DEPARTMENT OF LABOR
Mine Safety and Health Administration

Affirmative Decisions on Petitions for Modification Granted in Whole or in Part

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

ACTION: Notice.

SUMMARY: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This Federal Register Notice notifies the public that MSHA has investigated and issued a final decision on certain mine operator petitions to modify a safety standard.

ADDRESSES: Copies of the final decisions are posted on MSHA’s Web Site at http://www.msha.gov/indexes/petition.htm. The public may inspect the petitions and final decisions during normal business hours in MSHA’s Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209. All visitors must first stop at the receptionist desk on the 21st Floor to sign-in.

FOR FURTHER INFORMATION CONTACT: Roslyn B. Fontaine, Acting Director, Office of Standards, Regulations and Variances at 202–693–9441 (Voice), fontaine_roslyn@dol.gov (E-mail), or 202–693–9441 (Telefax), or Barbara Barron at 202–693–9447 (Voice), barbara.barbaro@dol.gov (E-mail), or 202–693–9441 (Telefax). [These are not toll-free numbers].

SUPPLEMENTARY INFORMATION:
I. Introduction

Under section 101 of the Federal Mine Safety and Health Act of 1977, a mine operator may petition and the Secretary of Labor (Secretary) may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) An alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) that the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner’s statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.
II. Granted Petitions for Modification

On the basis of the findings of MSHA’s investigation, and as designee of the Secretary, MSHA has granted or partially granted the following petitions for modification:

• **Docket Number: M–2008–053–C.**
  **FR Notice:** 73 FR 80435 (December 31, 2008).
  **Petitioner:** South Central Coal Co., Inc. (formerly Heidtman Mining, LLC), 22227 US Hwy 271, Spiro, Oklahoma 74959.
  **Mine:** Sebastian Mine, MSHA I.D. No. 03–01736, located in Sebastian County, Arkansas.
  **Regulation Affected:** 30 CFR 75.1700 (Oil and gas wells).
  **Docket Number:** M–2009–005–C.
  **FR Notice:** 74 FR 23747 (May 20, 2009).
  **Petitioner:** Pennacle Mining Company, LLC, P.O. Box 338, Pineville, West Virginia 24974.
  **Mine:** Pinnacle Mine, MSHA I.D. No. 46–01816, located in Wyoming County, West Virginia.
  **Regulation Affected:** 30 CFR 75.1700 (Oil and gas wells).
  **Docket Number:** M–2009–006–C.
  **FR Notice:** 74 FR 23748 (May 20, 2009).
  **Petitioner:** Spartan Mining Company, 300 Kanawha Boulevard, East, P.O. Box 271, Charleston, West Virginia 25321–0273.
  **Mine:** Road Fork #51 Mine, MSHA I.D. No. 46–01544, located in Wyoming County, West Virginia.
  **Regulation Affected:** 30 CFR 75.1700 (Oil and gas wells).
  **Docket Number:** M–2009–039–C.
  **FR Notice:** 74 FR 63414 (December 30, 2009).
  **Petitioner:** Consol Pennsylvania Coal Company, 1000 Consol Energy Drive, Canonsburg, Pennsylvania 15317.
  **Mine:** Enlow Fork Mine, MSHA I.D. No. 36–07416, located in Washington County, Pennsylvania.
  **Regulation Affected:** 30 CFR 75.1700 (Oil and gas wells).
  **Docket Number:** M–2010–039–C.
  **FR Notice:** 75 FR 81313 (December 27, 2010).
  **Petitioner:** Consol Pennsylvania Coal Company, 1000 Consol Energy Drive, Canonsburg, Pennsylvania 15317.
  **Mine:** Enlow Fork Mine, MSHA I.D. No. 36–07416, located in Washington County, Pennsylvania.
  **Regulation Affected:** 30 CFR 75.500(d) (Permissible electric equipment).
  **Docket Number:** M–2010–038–C.
  **FR Notice:** 75 FR 81313 (December 27, 2010).
  **Petitioner:** San Juan Coal Company, P.O. Box 561, Waterflow, New Mexico 87421–0561.
  **Mine:** San Juan Mine 1, MSHA I.D. No. 29–02170, located in San Juan County, New Mexico.
  **Regulation Affected:** 30 CFR 75.500(d) (Permissible electric equipment).
  **Docket Number:** M–2010–030–C.
  **FR Notice:** 75 FR 75499 (September 20, 2010).
  **Petitioner:** Four O Mining Corporation, P.O. Box 148, Vansant, Virginia 24656.
  **Mine:** No. 10 Mine, MSHA I.D. No. 44–07217, located in Dickenson County, Virginia.
  **Regulation Affected:** 30 CFR 75.1101–1 (Installation of deluge-type sprays).
  **Docket Number:** M–2010–035–C.
  **FR Notice:** 75 FR 75499 (September 20, 2010).
  **Petitioner:** Enlow Fork Mine, MSHA I.D. No. 46–008730, located in Raleigh County, West Virginia.
  **Regulation Affected:** 30 CFR 75.1101–1(b) (Deluge-type water spray systems).
  **Docket Number:** M–2010–046–C.
  **FR Notice:** 76 FR 2723 (January 14, 2011).
  **Petitioner:** Cobra Natural Resources, LLC, P.O. Box 40, Wamcliff, West Virginia 25651.
  **Mine:** Mountaineer Alma A Mine, MSHA I.D. No. 46–08730, located in Mingo County, West Virginia.
  **Regulation Affected:** 30 CFR 75.1101–1(b) (Deluge-type water spray systems).
  **Docket Number:** M–2010–048–C.
  **FR Notice:** 76 FR 2724 (January 14, 2011).
  **Petitioner:** Canyon Fuel Company, LLC, 597 South S.R. 24, Salina, Utah 84654.
  **Mine:** Suco Mine, MSHA I.D. No. 42–00089, located in Sevier County, Utah.
  **Regulation Affected:** 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).
  **Docket Number:** M–2011–001–M.
  **FR Notice:** 76 FR 16643 (March 24, 2011).
  **Petitioner:** Carmeuse Industrial Sands, 1000 Oglebay Norton Drive, P.O. Box 429, Brady, Texas 76825.
  **Mine:** Brady Plant, MSHA I.D. No. 41–01371, located in McCulloch County, Texas.
  **Regulation Affected:** 30 CFR 56.13020 (Use of compressed air).
  Dated: September 15, 2011.

**Patricia W. Silvey,**
**Certifying Officer.**

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Proposed Extension of Existing Information Collection; Automatic Fire Sensor and Warning Device Systems; Examination and Test Requirements

ACTION: Notice of request for public comments.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of an existing information collection, OMB Control Number 1219–0145. This information collection was originally titled Safety Standards Regarding Technical Study Panel.