

Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

Modification to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

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None

Volume II

District of Columbia:

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DC980003 (Feb. 13, 1998)

West Virginia:

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NV980009 (Feb. 13, 1998)

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 1-800-363-2068.

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 or all of the seven 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 13th day of August 1998.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Summary of Decisions Granting in Whole or in Part Petitions for Modification

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

ACTION: Notice of affirmative decisions issued by the Administrators for Coal

Mine Safety and Health and Metal and Nonmetal Mine Safety and Health on petitions for modification of the application of mandatory safety standards.

SUMMARY: Under section 101(c) of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor may modify the application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Summaries of petitions received by the Secretary appear periodically in the **Federal Register**. Final decisions on these petitions are based upon the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. MSHA has granted or partially granted the requests for modification submitted by the petitioners listed below. In some instances, the decisions are conditioned upon compliance with stipulations stated in the decision.

FOR FURTHER INFORMATION CONTACT:

Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations, and Variances, MSHA, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. Contact Barbara Barron at 703-235-1910.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

Affirmative Decisions on Petitions for Modification

Docket No.: M-97-001-C.

FR Notice: 62 FR 11926.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage (4,160 volt) cables inby the last open crosscut considered acceptable alternative method. Granted for the Shoemaker Mine with conditions for the 4,160-volt longwall equipment.

Docket No.: M-97-002-C.

FR Notice: 62 FR 11926.

Petitioner: Eastern Associated Coal Corporation.

Reg Affected: 30 CFR 75.364.

Summary of Findings: Petitioner's proposal states that a portion of the mine has been sealed thus eliminating the need for certain checkpoints; that checkpoints 3, 4, 7, and 8 are now

behind seals and, therefore, are no longer necessary; and that checkpoints 5 and 6 that were used to evaluate a return air course from 2 West Mains will be eliminated due to rehabilitation and ventilation changes in the seal project which is now being examined as required considered acceptable alternative method. Granted for the Federal No. 2 Mine with conditions for the monitoring and evaluation of the unsafe-to-travel segment of the designated return aircourse in Miracle Run Shaft Bottom area.

Docket No.: M-97-003-C.

FR Notice: 62 FR 11926.

Petitioner: CONSOL of Kentucky, Inc.
Reg Affected: 30 CFR 75.1101-8.

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, to cover 50 feet of fire-resistant belt or 150 feet of non-fire resistant belt, with actuation temperatures between 200 and 230 degrees Fahrenheit and with water pressure equal to or greater than 10 psi; and to have the sprinklers located not more than 10 feet apart so that the discharge of water will extend over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted for the Jones Fork 13A-H4 Mine with conditions for a single overhead pipe sprinkler system.

Docket No.: M-97-004.

FR Notice: 62 FR 11926.

Petitioner: Marrowbone Development Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use 2,400-volt a.c. electricity to power continuous mining equipment considered acceptable alternative method. Granted for the Big Branch Mine with conditions for the 2,400-volt continuous miner.

Docket No.: M-97-005-C.

FR Notice: 62 FR 11926.

Petitioner: Powderhorn Coal Company.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to use belt air to ventilate active working places and 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 considered acceptable alternative method. Granted for the Roadside Mine with conditions to allow air coursed through conveyor belt entries to be used to ventilate working places.

Docket No.: M-97-006-C.

FR Notice: 62 FR 11926.

Petitioner: Philippi Development, Inc.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish an inlet evaluation point along with an outlet evaluation point at which every seven days a certified person would measure methane and oxygen concentrations, air quantity, make tests to determine if the air is moving in its proper direction and record the results in a book provided on the surface considered acceptable alternative method. Granted for the Sentinel Mine with conditions for the evaluation of airflow through an approximately 600-foot long, unsafe-to-travel segment of common return aircourse entries.

Docket No.: M-97-007-C.

FR Notice: 62 FR 11926.

Petitioner: Laurel Coal Company.

Reg Affected: 30 CFR 75.503 (18.41(f) of Part 18).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Coalburg 7A Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-008-C.

FR Notice: 62 FR 11927.

Petitioner: Laurel Coal Corporation.

Reg Affected: 30 CFR 75.503 (18.41(f) of Part 18).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Coalburg 9A Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-012-C.

FR Notice: 62 FR 11927.

Petitioner: Paramount Coal Corporation.

Reg Affected: 30 CFR 77.214(a).

Summary of Findings: Petitioner's proposal to backfill the existing highwall with scalp rock in an area containing abandoned mine openings considered acceptable alternative method. Granted for the Deep Mine No. 24 Mine with conditions for the modification of 30 CFR 77.214(a).

Docket No.: M-97-019-C.

FR Notice: 62 FR 23797.

Petitioner: C & H Mining Company.

Reg Affected: 30 CFR 75.342.

Summary of Findings: Petitioner's proposal to use hand-held continuous-duty methane and oxygen indicators instead of machine mounted methane monitoring systems on permissible three-wheel tractors with drag bottom buckets considered acceptable alternative method. Granted for the No. 8 Mine with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-97-022-C.

FR Notice: 62 FR 23797.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1405.

Summary of Findings: Petitioner's proposal to use bar and pin or link and pin couplers on its underground haulage equipment considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions.

Docket No.: M-97-025-C.

FR Notice: 62 FR 23798.

Petitioner: CONSOL of Kentucky, Inc.

Reg Affected: 30 CFR 75.1101-8.

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, to cover 50 feet of fire-resistant belt or 150 feet of non-fire resistant belt, with actuation temperatures between 200 degrees and 230 degrees fahrenheit and with water pressure equal to or greater than 10 psi, so that the discharge of water would extend over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted for the E3RF Mine with conditions for a single overhead pipe sprinkler system.

Docket No.: M-97-028-C.

FR Notice: 62 FR 23798.

Petitioner: Maple Meadow Mining Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Maple Meadow Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-033-C.

FR Notice: 62 FR 23799.

Petitioner: Peabody Coal Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage trailing

cables (2,400-volt) in by the last open crosscut at the sections where continuous miners are working considered acceptable alternative method. Granted for the Marissa Mine with conditions for the 2,400-volt continuous miner used at the Marissa Mine.

Docket No.: M-97-036-C.

FR Notice: 62 FR 23799.

Petitioner: Long Branch Energy.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the No. 22 Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-040-C.

FR Notice: 62 FR 29370.

Petitioner: G & P Contractors, Inc.

Reg Affected: 30 CFR 75.342.

Summary of Findings: Petitioner's proposal to use hand-held continuous-duty methane and oxygen indicators on permissible three-wheel tractors instead of machine-mounted methane monitors considered acceptable alternative method. Granted for Stoney Fork No. 2 Mine with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-97-050-C.

FR Notice: 62 FR 29372.

Petitioner: Canyon Fuel Company, LLC.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage (4,160-volt) cables to supply power to longwall equipment used in by the last open crosscut considered acceptable alternative method. Granted for the SUFCO Mine with conditions for the 4,160-volt longwall equipment.

Docket No.: M-97-057-C.

FR Notice: 62 FR 29373.

Petitioner: Headache Coal Company, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor and to have the fire extinguisher readily accessible to the operator; to have the fire extinguisher inspected daily by the equipment operator prior to entering the escapeway; to have the operator make daily inspections of the fire extinguisher

and keep the records at the mine site; and to have a sufficient number of spare fire extinguishers maintained at the mine in case an extinguisher becomes defective considered acceptable alternative method. Granted for the Mine No. 7 with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-97-058-C.

FR Notice: 62 FR 34311.

Petitioner: Clark Elkhorn Mining Company.

Reg Affected: 30 CFR 75.900.

Summary of Findings: Petitioner's proposal to use contactors to obtain undervoltage protection instead of using circuit breakers considered acceptable alternative method. Granted for the Sunset Mine No. 2 Mine with conditions to allow the use of vacuum contactors to provide undervoltage, grounded phase, and overload protection and monitor the grounding conductors for 480-volt belt conveyor drive motors and water pump motors greater than 5 horsepower.

Docket No.: M-97-059-C.

FR Notice: 62 FR 34311.

Petitioner: B & B Anthracite Coal.

Reg Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal to visually examine each seal for physical damage from the slope gunboat during the preshift examination after an air quantity reading is taken in by the intake portal and to test for the quantity and quality of air at the intake air split locations off the slope in the gangway portion of the working section considered acceptable alternative method. Granted for the Rock Ridge No. 1 Slope Mine with conditions for examinations of seals (conducted from the gunboat) in the intake air haulage slope of this mine.

Docket No.: M-97-061-C.

FR Notice: 62 FR 34311.

Petitioner: B & B Anthracite Coal.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the Rock Ridge Slope with conditions for firefighting equipment in the working section.

Docket No.: M-97-063-C.

FR Notice: 62 FR 34311.

Petitioner: Ambrose Branch Coal Company, Inc.

Reg Affected: 30 CFR 77.214.

Summary of Findings: Petitioner's proposal to fill seven (7) drift openings with refuse material at the abandoned

Fleetwood Energy, Inc., Mine No. 2 considered acceptable alternative method. Granted for the Preparation Plant with conditions for modification of 30 CFR 77.214(a).

Docket No.: M-97-065-C.

FR Notice: 62 FR 34313.

Petitioner: Monterey Coal Company.

Reg Affected: 30 CFR 75.1700.

Summary of Findings: Petitioner's proposal to mine through oil and gas wells with the longwall system after they have been properly plugged considered acceptable alternative method. Granted for the No. 1 Mine with conditions for mining through or near plugged oil or gas wells penetrating the Illinois No. 6 Coal Seam.

Docket No.: M-97-066-C.

FR Notice: 62 FR 34312.

Petitioner: Turriss Coal Company.

Reg Affected: 30 CFR 75.1100-2(i)(1).

Summary of Findings: Petitioner's proposal to use the following materials at its Elkhart Mine: 160 Kennedy Metal Stopping Panels 32 Kennedy Stopping Rib Angles; 3 rolls of tape; 3 twist tools; 2 rolls of brattice cloth; 3 stopping jacks; 3 dutch heads; 3 shovels; 12 buckets of Celite 10-12 Airtite (or equivalent material for stopping); and 5 tons of rock dust considered acceptable alternative method. Granted for the Elkhart Mine with conditions for emergency materials readily available at locations not exceeding 2 miles from each working section.

Docket No.: M-97-068-C.

FR Notice: 62 FR 34312.

Petitioner: Drummond Company, Inc.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's request for an amendment to the final Decision and Order dated April 1, 1995 was granted for the Shoal Creek Mine with conditions for the use of belt air to ventilate active workings.

Docket No.: M-97-080-C.

FR Notice: 62 FR 38124.

Petitioner: Little Buck Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the No. 3 Slope Buck Mt. Vein with conditions for firefighting equipment in the working section.

Docket No.: M-97-088-C.

FR Notice: 62 FR 44723.

Petitioner: Eastern Associated Coal Corporation.

Reg Affected: 30 CFR 75.380(g).

Summary of Findings: Petitioner's proposal to change the longwall panel

development to a three-entry system considered acceptable alternative method. Granted for the Federal No. 2 Mine with conditions for the use of trolley track haulage entries as primary escapeways on longwall development panels.

Docket No.: M-96-015-C.

FR Notice: 61 FR 17733.

Petitioner: Roberts Brothers Coal Company.

Reg Affected: 30 CFR 75.1103-4.

Summary of Findings: Petitioner's proposal to use two belt flights to be monitored by one identification line considered acceptable alternative method. Granted for the Cardinal No. 2 Mine with conditions to allow the extension of the Pyott-Boone Electronics Inc. point type heat sensor fire detection system installed in panels from which rooms are driven, to be extended to provide fire detection for a secondary in-panel belt conveyor without identifying such as separate belt flight during retreat of the panel by room development.

Docket No.: M-96-018-C.

FR Notice: 61 FR 17733.

Petitioner: Eagle Nest, Inc.

Reg Affected: 30 CFR 75.503(18.41).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines used in by the last open crosscut with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load; to have a tag that states "DO NOT DISENGAGE PLUGS UNDER LOAD" on all battery plug connectors used on the machines; and to provide instructions in the safe practices and provisions to all persons who are required to operate or maintain the machines considered acceptable alternative method. Granted for the Eagle Nest Inc. Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-019-C.

FR Notice: 61 FR 17733.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish check points to monitor methane and to ensure passage of air; to maintain the check points in safe condition at all times; to have a certified person test for methane and the quantity of air at each check point on a weekly basis; and to have the certified person making the examinations and tests place their initials, date, and time in a record book kept on the surface and made available for inspection by

interested persons considered acceptable alternative method. Granted for the Robinson Run No. 95 Mine with conditions for the "North Mains" aircourse ventilating eight 1-East seals, two 26-Block seals and six of eighteen 3-Block seals.

Docket No.: M-96-040-C.

FR Notice: 61 FR 33141.

Petitioner: Pontiki Coal Corporation.

Reg Affected: 30 CFR 75.388.

Summary of Findings: Petitioner's proposal to drill boreholes when working places advance to within 30 feet of certain surveyed areas in the mine unless those areas have been preshift examined considered acceptable alternative method. Granted for the Pontiki No. 1 Mine with conditions for the use of administration and engineering controls in lieu of drilling boreholes when the working place approaches to within 25 feet of an adjacent panel that cannot be preshift examined.

Docket No.: M-96-041-C.

FR Notice: 61 FR 33141.

Petitioner: Pontiki Coal Corporation.

Reg Affected: 30 CFR 75.388.

Summary of Findings: Petitioner's proposal to drill boreholes when working places advance to within 30 feet of certain surveyed areas in the mine unless those areas have been preshift examined considered acceptable alternative method. Granted for the Pontiki No. 1 Mine with conditions for the use of administration and engineering controls in lieu of drilling boreholes when the working place approaches to within 25 feet of an adjacent panel that cannot be preshift examined.

Docket No.: M-96-062-C.

FR Notice: 61 FR 38787.

Petitioner: Cyprus Cumberland Resources Corp.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to permit the velocity of air in the belt conveyor entries to be increased above 300 feet per minute (fpm) considered acceptable alternate method. Granted for the Cumberland Mine with conditions to allow air coursed through conveyor belt entries to be used to ventilate working places.

Docket No.: M-96-064-C.

FR Notice: 61 FR 38787.

Petitioner: West Cameron Mining.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the

Lenig Tunnel Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-075-C.

FR Notice: 61 FR 47192.

Petitioner: Cumberland Resources Corporation.

Reg Affected: 30 CFR 75.1103-4(a).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Cumberland Mine with conditions for the use of a carbon monoxide monitoring system that identifies the location of sensors in lieu of identifying belt flights.

Docket No.: M-96-092-C.

FR Notice: 61 FR 47194.

Petitioner: Eastern Mingo Coal Company.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Big Branch Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-093-C.

FR Notice: 61 FR 47194.

Petitioner: Western Mingo Coal Company.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Northern Mingo No. 1 Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-094-C.

FR Notice: 61 FR 47194.

Petitioner: Western Mingo Coal Company.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative

method. Granted for the Northern Mingo No. 2 Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-097-C.

FR Notice: 62 FR 47194.

Petitioner: Arch of Illinois.

Reg Affected: 30 CFR 75.1107-4(a)(1).

Summary of Findings: Petitioner's proposal to use an operator/technician, the Archvevor mining system's Program Logic Controlled (PLC) computer, and the continuous monitoring of the Archvevor mining system while energized, as a fire suppression device, during secondary mining considered acceptable alternative method. Granted for the Conant Mine with conditions for the Archvevor Mining System.

Docket No.: M-96-098-C.

FR Notice: 61 FR 57458.

Petitioner: Sidney Coal Company, Inc. and its subsidiaries.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to move equipment in and out of its underground mines considered acceptable alternative method. Granted for Freedom Energy Mine No. 1; Solid Energy Mine No. 1; Clean Energy Mine No. 1; Black Diamond Mine no. 1 and Rockhouse Mine Energy No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-104-C.

FR Notice: 62 FR 420.

Petitioner: Mountain Coal Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use 1,100 feet of 2/0, type SHD-GC cable on continuous miners, 1,000 feet of #2, type GC cable on roof bolters, and 1,000 feet of #2, type SHD-GC cable on auxiliary face fans considered acceptable alternative method. Granted for the West Elk Mine with conditions for the three-phase, 995-volt continuous mining machine, 995-volt roof bolting machine, 995-volt auxiliary fan, 575-volt roof bolting machine, and 575-volt auxiliary fan.

Docket No.: M-96-105-C.

FR Notice: 61 FR 57459.

Petitioner: Little Buck Coal Company.

Reg Affected: 30 CFR 75.1400.

Summary of Findings: Petitioner's proposal to permit the use of the 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 considered acceptable alternative method. Granted for the No. 3 Slope

Buck Mountain Mine with conditions for the use of the gunboat without safety catches.

Docket No.: M-96-107-C.

FR Notice: 61 FR 57459.

Petitioner: Old Ben Coal Company.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to use the split-tail system of face ventilation allowing the belt to be blended with the air to the faces from the intake entries and 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 considered acceptable alternative method. Granted for the Ziegler No. 11 Mine with conditions to allow air coursed through conveyer belt entries to be used to ventilate working places.

Docket No.: M-96-109-C.

FR Notice: 61 FR 57459.

Petitioner: The Ohio Valley Coal Company.

Reg Affected: 30 CFR 75.364.

Summary of Findings: Petitioner's proposal to establish evaluation stations to monitor the affected area; to have a certified person to: (1) test the evaluation stations on a weekly basis to determine the volume of air, and methane and oxygen concentrations; and (2) record on a date board located at each checkpoint the initials of the examiner and the date and time of the examination; and to maintain the air measurement stations in a safe and travelable condition considered acceptable alternative method. Granted for the Powhatan No. 6 Mine with conditions for the unsafe-to-travel aircourses rendered inaccessible by roof falls and roof deterioration known as MAIN EAST and LOADED SIDE.

Docket No.: M-96-111-C.

FR Notice: 61 FR 57459.

Petitioner: CONSOL of Kentucky, Inc.

Reg Affected: 30 CFR 75.1101-8.

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, to cover 50 feet of fire-resistant belt or 150 feet of nonfire-resistant belt, with actuation temperatures between 200 and 230 degrees Fahrenheit, and with water pressure equal to or greater than 10 psi and the sprinklers would be located to discharge water over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted for the Loves Branch H-4 Mine with conditions for a single overhead pipe sprinkler.

Docket No.: M-96-112-C.

FR Notice: 61 FR 57459.

Petitioner: K & M Coal Company, Inc.

Reg Affected: 30 CFR 75.342.

Summary of Findings: Petitioner's proposal to use hand-held continuous-duty methane and oxygen indicators instead of machine mounted methane monitors on permissible three-wheel tractors with drag type buckets considered acceptable alternative method. Granted for the No. 18 Mine with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-96-113-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.335(a)(1).

Summary of Findings: Petitioner's proposal to permit alternative methods of construction using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing the inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Buck Mountain Slope with conditions for seals installed in this mine.

Docket No.: M-96-114-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal to visually examine each seal for physical damage from the slope gunboat during the preshift examination after an air quantity reading is taken in by the intake portal and to test for the quantity and quality of air at the intake air split locations off the slope in the gangway portion of the working section considered acceptable alternative method. Granted for the Buck Mountain Slope Mine with conditions for examination of seals (conducted from the gunboat) in the intake air haulage slope of this mine.

Docket No.: M-96-116-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.1100-2(a)(2).

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for Buck Mountain Slope Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-117-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.1200(d) and (i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope; and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for Buck Mountain Slope Mine with conditions for the use of cross-sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-118-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for Buck Mountain Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-122-C.

FR Notice: 61 FR 57480.

Petitioner: Keystone Coal Mining Corporation.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish two monitoring stations to evaluate the affected area; to post a sign in an adjacent travel entry indicating the safe travel route to each monitoring station; to have a certified person conduct weekly examinations at each monitoring station to measure the quantity and quality of air entering or exiting the monitoring station; to post at each monitoring station a diagram showing the normal quantity and quality of methane, oxygen measurements, and the direction of the air flow; to have the examiner record their initials, date and time of examinations on a date board provided at the monitoring stations; and to record the results of the tests in a weekly examination book kept on the surface and made available to all interested parties considered acceptable alternative method. Granted for the Urling No. 1 Mine with conditions for the evaluation of airflow through an approximately 800-foot long, unsafe to travel, segment of three common intake aircourse entries of the West Extension area.

Docket No.: M-96-130-C.

FR Notice: 61 FR 64372.

Petitioner: Yellow Creek Corporation.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator deck of each Mescher Tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections; and to replace the fire extinguisher if found to be defective considered acceptable alternative method. Granted for the No. 2 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-131-C.

FR Notice: 61 FR 64373.

Petitioner: Hut Coal Company, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspection; and to replace the fire extinguisher if found to be defective considered acceptable alternative method. Granted for the No. 1 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-132-C.

FR Notice: 61 FR 64373.

Petitioner: Canfield Energy, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections and to maintain a sufficient number of spare fire extinguishers at the mine in case a defective fire extinguisher needs to be replaced considered acceptable alternative method. Granted for the No. 3 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-133-C.

FR Notice: 61 FR 64373.

Petitioner: Summit Anthracite, Inc.

Reg Affected: 30 CFR 75.340.

Summary of Findings: Petitioner's proposal to permit battery charging of

the mine's locomotive during idle periods when all miners are out of the mine; and to permit the intake air used to ventilate the charging station located at the No. 1 Chute of the active gangway level to continue through its normal route to the last open crosscut and into the monkey airway (return) considered acceptable alternative method. Granted for the Tracey Vein Slope Mine with conditions for an underground battery charging station in the intake (gangway) entry.

Docket No.: M-96-134-C.

FR Notice: 61 FR 64373.

Petitioner: Canfield Energy, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections and to maintain a sufficient number of spare fire extinguishers at the mine in case a defective fire extinguisher needs to be replaced considered acceptable alternative method. Granted for the No. 4 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-146-C.

FR Notice: 62 FR 421.

Petitioner: F-M Coal Company.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections and to maintain a sufficient number of spare fire extinguishers at the mine in case a defective fire extinguisher needs to be replaced considered acceptable alternative method. Granted for the No. 2 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-153-C.

FR Notice: 62 FR 422.

Petitioner: Boone Resources, Inc.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to use belt air to provide ventilation for the sections and possibly a longwall system; and to install a carbon monoxide monitoring system as an early warning fire detection system in all belt entries used as intake

aircourses considered acceptable alternative method. Granted for the Boone No. 1 Mine with conditions to allow air coursed through conveyor belt entries to be used to ventilate working places.

Docket No.: M-96-155-C.

FR Notice: 62 FR 422.

Petitioner: Road Fork Development Company.

Reg Affected: 30 CFR 75.901.

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mines considered acceptable alternative method. Granted for the Calloway Mine; Pegs Branch Mine; Burnwell Energy Mine; and Extra Energy Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-156-C.

FR Notice: 62 FR 422.

Petitioner: Rawl Sales and Processing.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mine considered acceptable alternative method. Granted for the Tall Timber Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-157-C.

FR Notice: 62 FR 422.

Petitioner: Crystal Fuels Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-158-C.

FR Notice: 62 FR 422

Petitioner: Vantage Mining Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-159-C.

FR Notice: 62 FR 423.

Petitioner: Rawl Sales and Processing Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Tall Timber Mine with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-160-C.

FR Notice: 62 FR 423.

Petitioner: Sycamore Fuels, Inc.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-161-C.

FR Notice: 62 FR 423.

Petitioner: Rawl Sales and Processing Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for Rocky Hollow Mine with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-166-C.

FR Notice: 62 FR 4331.

Petitioner: D & D Coal Company.

Reg Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal to permit construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to

permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for 7 Foot Drift Mine with conditions for seals installed in this mine.

Docket No.: M-96-167.

FR Notice: 62 FR 4331.

Petitioner: D & D Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the 7 Foot Drift Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-170-C.

FR Notice: 62 FR 4331.

Petitioner: Burnrite Slope Coal Company.

Reg Affected: 30 CFR 75.1200(d) & (i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Burnrite Slope Mine with conditions for the use of cross-sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-171-C.

FR Notice: 62 FR 4331.

Petitioner: Burnrite Slope Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's request to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Burnrite Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-172-C.

FR Notice: 62 FR 4332.

Petitioner: Burnrite Slope Coal Company.

Reg Affected: 30 CFR 75.1400.

Summary of Findings: Petitioner's proposal 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 considered acceptable alternative method. Granted for the Burnrite Slope Mine with conditions for the use of the gunboat without safety catches.

Docket No.: M-96-175-C.

FR Notice: 62 FR 4332.

Petitioner: Apex Minerals, Inc.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-176-C.

FR Notice: 62 FR 4332.

Petitioner: Rawls Sales and Processing Co.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Tall Timber Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-177-C.

FR Notice: 62 FR 4332.

Petitioner: Road Fork Development Company.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of the mines, considered acceptable alternative method. Granted for the Calloway Mine; Pegs Branch Mine; Burnwell Energy Mine; and Extra Energy Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-178-C.

FR Notice: 62 FR 4332.

Petitioner: Dry Fork Energy, Inc.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered

acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-179-C.

FR Notice: 62 FR 4332.

Petitioner: Dry Fork Energy, Inc.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-180-C.

FR Notice: 62 FR 4333.

Petitioner: Dry Fork Energy, Inc.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mine considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-181-C.

FR Notice: 62 FR 4333.

Petitioner: Apex Minerals, Inc.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-182-C.

FR Notice: 62 FR 4333.

Petitioner: Apex Minerals, Inc.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mine considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-184-C.

FR Notice: 62 FR 4333.

Petitioner: M & H Coal Company.

Reg Affected: 30 CFR 75.1200(d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins

beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Mercury Slope Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-185-C.

FR Notice: 62 FR 4333.

Petitioner: M & H Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Mercury Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-186-C.

FR Notice: 62 FR 4333.

Petitioner: M & H Coal Company.

Reg Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal to permit the use of construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Mercury Slope Mine with conditions for seals installed in this mine.

Docket No.: M-96-187-C.

FR Notice: 62 FR 4333.

Petitioner: Sheldon Derck.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Slope No. 1 Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-188-C.

FR Notice: 62 FR 4334.

Petitioner: Sheldon Derck.

Reg Affected: 30 CFR 75.1200(d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below

to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Slope No. 1 Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-189-C.

FR Notice: 62 FR 4334.

Petitioner: Sheldon Derck.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the Slope No. 1 Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-190-C.

FR Notice: 62 FR 4334.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Jordan No. 1 Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-191-C.

FR Notice: 62 FR 4334.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.1200 (d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Jordan No. 1 Slope Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-192-C.

FR Notice: 62 FR 4334.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire

extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for Jordan No. 1 Slope Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-193-C.

FR Notice: 62 FR 4334.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish two check points to monitor the affected area; to maintain these check points in a safe condition; to have a certified person test for methane and the quantity of air on a weekly basis at each check point; and to have the person making examinations and tests record their initials, date, and time in a record book kept on the surface and made available for inspection by interested persons considered acceptable alternative method. Granted for Shoemaker Mine with conditions for the unsafe-to-travel 4025-foot segment of the Main East Returns near Seabright Air Shaft.

Docket No.: M-96-200-C.

FR Notice: 62 FR 4335.

Petitioner: Sidney Coal Company, Inc. and its subsidiaries.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Freedom Energy Mine No. 1; Solid Energy Mine No. 1; Clean Energy Mine No. 1; Black Diamond Mine No. 1; and Rockhouse Energy Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-203-C.

FR Notice: 62 FR 4335.

Petitioner: Elk Run Coal Company, Inc.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use 2,300-volt cables to power longwall equipment in the active pillar workings; to implement additional safety procedures mines; and to provide training to all mining personnel considered acceptable alternative method. Granted for the Black Knight II Mine with conditions for the 2,400-volt continuous miner.

Docket No.: M-96-205-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1200(d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of

contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-206-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal to visually examine each seal for physical damage from the slope gunboat during the preshift examination after an air quantity reading is taken in by the intake portal and to test for the quantity and quality of air at the intake air split locations off the slope in the gangway portion of the workings; and physically examine the entire length of the slope once a month considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for examinations of seals (conducted from the gunboat) in the intake air haulage slope of this mine.

Docket No.: M-96-209-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-210-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1201-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-211-C.

FR Notice: 62 FR 11926.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal to permit the use of construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for seals installed in this mine.

Docket No.: M-95-047-C.

FR Notice: 60 FR 18148.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.335(a)(1).

Summary of Findings: Petitioner's proposal to permit seals of construction using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criterion in the 10 psi range; and the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Jordan No. 1 Slope Mine with conditions for seals installed in this mine.

Docket No.: M-95-165-C.

FR Notice: 60 FR 64080.

Petitioner: Elk Run Coal Company, Inc.

Reg Affected: 30 CFR 75.333(d)(1).

Summary of Findings: Petitioner's proposal to use electronically operated Roll-Down Doors constructed of rubber material similar to those used in conveyor belts to control ventilation within the air course in the main entries instead of heavy Metal Doors considered acceptable alternative method. Granted for the White Knight Mine; Bishop 2 Mine; Laurel Eagle Mine; and Laurel Alma Mine with conditions for the installation of flame resistant rubber roll-down doors installed in the same framing structure with fuse link controlled, automatic closing steel roll-down fire doors.

Docket No.: M-95-182-C.

FR Notice: 61 FR 8306.

Petitioner: Jacks Branch Coal Company.

Reg Affected: 30 CFR 75.333(d)(1).

Summary of Findings: Petitioner's proposal to use electronically operated Roll-Down Doors constructed of rubber material similar to those used in conveyor belts to control ventilation

within the air course in the main entries instead of using heavy Metal Doors considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the installation of flame resistant rubber roll-down doors installed in the same framing structure with fuse link controlled, automatic closing steel roll-down fire doors.

Docket No.: M-93-004-C.

FR Notice: 58 FR 8065.

Petitioner: Cyprus Mountain Coals Corporation.

Reg Affected: 30 CFR 77.1304(a).

Summary of Findings: Petitioner's proposal to use recycled waste oil and diesel fuel to form a blasting agent considered acceptable alternative method. Granted for the Star Fire Mine with conditions.

Docket No.: M-93-029-C.

FR Notice: 58 FR 16553.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish airway check points to monitor the quantity and quality of air entering and leaving the affected area considered acceptable alternative method. Granted for the Loveridge No. 22 Mine with conditions for the intake aircourse on the south side of Main West and for the intake aircourse at the Sugar Run Portal Motor Barn.

Docket No.: M-86-167-C.

FR Notice: 52 FR 46133.

Petitioner: Clinchfield Coal Company.

Reg Affected: 30 CFR 75.326.

Summary of Findings: Petitioner's proposal to use the velocity of air in the belt conveyor of 50 feet a minute, or greater, and have a definite and distinct movement in the designated direction considered acceptable alternative method. Granted for the McClure No. 1 Mine with conditions.

Docket No.: M-85-184-C.

FR Notice: 52 FR 46134.

Petitioner: Clinchfield Coal Company.

Reg Affected: 30 CFR 75.1105.

Summary of Findings: Petitioner's proposal is amended to read: the velocity of air in the belt conveyor will be 50 feet a minute, or greater, and have a definite and distinct movement in the designated direction considered acceptable alternative method. Granted for the McClure No. 1 Mine with conditions.

[FR Doc. 98-22534 Filed 8-20-98; 8:45 am]

BILLING CODE 4510-34-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (98-109)]

NASA Advisory Council, Minority Business Resource Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Minority Business Resource Advisory Committee.

DATES: Tuesday, September 22, 1998, 9:00 a.m. to noon; and Wednesday, September 23, 1998, 9:00 a.m. to 4:00 p.m.

ADDRESSES: National Aeronautics and Space Administration, Room 9H40, 300 E Street, SW, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. Ralph C. Thomas III, Code K, National Aeronautics and Space Administration, Washington, DC 20546, (202) 358-2088.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- MBRAC Subpanel Reports
- Status of MBRAC

Recommendations

- Special Issues
- Action Items
- Call to Order
- Reading of Minutes
- Agency Small Disadvantaged

Business (SDB) Program

- Report of Chair
- Public Comment
- Center Directorate Reports
- Report on NASA FY 98 SDB

Accomplishments

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: August 17, 1998.

Matthew M. Crouch,

*Advisory Committee Management Officer,
National Aeronautics and Space Administration.*

[FR Doc. 98-22554 Filed 8-20-98; 8:45 am]

BILLING CODE 7510-01-P

NATIONAL BIPARTISAN COMMISSION ON THE FUTURE OF MEDICARE

Public Hearing

Establishment of the Medicare Commission included in Chapter 3,