

1. *Electronic Mail: Standards-Petitions@dol.gov.*

2. *Facsimile: 1-202-693-9441.*

3. *Regular Mail: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

4. *Hand-Delivery or Courier: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Barron, Office of Standards, Regulations, and Variances at 202-693-9447 (Voice), *barron.barbara@dol.gov* (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

**SUPPLEMENTARY INFORMATION:**

**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 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) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modifications.

**II. Petitions for Modification**

*Docket Number: M-2008-039-C through M-2008-043-C.*

*Petitioner: AMFIRE Mining Company, LLC, One Energy Place, Latrobe, PA 15650.*

*Mine: Dora 8 Mine, MSHA I.D. No. 36-08704, located in Jefferson County, Pennsylvania; Ondo Extension Mine,*

*MSHA I.D. No. 36-09005, Nolo Mine, MSHA I.D. No. 36-08850, Gillhouser Run Mine, MSHA I.D. No. 36-09033, all located in Indiana County, Pennsylvania; and Madison Mine, MSHA I.D. No. 36-09127, located in Cambria County, Pennsylvania.*

*Regulation Affected: 30 CFR 75.1101-1(b) (Deluge-type water spray systems).*

*Modification Request: The petitioner requests a modification of the existing standard to permit the use of deluge-type water spray systems installed at belt conveyor drives in lieu of using blow-off dust covers. The petitioner proposes to have a person who is trained in the testing procedure specific to the deluge-type water spray fire suppression systems conduct examinations on a weekly basis as follows: (1) Conduct a visual examination of each deluge-type water spray fire suppression system; (2) conduct a functional test of each deluge-type water spray system fire suppression system and observe its performance weekly instead of annually; and (3) record the results of the examination and functional test in a book maintained on the surface, which would be retained and made available to the authorized representative of the Secretary. The petitioner states that: (1) Any malfunction or clogged nozzle detected as a result of the weekly examination or functional test will be corrected immediately; (2) the proposed alternative will provide a greater measure of protection because the weekly functional tests will ensure that the system functions properly and that all deluge-type nozzles respond as designed with adequate pressure and flow rates; and (3) the methods and conditions in this petition will be included in the initial and annual refresher training as required in its approved Part 48 training plans to ensure that the miners are aware of the stipulations contained in the petition. The petitioner asserts that the proposed alternative method at all times guarantees no less than the same measure of protection afforded by the standard.*

*Docket Number: M-2008-002-M.*

*Petitioner: East Tennessee Zinc Company, LLC, P.O. Box 160, 2421 W. Old Andrew Johnson Highway, Strawberry Plains, TN 37871.*

*Mine: Coy Mine, MSHA I.D. No. 40-00166 and Young Mine, MSHA I.D. No. 40-00168, both located in Jefferson County, Tennessee; and Immel Mine, MSHA I.D. No. 40-00170, located in Knox County, Tennessee.*

*Regulation Affected: 30 CFR 57.11052(d) (Refuge areas).*

*Modification Request: The petitioner requests a modification of the existing standard related to compressed air lines, water lines, suitable hand tools, and stopping materials to permit an alternative method of compliance to use self-supporting refuge chambers. The petitioner states that: (1) The refuge chambers presently used (Strata Safety Mine Refuge Chamber) contain an internal air supply with a carbon dioxide scrubber; (2) in the event of main power failure, the unit has a built in battery back-up, which will operate for a minimum of 48 hours; (3) the chambers have enough food, water and bathroom facilities for the designated occupancy; and (4) the chambers meet the intent of the proposed rules for refuge alternatives for underground coal mines even though they are being utilized in an underground metal mine. The petitioner further states that: (1) The chambers are used in a non-combustible environment so the control systems are electrical; (2) by allowing the use of refuge chambers that do not require air and water lines to be connected, there will be greater flexibility in usage location; (3) flexibility will allow the refuge chambers to be relocated quickly to working areas as the work face advances; and (4) by having air and water inside the chamber, there is minimal opportunity for damage to these services from normal mining operations (i.e. scaling, blasting, etc.) thus making them a safety improvement. The petitioner asserts that the alternative method would provide the same degree of safety as the existing standard.*

**Patricia W. Silvey,**

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

[FR Doc. E8-21897 Filed 9-18-08; 8:45 am]

**BILLING CODE 4510-43-P**

**NATIONAL SCIENCE FOUNDATION**

**National Science Board**

**Sunshine Act Meetings; Notice**

The National Science Board, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**AGENCY HOLDING MEETING: National Science Board.**

**DATE AND TIME:** Monday, September 22, 2008, at 8 a.m.

**PLACE:** University of Alaska Fairbanks, Elvey Building, Globe Room, Fairbanks, AK 99775.

**STATUS:** Some portions open, some portions closed

### Open Sessions

*September 22, 2008*

8 a.m.–8:10 a.m.

8:10 a.m.–11:15 a.m.

11:15 a.m.–12 p.m.

### Closed Sessions

*September 22, 2008*

1:30 p.m.–2:15 p.m.

2:15 p.m.–2:30 p.m.

**AGENCY CONTACT:** Dr. Robert E. Webber, [rwebber@nsf.gov](mailto:rwebber@nsf.gov), (703) 292-7000, <http://www.nsf.gov/nsb/>.

### Matters To Be Discussed

*Monday, September 22, 2008*

*Open Session:* 8 a.m.–8:10 a.m.

Chairman's Introduction and University of Alaska Fairbanks Welcome

Committee on Programs and Plans (CPP)

*Open Session:* 8:10 a.m.–11:15 a.m.

Approval of August 2008 CPP Minutes

Committee Chairman's Remarks

Task Force on Sustainable Energy (SE)

SE Task Force Co-Chairmen's Remarks

Discussion and Summary of September 4, 2008 Roundtable Discussion

Discussion of Possible Recommendations for Inclusion in a Draft Report

Discussion of upcoming Task Force Activities

*NSB Information Item:* National Nanotechnology Infrastructure Network (NNIN).

Review of NSF Major Research Facilities and the Major Research Equipment and Facilities

Construction (MREFC) Process Major Research Facilities and Facility Plan: Horizon Projects;

Maintenance and Operations Planning for Large Facilities; and Policy Issues

Review of MREFC Process Discussion

Plenary Open

*Open Session:* 11:15 a.m.—12 p.m.

Approval of August 2008 Minutes Resolution to Close December 2008 Meeting

Chairman's Report

Director's Report

Open Committee Report

Committee on Programs and Plans (CPP)

*Closed Session:* 1:30 p.m.—2:15 p.m.

Chairman's Remarks

NSB Information Item: National Astronomy and Ionosphere Center (NAIC)

NSB Action Item: Management and Operations of the National Optical Astronomy Observatory and the National Solar Observatory

Plenary Closed

*Closed Session:* 2:15 p.m.—2:30 p.m.

Approval of August 2008 Minutes

Awards and Agreements

Closed Committee Reports

**Ann Ferrante,**

*Technical Writer/Editor.*

[FR Doc. E8-21804 Filed 9-18-08; 8:45 am]

**BILLING CODE** 7555-01-P

## NUCLEAR REGULATORY COMMISSION

### Correction to Notice of Availability of Draft Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Correction to Notice of Availability.

**SUMMARY:** On July 28, 2008, the U.S. Nuclear Regulatory Commission (NRC) issued a notice for public comment of a Draft Generic Environmental Impact Statement (Draft GEIS) that identifies and evaluates on a programmatic basis, the potential environmental impacts from the construction, operation, aquifer restoration, and decommissioning at *in-situ* leach (ISL) uranium milling facilities located in particular regions of the western United States (73 FR 43795).

In that notice, the NRC also provided information on eight public meetings to be hosted by the NRC that would allow the NRC staff to present an overview of the Draft GEIS and to accept oral and written public comments on the Draft GEIS from interested members of the public. Corrected dates and associated information is provided below for two of those meetings:

*Meeting Date:* September 23, 2008, 7 p.m. to 9:30 p.m.

*Meeting Location:* Best Western Tower West Lodge, 109 North U.S. Highway 14 & 16, Gillette, WY 82716, Phone (307) 686-2210.

*Meeting Date:* September 25, 2008, 7 p.m. to 9:30 p.m.

*Meeting Location:* Best Western Ramkota Hotel, 800 N. Poplar Road,

Casper, WY 82601, Phone (307) 266-6000.

For each meeting, members of the NRC staff will be available for informal discussions with members of the public from 6 p.m. to 7 p.m. The formal meeting and associated NRC presentation will begin at 7 p.m. Interested persons may register to speak at the meetings. Depending on the number of speakers for a meeting, each speaker may be limited in the amount of time allocated for their comments so that all speakers will have an opportunity to offer comments.

**DATES:** The public comment period on the Draft GEIS began on July 28, 2008, and continues until October 7, 2008. Written comments should be submitted as described in the **ADDRESSES** section of this notice. The NRC will consider comments received or postmarked after that date to the extent practical.

**ADDRESSES:** Members of the public are invited and encouraged to submit comments on the Draft GEIS to the Chief, Rulemaking, Directives, and Editing Branch, *Mailstop:* T6-D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The NRC encourages comments submitted electronically to be sent to [NRCREP.Resource@nrc.gov](mailto:NRCREP.Resource@nrc.gov). Please include "Uranium Recovery GEIS" in the subject line when submitting written comments.

**FOR FURTHER INFORMATION CONTACT:** For general information on the NRC's NEPA process, or the environmental review process related to the Draft GEIS, please contact James Park, Project Manager, Division of Waste Management and Environmental Protection (DWMEP), Mail Stop T-8F5, U.S. Nuclear Regulatory Commission, Washington DC 20555-001, by phone at 1 (800) 368-5642, extension 6935. For general or technical information associated with the safety and licensing of uranium milling facilities, please contact William Von Till, Branch Chief, Uranium Recovery Branch, DWMEP, Mail Stop T-8F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by phone at 1 (800) 368-5642, extension 0598.

The Draft GEIS may be accessed on the Internet at [www.nrc.gov/reading-rm/doc-collections/nuregs/staff/](http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/) by selecting "NUREG-1910." Additionally, the NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of the NRC's public documents. The Draft GEIS and its appendices may also be accessed through the NRC's Public Electronic Reading Room on the Internet at: