

working place will be free of accumulations of coal dust and coal spillages, and rock dust will be applied on the roof, rib, and floor to within 20 feet of the face when mining through the well. On longwall sections, rock dusting will be conducted and placed on the roof, rib, and floor up to both the headgate and tailgate gob.

(10) When the well is intersected, the operator will deenergize all equipment and thoroughly examine and determine they are safe before mining is resumed. After a well has been intersected and the working place determined safe, mining will continue in by the well at a distance sufficient to permit adequate ventilation around the area of the well.

(11) If the casing is cut or milled at the coal seam level, the use of torches should not be necessary. However, in rare instances, torches may be used for inadequately or inaccurately cut or milled casings. No open flame is permitted in the area until adequate ventilation has been established around the wellbore and methane levels less than 1.0 percent are present in all areas that will be exposed to flames and sparks from the torch. The operator will apply a thick layer of rock dust to the roof, face, floor, ribs, and any exposed coal within 20 feet of the casing prior to any use of torches.

(12) Non-sparking (brass) tools will be located on the working section and will be used to expose and examine cased wells.

(13) No person will be permitted in the area of the mine-through operation except those actually engaged in the mining operation, including company personnel, representative of the miners, personnel from MSHA, and personnel from the appropriate State agency.

(14) The operator will alert all personnel in the mine to the planned intersection of the well prior to their going underground if the planned intersection is to occur during their shift. This warning will be repeated for all shifts until the well has been mined through.

(15) A certified official will directly supervise the mine-through operation and only the certified official in charge will issue instructions concerning the mine-through operation.

(16) The responsible person required in 30 CFR 75.1501 will be responsible for well intersection emergencies. The responsible person will review the well intersection procedures prior to any planned intersection.

Within 30 days after this petition becomes final, the petitioner will submit proposed revisions for its approved Part 48 training plan to the DM. The proposed revisions will include initial

and refresher training regarding compliance with the terms and conditions of this petition. The operator will provide all miners involved in the well intersection with training regarding the requirements of this petition prior to mining within 150 feet of the next well to be mined through.

Within 30 days after this petition becomes final, the petitioner will submit proposed revisions for its approved mine emergency evacuation and firefighting plan required in 30 CFR 75.1501. The operator will revise the plans to include the hazards and evacuation procedures to be used for well intersections. All underground miners will be trained in this revised plan within 30 days of the DM's approval of the revised evacuation plan.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the existing standard.

**Sheila McConnell,**

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

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## 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 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 <https://www.msha.gov/regulations/rulemaking/petitions-modification>. The public may inspect the petitions and final decisions during normal business hours in MSHA's Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202. All visitors are required to check in at the receptionist's desk in Suite 4E401.

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov)

(Email), 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) 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-2012-075-C.  
*FR Notice:* 77 FR 30556 (May 23, 2012).  
*Petitioner:* Mountain Coal Company, P.O. Box 591, 5174 Highway 133, Somerset, Colorado 81434.  
*Mine:* West Elk Mine, MSHA I.D. No. 05-03672, located in Gunnison County, Colorado.  
*Regulation Affected:* 30 CFR 75.500(d) (Permissible electric equipment).
- *Docket Number:* M-2014-011-C.  
*FR Notice:* 79 FR 30174 (May 27, 2014).  
*Petitioner:* Consol Pennsylvania Coal Company, LLC, Consol Energy, Inc., CNX Center, 1000 Consol Energy Drive, Canonsburg, Pennsylvania 15317-6506.  
*Mine:* Enlow Fork Mine, MSHA I.D. No. 36-07416, located in Greene County, Pennsylvania.  
*Regulation Affected:* 30 CFR 75.1700 (Oil and Gas wells).
- *Docket Number:* M-2014-012-C.  
*FR Notice:* 79 FR 30176 (May 27, 2014).  
*Petitioner:* Consol Pennsylvania Coal Company, LLC, Consol Energy, Inc., CNX Center, 1000 Consol Energy Drive, Canonsburg, Pennsylvania 15317-6506.  
*Mine:* Bailey Mine, MSHA I.D. No. 36-07230, located in Greene County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2014–013–C.  
*FR Notice:* 79 FR 30178 (May 27, 2014).

*Petitioner:* Consol Pennsylvania Coal Company, LLC, Consol Energy, Inc., CNX Center, 1000 Consol Energy Drive, Canonsburg, Pennsylvania 15317–6506.

*Mine:* Harvey Mine (formerly BMX Mine), MSHA I.D. No. 36–10045, located in Greene County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–016–C.  
*FR Notice:* 81 FR 47423 (July 21, 2016).

*Petitioner:* Marshall County Coal Company, 1 Bridge Street, Monongah, West Virginia 26554.

*Mine:* Marshall County Mine, MSHA I.D. No. 46–01437, located in Marshall County, West Virginia.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–017–C.  
*FR Notice:* 81 FR 47426 (July 21, 2016).

*Petitioner:* The Marion County Coal Company, 1 Bridge Street, Monongah, West Virginia 26554.

*Mine:* Marion County Mine, MSHA I.D. No. 46–01433, located in Marion County, West Virginia.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–018–C.  
*FR Notice:* 81 FR 47428 (July 21, 2016).

*Petitioner:* The Monongalia County Coal Company, 1 Bridge Street, Monongah, West Virginia 26554.

*Mine:* Monongalia County Mine, MSHA I.D. No. 46–01968, located in Monongalia County, West Virginia.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–019–C.  
*FR Notice:* 81 FR 47431 (July 21, 2016).

*Petitioner:* The Harrison County Coal Company, 1 Bridge Street, Monongah, West Virginia 26554.

*Mine:* Harrison County Mine, MSHA I.D. No. 46–01318, located in Marion County, West Virginia.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–020–C.  
*FR Notice:* 81 FR 47434 (July 21, 2016).

*Petitioner:* The Ohio County Coal Company, 1 Bridge Street, Monongah, West Virginia 26554.

*Mine:* Ohio County Mine, MSHA I.D. No. 46–01436, located in Marshall County, West Virginia.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–021–C.  
*FR Notice:* 81 FR 47420 (July 21, 2016).

*Petitioner:* The Marshall County Coal Company, 57 Goshorn Woods Road, Cameron, West Virginia 26033.

*Mine:* Marshall County Mine, MSHA I.D. No. 46–01437, located in Marshall County, West Virginia.

*Regulation Affected:* 30 CFR 77.1914(a) (Electrical equipment).

- *Docket Number:* M–2016–024–C.  
*FR Notice:* 81 FR 55490 (August 19, 2016).

*Petitioner:* Signal Peak Energy, LLC, 100 Portal Drive, Roundup, Montana 59072.

*Mine:* Bull Mountains Mine #1, MSHA I.D. No. 24–01950, located in Musselshell County, Montana.

*Regulation Affected:* 30 CFR 75.312(c) (Main mine fan examinations and records).

- *Docket Number:* M–2016–025–C.  
*FR Notice:* 81 FR 55491 (August 19, 2016).

*Petitioner:* Ohio County Coal Company, 1107 Golden Ridge Road, Dallas, West Virginia 26036.

*Mine:* Ohio County Mine, MSHA I.D. No. 46–01436, located in Marshall County, West Virginia.

*Regulation Affected:* 30 CFR 77.1914(a) (Electrical equipment).

- *Docket Number:* M–2016–036–C.  
*FR Notice:* 81 FR 16066 (March 31, 2017).

*Petitioner:* Pennyrile Energy, LLC, 7386 State Route 593, Calhoun, Kentucky 42327.

*Mine:* Riveredge Mine, MSHA I.D. No. 15–19424, located in McLean County, Kentucky.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

- *Docket Number:* M–2016–010–M.  
*FR Notice:* 82 FR 16071 (March 31, 2017).

*Petitioner:* Fred Weber, Inc., 2320 Creve Coeur Mill Road, Maryland Heights, Missouri 63043.

*Mine:* Joliet MI, LLC Mine, MSHA I.D. No. 11–03153, located in Will County, Illinois.

*Regulation Affected:* 30 CFR 49.6(a)(1) (Equipment and maintenance requirements).

#### **Sheila McConnell,**

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

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## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

[Docket No. OSHA–2011–0064]

#### **Forging Machines; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements**

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

**ACTION:** Request for public comment.

**SUMMARY:** OSHA is soliciting public comments concerning its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements contained in the Forging Machines Standard.

**DATES:** Comments must be submitted (postmarked, sent, or received) by December 15, 2017.

#### **ADDRESSES:**

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693–1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using these methods, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA–2011–0064, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3653, 200 Constitution Avenue NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET.

*Instructions:* All submissions must include the Agency name and OSHA docket number for the ICR (OSHA–2011–0064). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments, see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

*Docket:* To read or download comments or other materials in the docket, go to <http://www.regulations.gov>