

waiver from the mandatory standard to permit the operation of its cutting machine without a canopy in coal seam heights between 42 to 50 inches. The petitioner asserts that using a canopy on the cutting machine will lessen the degree of safety for the machine operator.

### 7. Peabody Coal Company

[Docket No. M-1999-068-C]

Peabody Coal Company, P.O. Box 120, Morganfield, Kentucky 42437 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (nonpermissible diesel-powered equipment; design and performance requirements) to its Camp No. 11 Mine (I.D. No. 15-08357) located in Union County, Kentucky. The petitioner requests a variance from the mandatory standard to permit the Getman diesel grader to be used underground with only rear wheel brakes instead of brakes that act on each wheel of the vehicle. The petitioner proposes to limit the diesel grader speed to 10 miles per hour maximum and train grader operators to drop the grader blade if the brakes fail. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

### 8. The American Coal Company

[Docket No. M-1999-069-C]

The American Coal Company, P.O. Box 727, Harrisburg, Illinois 62946 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (nonpermissible diesel-powered equipment; design and performance requirements) to its Galatia Mine (I.D. No. 11-02752) located in Saline County, Illinois. The petitioner proposes to operate its Getman Roadbuilders, serial number 6187 and 6547, without front brakes, using instead the factory installed brake system on the four rear wheels. The petitioner asserts that adding brakes to the front wheels of the road grader will result in a diminution of safety to the miners.

### 9. Cyprus Emerald Resources Corporation

[Docket No. M-1999-070-C]

Cyprus Emerald Resources Corporation, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219-1410 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Emerald No. 1 Mine (I.D. No. 36-00952) located in Greene County, Pennsylvania. The petitioner proposes to use trailing cables greater than 500 feet in length for

mining equipment taken in by the last open crosscut. The cables would not exceed 1,000 feet in length. The petitioner has listed specific terms and conditions for using its proposed alternative method. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

### 10. Turriss Coal Company

[Docket No. M-1999-071-C]

Turriss Coal Company, P.O. Box 21, Elkhart, Illinois 62634 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (nonpermissible diesel-powered equipment; design and performance requirements) to its Elkhart Mine (I.D. No. 11-02664) located in Logan County, Illinois. The petitioner requests a variance from the mandatory standard to permit an alternate method to installing front brakes on its six wheeled grader. The petitioner proposes to: (i) limit the maximum speed of the grader to less than 10 mph; (ii) provide training for grader operator on lowering the moldboard to provide additional stopping capability in emergencies; (iii) train grader operators on the appropriate speeds to use on different roadway conditions and slopes. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

### 11. Consolidation Coal Company

[Docket No. M-1999-072-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.364(b)(1) (weekly examination) to its Loveridge No. 22 Mine (I.D. No. 46-01433) located in Monogalia County, West Virginia. The petitioner requests that paragraph 4 of the Decision and Order (D&O) for its previously granted petition, docket number M-93-275-C, be amended for the aircourses ventilating the No. 3 North seals and the No. 2½ North seals to permit weekly examinations of the five monitoring stations instead of daily examinations. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

### 12. Canyon Fuel Company, LLC

[Docket No. M-1999-073-C]

Canyon Fuel Company, LLC, HC 35, Box 380, Helper, Utah 84526 has filed a petition to modify the application of 30 CFR 75.1909 (b)(6) (nonpermissible diesel-powered equipment; design and

performance requirements) to its Skyline Mine No. 3 (I.D. No. 42-01566), its Dugout Canyon Mines (I.D. Nos. 42-01888, 42-01889, and 42-01890), and its SUFCO Mine (I.D. No. 42-00089) located in Sevier County, Utah. The petitioner requests a variance from the mandatory standard to permit its motor grader equipment to permit the use of motor graders equipped with OEM braking systems. The petitioner states that application of the mandatory standard will result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

### Request for Comments

Persons interested in these petitions are encouraged to submit comments via e-mail to "comments@msha.gov," or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before October 12, 1999. Copies of these petitions are available for inspection at that address.

Dated: August 30, 1999.

**Carol J. Jones,**

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

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### **Aerial Lifts (Manufacturer's Certification Record of Modification); Extension of the Office of Management and Budget's (OMB) Approval of an Information Collection (Paperwork) Requirement**

**AGENCY:** Occupational Safety and Health Administration (OSHA); Labor.

**ACTION:** Notice of an opportunity for public comment.

**SUMMARY:** OSHA solicits comments concerning the proposed decrease, and extension of, the information collection requirement contained in the standard on Aerial Lifts (29 CFR 1910.67(b)(2)).

**REQUEST FOR COMMENT:** The Agency seeks comments on the following issues:

- Whether the information collection requirements are necessary for the proper performance of the Agency's

functions, including whether the information is useful;

- The accuracy of the Agency's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated, electronic, mechanical, and other technological information and transmission collection techniques.

**DATES:** Submit written comments on or before November 9, 1999.

**ADDRESSES:** Submit written comments to the Docket Office, Docket No. ICR-99-24, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2350. Commenters may transmit written comments of 10 pages or less in length by facsimile to (202) 693-1648.

**FOR FURTHER INFORMATION CONTACT:** Theda Kenney, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3605, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2222. A copy of the Agency's Information Collection Request (ICR) supporting the need for the information collection requirement (manufacturer's certification record of modification) contained in the standard on Aerial Lifts (29 CFR 1910.67(b)(2)) is available for inspection and copying in the Docket Office, or mailed on request by telephoning Theda Kenney at (202) 693-2222 or Barbara Bielaski at (202) 693-2444. For electronic copies of the ICR, contact OSHA on the Internet at <http://www.osha.gov/comp-links.html>, and click on "Information Collection Requests."

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and

OSHA's estimate of the information collection burden is correct.

The Occupational Safety and Health Act of 1970 (the Act) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents. (29 U.S.C. 657.) In this regard, the standard on Aerial Lifts requires that when aerial lifts are "field modified" for uses other than those intended by the manufacturer, the modification must be certified in writing by the manufacturer or by any other equivalent entity, such as a nationally recognized testing laboratory to be in conformity with all applicable provisions of ANSI A92.2-1969 and the OSHA standard, to be at least as safe as the equipment was before modification.

**II. Proposed Actions**

OSHA proposes to decrease its earlier estimate of 72 burden hours to 45 burden hours for the provision pertaining to the manufacturer's certification record in the standard on Aerial Lifts (29 CFR 1910.67(b)(2)).

OSHA will summarize the comments submitted in response to this notice, and will include this summary in the request to OMB to extend the approval of the information collection requirement contained in the above standard.

*Type of Review:* Extension of currently approved information collection requirement.

*Agency:* Occupational Safety and Health Administration.

*Title:* Aerial Lifts, Manufacturer's Certification Record of Modification (29 CFR 1910.67(b)(2)).

*OMB Number:* 1218-0230.

*Affected Public:* business or other for-profit; not-for-profit institutions; Federal government, state, local or tribal government.

*Number of Respondents:* 900.

*Frequency:* On occasion.

*Average Time per Response:* 3 minutes (0.05 hour).

*Estimated Total Burden Hours:* 45.

**II. Authority and Signature**

Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506), Secretary of Labor's Order No. 6-96 (62 FR 111), and 29 CFR part 1911.

Signed at Washington, DC, this 2nd day of September 1999.

**Charles N. Jeffress,**

*Assistant Secretary of Labor.*

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**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. ICR-99-23]

**Mechanical Power Presses, Inspection Certification Records; Extension of the Office of Management and Budget's (OMB) Approval of an Information Collection (Paperwork) Requirement**

**AGENCY:** Occupational Safety and Health Administration (OSHA); Labor.

**ACTION:** Notice of an opportunity for public comment.

**SUMMARY:** OSHA solicits comments concerning the proposed decrease in, and extension of, the information collection requirements (inspection certification records) contained in the standard on Mechanical Power Presses, 29 CFR 1910.217.

**Request for Comment**

The Agency seeks comments on the following issues:

- Whether the information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of the Agency's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated, electronic, mechanical, and other technological information and transmission collection techniques.

**DATES:** Submit written comments on or before November 9, 1999.

**ADDRESSES:** Submit written comments to the Docket Office, Docket No. ICR-99-23, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2350. Commenters may transmit written comments of 10 pages or less in length by facsimile to (202) 693-1648.

**FOR FURTHER INFORMATION CONTACT:** Theda Kenney, Directorate of Safety