

(a) Drinking water will be supplied via commercially purchased water in sealed containers.

(b) At a minimum, the refuge chamber will be supplied with 2.25 quarts of water per day per person for 36 hours. The total amount of water provided will vary depending on the maximum capacity of the refuge chamber. In a 16-person refuge chamber, a minimum of 52 liters of water will be provided. In the 40-person refuge chamber, a minimum of 128 liters of water will be provided.

(c) The water will have a maximum shelf life of 3.5 years. The operator will replace the existing water supply with fresh water before the water's expiration date. The condition and quantity of water will be confirmed by inspection on no less than a monthly basis.

(d) Written instructions for conservation of water will be provided with the refuge chamber supplies.

(e) All miners affected will receive training in the operation of the refuge chamber and will receive refresher training annually.

(f) The refuge chamber will be inspected monthly and documented by the Mine Manager or the Manager's designee.

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.*

[FR Doc. 2022-10117 Filed 5-10-22; 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 the party listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before June 10, 2022.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA-2022-0022 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2022-0022.

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, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452,

*Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. 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, 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 (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-2022-007-C.

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

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

*Regulation Affected:* 30 CFR 75.802(c), Protection of high-voltage circuits extending underground.

*Modification Request:* The petitioner requests a modification of 30 CFR 75.802(c) to permit the use of visible disconnect switches in the resistance-grounded substation at the surface area of the underground mine, approximately 1,100 feet from a vertical bore hole.

The petitioner states that:

(a) The mine is currently under construction.

(b) The mine will utilize the room and pillar and longwall mining methods to extract coal and will employ approximately 375 coal miners.

The petitioner proposes the following alternative method:

(a) Use the solid blade disconnect switches (hook switches) to disconnect the high voltage circuits entering the underground mine. The solid blade disconnect switches are located in the resistance-grounded substation on the surface area of the underground mine—approximately 1,100 feet from the surface bore hole.

(b) Use a continuous, fully insulated, mine power feeder cable extending from the resistance grounded substation, down the bore hole, and into the underground mine workings. The mine power feeder cable is hung on insulated hangers and supported on extra high strength messenger cable on the surface between wooden power poles. The continuous nature of this cable eliminates additional connections at the surface bore hole where there will be increased risks of voltage tracking, connection failures, and exposure to lightning.

(c) Leave the mine power feeder cable connected to lightning arrestors in the resistance-grounded substation, even when the visible disconnect switches (hook switches) in the station are open.

(d) Install an underground switch house in the mine, within 50 feet of the underground bore hole where the mine power feeder enters the mine. The switch house provides the mine personnel a load break vacuum circuit breaker (VCB), visible disconnect, grounding switch, and lock out station in-mine. This arrangement eliminates the need for a miner to travel to the surface to remove power while doing in-mine power work.

(e) The switch house has a high voltage VCB with an integral visible disconnect and an output grounding switch. The visible disconnect is interlocked with the VCB to ensure the VCB removes the load before the visible disconnect is opened. A lockout means is provided at the switch house for the

outgoing high voltage circuit. To complete work on the inby power system, the switch house will be utilized to disconnect and ground the inby circuits.

(f) The switch house has protective relaying for overcurrent, short circuit, and grounded phase protection. A high voltage ground monitor is provided in the switch house to monitor the inby high voltage circuit. A test circuit for secondary current injection is provided so mine personnel can complete required protective relay testing, helping to ensure proper operation of the inby high voltage circuits.

(g) Within 60 days after the Proposed Decision and Order (PDO) becomes final, the petitioner will submit proposed revisions for its approved part 48 training plan to the District Manager. The proposed revisions will include initial and refresher training regarding compliance with the terms and conditions of the PDO.

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

[OMB Control No. 1219-0054]

#### Proposed Extension of Information Collection; Fire Protection (Underground Coal Mines)

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Request for public comments.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to assure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration

(MSHA) is soliciting comments on the information collection for Fire Protection (Underground Coal Mines).

**DATES:** All comments must be received on or before July 11, 2022.

**ADDRESSES:** Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments for docket number MSHA-2022-0024.

- *Mail/Hand Delivery:* Mail or visit DOL-MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452. 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.

- MSHA will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** S. Aromie Noe, Director, Office of Standards, Regulations, and Variances, MSHA, at

[MSHA.information.collections@dol.gov](mailto:MSHA.information.collections@dol.gov) (email); 202-693-9440 (voice); or 202-693-9441 (facsimile).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Fire protection standards for underground coal mines are based on section 311(a) of the Federal Mine Safety and Health Act of 1977 (Mine Act).

30 CFR 75.1100 requires that each coal mine be provided with suitable firefighting equipment adapted for the size and conditions of the mine, and that the Secretary of Labor shall establish minimum requirements of the type, quality, and quantity of such equipment.

30 CFR 75.1100-3 requires that chemical fire extinguishers be examined every 6 months and that the date of the examination be recorded on a permanent tag attached to the extinguisher.

30 CFR 75.1103-5(a)(2)(ii) requires that a map or schematic be updated within 24 hours of any change in the locations of automatic fire warning sensors and the intended air flow direction at these locations. This map or schematic would be kept at a manned surface location where personnel have an assigned post of duty.

30 CFR 75.1103-8(a) requires that a qualified person examine the automatic fire sensor and warning device systems on a weekly basis and conduct a functional test of the complete system at least once every 7 days.

Section 75.1103-8(b) requires that a record of the weekly automatic fire sensor functional tests be maintained by the mine operator and kept for a period of 1 year.

30 CFR 75.1103-8(c) requires that sensors be calibrated in accordance with the manufacturer's calibration instructions at intervals not to exceed 31 days. Records of the sensor calibrations must be maintained by the operator and kept for a period of 1 year.

30 CFR 75.1103-11 requires that each fire hydrant and hose be tested at least once a year and the records of those tests be maintained at an appropriate location.

30 CFR 75.1501(a)(3) requires the operator to certify that each responsible person is trained and that the certification is maintained at the mine for at least 1 year.

30 CFR 75.1502 requires each mine operator to adopt and follow a mine evacuation and firefighting program of instruction that addresses all mine emergencies created as a result of a fire, an explosion, or a gas or water inundation. In addition, this section requires mine operators to submit this program of instruction, and any revisions, to MSHA for its approval and to train miners regarding the use of the program of instruction, and any revisions to such program of instruction, after it is approved by MSHA.

##### II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection related to Fire Protection (Underground Coal Mines). MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology,