitted by the  
manufacturer of the equipment.

(2) The TR–830 Battery Pack shall be  
charged only on the surface of the mine  
and only using a manufacturer’s  
recommended battery charger shown  
below or manufacturer equivalent.

(i) 3M Battery Charger TR–641N.

(ii) 3M 4-Station battery charger TR–  
644N.

(3) The Versaflo TR–800 PAPR,  
including the internal battery, shall be  
used, charged, or stored in locations  
where the manufacturer’s recommended  
temperature limits are not exceeded.

(4) The TR–830 battery pack shall not  
be used at the end of its life cycle (*i.e.*,  
when there is a performance decrease of  
greater than 20% in battery-operated  
equipment). The battery pack shall be  
disposed of properly.

(h) Miners will receive training  
regarding how to safely use, care for,  
inspect the PAPR, and the Proposed  
Decision and Order (PDO) before using  
equipment in the relevant part of the  
mine. A record of the training shall be  
kept and available upon request.

The miners at Ohio County Mine,  
Marshall County Mine, Marion County  
Mine, and Harrison County Mine are  
represented by a representative of  
miners. A copy of the petition for  
modification was presented to the  
representatives of miners for Ohio

County Mine and Marion County Mine  
on February 10, 2025. A copy of the  
petition for modification was presented  
to the representatives of miners for  
Marshall County Mine and Harrison  
County Mine on February 13, 2025.

In support of the proposed alternative  
method, the petitioner has also  
submitted the manufacturer spec sheets  
for the 3M Versaflo TR–800 PAPR.

The petitioner asserts that the  
alternative method will 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. 2025–06734 Filed 4–17–25; 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 3M  
Company.

**DATES:** All comments on the petition  
must be received by MSHA’s Office of  
Standards, Regulations, and Variances  
on or before May 19, 2025.

**ADDRESSES:** You may submit comments  
identified by Docket No. MSHA–2025–  
0039 by any of the following methods:

1. *Federal eRulemaking Portal:*  
<https://www.regulations.gov>. Follow the  
instructions for submitting comments  
for MSHA–2025–0039.
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, Room  
C3522, 200 Constitution Ave. NW,  
Washington, DC 20210.

*Attention:* S. Aromie Noe, Director,  
Office of Standards, Regulations, and  
Variances. Persons delivering  
documents are required to check in at  
the receptionist’s desk. 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.

**FOR FURTHER INFORMATION CONTACT:** S.  
Aromie Noe, Office of Standards,

Regulations, and Variances at 202–693–9440 (voice), *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–2025–003–M.

*Petitioner:* 3M Company, 18750 Minnesota Road, Corona, CA 92881.

*Mine:* 3M Corona Plant, MSHA ID No. 04–00191, located in Riverside County, California.

*Regulation Affected:* 30 CFR

56.13020, Use of compressed air.

*Modification Request:* The petitioner requests a modification of 30 CFR 56.13020 to implement a clothes cleaning booth process that has been jointly developed with and successfully tested by the National Institute for Occupational Safety and Health (NIOSH). The process utilizes controlled compressed air for the purpose of cleaning miners' dust laden clothing.

The petitioner states that:

(a) Contaminated worker clothing can be a major contributor to increased employee dust exposure based on data obtained from NIOSH.

(b) The petitioner wants to install three clothes cleaning booths at the 3M Corona Plant.

(c) The clothes cleaning process uses a regulated compressed air nozzle manifold at less than 30 pounds per square inch to blow dust from a worker's clothing. The process is performed in an enclosed booth, capturing the dust and then delivering it to a stack located outside the plant.

(d) The booth is under negative pressure with air moving downward away from the worker's breathing zone and no dust escapes to contaminate the work environment or other workers.

(e) The worker entering the booth is required to wear full indirect vented safety goggles, hearing protection, and a half mask respirator.

(f) 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; 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.

(g) Air monitoring has shown minimal to no respirable dust contamination inside the respirator during this process.

(h) Testing showed no increase in respirable dust levels anywhere inside the plant.

The petitioner proposes the following alternative method:

(a) Only miners trained in the operation of the NIOSH-tested clothes cleaning booth process shall be permitted to use the process.

(b) The petitioner shall incorporate clothes cleaning booth process training into their 30 CFR part 46 training plan.

(c) Miners entering the booth shall wear, at a minimum, eye protection in standard use (or safety glasses if using a powered air purifying respirator (PAPR)) within the plant, ear plugs or muffs for hearing protection, and respiratory protection. Respiratory protection means a full-face or half-mask respirator that meets or exceeds the minimum requirements of 30 CFR parts 56, 57, 60, 70, 71, 72, 75, and 90.

(d) The NIOSH-tested clothes cleaning booth process shall have a caution sign indicating that the use of respiratory protection, hearing protection, and safety goggles (or safety glasses if using a PAPR) are required before entering the booth.

(e) Air pressure through the spray manifold shall be limited to 30 pounds per square inch.

(f) The air spray manifold shall consist of 2" square quarter inch hot rolled steel tubing, capped at the base, actuated by an electrically controlled ball valve at the top, and provide a yield strength safety factor of more than 20 when compared to the 30 psig operating pressure.

(g) The air spray manifold shall contain 27 total nozzles of which 26 will be Spraying Systems Co. Nozzle No. AA727–23, 18.4 SCFM at 30 psig. The 27th and lowermost nozzle shall be

Spraying System Co. Nozzle No. AA707–23, 19.2 SCFM at 30 psig.

(h) The uppermost spray nozzle shall be located at a height of not more than 56 inches. This places the nozzle height at shoulder height for the 50th percentile male U.S. worker according to "Ergonomics—How to Design for Ease and Efficiency," 2nd Edition, Kroemer, K.H.E., Kroemer, H.B., Kroemer-Elbert, K.E., Prentice Hall, NJ, 2001. Those miners with shoulder height less than the 50th percentile male shall utilize the mechanical air spray deflector, which is quick, effective, and easy to use.

(i) Spray nozzles have been recessed into the manifold, which is designed to eliminate the possibility of incidental contact with the air nozzles during utilization of the clothes cleaning process.

(j) Airflow through the manifold during the cleaning cycle shall occur only if the measured differential pressure on the exhaust system and pressure on the main airline are within proper operating ranges. If at any time either the differential pressure or line pressure falls outside preset limits, the cleaning cycle shall automatically stop via an electrical interlock system.

(k) Airflow through the clothes cleaning booth shall be sufficient to maintain negative pressure during use of the clothes cleaning system in order to prevent contamination of the environment outside of the booth.

(l) The air receiver tank supplying air to the manifold system shall be of sufficient volume to permit not less than 20 seconds of continuous cleaning time.

(m) Airflow through the booth shall be in the downward direction, thereby moving contaminants away from the miner's breathing zone.

(n) Miners entering the NIOSH-tested clothes cleaning booth shall examine the valves and nozzle for damage or malfunction and ensure that the door is fully closed before opening the air valve. Any defects shall be repaired prior to the booth being used.

(o) The petitioner shall ensure that periodic maintenance checks are performed in accordance with the NIOSH recommendations contained within the "Clothes Cleaning Process Instruction Manual."

The miners at 3M Corona Plant are represented by a representative of miners. A copy of the petition for modification was presented to the representative of miners on February 28, 2025. The petition was also posted at the mine on February 28, 2025.

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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**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 Wolf Run Mining, LLC.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA-2025-0048 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0048.

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, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

*Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. 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.

**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-2025-027-C

*Petitioner:* Wolf Run Mining, LLC, 21550 Barbour County Highway, Philippi, WV 26416.

*Mine:* Leer South Mine, MSHA ID No. 46-04168, located in Barbour County, West Virginia.

*Regulation Affected:* 30 CFR 75.1002(a), Permissible electric equipment.

*Modification Request:* The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR-800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR.

The petitioner states that:

(a) Currently Wolf Run Mining, LLC, uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M has elected to discontinue the Airstream helmet, replacing it with a Versaflo TR-800 intrinsically safe PAPR unit, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services

for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR-800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR-800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of "ia." (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, -20 °C ≤ Ta ≤ +55 °C, under the current standard (IEC 60079).

(i) Wolf Run Mining, LLC, also requests a modification to permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR-800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR-800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.