

**Mine Safety and Health Administration****Summary of Decisions Granting in Whole or in Part Petitions for Modification**

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

**ACTION:** Notice of affirmative decisions issued by the Administrators for Coal Mine Safety and Health and Metal and Nonmetal Mine Safety and Health on petitions for modification of the application of mandatory safety standards.

**SUMMARY:** Under section 101(c) of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor may modify the application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Summaries of petitions received by the Secretary appear periodically in the **Federal Register**. Final decisions on these petitions are based upon the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. MSHA has granted or partially granted the requests for modification submitted by the petitioners listed below. In some instances the decisions are conditioned upon compliance with stipulations stated in the decision.

**FOR FURTHER INFORMATION:** Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations and Variances, MSHA, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Dated: June 13, 1995.

**Richard V. Zeutenhorst,**

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

**Affirmative Decisions on Petitions for Modification**

Docket No.: M-92-166-C

FR Notice: 57 FR 59361

Petitioner: Costain Coal, Inc.

Reg Affected: 30 CFR 75.360

**Summary of Findings:** Petitioner's proposal to establish a continuous monitoring station to monitor the air passing through the William Station intake air shaft, the 3rd East, the 8th Main North intake and the 9th Main North entries considered acceptable alternative method. Granted with

conditions for the 3rd East, 8th Main North, and 8th Main North Parallel intake aircourses.

Docket No.: M-93-108-C

FR Notice: 58 FR 39238

Petitioner: Wenrich Coal Company

Reg Affected: 30 CFR 75.335

**Summary of Findings:** Petitioner's proposal for construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted with conditions.

Docket No.: M-93-146-C

FR Notice: 58 FR 39569

Petitioner: RoxCoal, Inc.

Reg Affected: 30 CFR 75.1719-1

**Summary of Findings:** Petitioner's proposal to ensure that no equipment or pedestrians will travel in front of mobile roof support (MRS) while its being set up; to provide the MRS with reflective tape; and to use continuous mining machines to illuminate the MRS area of travel on the pillar line instead of illuminating the work area considered acceptable alternative method. Granted with conditions for the J. H. Fletcher mobile roof support, Model No. MRS-13 (MRS), used as mobile roof support for second mining.

Docket No.: M-93-149-C

FR Notice: 58 FR 39569

Petitioner: Little Rock Coal Company

Reg Affected: 30 CFR 75.335

**Summary of Findings:** Petitioner's proposal for construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted with conditions.

Docket No.: M-93-210-C

FR Notice: 58 FR 44701

Petitioner: Drummond Company, Inc.

Reg Affected: CFR 75.1103-4(a)

**Summary of Findings:** Petitioner's proposal to install low-level carbon monoxide sensors as an early warning fire detection system in all belt entries in lieu of point-type heat sensors considered acceptable alternate

method. Granted with conditions. Petitioner's request for relief to give effect to the modification granted.

Docket No.: M-93-211-C

FR Notice: 58 FR 44701

Petitioner: Drummond Company, Inc.

Reg Affected: 30 CFR 75.350

**Summary of Findings:** Petitioner's proposal to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake aircourses. Granted for the use of belt air to ventilate active working sections. Petitioner's application for relief to give effect to the March 2, 1995, Proposed Decision and Order GRANTED.

Docket No.: M-93-252-C

FR Notice: 58 FR 50055

Petitioner: The Harriman Coal Corporation

Reg Affected: 30 CFR 77.409(b)

**Summary of Findings:** Petitioner's proposal to operate its Caterpillar Excavators, Model 245 without handrails on the outside of walkways considered acceptable alternative method. Granted with conditions.

Docket No.: M-93-267-C

FR Notice: 58 FR 57627

Petitioner: AMAX Coal Company

Reg Affected: 30 CFR 77.900

**Summary of Findings:** Petitioner's proposal to use electronic pump controllers to sense the volume of water coming into the pit pumps and automatically turn the pump on and off electronically considered acceptable alternative method. Granted with conditions for pontoon-mounted de-watering pumps to be operated with undervoltage protection provided by the ground monitor circuit breaker.

Docket No.: M-93-271-C

FR Notice: 58 FR 57627

Petitioner: Peabody Coal Company

Reg Affected: 30 CFR 75.364(b)(1)

**Summary of Findings:** Petitioner's proposal to establish evaluation points in each of the aircourse entries #1, #2, and #3 at the outby end of the 1st Sub-Main North aircourse near coordinate 1+70 and at the inby end near coordinate 12+70; to test these evaluation points on a weekly basis and record the test results in a designated book; and to travel the "neutral entries" adjacent to the 1st Sub-Main North entries on a weekly basis when monitoring the atmosphere that ventilates the entries considered acceptable alternative method. Granted with conditions for the 1st Sub-main North intake aircourse entries from coordinate 1+70 to 12+70, located between crosscut No. 15 to crosscut No. 84.

Docket No.: M-93-308-C  
FR Notice: 58 FR 64972  
Petitioner: Consolidation Coal Company  
Reg Affected: 30 CFR 75.1002  
Summary of Findings: Petitioner's

request that paragraph 25 of MSHA's Proposed Decision and Order, docket number M-92-90-C be amended to eliminate conflict between paragraph 25 and MSHA's subsequently issued section 75.342(a)(2) requirements considered acceptable alternative method. Granted with conditions for the high-voltage longwall system at the Robinson Run No. 95 Mine.

Docket No.: M-93-309-C  
FR Notice: 58 FR 64972  
Petitioner: Tennessee Energy Corporation  
Reg Affected: 30 CFR 75.333(g)  
Summary of Findings: Petitioner's proposal to designate specific locations strategically positioned and to evaluate the quantity and quality of air entering and leaving the affected area instead of ventilating and evaluating each individual area considered acceptable alternative method. Granted with conditions for the unventilated room necks of the mine's main return aircourse for approximately 1,300 feet.

Docket No.: M-93-311-C  
FR Notice: 58 FR 64972  
Petitioner: Maple Meadow Mining Company  
Reg Affected: 30 CFR 75.364(a)(1)  
Summary of Findings: Petitioner's proposal to establish monitoring stations at a point 50 feet outby spad #2076, No. 3 Entry to monitor the quantity and direction of air entering and leaving the affected area due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for the intake aircourse through 2111 panel.

Docket No.: M-93-313-C  
FR Notice: 58 FR 64972  
Petitioner: Heatherly Mining, Inc.  
Reg Affected: 30 CFR 75.1700  
Summary of Findings: Petitioner's proposal to mine through oil and gas well boreholes considered acceptable alternative method. Granted with conditions.

Docket No.: M-93-317-C  
FR Notice: 58 FR 68670  
Petitioner: Richland Coal Company (now Canfield Energy, Inc.)  
Reg Affected: 30 CFR 75.342  
Summary of Findings: Petitioner's proposal to monitor continuously with a hand-held methane and oxygen detector instead of using a methane monitoring system on permissible three-wheel tractors with drag bottom

buckets considered acceptable alternative method. Granted with conditions for the permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-93-318-C  
FR Notice: 58 FR 68670  
Petitioner: Consolidation Coal Company  
Reg Affected: 30 CFR 75.343(b)  
Summary of Findings: Petitioner's proposal to ventilate the underground shop with intake air that is coursed through the affected air course directly into a return air course and that is not used to ventilate working places; and to establish check points to monitor for methane and the quantity of air in the affected area on a weekly basis due to deteriorating conditions considered acceptable alternative method. Granted with conditions for the underground shop known as the Bowers Air Shaft Motor Barn.

Docket No.: M-93-321-C  
FR Notice: 58 FR 68671  
Petitioner: Energy West Mining Company (formerly Utah Power and Light Company)  
Reg Affected: 30 CFR 75.1101-8  
Summary of Findings: Petitioner requests to amend MSHA's Proposed Decision and Order, dated April 29, 1987 granting petition for modification, docket number M-85-49-C. Petitioner's proposal to protect all belt drives in these mines with water sprinkler systems; to use upright type sprinkler heads as an alternative to the previously approved pendant type sprinkler heads; and to include an optional 2-inch outlet at the end of the 2-inch sprinkler pipe to extend the circuit in order to provide optional coverage of remote headrollers at its Deer Creek, Trail Mountain and Cottonwood Mines in Emery County, Utah considered acceptable alternative method. Granted with conditions.

Docket No.: M-93-327-C  
FR Notice: 59 FR 1568  
Petitioner: McElroy Coal Company  
Reg Affected: 30 CFR 75.364(b)(2)  
Summary of Findings: Petitioner's proposal to establish evaluation points at specific locations and to have a certified person monitor for methane and the quantity and quality of air at these evaluation points on a weekly basis and record the results in a book kept on the surface due to deteriorating roof conditions in certain areas of the return aircourse considered acceptable alternative method. Granted with conditions for the "East Return" aircourses between Monitoring Station No. 8 (near 2

South sealed area) and Monitoring Station No. 9 (near Big Tribble return air shaft).

Docket No.: M-94-03-C  
FR Notice: 59 FR 4114  
Petitioner: Peabody Coal Company  
Reg Affected: 30 CFR 75.364(b)(4)  
Summary of Findings: Petitioner's proposal to have a certified person to monitor on a weekly basis the methane and oxygen concentrations and quantity of air outby the No. 1 Permanent Seal at Station 41+10 in Entry 1 of the 1st Submain North off the 1st Submain East and inby the No. 1 Permanent Seal at Station 40+70 in Entry 1 of the 1st Submain North off the 1st Submain East due to hazardous roof conditions and to record the results in a book kept on the surface available to interested persons considered acceptable alternative method. Granted with conditions for the examination of the No. 1 seal of the 2nd Panel West at the Camp No. 1 Mine.

Docket No.: M-94-30-C  
FR Notice: 59 FR 15238  
Petitioner: Mon River Mining Corporation  
Reg Affected: 30 CFR 75.364(b)(2)  
Summary of Findings: Petitioner's proposal to establish evaluation check point No. 3 outby and check point No. 4 inby the crosscut due to deteriorating roof conditions in the right return in the crosscut outby the belt overcast and the adjacent heading at survey Station No. 45; to post danger signs and block off the affected area; to check each side of the crosscut for proper air movement and for methane and oxygen deficiency and record the date, time and initials on date board on each side of the crosscut; to make weekly examinations and record the results in a record book kept on the surface available to interested persons considered acceptable alternative method. Granted with conditions for approximately 50 feet of the return aircourse off the No. 1 and No. 2 Right rooms ventilated worked-out areas at the No. 1 Deep Mine.

Docket No.: M-94-35-C  
FR Notice: 59 FR 17793  
Petitioner: Mountain Coal Company  
Reg Affected: 30 CFR 75.804(a)  
Summary of Findings: Petitioner's proposal to use 2/0 and 4/0 Anaconda SHD+GC, and 2/0 and 4/0 Pirelli SHD-Center-GC type flame resistant cables with a flexible No. 16 A.W.G. ground check conductor for the ground check continuity check circuit on high-voltage longwall system(s) considered acceptable alternative

method. Granted with conditions for Mountain Coal Company's West Elk Mine's longwall systems at the West Elk Mine.

Docket No.: M-94-37-C

FR Notice: 59 FR 17793

Petitioner: Golden Oak Mining Company, L.P.

Reg Affected: 30 CFR 75.1710-1

Summary of Findings: Petitioner's proposal to operate its Joy 21 shuttle cars without canopies or cabs and assertion that application of the standard would result in a diminution of safety to the miners considered acceptable. Granted for the two-middle 21SC Joy shuttle cars on the 004-0 MMU section, in mining heights less than 48 inches at the Tango Mine.

Docket No.: M-94-53-C

FR Notice: 59 FR 24729

Petitioner: Kerr-McGee Coal Corporation

Reg Affected: 30 CFR 75.503

Summary of Findings: Petitioner's proposal to use electric motor-driven mine equipment in a longwall recovery room to serve as a power center (transformer) in intake air for furnishing power to roofbolters with a 1200 foot long, Number 2, G-GC, 2KV trail cable that is protected for a short circuit fault with an instantaneous circuit breaker set at not more than 600 amperes at all points of the recovery room considered acceptable alternative method. Granted with conditions for trailing cables supplying the 3 Flether single boom roof bolters, Model No. CDR-13-EC-F, approval No. 2G-2674A-4, Serial Nos. 91086, 91087, and 92048 at the Galatia No. 56-1 Mine.

Docket No.: M-94-58-C

FR Notice: 59 FR 26816

Petitioner: Costain Coal, Inc.

Reg Affected: 30 CFR 75.1002

Summary of Findings: Petitioner's proposal to use high-voltage (2400 volts) operated equipment in the last open crosscut at the working longwall sections considered acceptable alternative method. Granted with conditions for the permissible high-voltage longwall equipment at the Baker Mine.

Docket No.: M-94-60-C

FR Notice: 59 FR 29304

Petitioner: CONSOL of Kentucky, Inc.

Reg Affected: 30 CFR 75.1101-8

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10 foot centers to cover 50 feet of fire-resistant belt or 150 feet of nonfire-resistant belt with actuation temperatures between 200 and 230 degrees fahrenheit with water

pressure equal or greater than 10 psi and with sprinklers located 10 feet apart so that the discharge of water will extend over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted with conditions at the Jones Fork #11bcde-h4 Mine.

Docket No.: M-94-62-C

FR Notice: 59 FR 29305

Petitioner: Air Products and Chemicals, Inc.

Reg Affected: 30 CFR 77.213

Summary of Findings: Petitioner's proposal to have an escapeway not less than 30 inches in diameter from the tunnel within 24 feet of the tail roller at the closed end of the tunnel; to install a cable type heat detection system set at 140 degrees fahrenheit in the enclosed portion of the tunnel; to install heat activated sprinklers in the tunnel; to install a carbon monoxide (CO) monitoring sensor in the tunnel near the tail roller in order to activate a visual alarm in the area of the tail roller and in the main and fuel handling control rooms when a level of 15 ppm is reached; and to install a pull cord throughout the tunnel to stop the belt conveyor considered acceptable alternative method. Granted with conditions for an alternate escapeway from the conveyor tunnel at the Cambria Cogeneration Facility.

Docket No.: M-94-66-C

FR Notice: 59 FR 32465

Petitioner: Blue Arc Coal Corporation, Inc.

Reg Affected: 30 CFR 75.342

Summary of Findings: Petitioner's proposal to monitor continuously with a hand-held methane and oxygen detector instead of using a methane monitoring system on permissible three-wheel tractors with drag bottom buckets considered acceptable alternative method. Granted with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal at the No. 2 Mine.

Docket No.: M-94-68-C

FR Notice: 59 FR 32465

Petitioner: Island Creek Coal Company

Reg Affected: 30 CFR 75.1100-2(b)

Summary of Findings: Petitioner's proposal to have a fire hose strategically located of sufficient length so that any affected area of the belt would be covered from the most proximate fire hose outlet; to have 700 feet of fire hose instead of the required 500 feet at a location in the immediate area of the longwall belt drive; to have crosscuts leading to the

firehose outlets passable from the belt entry by removing a portion of the stoppings at or near the fire hose outlets or by providing stopping doors at or near the fire hose outlets considered acceptable alternative method. Granted with conditions for the retreating longwall sections at the VP-8 Mine.

Docket No.: M-94-82-C

FR Notice: 59 FR 35148

Petitioner: K & S Coal Company

Reg Affected: 30 CFR 75.1100-2(a)(2)

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water, cars, and other water storage are not practical considered acceptable alternative method. Granted with conditions for firefighting equipment in the working sections at the First Chance Slope Mine.

Docket No.: M-94-107-C

FR Notice: 59 FR 40924

Petitioner: Energy West Mining Company

Reg Affected: 30 CFR 75.804(a)

Summary of Findings: Petitioner's proposal to use Cablec Anacondabrand 5KV 3/C Type SHD+GC, Piralli Type SHD-CENTER-GC, or Tiger Brand 5KV Type SHD-CGC, MSHA-approved flame resistant cables with a flexible No. 16 A.W.G. ground check conductor for the ground continuity check circuit, on high-voltage longwall systems considered acceptable alternative method. Granted with conditions for longwall systems at the Deer Creek Mine.

Docket No.: M-94-114-C

FR Notice: 59 FR 40925

Petitioner: Consolidation Coal Company

Reg Affected: 30 CFR 75.503

Summary of Findings: Petitioner's proposal to use 800 feet of trailing cables with three-phase 480 volt to supply power to loading machines, shuttle cars, roofbolters, and section ventilation fans while developing longwall panels considered acceptable alternative method. Granted with conditions for the loading machines, roofbolters, shuttle cars, and section ventilation fans used to develop three-entry longwall panels in the Dilworth Mine.

Docket No.: M-94-115-C

FR Notice: 59 FR 40925

Petitioner: R & S Coal Company

Reg Affected: 30 CFR 75.1400

Summary of Findings: Petitioner's proposal to use the gunboat without safety catches and an increased rope strength safety factor and secondary safety connections which are securely

fastened around the gunboat and to the hoisting rope above the main connecting device because of the steep, frequently changing pitch and numerous curves and knuckles in the main haulage slope considered acceptable alternative method. Granted with conditions for the use of the gunboat without safety catches at the Primrose Slope Mine.

Docket No.: M-94-122-C

FR Notice: 59 FR 43869

Petitioner: Freeman United Coal Mining Company

Reg Affected: 30 CFR 75.1002

Summary of Findings: Petitioner's proposal to use high-voltage (2400 volts) cables to power longwall equipment in by the last open crosscut and within 150 feet of pillar workings (gob) areas considered acceptable alternative method. Granted with conditions for the permissible high-voltage longwall equipment at the Orient No. 6 Mine.

Docket No.: M-94-131-C

FR Notice: 59 FR 46269

Petitioner: Monterey Coal Company

Reg Affected: 30 CFR 75.503

Summary of Findings: Petitioner's proposal to use two Fletcher Model CDR-15 slim line roof bolters with No. 2 AWG G-GC portable cables with 1,200 feet of the cable reaching across the face from the power center outby and near the end of the longwall panel in order to provide additional support for the face in preparation for equipment transfer to the next panel considered acceptable alternative method. Granted with conditions at the No. 1 Mine.

Docket No.: M-94-132-C

FR Notice: 59 FR 46269

Petitioner: Consolidation Coal Company

Reg Affected: 30 CFR 75.1002

Summary of Findings: Petitioner's proposal to use high-voltage (4160 volts) cables in by the last open crosscut to supply power to longwall equipment and that application of the standard would result in a diminution of safety to the miners considered acceptable alternative method. Granted with conditions for the hybrid longwall system (combination high-voltage and medium voltage) at the Showmaker Mine.

Docket No.: M-94-164-C

FR Notice: 59 FR 59435

Petitioner: Mallie Coal Company, Inc.

Reg Affected: 30 CFR 75.342

Summary of Findings: Petitioner's proposal to monitor continuously with a hand-held methane and oxygen detector instead of using a methane monitoring system on permissible three-wheel tractors with drag bottom

buckets considered acceptable alternative method. Granted with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal at the No. 4 Mine.

Docket No.: M-94-183-C

FR Notice: 60 FR 3437

Petitioner: Southern Utah Fuel Company

Reg Affected: 30 CFR 75.1002

Summary of Findings: Petitioner's proposal to use high-voltage (2400 volts) cables to power longwall equipment considered acceptable alternative method. Granted with conditions for the permissible high-voltage longwall equipment at the SUFCo Mine. Petitioner's application for relief to give effect to the March 17, 1995, Proposed Decision and Order GRANTED.

Docket No.: M-79-32-M

FR Notice: 45 FR 3678

Petitioner: Kerr-McGee Chemical Corp. (now New Mexico Potash Corporation)

Reg Affected: 30 CFR 57.11050

(previously 30 CFR 57.11-50)

Summary of Findings: Petitioner's granted petition for modification was reviewed and changes were noted which have occurred since petition was granted. Based on this review, MSHA has issued an amended Proposed Decision and Order. Petitioner's proposal to use a rescue changer instead of a second escapeway in certain limited situations considered acceptable alternative method. Granted with conditions.

Docket No.: M-81-01-M

FR Notice: 48 FR 12564

Petitioner: Sunshine Mining Company (now Sunshine Precious Metals, Inc.)

Reg Affected: 30 CFR 57.11059

(previously 57.11-59)

Summary of Findings: Petitioner's granted petition for modification was reviewed and changes were noted which have occurred since petition was granted. Based on this review, MSHA has issued an amended Proposed Decision and Order. Petitioner's proposal to use a one-hour self-contained breathing apparatus for their underground hoist operators considered acceptable alternative method. Granted with conditions.

Docket No.: M-82-03-M

FR Notice: 47 FR 8896

Petitioner: Franklin Limestone Company (now Franklin Industrial Minerals)

Reg Affected: 30 CFR 57.4761

(previously 57.4-61B)

Summary of Findings: Petitioner's granted petition for modification was reviewed and noted that changes were needed to the previous amended Proposed Decision and Order December 14, 1994, to incorporate the changes specified as it pertains to operating an underground shop without fire extinguishers installed. Based on this review, MSHA has issued an amended Proposed Decision and Order to correct the phrase to read ". . . ordered that modification of the application of 30 CFR 57.4761 to the Crab Orchard Mine as it pertains to operating an underground shop without certain ventilation or mechanical fire control devices installed." Granted with conditions.

Docket No.: M-86-20-M

FR Notice: 52 FR 5217

Petitioner: Kennecott Utah Copper

Reg Affected: 30 CFR 56.9300

(previously 56.9022)

Summary of Findings: On December 3, 1986, Petitioner filed a petition seeking a modification of the application of 30 CFR 56.9022 to its Utah Copper Division Concentrator Plants located in Magna, Salt Lake County, Utah. The petitioner alleging that application of the standard would result in a diminution of safety to the miners and that the alternative method outlined in the petition would guarantee no less than the same measure of protection as the mandatory standard. A Proposed Decision and Order (PDO) was issued granting this petition on May 25, 1988. On June 24, 1988, petitioner submitted comments requesting correction to certain sections in the PDO. On July 14, 1988, MSHA issued an amended PDO incorporating the changes requested by petitioner, allowing the operator to use the tailings impoundment roadway without berms or guards conditioned upon petitioner's compliance with specific factors and upon circumstances existing at the mine at the time modification was granted. On October 24, 1988, the mandatory standard was revised and redesignated as 56.9300. On July 26, 1994, petitioner submitted a request for petition to be amended, noting that conditions have changed since previous petition was granted. After review of the entire record, and MSHA's investigative report and recommendations, an amended PDO was issued on March 8, 1995, modifying the granted modification of 30 CFR 56.9022 to Kennecott Utah Copper Concentrator—North. On March 28, 1995, petitioner submitted

comments requesting correction and/or clarification of certain sections in the PDO. This amended PDO incorporates the changes requested by the petitioner. Granted with conditions.

Docket No.: M-94-18-M

FR Notice: 59 FR 15239

Petitioner: Santa Fe Pacific Gold Corp.

Reg Affected: 30 CFR 56.6309

Summary of Findings: Petitioner's proposal to recycle used petroleum-based and lubrication oil from equipment and blend it with fuel oil to create a blasting agent (ANFO) was granted, MSHA Proposed Decision and Order (PDO) issued November 21, 1994, to the Twin Creeks Mine, allowing the operator to use waste oil instead of conventional oil when preparing Ammonium Nitrate Fuel oil blasting agents with specific conditions. On December 8 and 29, 1994, the petitioner submitted a review of the conditions relevant to the PDO. In that review it was noted that conditions No. 2, 6, and 14 were incorrect and needed to be modified. This PDO incorporates those modifications. Granted with conditions.

Docket No.: M-94-38-M

FR Notice: 59 FR 50008

Petitioner: Independent Aggregates

Reg Affected: 30 CFR 56.6306(b)

Summary of Findings: Petitioner's proposal to continue drilling the shop pattern while loading is in progress by completing a drill hole and immediately loading the hole while continuing to drill a new hole considered acceptable alternative method. Granted with conditions.

[FR Doc. 95-15055 Filed 6-19-95; 8:45 am]

BILLING CODE 4510-43-P

## NATIONAL INSTITUTE FOR LITERACY

### Agency Information Collection Activities Under OMB Review

AGENCY: National Institute for Literacy.

ACTION: Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

**DATES:** Comments must be submitted on or before June 26, 1995.

**FOR FURTHER INFORMATION CONTACT:** Sondra Stein at (202) 632-1508.

## SUPPLEMENTARY INFORMATION:

### Title

Application for the Adult Learning Content Standards Development awards to public and private not-for-profit organizations operating at a State or national level to participate in a grassroots effort to improve the effectiveness of the system in preparing adults for their roles and responsibilities as parents, citizens, and workers.

### Purpose

The purpose of the Adult learning Standards Grant is to launch an ambitious multi-year initiative to promote the improvement of adult learning systems through the development of content standards based on four customer-defined purposes for literacy.

### Abstract

The National Literacy Act of 1991 established the National Institute for Literacy and required that the Institute to contribute to the establishment of systems for adult literacy and basic skills.

**Burden Statement:** The burden for this collection of information is estimated at 4 hours per response. This estimate includes the time needed to review instructions, complete the form, and review the collection of information:

**Respondents:** 500

**Estimated Number of Respondents:** 60

**Estimated number of Responses Per**

**Respondent:** 1

**Estimated Total Annual Burden on Respondents:** 2400

**Frequency of Collection:** One time. Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden to: Susan Green, National Institute for Literacy, 800 Connecticut Ave., NW., Suite 200 Washington, DC 20006, and Dan Chenok, Office of Management and Budget, office of Information and Regulatory Affairs, 725 17th Street NW., Washington, DC 20503.

Dated: June 13, 1995.

**Andrew J. Hartman,**

*Director, NIFL.*

[FR Doc. 95-15113 Filed 6-19-95; 8:45 am]

BILLING CODE 6055-01-M

## NATIONAL SCIENCE FOUNDATION

### Antarctic Tour Operators Meeting

The National Science Foundation announces the following meeting:

**Name:** Antarctic Tour Operators Meeting.  
**Date and Time:** July 13, 1995, 9:00 a.m.-4:00 p.m.

**Place:** National Science Foundation, Room 375, 4201 Wilson Boulevard, Arlington, Virginia 22230.

**Type of Meeting:** Open.

**Contact Person:** Nadene G. Kennedy, Polar Coordination Specialist, Office of Polar Programs, National Science Foundation, Arlington, VA 22230, Telephone: 703/306-1031; Fax: 703/306-0139.

**Purpose of Meeting:** Pursuant to the National Science Foundation's responsibilities under the Antarctic Conservation Act (Pub. L. 95-541) and the Antarctic Treaty, the U.S. Antarctic Program Managers plan to meet with Antarctic Tour Operators to exchange information concerning dates and procedures for visiting U.S. Antarctic stations, review the latest Antarctic Treaty Recommendations concerning the environment and protected sites, and other items designed to protect the Antarctic environment.

### Agenda:

- Introduction and Overview
- Review of 1994-95 Visits to McMurdo, Palmer and South Pole Stations
- Tour Operator's Comments on 1994-95 Season Visits
- 1995-96 Visits to McMurdo, Palmer and South Pole Stations
- Information Dissemination
- Report on the 1994-95 Antarctic Site Inventory
- Oil Spill Contingency Plans
- Environmental Impact Assessments
- Report From the International Association of Antarctic Tour Operators (IAATO)
- Report from the 19th Antarctic Treaty Consultative Party Meeting in Seoul, Korea
- Other Items.

**Dennis Peacock,**

*Head, Antarctic Science Section, Office of Polar Programs.*

[FR Doc. 95-15070 Filed 6-19-95; 8:45 am]

BILLING CODE 7555-01-M

## NUCLEAR REGULATORY COMMISSION

### Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget (OMB) Review

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection.

**SUMMARY:** The NRC has recently submitted to the OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35).

1. Type of submission, new, revision, or extension: Revision
2. The title of the information collection: 10 CFR Part 21. "Reporting of Defects and Noncompliance"