The Final Rule

Accordingly, the U.S. Parole Commission adopts the following amendments to 28 CFR part 2.

PART 2—[AMENDED]

1. The authority citation for 28 CFR part 2 continues to read as follows:
   Authority: 18 U.S.C. 4204(a)(1) and 4204(a)(6).

2. In § 2.66, add paragraph (d) to read as follows:

   § 2.66 Revocation decision without hearing.
   
   (d) Special procedures for swift and short-term sanctions for administrative violations of supervision. (1) An alleged violator may, at the time of the probable cause hearing or preliminary interview, waive the right to a revocation hearing and apply in writing for an immediate prison sanction of no more than 8 months. Notwithstanding the reparation guidelines at § 2.21, the Commission will consider such a sanction if:
   (i) The releasee has not already postponed the initial probable cause hearing/preliminary interview by more than 30 days;
   (ii) The charges alleged by the releasee do not constitute a violation of the law;
   (iii) The releasee has accepted responsibility for the violations; and
   (iv) The releasee has not already been sanctioned pursuant to this paragraph (d)(1).

   (2) A sanction imposed pursuant to paragraph (d)(1) of this section may include any other action authorized by § 2.52, § 2.105, or § 2.218.

   (3) Any case not approved by the Commission for a revocation sanction pursuant to paragraph (d)(1) of this section shall receive the normal revocation hearing procedures including the application of the guidelines at § 2.24.

   Note to paragraph (d). For purpose of paragraph (d)(1) of this section only, the Commission will consider the sanctioning of the following crimes as administrative violations if they have been charged only as misdemeanors:
   1. Public Intoxication
   2. Possession of an Open Container of Alcohol
   3. Urinating in Public
   4. Traffic Violations
   5. Disorderly Conduct/Breach of Peace
   6. Driving without a License or with a revoked/suspended license
   7. Providing False Information to a Police Officer
   8. Loitering
   9. Failure to Pay court ordered support (i.e. child support/alimony)
   10. Solicitation/Prostitution
   11. Resisting Arrest
   12. Reckless Driving
   13. Gambling
   14. Failure to Obey a Police Officer
   15. Leaving the Scene of an Accident (only if no injury occurred)
   16. Hitchhiking
   17. Vending without a License
   18. Possession of Drug Paraphernalia (indicating purpose of personal use only)
   19. Possession of a Controlled Substance (for personal use only)

   Dated: August 17, 2015.

J. Patricia Wilson Smoot, Chairman, United States Parole Commission.

[FR Doc. 2015–21094 Filed 9–1–15; 8:45 am]

BILLING CODE 4204–40–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 7, 18, 44, 46, 48, 49, 56, 57, 70, 71, 72, 74, 75, and 90

MSHA Headquarters, Pittsburgh Safety and Health Technology Center, and Respirable Dust Processing Laboratory Address Changes

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule; technical amendment.

SUMMARY: The Mine Safety and Health Administration (MSHA) is amending its published regulations that include the Agency’s addresses. MSHA relocated its Headquarters offices and will discontinue renting the Post Office boxes it uses for mail delivery to the Pittsburgh Safety and Health Technology Center and Respirable Dust Processing Laboratory. In addition, MSHA is amending the incorporation by reference language in some MSHA regulations. The amendments conform to current Office of the Federal Register (OFR) format requirements for an IBR regarding publisher addresses, telephone numbers, and internet addresses, and include contact information for the National Archives and Records Administration (NARA).

This technical amendment is a procedural “rule” under 5 U.S.C. 551(4), and is not subject to the notice-and-comment rulemaking requirements in 5 U.S.C. 553. This action also does not constitute a “regulatory action” subject to Executive Order 12866. Accordingly, the regulations in 30 CFR parts 7, 18, 44, 46, 48, 49, 56, 57, 70, 71, 72, 74, 75, and 90 are amended to include updated information.

List of Subjects

Explosives, Incorporation by reference, Mine safety and health, Reporting and recordkeeping requirements, Research.
30 CFR Part 18
Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 44
Administrative practice and procedure, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 46
Education, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 48
Education, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 49
Education, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 56
Chemicals, Electric power, Explosives, Fire prevention, Hazardous substances, Incorporation by reference, Metals, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 57
Chemicals, Electric power, Explosives, Fire prevention, Gases, Hazardous substances, Incorporation by reference, Metals, Mine safety and health, Radiation protection, Reporting and recordkeeping requirements.

30 CFR Part 70
Incorporation by reference, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 71
Hazardous substances, Incorporation by reference, Mine safety and health, Reporting and recordkeeping requirements, Water supply.

30 CFR Part 72
Coal, Incorporation by reference, Mine safety and health.

30 CFR Part 74
Incorporation by reference, Mine safety and health, Occupational safety and health.

30 CFR Part 75
Communications equipment, Electric power, Emergency medical services, Explosives, Fire prevention, Incorporation by reference, Mine safety and health, Reporting and recordkeeping requirements.

30 CFR Part 90
Black lung benefits, Incorporation by reference, Mine safety and health, Reporting and recordkeeping requirements.

Dated: August 19, 2015.

Joseph A. Main,
Assistant Secretary of Labor for Mine Safety and Health.

For the reasons set out in the preamble, and under the authority of the Federal Mine Safety and Health Act of 1977, as amended, MSHA is amending chapter I of title 30 of the Code of Federal Regulations as follows:

PART 7—TESTING BY APPLICANT OR THIRD PARTY

1. The authority citation for part 7 continues to read as follows:

Authority: 30 U.S.C. 957.

2. Section 7.505 is amended by revising paragraph (b)(6) to read as follows:

§ 7.505 Structural components.
(b) * * *
(6) A test shall be conducted to demonstrate that each structure resists puncture and tearing when tested in accordance with ASTM D2582–07 “Standard Test Method for Puncture-Propagation Tear Resistance of Plastic Film and Thin Sheeting.” This publication is incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. A copy may be obtained from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2950; 610–693–9500; http://www.astm.org. A copy may be inspected at any MSHA Coal Mine Safety and Health District Office; or at MSHA’s Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 201 12th Street South, Arlington, VA 22202–5452; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/ibr_locations.html.

3. The authority citation for part 18 continues to read as follows:

Authority: 30 U.S.C. 957, 961.

PART 18—ELECTRIC MOTOR-DRIVEN MINE EQUIPMENT AND ACCESSORIES

4. Section 18.82 is amended by revising the second sentence of paragraph (a) to read as follows:

§ 18.82 Permit to use experimental electric face equipment in a gassy mine or tunnel.
(a) * * * The user shall submit a written application to the Assistant Secretary of Labor for Mine Safety and Health, 201 12th Street South, Arlington, VA 22202–5452, and send a copy to the U.S. Department of Labor, Mine Safety and Health Administration, Approval and Certification Center, 765 Technology Drive, Triadelphia, WV 26059.

* * * * *

PART 44—RULES OF PRACTICE FOR PETITIONS FOR MODIFICATION OF MANDATORY SAFETY STANDARDS

5. The authority citation for part 44 continues to read as follows:

Authority: 30 U.S.C. 957.

6. In § 44.10, revise the second sentence to read as follows:

§ 44.10 Filing of petition; service.
* * * All petitions must be in writing and must be filed with the Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 201 12th Street South, Arlington, VA 22202–5452. * * *

7. Section 44.21 is amended by revising the third sentence in paragraph (a) to read as follows:

§ 44.21 Filing and form of documents.
(a) * * * While the petition is before the Assistant Secretary at any stage of the proceeding, all documents should be filed with the Assistant Secretary of Labor for Mine Safety and Health, 201 12th Street South, Arlington, VA 22202–5452. * * *

PART 46—TRAINING AND RETRAINING OF MINERS ENGAGED IN SHELL DREDGING OR EMPLOYED AT SAND, GRAVEL, SURFACE STONE, SURFACE CLAY, COLLOIDAL PHOSPHATE, OR SURFACE LIMESTONE MINES

8. The authority citation for part 46 continues to read as follows:


9. Section 46.2 is amended by revising paragraph (d)(1)(iii) to read as follows:

§ 46.2 Definitions.
* * * * *
(d)(1) * * *
(iii) A person who began employment as a miner after April 14, 1999, but before October 2, 2000, and who has
§ 48.12 Appeals procedures.

13. Section 48.12 is amended by revising the first sentence in paragraph (h) to read as follows:

§ 48.3 Training plans; time of submission; where filed; information required; time for approval; method for disapproval; commencement of training; approval of instructors.

10. Section 46.3 is amended by revising the first sentence in paragraph (a) to read as follows:

§ 49.4 is amended by revising the third sentence of paragraph (a) to read as follows:

§ 49.8 Training for mine rescue teams.

14. Section 48.23 is amended by revising the third sentence in paragraph (i) to read as follows:

§ 48.32 Appeals procedures.

15. Section 48.32 is amended by revising paragraph (a) to read as follows:

PART 48—TRAINING AND RETRAINING OF MINERS

§ 48.23 Training plans; time of submission; where filed; information required; time for approval; method for disapproval; commencement of training; approval of instructors.

§ 49.3 Alternative mine rescue capability for small and remote mines.

PART 49—MINE RESCUE TEAMS

§ 49.8 Training for mine rescue teams.

§ 49.3 Alternative mine rescue capability for small and remote mines.

PART 56—SAFETY AND HEALTH STANDARDS—SURFACE METAL AND NONMETAL MINES

§ 49.8 Training for mine rescue teams.

§ 49.3 Alternative mine rescue capability for small and remote mines.

PART 56—SAFETY AND HEALTH STANDARDS—SURFACE METAL AND NONMETAL MINES

Part 56 of chapter 1 of title 30 of the Code of Federal Regulations, as amended by this final rule, continues to read as follows:

§ 56.6133 Powder chests.

(b) Detonators shall be kept in chests separate from explosives or blasting agents, unless separated by 4 inches of hardwood or equivalent, or a laminated partition. When a laminated partition is used, operators must follow the provisions of the Institute of Makers of Explosives (IME) Safety Library Publication No. 22, “Recommendations for the Safe Transportation of Detonators in a Vehicle with Other Explosive Materials” (May 1993), and the “Generic Loading Guide for the IME–22 Container” (October 1993). The IME is located at 1120 19th Street NW., Suite 310, Washington, DC 20036–3605; 202–429–9280; https://www.ime.org. This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at all Metal and Nonmetal Mine Safety and Health District Offices, or available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. 

§ 56.6131 Seat belts for haulage trucks.

(d) The incorporation by reference of these publications is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of these publications may be examined at any Metal and Nonmetal Mine Safety and Health District Office; at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Copies may be purchased from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096–0001; 724–776–4841; http://www.sae.org.

PART 57—SAFETY AND HEALTH STANDARDS—UNDERGROUND METAL AND NONMETAL MINES

§ 57.2 Definitions.

Laminated partition means a partition composed of the following material and minimum nominal dimensions: ½-inch-thick plywood, ⅛-inch-thick gypsum wallboard, ⅝-inch-thick low carbon steel, and ⅝-inch-thick plywood, bonded together in that order (IME–22 Box). A laminated partition also includes alternative construction materials described in the Institute of Makers of Explosives (IME) Safety Library Publication No. 22, “Recommendations for the Safe Transportation of Detonators in a Vehicle with Other Explosive Materials”
§ 57.6201 Separation of transported explosive material.

(a) * * * * *

(2) Separated from explosives or blasting agents by 4 inches of hardwood or equivalent, or a laminated partition. The hardwood or equivalent shall be fastened to the vehicle or conveyance. When a laminated partition is used, operators must follow the provisions of the Institute of Makers of Explosives (IME) Safety Library Publication No. 22, “Recommendations for the Safe Transportation of Detonators in a Vehicle with Other Explosive Materials” (May 1993), and the “Generic Loading Guide for the IME–22 Container” (October 1993). The IME is located at 1120 19th Street NW., Suite 310, Washington, DC 20036–3605; 202–429–9280; https://www.ime.org. This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at all Metal and Nonmetal Mine Safety and Health District Offices, or available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

§ 57.14130 Roll-over protective structures (ROPS) and seat belts for surface equipment.

(j) * * * *

(j) Publications. The incorporation by reference of these publications is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of these publications may be examined at any Metal and Nonmetal Mine Safety and Health District Office; at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Copies may be purchased from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096–0001; 724–776–4841; http://www.sae.org.

§ 57.14131 Seat belts for surface haulage trucks.

(d) * * * *

(d) The incorporation by reference of these publications is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of these publications may be examined at any Metal and Nonmetal Mine Safety and Health District Office; at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Copies may be purchased from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096–0001; 724–776–4841; http://www.sae.org.
§ 70.204 Approved sampling devices; maintenance and calibration.

(e) You must proceed in accordance with “Calibration and Maintenance Procedures for Coal Mine Respirable Dust Samplers,” MSHA Informational Report IR 1240 (1996), referenced in paragraph (a) of this section. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the MSHA Web site at http://www.msha.gov and you may inspect or obtain a copy at MSHA, Coal Mine Safety and Health, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9500; or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

§ 71.207 Respirable dust samples; transmission by operator.

(a) If using a CMDPSU, the operator shall transmit within 24 hours after the end of the sampling shift all samples collected to fulfill the requirements of this part, including control filters, in containers provided by the manufacturer of the filter cassette to: Respirable Dust Processing Laboratory, Pittsburgh Safety and Health Technology Center, 626 Cochran's Mill Road, Building 38, Pittsburgh, PA 15236–3611, or to any other address designated by the District Manager.

§ 71.204 Approved sampling devices; maintenance and calibration.

(e) You must proceed in accordance with “Calibration and Maintenance Procedures for Coal Mine Respirable Dust Samplers,” MSHA Informational Report IR 1240 (1996), referenced in paragraph (a) of this section. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the MSHA Web site at http://www.msha.gov and you may inspect or obtain a copy at MSHA, Coal Mine Safety and Health, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9500; and at each MSHA Coal Mine Safety and Health District Office, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

§ 71.402 Minimum requirements for bathing facilities, change rooms, and sanitary flush toilet facilities.

(b) Bathing facilities, change rooms, and sanitary flush toilet facilities shall be constructed and equipped so as to comply with applicable State and local building codes. However, where no State or local building codes apply to these facilities, or where no State or local building codes exist, the facilities shall be constructed and equipped so as to meet the minimum construction requirements in the National Building Code (1967 edition) and the plumbing requirements in the National Plumbing Code (ASA A40.8–1955), which documents are hereby incorporated by reference and made a part hereof. These documents are available for examination at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at each MSHA Coal Mine Safety and Health District Office. Copies of the National Plumbing Code (ASA A40.8–1955) may be purchased from the American
§ 71.700 Inhalation hazards; threshold limit values for gases, dust, fumes, mists, and vapors.

(a) No operator of an underground coal mine and no operator of a surface coal mine may permit any person working at a surface installation or surface worksite to be exposed to airborne contaminants (other than respirable coal mine dust, respirable dust containing quartz, and asbestos dust) in excess of, on the basis of a time-weighted average, the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists in “Threshold Limit Values of Airborne Contaminants” (1972), which is hereby incorporated by reference and made a part hereof. Excursions above the listed threshold limit values shall not be of greater magnitude than is characterized as permissible by the conference. This paragraph does not apply to airborne contaminants given a “C” designation by the conference in the document. This document is available for examination at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at every MSHA Coal Mine Safety and Health District Office. Copies of the document may be purchased from the American Conference of Governmental Industrial Hygienists, 1330 Kemper Meadow Drive, Attn: Customer Service, Cincinnati, OH 45240; 513–742–2020; http://www.acgih.org.

§ 74.7 Design and construction requirements.

(a) * * *

(3) Persons may inspect a copy at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

PART 74—COAL MINE DUST SAMPLING DEVICES

§ 74.9 Quality assurance.

(a) * * *

(3) Persons may inspect a copy at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

PART 75—MANDATORY SAFETY STANDARDS—UNDERGROUND COAL MINES

§ 75.301 Definitions.

(a) * * *

(2) Persons may inspect a copy at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.
Methods for Fire Tests of Building Construction and Materials” is incorporated by reference and may be inspected at any MSHA Coal Mine Safety and Health District Office, or at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. In addition, copies of the document can be purchased from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; 610–832–9500; http://www.astm.org. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at every MSHA Coal Mine Safety and Health District Office. The material is available for examination at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

51. Section 75.333 is amended by revising paragraphs (d)(1), (e)(1)(i), (e)(3), and (f) to read as follows:

§ 75.333 Ventilation controls.

* * * * *

(d) * * * * *

(1) Made of noncombustible material or coated on all accessible surfaces with flame-retardant materials having a flame-spread index of 25 or less, as tested under ASTM E162–87, “Standard Test Method for Surface Flammability of Materials Using a Radiant Heat Energy Source.” This publication is incorporated by reference and may be inspected at any MSHA Coal Mine Safety and Health District Office, or at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. In addition, copies of the document can be purchased from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; 610–832–9500; http://www.astm.org. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

* * * * *

(3) When timbers are used to create permanent stoppings in heaving or caving areas, the stoppings shall be coated on all accessible surfaces with a flame-retardant material having a flame-spread index of 25 or less, as tested under ASTM E162–87, “Standard Test Method for Surface Flammability of Materials Using a Radiant Heat Energy Source.” This publication is incorporated by reference and may be inspected at any MSHA Coal Mine Safety and Health District Office, or at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. In addition, copies of the document can be purchased from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; 610–832–9500; http://www.astm.org. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

* * * * *

§ 75.322 Harmful quantities of noxious gases.

Concentrations of noxious or poisonous gases, other than carbon dioxide, shall not exceed the threshold limit values (TLV) as specified and applied by the American Conference of Governmental Industrial Hygienists in “Threshold Limit Values for Substance in Workroom Air” (1972). Detectors or laboratory analysis of mine air samples shall be used to determine the concentrations of harmful, noxious, or poisonous gases. This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at every MSHA Coal Mine Safety and Health District Office. The material is available for examination at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

* * * * *

50. Review § 75.322 to read as follows:

§ 75.322 Harmful quantities of noxious gases.

Concentrations of noxious or poisonous gases, other than carbon dioxide, shall not exceed the threshold limit values (TLV) as specified and applied by the American Conference of Governmental Industrial Hygienists in “Threshold Limit Values for Substance in Workroom Air” (1972). Detectors or laboratory analysis of mine air samples shall be used to determine the concentrations of harmful, noxious, or poisonous gases. This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.}

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*Note:* The text above is a portion of a federal register notice. The full notice can be found [here](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).
§ 52. Section 75.335 is amended by revising the introductory text to paragraph (b) to read as follows:

§ 75.335 Seal strengths, design applications, and installation.

(b) Seal design applications. Seal design applications from seal manufacturers or mine operators shall be in accordance with paragraph (b)(1) or (2) of this section and submitted for approval to MSHA’s Office of Technical Support, Pittsburgh Safety and Health Technology Center, 626 Cochran’s Mill Road, Building 151, Pittsburgh, PA 15236–3611.

§ 53. Section 75.523–1 is amended by revising the first sentence in paragraph (c) to read as follows:

§ 75.523–1 Deenergization of self-propelled electric face equipment installation requirements.

(c) An operator may apply to the Director of Technical Support, Mine Safety and Health Administration, Department of Labor, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; for approval of the installation of devices to be used in lieu of devices that will quickly deenergize the tampering motors of self-propelled electric face equipment in the event of an emergency.

§ 54. Section 75.818 is amended by revising paragraph (b)(4) to read as follows:

§ 75.818 Use of insulated cable handling equipment.

(b) * * * * *

(4) Be electrically tested every 6 months in accordance with publication ASTM F496–97. ASTM F496–97 (Standard Specification for In-Service Care of Insulating Gloves and Sleeves, 1997) is incorporated by reference and may be inspected at any MSHA Coal Mine Safety and Health District Office, or at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. In addition, copies of the document can be purchased from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; 610–832–9500; http://www.astm.org. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

§ 55. Section 75.833 is amended by revising paragraph (c)(1) to read as follows:

§ 75.833 Handling high-voltage trailing cables.

(c) * * * * *

(1) The rubber gloves must be designed and maintained to have a voltage rating of at least Class 1 (7,500 volts) and tested every 30 days in accordance with publication ASTM F496–02a, “Standard Specification for In-Service Care of Insulating Gloves and Sleeves” (2002). The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 522(a) and 1 CFR part 51. ASTM F496–02a may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959, call 610–832–9500 or go to: http://www.astm.org. ASTM F496–02a is available for inspection at any MSHA Coal Mine Safety and Health District Office, at the MSHA Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

§ 56. Section 75.1710–1 is amended by revising the first sentence in paragraph (f) to read as follows:

§ 75.1710–1 Canopies or cabs; self-propelled diesel-powered and electric face equipment; installation requirements.

(f) An operator may apply to the Director of Technical Support, Mine Safety and Health Administration, Department of Labor, 201 12th Street South, Arlington, VA 22202–5452, for approval of the installation of devices to be used in lieu of substantially constructed canopies or cabs on self-propelled diesel-powered and electric face equipment.

§ 57. In § 75.1900, the definition of “Noncombustible material” is revised to read as follows:

§ 75.1900 Definitions.

* * * * *

Noncombustible material. A material that will continue to serve its intended function for 1 hour when subjected to a fire test incorporating an ASTM E119–88 time/temperature heat input, or equivalent. The publication ASTM E119–88 “Standard Test Methods for Fire Tests of Building Construction and Materials” is incorporated by reference and may be inspected at any MSHA Coal Mine Safety and Health District Office; at MSHA’s Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9440; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA,

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§ 90.204 Approved sampling devices; maintenance and calibration.

(e) You must proceed in accordance with “Calibration and Maintenance Procedures for Coal Mine Respirable Dust Samplers,” MSHA Informational Report IR 1240 (1996), referenced in paragraph (a) of this section. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the MSHA Web site at http://www.msha.gov and you may inspect or obtain a copy at MSHA, Coal Mine Safety and Health, 201 12th Street South, Arlington, VA 22202–5452; 202–693–9500; and at each MSHA Coal Mine Safety and Health District Office, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

§ 90.208 Respirable dust samples; transmission by operator.

(a) If using a CMDPSU, the operator shall transmit within 24 hours after the end of the sampling shift all samples collected to fulfill the requirements of this part, including control filters, in containers provided by the manufacturer of the filter cassette to: Respirable Dust Processing Laboratory, Pittsburgh Safety and Health Technology Center, 626 Cochran’s Mill Road, Building 38, Pittsburgh, PA 15236–3611, or to any other address designated by the District Manager.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2015–0738]

RIN 1625–AA08

Special Local Regulation; Southern California Annual Marine Events for the San Diego Captain of the Port Zone; San Diego Bay, San Diego, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary interim rule.

SUMMARY: The Coast Guard is temporarily changing the enforcement date of the special local regulation on the navigable waters of San Diego Bay, San Diego, California in support of the annual TriRock San Diego Triathlon. This temporary interim rule adjusts the date for the established special local regulations listed in 33 CFR 100.1101 (table 1, item 11). This temporary interim rule provides public notice and is necessary to ensure the safety of participants, crew, spectators, participating vessels, and other vessels and users of the waterway.

Date: This rule is effective from 6:30 a.m. through 10:30 a.m. on September 20, 2015. Public comments must be received by September 19, 2015.

ADDRESSES: Submit comments using one of the listed methods, and see SUPPLEMENTARY INFORMATION for more information on public comments.


Submit comments using http://www.regulations.gov, the toll-free telephone number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Hand delivery hours: 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays (telephone 202–366–9329).

Documents mentioned in this preamble are part of docket [USCG–2015–0738]. To view documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov, type the docket number in the “SEARCH” box and click “SEARCH.” Click on Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Petty Officer Randolph Pahilanga, Waterways Management, U.S. Coast Guard Sector San Diego, Coast Guard; telephone 619–278–7656, email D11MarineEventsSD@uscg.mil. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security

FR Federal Register

NPRM Notice of Proposed Rulemaking