

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

##### Volume I

###### Connecticut

CT030001 (Jun. 13, 2003)  
CT030002 (Jun. 13, 2003)  
CT030003 (Jun. 13, 2003)  
CT030004 (Jun. 13, 2003)  
CT030005 (Jun. 13, 2003)

###### New York

NY030001 (Jun. 13, 2003)

##### Volume II

###### Maryland

MD030057 (Jun. 13, 2003)

##### Volume III

###### Florida

FL030001 (Jun. 13, 2003)  
FL030009 (Jun. 13, 2003)  
FL030017 (Jun. 13, 2003)  
FL030032 (Jun. 13, 2003)  
FL030103 (Jun. 13, 2003)  
FL030004 (Jun. 13, 2003)

##### Volume IV

###### Illinois

IL030001 (Jun. 13, 2003)  
IL030004 (Jun. 13, 2003)  
IL030011 (Jun. 13, 2003)  
IL030012 (Jun. 13, 2003)  
IL030013 (Jun. 13, 2003)  
IL030014 (Jun. 13, 2003)  
IL030015 (Jun. 13, 2003)  
IL030016 (Jun. 13, 2003)  
IL030017 (Jun. 13, 2003)  
IL030020 (Jun. 13, 2003)  
IL030021 (Jun. 13, 2003)  
IL030022 (Jun. 13, 2003)  
IL030024 (Jun. 13, 2003)  
IL030027 (Jun. 13, 2003)  
IL030028 (Jun. 13, 2003)  
IL030029 (Jun. 13, 2003)  
IL030031 (Jun. 13, 2003)  
IL030032 (Jun. 13, 2003)  
IL030033 (Jun. 13, 2003)  
IL030034 (Jun. 13, 2003)  
IL030036 (Jun. 13, 2003)  
IL030037 (Jun. 13, 2003)  
IL030039 (Jun. 13, 2003)  
IL030043 (Jun. 13, 2003)  
IL030044 (Jun. 13, 2003)  
IL030045 (Jun. 13, 2003)  
IL030046 (Jun. 13, 2003)

IL030050 (Jun. 13, 2003)  
IL030051 (Jun. 13, 2003)  
IL030054 (Jun. 13, 2003)  
IL030063 (Jun. 13, 2003)  
IL030066 (Jun. 13, 2003)  
IL030067 (Jun. 13, 2003)  
IL030068 (Jun. 13, 2003)  
IL030069 (Jun. 13, 2003)  
IL030070 (Jun. 13, 2003)

###### Minnesota

MN030005 (Jun. 13, 2003)  
MN030007 (Jun. 13, 2003)  
MN030008 (Jun. 13, 2003)  
MN030010 (Jun. 13, 2003)  
MN030015 (Jun. 13, 2003)

##### Volume V

###### Kansas

KS030010 (JUN. 13, 2003)  
KS030011 (JUN. 13, 2003)  
KS030021 (JUN. 13, 2003)

###### Missouri

MO030003 (JUN. 13, 2003)  
MO030010 (JUN. 13, 2003)  
MO030041 (JUN. 13, 2003)  
MO030051 (JUN. 13, 2003)  
MO030055 (JUN. 13, 2003)  
MO030056 (JUN. 13, 2003)  
MO030059 (JUN. 13, 2003)

###### Oklahoma

OK030013 (JUN. 13, 2003)  
Texas  
TX030009 (JUN. 13, 2003)  
TX030064 (JUN. 13, 2003)

##### Volume VI

###### Montana

MT030001 (JUN. 13, 2003)

##### Volume VII

###### None

#### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage determinations Issued Under the Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>. They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage

decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate Volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to Subscribers.

Signed at Washington, DC this 1st Day of April 2004.

**John Frank,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 04-7772 Filed 4-8-04; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

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

#### 1. The Sabine Mining Company

[Docket No. M-2004-012-C]

The Sabine Mining Company, 6501 Farm Road 968 West, Hallsville, Texas 75650-7413 has filed a petition to modify the application of 30 CFR 77.803 (Fail safe ground check circuits on high-voltage resistance grounded systems) to its South Hallsville No. 1 Mine (MSHA I.D. No. 41-03101) located in Harrison County, Texas. The petitioner requests a modification of the existing standard to allow an alternative method of compliance when the boom/mast is raised or lowered during necessary repairs. The petitioner states that during the procedure for raising and lowering the boom for construction/maintenance, the machine will not be performing mining operations. The procedure would also be applicable in instances of disassembly or major maintenance which require the boom to be raised or lowered. The petitioner further states that the procedures of raising and lowering the boom/mast during disassembly or major maintenance would be performed on an as needed basis; and training and review of the

procedures would be conducted prior to each time it is needed since raising and lowering the boom is done infrequently with long intervals of time between each occurrence, and all persons involved in the process will be trained or retrained at that time. The petitioner has listed specific guidelines in this petition that would be followed to minimize the potential for electrical power loss during this critical boom procedure. The petitioner asserts that this procedure does not replace other mechanical precautions or the requirements of 30 CFR 77.405(b) that are necessary to safely secure boom/masts during construction or maintenance procedures and that its proposed alternative method would not result in a diminution of safety to the miners.

## 2. CONSOL of Kentucky, Inc.

[Docket No. M-2004-013-C]

CONSOL of Kentucky, Inc., 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 Raccoon E-1 Mine (MSHA I.D. No. 15-18709) located in Floyd County, Kentucky. The petitioner requests a modification of the existing standard to permit the use of a single line of automatic sprinklers for its fire protection system on main and secondary belt conveyors in the Raccoon E-1 Mine. The petitioner proposes to use a single overhead pipe system with ½-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. The petitioner also proposes to have automatic 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; conduct a test to insure proper operation during the installation of each new system and during any subsequent repair or replacement of any critical part of the sprinkler system; conduct a functional test to ensure proper operation during subsequent repair or replacement of any critical part of the sprinkler system; and conduct a functional test on an annual basis. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

## 3. Acme Brick Company

[Docket No. M-2004-003-M]

Acme Brick Company, 2825 Crockett, Fort Worth, Texas 76107 has filed a petition to modify the application of 30 CFR 56.9300 (Berms and guardrails) to its Perla Pit & Plant (MSHA I.D. No. 03-00132) located in Hot Springs County, Arkansas; Bennett Plant (MSHA I.D. No. 41-00243) located in Parker County, Texas; Bridgeport Plant (MSHA I.D. No. 41-00244) located in Wise County, Texas; Standard Pit (MSHA I.D. No. 41-00264) located in Bastrop County, Texas; Harbert, Hobson, Sewell (MSHA I.D. No. 41-00368) located in Denton County, Texas; Chew Mine (MSHA I.D. No. 41-03361) located in Austin County, Texas; Edmond Pit & Plant (MSHA I.D. No. 34-00110) located in Oklahoma County, Oklahoma; Tulsa #665 (MSHA I.D. No. 34-00108) located in Tulsa County, Oklahoma; McQueeney Pits & Plant (MSHA I.D. No. 41-00241) located in Guadalupe County, Texas; AWC, JEN, RSP, FRK, MLC, HLP Pits (MSHA I.D. No. 41-00305) located in Henderson County, Texas; Jamestown Pit (MSHA I.D. No. 16-00391) located in Bienville County, Louisiana; and Garrison Pit & Plant (MSHA I.D. No. 41-00242) located in Nacogdoches County, Texas. The petitioner proposes to use an alternative method of compliance for stockpiling mined clay in lieu of using berms or guardrails. The petitioner is presently using two scrapers to haul mined clay up onto the stockpile and a motor grader to level off the stockpile as the scrapers dump their belly pans. The petitioner is requesting a variance from the existing standard to permit continued use of this procedure for stockpiling mined clay.

The petitioner has listed specific procedures in this petition that will be followed when using its proposed alternative method. The petitioner asserts that application of the existing standard will result in a diminution of safety to the miners and that the proposed alternative will provide the same or greater degree of safety than the existing standard.

## 5. Acme Brick Company

[Docket No. M-2004-004-M]

Acme Brick Company, 2825 Crockett, Fort Worth, Texas 76107 has filed a petition to modify the application of 30 CFR 56.9301 (Dump site restraints) to its Perla Pit & Plant (MSHA I.D. No. 03-00132) located in Hot Springs County, Arkansas; Bennett Plant (MSHA I.D. No. 41-00243) located in Parker County, Texas; Bridgeport Plant (MSHA I.D. No. 41-00244) located in Wise County, Texas; Standard Pit (MSHA I.D. No. 41-

00264) located in Bastrop County, Texas; Harbert, Hobson, Sewell (MSHA I.D. No. 41-00368) located in Denton County, Texas; Chew Mine (MSHA I.D. No. 41-03361) located in Austin County, Texas; Edmond Pit & Plant (MSHA I.D. No. 34-00110) located in Oklahoma County, Oklahoma; Tulsa #665 (MSHA I.D. No. 34-00108) located in Tulsa County, Oklahoma; McQueeney Pits & Plant (MSHA I.D. No. 41-00241) located in Guadalupe County, Texas; AWC, JEN, RSP, FRK, MLC, HLP Pits (MSHA I.D. No. 41-00305) located in Henderson County, Texas; Jamestown Pit (MSHA I.D. No. 16-00391) located in Bienville County, Louisiana; and Garrison Pit & Plant (MSHA I.D. No. 41-00242) located in Nacogdoches County, Texas. The petitioner proposes to use an alternative method of compliance for stockpiling mined clay in lieu of using berms or guardrails. The petitioner is presently using two scrapers to haul mined clay up onto the stockpile and a motor grader to level off the stockpile as the scrapers dump their belly pans. The petitioner is requesting a variance from the existing standard to permit continued use of this procedure for stockpiling mined clay. The petitioner has listed specific procedures in this petition that will be followed when using its proposed alternative method. The petitioner asserts that application of the existing standard will result in a diminution of safety to the miners and that the proposed alternative will provide the same or greater degree of safety than the existing standard.

## Request for Comments

Persons interested in these petitions are encouraged to submit comments via e-mail to [comments@msha.gov](mailto: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, 1100 Wilson Boulevard, room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before May 10, 2004. Copies of these petitions are available for inspection at that address.

Dated in Arlington, Virginia this 2nd day of April 2004.

**Marvin W. Nichols, Jr.,**

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

[FR Doc. 04-8034 Filed 4-8-04; 8:45 am]

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