

The last notification was filed with the Department on January 6, 2021. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on January 19, 2021 (86 FR 5251).

**Suzanne Morris,**

*Chief, Premerger and Division Statistics, Antitrust Division.*

[FR Doc. 2021-15820 Filed 7-23-21; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Advanced Media Workflow Association, Inc.

Notice is hereby given that, on June 25, 2021, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), Advanced Media Workflow Association, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act’s provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Christie Digital Systems, Phoenix, AZ; Cobalt Digital Inc., Champaign, IL; and Pedro Ferreira (individual member), Lavra, PORTUGAL, have been added as parties to this venture.

Also, Beijing Gefei Tech Co., Ltd., Beijing, PEOPLE’S REPUBLIC OF CHINA, has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Advanced Media Workflow Association, Inc. intends to file additional written notifications disclosing all changes in membership.

On March 28, 2000, Advanced Media Workflow Association, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 29, 2000 (65 FR 40127).

The last notification was filed with the Department on March 24, 2021. A notice was published in the **Federal**

**Register** pursuant to Section 6(b) of the Act on April 8, 2021 (86 FR 18299).

**Suzanne Morris,**

*Chief, Premerger and Division Statistics, Antitrust Division.*

[FR Doc. 2021-15821 Filed 7-23-21; 8:45 am]

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## DEPARTMENT OF LABOR

#### Secretary’s Order 02-2021—To Withdraw Secretary’s Order 10-2020, Statement of Policy Regarding Independence of Advisory Committee Members

1. *Purpose.* To withdraw Secretary’s Order 10-2020, Statement of Policy Regarding Independence of Advisory Committee Members.

2. *Authorities and Directives Affected.*  
A. *Authorities.* This Order is issued pursuant to the following authorities:

1. 29 U.S.C. 551 *et seq.*;
2. 5 U.S.C. 301-02; and
3. 5 U.S.C. app. 2, 1-15.

B. *Directives Affected.* Secretary’s Order 10-2020 is hereby withdrawn.

3. *Definitions.* “Committee” refers to any advisory committee, committee, board, task force, or working group to which the Secretary or the Secretary’s designee appoints individuals subject to the Federal Advisory Committee Act and their subcommittees. This Order does not apply to internal committees, boards, task forces, or working groups, or to purely interagency committees, boards, task forces, or working groups.

4. *Background.* The stated purpose of Secretary’s Order 10-2020 was to strengthen the quality and reliability of advice provided by advisory committees to the Department of Labor (DOL), by identifying factors to be used in selecting committee members that will increase transparency in the disbursement of taxpayer dollars, enhance public confidence in advisory committees, and promote efficiency in the selection of candidates to serve on advisory committees. The formation of Committees and the selection of their membership are governed in detail by the Department of Labor Manual Series. Secretary’s Order 10-2020 established new, additional procedures for the evaluation of Committee members by requiring additional consideration of a candidate’s financial interests in DOL grants and contracts, and requiring agencies to collect a candidate attestation, the Individual’s Self-Certification of Financial Independence, from nominees. If the candidate was unable to self-certify, the agency head could review the circumstances to

determine whether the candidate was sufficiently financially independent from (*i.e.*, not so directly related to) DOL programs making grants or contract disbursements. These requirements were imposed in addition to the rigorous candidate background checks agencies perform routinely per DOL policy, although there had been no demonstrated necessity for the additional attestations or separate analyses Secretary’s Order 10-2020 requires. Furthermore, Secretary’s Order 10-2020 does not apply to all DOL advisory committee members as it provides for specific and qualified exceptions, and allows agencies to make case-by-case, independent determinations as to whether a candidate is sufficiently financially independent if a candidate is unable to self-certify, rendering its application inconsistent and arbitrary. As such, Secretary’s Order 10-2020 has created superfluous procedures with no demonstrated value justifying the additional administrative burden. While the Department has a strong interest in obtaining expert advice from its Committees, the Department has determined these new procedures on balance to be unnecessary. Accordingly, this Order rescinds Secretary’s Order 10-2020. Appointments previously made under Secretary’s Order 10-2020 are unaffected by this Order.

5. *Responsibilities.*

A. The Deputy Secretary is responsible for issuing written guidance, as necessary, to implement this Order.

B. The Committee Management Officer, as required by § 8(b) of the Federal Advisory Committee Act, is responsible for coordinating all Federal Advisory Committee activities with DOL agencies.

C. The Assistant Secretary for Administration and Management, in consultation with the Deputy Secretary, Solicitor of Labor, and the Committee Management Officer, is responsible for maintaining internal Department guidance related to the selection and appointment of members to Committees.

D. The Solicitor of Labor is responsible for providing legal advice to the Department on all matters arising in the implementation and administration of this Order.

7. *Privacy.* This Order is subject to the applicable laws, regulations, and procedures concerning the privacy of applicants to Committees.

8. *Controlling Law; Administrative Matters.* The requirements of this Order are intended to be general in nature, and accordingly will be construed and implemented consistent with more

specific requirements of any statute, Executive Order, or other law governing the composition of a particular Committee. If a conflict arises, the specific statute, Executive Order, or other law will govern.

9. *Redelegation of Authority.* Except as otherwise provided by law, all authorities delegated in this Order may be redelegated to serve the purposes of this Order.

10. *Effective Date.* This Order is effective immediately.

Signed in Washington, DC, this 16th day of July, 2021.

**Martin J. Walsh,**  
Secretary of Labor.

[FR Doc. 2021-15826 Filed 7-23-21; 8:45 am]

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petition for Modification of Application of an Existing Mandatory Safety Standard

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice includes the summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before August 25, 2021.

**ADDRESSES:** You may submit your comments including the docket number of the petition by any of the following methods:

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

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

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452, Attention: Jessica D. Senk, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above.

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.

**FOR FURTHER INFORMATION CONTACT:** Jessica D. Senk, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), [Senk.Jessica@dol.gov](mailto:Senk.Jessica@dol.gov) (email), or 202-693-9441 (facsimile). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

#### 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 of Labor 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. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

#### II. Petition for Modification

*Docket Number:* M-2021-025-C.

*Petitioner:* Wolf Run Mining Company, 21550 Barbour County Highway, Philippi, West Virginia (Zip 26416).

*Mine:* Leer South Mine, MSHA ID No. 46-04168, located in Barbour County, West Virginia.

*Regulation Affected:* 30 CFR 75.1904(b)(6) (Underground diesel fuel tanks and safety cans).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of Brookville locomotive diesel motor in a dual role as a motor/diesel fuel transportation unit. The petitioner proposes an alternative method of complying with the requirement for a shut-off valve in the locomotive motor's fuel return line (a connection between the engine and fuel tank through which fuel flows when the engine is running).

The petitioner states that the return line is unrelated to fuel dispensing, and that therefore a shutoff valve on this line is not necessary. Using a shutoff valve on the return line could cause engine damage and an over-fueling condition, due to the fuel not being able to return to the locomotive's fuel tank. This over-fueling condition would increase

harmful exhaust emissions such as carbon monoxide, and would therefore create a health risk to locomotive operators and miners in the affected area.

The petitioner proposes the following alternative method:

(a) The Brookville diesel motor has been equipped with a fuel tank constructed of ¼ inch steel plates that is designed to serve as both the motor's fuel tank and fuel dispensing tank. The tank is equipped with a pump that can only dispense 50 percent of the tank's capacity, in order to ensure that the motor's fuel supply cannot be completely depleted.

(b) During the fueling process, the motor's engine will be shut off, which eliminates unnecessary idling. The 8-gallons per minute fuel dispensing pump will operate utilizing a separate battery power source that has been added to the motor.

(c) The fuel dispensing hose is a 50-foot hose with a no latch open device and a self-closing valve. A power supply switch is located at the pump's nozzle storage bracket, and an emergency shut-off switch is located above the fuel tank. The emergency switch is protected by a cover, so that the switch is in the off position anytime the cover is closed.

(d) The following fueling procedures have been developed and posted above the fuel tank.

- Make sure fueling sign is hung.
- Inspect fire extinguishers prior to beginning the fueling process.
- Ensure fire extinguishers are located out-by the fueling point.
- Verify fuel hose, equipment, etc. are in good working condition.
- Test for methane in the atmosphere.
- Check for potential ignition sources and other hazards in the area.
- Notify the mine dispatcher before starting.
- Unlock and open the emergency switch.
- Check for any spills after the fueling is complete.
- Shut off the emergency switch and close locked cover.
- Notify the mine dispatcher after completion.

(e) The tank is equipped with a 4 inch vent designed to open at a pressure not to exceed 2.5 pounds per square inch, as required by 75.1904(b).

(f) Tank openings are marked and the tank, fittings and components are pressure-tested.

(g) The pump dispensing line is equipped with a manual shut off valve that serves as anti-siphoning device as required under 75.1905(b)(iii).

(h) Additional fire suppression and detection are installed to ensure that the