

WA960011 (March 15, 1996)

## General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any of all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, D.C. this 30th day of August 1996.

Philip J. Gloss,

*Chief, Branch of Construction Wage Determinations.*

[FR Doc. 96-22596 Filed 9-5-96; 8:45 am]

BILLING CODE 4510-27-M

## Mine Safety and Health Administration

### Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

#### 1. Old Ben Coal Company

[Docket No. M-96-72-C]

Old Ben Coal Company, 50 Jerome Lane, Fairview Heights, Illinois 62208 has filed a petition to modify the application of 30 CFR 75.382(a) (mechanical escape facilities) to its Spartan Mine (I.D. No. 11-00612) located in Randolph County, Illinois.

The petitioner submits this modification to requests permission to continue using its existing escape facilities in both the material and belt slopes. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 2. Left Fork Mining, Inc.

[Docket No. M-96-73-C]

Left Fork Mining, Inc., P.O. Box 405, Arjay, Kentucky 40902 has filed a petition to modify the application of 30 CFR 75.1103-4 (automatic fire sensor and warning device system; minimum requirements general) to its Straight Creek No. 1 Mine (I.D. No. 15-12564) located in Bell County, Kentucky. The petitioner requests a modification of the standard to allow the use of one carbon monoxide monitoring device for monitoring a belt head and tailpiece when located adjacent to each other. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 3. Boone Resources, Inc.

[Docket No. M-96-74-C]

Boone Resources, Inc., P.O. Box 1005, Alabaster, Alabama 35007 has filed a petition to modify the application of 30 CFR 75.1700 (oil and gas wells) to its No. 1 Mine (I.D. No. 01-02908) located in Shelby County, Alabama. The petitioner proposes to plug and mine through oil and gas wells. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 4. Cumberland Resources Corporation

[Docket No. M-96-75-C]

Cumberland Resources Corporation, 9100 East Mineral Circle, P.O. Box 3299, Englewood, Colorado 80155-3299 has filed a petition to modify the application of 30 CFR 75.1103-4(a) (automatic fire sensor and warning device systems; installation minimum requirements) to its Cumberland Mine (I.D. No. 36-05018) located in Greene County, Pennsylvania. The petitioner proposes to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 5. Franklin Collieries Inc.

[Docket No. M-96-76-C]

Franklin Collieries, Inc., Box 3875, Route 1498, Bevinville, Kentucky 41606 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its No. 1 Mine (I.D. No. 15-16667) located in Knott County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen detectors on battery powered scoops instead of machine mounted methane monitors. The petitioner states that this petition is based on the safety of the miners and not primarily an economic advantage or benefit.

#### 6. Daves Branch, Inc.

[Docket No. M-96-77-C]

Daves Branch, Inc., P.O. Box 249, Stanville, Kentucky 41659 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Mine No. 4 (I.D. No. 15-16218) located in Knott County, Kentucky. The petitioner proposes to use hand-held methane and oxygen detectors on battery powered scoops instead of machine-mounted methane monitors. The petitioner states that this petition is based on the safety of the miners and not primarily an economic advantage or benefit.

#### 7. Daves Branch, Inc.

[Docket No. M-96-78-C]

Daves Branch, Inc., P.O. Box 249, Stanville, Kentucky 41659 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its No. 5 Mine (I.D. No. 15-17637) located in Knott County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen detectors instead of machine-mounted methane monitors on battery powered scoops. The petitioner states that this petition is based on the safety of the miners and not primarily an economic advantage or benefit.

#### 8. Utah Fuel Company

[Docket No. M-96-79-C]

Utah Fuel Company, P.O. Box 719, Helper, Utah 84526 has filed a petition to modify the application of 30 CFR 75.362(d)(2) (on-shift examination) to its Skyline Mine No. 1 (I.D. No. 42-01435) and its Skyline Mine No. 3 (I.D. No. 42-01566) both located in Carbon County, Utah. The petitioner requests a modification of the standard to permit use of a 15-foot extendable probe to measure for methane. The petitioner asserts that application of the mandatory safety standard would result in a diminution of safety to the miners.

**9. Bledsoe Coal Corporation**

[Docket No. M-96-80-C]

Bledsoe Coal Corporation, 100 Coal Drive, London, Kentucky 40741 has filed a petition to modify the application of 30 CFR 75.360(b)(5) (preshift examination) to its Mine No. 4 (I.D. No. 15-11065) located in Leslie County, Kentucky. The petitioner requests a modification of the standards to allow the use of a Pyott-Boone mine monitor and control system for monitoring each seal along the intake air course, and to allow elimination of preshift examinations at seals along the intake air course. The petitioner proposes to have an atmospheric monitoring system sensor located at each seal along the intake air course that would be capable of testing for methane and oxygen deficiency; to visually examine the seals on a weekly basis; and to identify the sensor and visually examine the seal if a signal from the atmospheric monitoring system is activated. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**10. Kiah Creek Mining Company**

[Docket No. M-96-81-C]

Kiah Creek Mining Company, P.O. Box 1409, Pikeville, Kentucky 41502 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (weekly examination) to its No. 8 Mine (I.D. No. 15-17190) located in Pike County, Kentucky. Due to deteriorating conditions in the No. 2 and 3 seals, the area cannot be traveled safely. The petitioner proposes to evaluate the area at the toe of the fall to determine the quantity and quality of air flowing across the fall and by the seals. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**11. Drummond Company, Inc.**

[Docket No. M-96-82-C]

Drummond Company, Inc., P.O. Box 10246, Birmingham, Alabama 35209 has filed a petition to modify the application of 30 CFR 75.313 (main mine fan stoppage with persons underground) to its Shoal Creek Mine (I.D. No. 01-02901) located in Jefferson County, Alabama. The petitioner requests a modification of the standard to permit an alternative plan when the main mine fans are operating at 80 percent of their normal air quantity and pressure in the event that a main mine fan stops and ventilation is at least 80 percent restored through the auxiliary

diesel drive on the stopped fan, and a minimum of 40,000 cfm is maintained in the last open crosscut of each continuous miner section, and 50,000 cfm in the last open crosscut of each long wall section; to hang a curtain in each place where auxiliary ventilation was used and have a minimum of 5,000 cfm directed to any working face; to withdraw all persons from the mine except for those persons responsible for hanging curtains in places where auxiliary fans and fire bossing and pumping and, after ventilation is established, immediately withdraw those persons assigned to hang curtains; to deenergize underground electric power circuits except for those necessary to operate the elevator to withdraw persons from the mine and those who operate the main sump pumps and permissible submersible pumps; and to deenergize the circuits necessary to withdraw persons as they are withdrawn. The petitioner asserts that the proposed alternative method would provide higher level of safety for the workforce and provide a safer mine environment should a power failure occur to the main mine fans.

**12. G & P Contractors, Inc.**

[Docket No. M-96-83-C]

G & P Contractors, Inc., HC 81, Box 2446, Barbourville, Kentucky 40906 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Engle Hollow No. 1 (I.D. No. 15-17777) located in Knox County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen indicators instead of machine-mounted methane monitors on permissible three-wheel tractors with drag bottom buckets. The petitioner states that this petition is based on the safety of the miners involved and not primarily an economic advantage or benefit.

**13. G & P Contractors, Inc.**

[Docket No. M-96-84-C]

G & P Contractors, Inc., HC 81, Box 2446, Barbourville, Kentucky 40906 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Engle Hollow No. 2 mine (I.D. No. 15-17778) located in Knox County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen indicators instead of machine-mounted methane monitors on permissible three-wheel tractors with drag bottom buckets. The petitioner states that this petition is based on the safety of the miners involved and not primarily an economic advantage or benefit.

**14. Murriel Don Coal, Inc.**

[Docket No. M-96-85-C]

Murriel Don Coal, Inc., 134 Dixie Building, P.O. Box 3636, Pikeville, Kentucky 41852 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) (I.D. No. 15-17511) located in Knott County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane detectors instead of machine-mounted methane monitors on permissible DC-powered machines, S & S model 482 scoops. The petitioner states that this petition is submitted based not only from an economic point of view but also from a safety standpoint.

**15. Utah Fuel Company**

[Docket No. M-96-86-C]

Utah Fuel Company, P.O. Box 719, Helper, Utah 84526 has filed a petition to modify the application of 30 CFR 75.344(a)(2) (compressors) to its Skyline No. 1 Mine (I.D. No. 42-01435) and its Skyline No. 3 Mine (I.D. No. 42-01566) located in Carbon County, Utah. The petitioner requests a modification of the standard to permit the use of audible and visual alarms to be located at the surface office building where assigned persons can respond to the alarms instead of at unmanned locations underground. The petitioner asserts that the application of the mandatory safety standard would result in a diminution of safety to the miners.

**16. Utah Fuel Company**

[Docket No. M-96-87-C]

Utah Fuel Company, P.O. Box 719, Helper, Utah has filed a petition to modify the application of 30 CFR 75.340(a)(1)(iii) to its Skyline No. 1 Mine (I.D. No. 42-01435) and its Skyline No. 3 Mine (I.D. No. 42-01566) located in Carbon County, Utah. The petitioner requests a modification of the standard to permit the use of audible and visual alarms to be located at the surface office building where assigned persons can respond to the alarms instead of at unmanned locations underground. The petitioner asserts that application of the mandatory safety standard would result in a diminution of safety to the miners.

**17. Stephen Shingara Jr. Coal Company**

[Docket No. M-96-88-C]

Stephen Shingara Jr. Coal Company, R.D. #1, Box 369, Shamokin, Pennsylvania 17872 has filed a petition to modify the application of 30 CFR 75.1400 (hoisting equipment; general) to its No. 1 Slope Mine (I.D. No. 36-02280) located in Northumberland County, Pennsylvania. The petitioner proposes

to use a slope conveyance (gunboat) in transporting persons without installing safety catches or other no less effective devices, but instead use an increased rope strength/safety factor and secondary safety rope connection in place of such devices. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

18. Mountain Coal Company

[Docket No. M-96-89-C]

Mountain Coal Company, P.O. Box 591, Somerset, Colorado 81434 has filed a petition to modify the application of 30 CFR 75.1100-2(e)(2) to its West Elk Mine (I.D. No. 05-03672) located in Gunnison County, Colorado. The petitioner requests a modification of the standard to allow the use of either two portable fire extinguishers or one fire extinguisher having at least twice the minimum capacity specified in 30 CFR 75.1100-1(e) at each temporary electrical installation. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

19. Harlan Cumberland Coal Company

[Docket No. M-96-90-C]

Harlan Cumberland Coal Company, Grays Knob, Kentucky 40829 has filed a petition to modify the application of 30 CFR 75.310(a)(3) (installation of main mine fans) to its C-2 Mine (I.D. No. 15-07201) located in Harlan County, Kentucky. The petitioner proposes to have a person at a location other than at the mine where the fan signal can be seen or heard while anyone is underground instead of at a surface location at the mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

20. Roberts Bros. Coal Company, Inc.

[Docket No. M-96-91-C]

Roberts Bros. Coal Company, Inc., P.O. Box 397, Mortons Gap, Kentucky 42440 has filed a petition to modify the application of 30 CFR 75.360 (preshift examination) to its Cardinal No. 2 Mine (I.D. No. 15-17216) located in Hopkins County, Kentucky. The petitioner proposes to examine electrical installations "on-shift" to insure that the electrical installations are examined throughout the shift instead of conducting the examinations three hours prior to the oncoming shift. The petitioner asserts that the proposed alternative method of on-shift

examinations would not diminish the safety of the miners.

21. Eastern Mingo Coal Company

[Docket No. M-96-92-C]

Eastern Mingo Coal Company, P.O. Box 119, Naugatuck, West Virginia 25685 has filed a petition to modify the application of 30 CFR 75.503 (18.41)(f) (permissible electric face equipment; maintenance) to its Big Branch Mine (I.D. No. 46-05978) located in Mingo County, West Virginia. The petitioner proposes to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load. The petitioner states that application of the mandatory safety standard would result in diminution of safety to the miners. In addition, petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

22. Western Mingo Coal Company

[Docket No. M-96-93-C and M-96-94-C]

Western Mingo Coal Company, P.O. Box 119, Naugatuck, West Virginia 25685 has filed a petition to modify the application of 30 CFR 75.503(18.41)(f) to its Northern Mingo No. 1 Mine (I.D. No. 46-08147) and its Northern Mingo No. 2 Mine (I.D. No. 46-08369) both located in Mingo County, West Virginia. The petitioner proposes to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

23. Arch of Illinois

[Docket No. M-96-95-C]

Arch of Illinois, P.O. Box 308, Percy, Illinois 62272-0308 has filed a petition to modify the application of 30 CFR 75.362(d)(1) to its Conant Mine (I.D. No. 11-02886) located in Perry County, Illinois. The petitioner proposes to use an intrinsically safe atmospheric monitoring system (AMS), a Trolex Explosive Gas Sensor Model No. TX3266 or an equivalent AMS, to test for methane before the equipment is energized, and to continuously detect and test for methane at 20-minute

intervals while the mining equipment is energized in the working face. This would eliminate personnel exposure to the potential hazards of the face area during the tests. The petitioner states that application of the mandatory safety standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

24. Arch of Illinois

[Docket No. M-96-96-C]

Arch of Illinois, P.O. Box 308, Percy, Illinois 62272-0308 has filed a petition to modify the application of 30 CFR 75.331(d)(1) to its Conant Mine (I.D. No. 11-02886) located in Perry County, Illinois. The petitioner proposes to use a "blowing" auxiliary permissible fan and tubing with the Archveyor™ System to ventilate the wing cut face area. The petitioner has outlined in this petition specific procedures to be followed when utilizing its alternative method. The petitioner states that application of the mandatory safety standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

25. Arch of Illinois

[Docket No. M-96-97-C]

Arch of Illinois, P. O. Box 308, Percy, Illinois 62272-0308 has filed a petition to modify the application of 30 CFR 75.1107-4(a)(1) to its Conant Mine (I.D. No. 11-02886) located in Percy County, Illinois. The petitioner proposes to use an operator/technician, the Archveyor™ mining system's Program Logic Controlled (PLC) computer, and the continuous monitoring of the Archveyor™ mining system while energized, as a fire suppression device, during secondary mining. The petitioner proposes to have an operator/technician continuously stationed at the system's control cab area while the system is in operation to continuously control and monitor the Archveyor™ mining system. The petitioner has outlined in this petition specific procedures to be followed when utilizing its alternative method. The petitioner states that application of the mandatory safety standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the alternative method would provide at least the same measure of protection as would the mandatory standard.

**Request for Comments**

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before October 7, 1996. Copies of these petitions are available for inspection at that address.

Dated: August 30, 1996.

Patricia W. Silvey,

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

[FR Doc. 96-22759 Filed 9-5-96; 8:45 am]

BILLING CODE 4510-43-P

## **Occupational Safety and Health Administration**

### **Vermont State Standards; Notice of Approval**

#### **1. Background**

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4), will review and approve standards promulgated pursuant to a State Plan, which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On October 16, 1973, notice was published in the Federal Register (38 FR 28658) of the approval of the Vermont State Plan and the adoption of Subpart U to Part 1952 containing the decision. The Vermont State Plan provides for the adoption of Federal standards as State standards after:

a. Publishing for two (2) successive weeks, in three (3) newspapers having general circulation in the center, northern and southern parts of the State, an intent to amend the State Plan by adopting the standard(s).

b. Review of standards by the Interagency Committee on Administrative Rules, State of Vermont.

c. Approval by the Legislative Committee on Administrative Rules, State of Vermont.

d. Filing in the Office of the Secretary of State, State of Vermont.

e. The Secretary of State publishing, not less than quarterly, a bulletin of all standard(s) adopted by the State.

The Vermont State Plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under Section 6 of the Act. By letters dated July 26, 1995, August 7, 1995, and September 5, 1995, from Mary S. Hooper, Commissioner, Vermont Department of Labor and Industry, and by letters dated January 22, 1996, and June 4, 1996, from Paul Harrington, Deputy Commissioner, Vermont Department of Labor and Industry, to Mr. John T. Phillips, Regional Administrator, and incorporated as part of the plan, the State submitted an updated State standard standards identical to 29 CFR parts 1910, 1915, 1917, 1918, 1926 and 1928, and subsequent amendments thereto, as described below:

(1) Addition to 29 CFR parts 1910, 1915, 1917, 1918, 1926 and 1928, Retention of DOT Markings, Placards, and Labels, Final Rule, (59 FR 36695, July 19, 1994).

(2) Revision to 29 CFR parts 1910, 1915 and 1926, Occupational Exposure to Asbestos, Final Rule, (59 FR 41057, August 10, 1994, and 59 FR 9624, February 21, 1994).

(3) Revision to 29 CFR parts 1910 and 1926, Hazardous Waste Operations and Emergency Response; Final Rule, (59 FR 43268, August 22, 1994).

(4) Addition to 29 CFR parts 1915 and 1926, Standard for Cadmium in Shipyard Employment and in Construction Work; Reprint With Corrections and Technical Amendments; Final Rule, (59 FR 146, January 3, 1994).

(5) Revision to 29 CFR parts 1910, 1915, 1917, 1918, 1926 and 1928, Hazard Communication; Final Rule, (59 FR 6169, February 9, 1994).

(6) Addition to 29 CFR parts 1910 and 1928, Logging Operations; Final Rule (59 FR 51741, October 12, 1994); and Corrections and Technical Amendments (59 FR 47022, September 8, 1995).

(7) Amendment to 29 CFR Parts 1910, 1915 and 1926, Occupational Exposure to Asbestos; Corrections; Final Rule (60 FR 33974, June 29, 1995).

These standards became effective on July 11, 1995, July 10, 1995, March 13, 1995, September 23, 1995, February 3, 1996, and February 19, 1996, respectively, pursuant to Section 224 of Vermont State Law.

#### **2. Decision**

Having reviewed the State's submissions in comparison with the Federal standards, it has been

determined that the State's standards are identical to the Federal standards and, accordingly, are approved.

#### **3. Location of Supplement for Inspection and Copying**

A copy of the standards supplements, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, John F. Kennedy Federal Building, Room E-340, Boston, Massachusetts 02203; Office of the Commissioner, State of Vermont, Department of Labor and Industry, 120 State Street, Montpelier, Vermont, 05602; and the Office of State Programs, 200 Constitution Avenue, NW., Room N-3700, Washington, D.C. 20210.

#### **4. Public Participation**

Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Vermont State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason:

1. The standards were adopted in accordance with the procedural requirements of the State Law which included public comment, and further public participation would be repetitious.

This decision is effective September 6, 1996.

Authority: Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).

Signed at Boston, Massachusetts, this 19th day of July 1996.

John T. Phillips,

*Regional Administrator.*

[FR Doc. 96-22826 Filed 9-5-96; 8:45 am]

BILLING CODE 4510-26-P

## **Pension and Welfare Benefits Administration**

[Application No. D-10200, et al.]

### **Proposed Exemptions; Chase Manhattan Bank**

**AGENCY:** Pension and Welfare Benefits Administration, Labor.

**ACTION:** Notice of proposed exemptions.

**SUMMARY:** This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restriction of the Employee Retirement Income Security