

comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before November 3, 1997. Copies of these petitions are available for inspection at that address.

Dated: September 25, 1997.

**Patricia W. Silvey,**

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

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

#### 1. White Oak Mining & Construction Co., Inc.

[Docket No. M-97-95-C]

White Oak Mining & Construction Co., Inc., Scofield Route, P.O. Box 60, Helper, Utah 84526 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (weekly examination) to its White Oak No. 1 Mine (I.D. No. 42-01279) located in Carbon County, Utah. The petitioner proposes to establish an evaluation point at crosscut 13 and one just outby crosscut No. 15 in the No. 5 entry of the 3rd East Mains. The petitioner alleges that application of the standard would result in a diminution of safety to the miners assigned to rehabilitate and travel the return entry.

#### 2. Peabody Coal Company

[Docket No. M-97-96-C]

Peabody Coal Company, 800 Laidley Tower, P.O. Box 1233, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (weekly examination) to its Camp No. 1 Mine (I.D. No. 15-02709) located in Union County, Kentucky. Due to hazardous conditions in the air course entries, traveling certain areas of the air course would be unsafe. The petitioner proposes to establish evaluation points inby and outby the seals of the 2nd Panel West of the 1st Submain North of the mine; and to have a certified person examine these evaluation points for methane and oxygen concentrations and the volume

of air and record the results in a book maintained on the surface of the mine. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method will guarantee the same measure of protection afforded the miners by the mandatory standard and will result in no diminution of safety to the miners.

#### 3. CONSOL of Kentucky, Inc.

[Docket No. M-97-97-C]

CONSOL of Kentucky, Inc., Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75-1101-8 (water sprinkler systems; arrangement of sprinklers) to its Big Springs No. 16 Mine (I.D. No. 15-17957) located in Knott County, Kentucky. The petitioner proposes to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, located to cover 50 feet of fire-resistant belt or 150 feet of non-fire resistant belt, with actuation temperatures between 200 and 230 degrees Fahrenheit and with water pressure equal to or greater than 10 psi; to have the sprinklers located not more than 10 feet apart, so that the discharge of water will extend over the belt drive, belt take-up, electrical control, and gear reducing unit. The petitioner asserts that the proposed alternative method will guarantee the same measure of protection afforded the miners by the mandatory standard and will result in no diminution of safety to the miners.

#### 4. Eastern Associated Coal Corporation

[Docket No. M-97-98-C]

Eastern Associated Coal Corporation, P.O. Box 1233, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Harris No. 1 Mine (I.D. No. 46-01271) located in Boone County, West Virginia. The petitioner proposes to use high-voltage cables (2400 volt) inby the last open crosscut at the longwall working sections. The petitioner asserts that the proposed alternative method will guarantee the same measure of protection afforded the miners by the mandatory standard and will result in no diminution of safety to the miners.

#### 5. Lodestar Energy, Inc.

[Docket No. M-97-99-C]

Lodestar Energy, Inc., P.O. Box 448, Clay, Kentucky 42404 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment) to its Baker Mine (I.D. No. 15-14492) located in Webster County, Kentucky. The petitioner proposes to use a spring-loaded device with specific fastening characteristics instead of a padlock to secure plugs and electrical type connectors to batteries and to the permissible mobile powered equipment to prevent accidental separation of the battery plugs from their receptacles during normal operation of the battery equipment. The petitioner asserts that the proposed alternative method will guarantee the same measure of protection afforded the miners by the mandatory standard and will result in no diminution of safety to the miners.

#### 6. Eastern Associated Coal Corporation

[Docket No. M-97-100-C]

Eastern Associated Coal Corporation, P.O. Box 1233, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Federal No. 2 Mine (I.D. No. 46-01456) located in Monongalia County, West Virginia. The petitioner requests that the Proposed Decision and Order (PDO) for its previously granted petition be amended, docket number M-92-01-C. The petitioner requests that paragraph 28 of the PDO be amended to provide at least one escapeway on the tailgate side of the longwall face. The petitioner asserts that the requested amendment would not result a diminution of safety to the miners.

#### Request for Comments

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before November 3, 1997. Copies of these petitions are available for inspection at that address.

Dated: September 25, 1997.

**Patricia W. Silvey,**

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

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