

Dated at Arlington, Virginia this 29th day of April 2005.

**Rebecca J. Smith,**

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

#### **Affirmative Decisions on Petitions for Modification**

*Docket No.:* M-2004-028-C.

*FR Notice:* 69 FR 43628.

*Petitioner:* Snyder Coal Company.

*Regulation Affected:* 30 CFR 75.1100-2(a)(2).

*Summary of Findings:* Petitioner's proposal is to use portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails are not practical. The petitioner will use two (2) portable fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the No. 1 Rock Slope Mine. This is considered an acceptable alternative method for the No. 1 Rock Slope Mine. MSHA grants the petition for modification for the No. 1 Rock Slope Mine with conditions.

*Docket No.:* M-2004-029-C.

*FR Notice:* 69 FR 43628.

*Petitioner:* Snyder Coal Company.

*Regulation Affected:* 30 CFR 75.1200(d),(h), and (i).

*Summary of Findings:* Petitioner's proposal is to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000 foot intervals of advance from the intake slope; and to limit the required mapping of the mine workings above and below to those present within 100 feet of the vein being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels. This is considered an acceptable alternative method for the No. 1 Rock Slope Mine. MSHA grants the petition for modification for the No. 1 Rock Slope Mine with conditions.

*Docket No.:* M-2004-030-C.

*FR Notice:* 69 FR 43628.

*Petitioner:* Snyder Coal Company.

*Regulation Affected:* 30 CFR 75.1202-1(a).

*Summary of Findings:* Petitioner's proposal is to revise and supplement mine maps annually instead of every 6 months as required. Petitioner will continue to update maps daily by hand notations; and to conduct surveys prior to commencing retreat mining and whenever either a drilling program under 30 CFR 75.388 or plan for mining into inaccessible areas under 30 CFR 75.389 is required. This is considered an

acceptable alternative method for the No. 1 Rock Slope Mine. MSHA grants the petition for modification for the No. 1 Rock Slope Mine with conditions.

*Docket No.:* M-2004-042-C.

*FR Notice:* 69 FR 61527.

*Petitioner:* Clintwood Elkhorn Mining Company.

*Regulation Affected:* 30 CFR 77.214(a).

*Summary of Findings:* Petitioner's proposal is to backfill a total of eight mine entries in the Blair #1 and Blair #2 mines with coarse coal refuse and scalp rock material generated from an adjacent underground mine. This is considered an acceptable alternative method for the Blair #1 Mine and Blair #2 Mine. MSHA grants the petition for modification for the Blair #1 Mine and Blair #2 Mine with conditions.

*Docket No.:* M-2004-047-C.

*FR Notice:* 69 FR 69414.

*Petitioner:* Arclar Company, LLC.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to operate its six-wheeled Getman RDG-1504S Diesel Road Grader, Serial No. 6760, powered by a Cat 3306PCNA 150 horsepower diesel engine used at the Willow Lake Portal Mine without front wheel brakes. The petitioner proposes to limit the speed of the diesel grader to 10 miles per hour and to train the grader operators in the proper techniques for lowering the blade to provide additional stopping capability in emergency situations. This is considered an acceptable alternative method for the Willow Lake Portal Mine. MSHA grants the petition for modification for the Willow Lake Portal Mine with conditions.

[FR Doc. 05-9058 Filed 5-5-05; 8:45 am]

**BILLING CODE 4510-43-P**

#### **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

##### **National Endowment for the Arts; Arts Advisory Panel**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that two meetings of the Arts Advisory Panel to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 as follows:

Folk & Traditional Arts (Access to Artistic Excellence): June 9-10, 2005, Room 716. This meeting, from 9 a.m. to 6:30 p.m. on June 9, and from 9 a.m. to 4 p.m. on June 10, will be closed.

Music (Access to Artistic Excellence): June 13-14, 2005, Room 714. A portion of this meeting, from 4:15 p.m. to 5 p.m. on Tuesday, June 14th, will be open to the public for policy discussion. The remainder of the meeting, from 9 a.m. to 6 p.m. on June 13th, and from 9 a.m. to 4:15 p.m. and 5 p.m. to 5:30 p.m. on June 14th, will be closed.

These meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of April 8, 2005, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506, or call 202/682-5691.

Dated: May 2, 2005.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Panel Operations, National Endowment for the Arts.*

[FR Doc. 05-9016 Filed 5-5-05; 8:45 am]

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#### **NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES**

##### **National Endowment for the Arts; National Council on the Arts 155th Meeting**

Pursuant to section 10 (a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the National Council on the Arts will be held by teleconference on May 19, 2005 from 10:30 a.m.-11 a.m. (ending time is approximate) from the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting will be open to the public on a call in basis. After introductory remarks by Chairman Gioia, there will be a discussion and voice vote on the NEA Jazz Masters Fellowships. There will be discussion of other business items as necessary, followed by concluding remarks by the Chairman.

If, in the course of the open session discussion, it becomes necessary for the Council to discuss non-public commercial or financial information of intrinsic value, the Council will go into closed session pursuant to subsection (c)(4) of the Government in the