

*Docket No.:* M-98-104-C.

*FR Notice:* 64 FR 2521.

*Petitioner:* U.S. Steel Mining Company, LLC.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use 4,160 volt cables to supply power to permissible longwall equipment. This is considered an acceptable alternative method for the Gary No. 50 Mine, with conditions. MSHA grants the petition for modification for the Gary No. 50 Mine with conditions.

*Docket No.:* M-98-105-C.

*FR Notice:* 64 FR 2521.

*Petitioner:* Windsor Coal Company.

*Regulation Affected:* 30 CFR 75.364(b)(1).

*Summary of Findings:* Petitioner's proposal is to establish evaluation points to monitor the air and gas measurements in the affected area; to maintain the evaluation points in safe conditions; to have a certified person test for methane and the quality and quantity of air at both evaluation points; and to have the person making the examinations and test place their initials, date, and time at the evaluation points and in a book on the surface made available for interested persons. This is considered an acceptable alternative method for the Windsor Mine, with conditions. MSHA grants the petition for modification for the Windsor Mine with conditions.

*Docket No.:* M-98-113-C.

*FR Notice:* 64 FR 2519.

*Petitioner:* White County Coal Corporation.

*Regulation Affected:* 30 CFR 75.503.

*Summary of Findings:* Petitioner's proposal is to use a spring-loaded device with specific fastening characteristics in lieu of a padlock with its fastening configuration to secure plugs and electrical type connectors to batteries and to the permissible mobile powered equipment the batteries serve. This is considered an acceptable alternative method for the Pattiki Mine, with conditions. MSHA grants the petition for modification for the Pattiki Mine with conditions.

*Docket No.:* M-97-147-C.

*FR Notice:* 63 FR 5971.

*Petitioner:* Jim Walter Resources, Inc.

*Regulation Affected:* 30 CFR 75.364(b)(2).

*Summary of Findings:* Petitioner's proposal is to establish evaluation points inby and outby the deteriorating return of the mine, and to have a certified person examine the evaluation points for methane and oxygen concentrations and the volume of air and record the results in a book maintained on the surface of the mine.

This is considered an acceptable alternative method for the No. 3 Mine, with conditions. MSHA grants the petition for modification for the No. 3 Mine with conditions.

*Docket No.:* M-91-003-M.

*FR Notice:* 56 FR 23941.

*Petitioner:* Tg Soda Ash, Inc.

*Regulation Affected:* 30 CFR 57.22305.

*Summary of Findings:* Petitioner's proposal is to use a nonpermissible battery-powered drill for drilling holes for surveying spads in the panel face area inby the last open crosscut. This is considered an acceptable alternative method for the Wyoming Soda Ash Mine, with conditions. MSHA grants the petition for modification for the Wyoming Soda Ash Mine with conditions.

*Docket No.:* M-86-020-M.

*FR Notice:* 52 FR 5217.

*Petitioner:* Kenneth Utah Copper Corporation.

*Regulation Affected:* 30 CFR 56.9300(d).

*Summary of Findings:* The Petitioner is operating under a previously granted modification, 30 CFR 56.9022. Petitioner requested that a pipeline would be located on the inside edge (e.g., driver's side) of the impoundment roadway, when there is a drop off sufficient for equipment to overturn, to serve as a guide for equipment operators. Petition is amended to install delineators along the perimeter of those areas of the elevated roadway where no pipeline was laid and there was a drop-off sufficient for equipment to overturn. At least three delineators along each elevated shoulder would always be visible to the drivers of vehicles. This is considered an acceptable alternative method for the UC Concentrator Plant, with conditions. MSHA grants the petition for modification for the UC Concentrator Plant with conditions.

[FR Doc. 99-27854 Filed 10-25-99; 8:45 am]

BILLING CODE 4510-43-P

## DEPARTMENT OF LABOR

### 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. Clark Elkhorn Coal Company

[Docket No. M-1999-084-c]

Clark Elkhorn Coal Company, P.O. Box 2805, Pikeville, Kentucky 41502

has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Ratliff Underground Mine (I.D. No. 15-16763) located in Pike County, Kentucky. The petitioner proposes to use a spring loaded locking device to secure battery plugs into the machine mounted battery receptacle on mobile battery powered equipment instead of using padlocks. The petitioner asserts that application of the mandatory standard will result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 2. Matrix Coal Company

[Docket No. M-1999-085-C]

Matrix Coal Company, P.O. Box 2805, Pikeville, Kentucky 41502 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Mohawk Underground Mine (I.D. No. 15-18085) located in Pike County, Kentucky. The petitioner proposes to use a spring loaded locking device to secure battery plugs into the machine mounted battery receptacle on mobile battery powered equipment instead of using padlocks. The petitioner asserts that application of the mandatory standard will result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 3. Remington Coal Company, Inc.

[Docket No. M-1999-086-C]

Remington Coal Company, 430 Harper Park Drive, Suite A, Beckley, West Virginia 25801 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Stockburg No. 1 Mine (I.D. No. 46-08634) located in Kanawha County, West Virginia. The petitioner proposes to use a spring loaded locking device to secure battery plugs into machine mounted receptacle on mobile battery powered equipment instead of using padlocks. The petitioner asserts that application of the mandatory standard will result in a diminution of safety to the miners.

#### 4. Goodin Creek Contracting, Inc.

[Docket No. M-1999-087-C]

Goodin Creek Contracting, Inc., Rt. 1, Box 419-A1, Gray, Kentucky 40734 has

filed a petition to modify the application of 30 CFR 75.380(f)(4) (escapeways; bituminous and lignite mines) to its Goodin Creek Mine (I.D. No. 15-17980) located in Knox County, Kentucky. The petitioner proposes to install two ten pound portable chemical fire extinguishers in the operators' deck of each Mescher tractor. The fire extinguisher will be readily accessible to the operator. The petitioner proposes to instruct the equipment operator to inspect each fire extinguisher daily prior to entering the escapeway, maintain records of the inspections, and maintain a sufficient number of spare fire extinguishers at the mine in case a fire extinguisher becomes defective. The petitioner asserts that because of the low 24-inch heights of the coal being mined, available fire suppression systems will not fit on the equipment being used. The petitioner further asserts that application of the mandatory standard will result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 5. Canfield Energy, Inc.

[Docket No. M-1999-088-C]

Canfield Energy, Inc., P.O. Box 1021, Barbourville, Kentucky 40906 has filed a petition to modify the application of 30 CFR 75.380(f)(4)(i) (escapeways; bituminous and lignite mines) to its # 5 Mine (I.D. No. 15-18176) located in Knox County, Kentucky. The petitioner proposes to install two ten pound portable chemical fire extinguishers in the operators' deck of each Mescher tractor. The fire extinguisher will be readily accessible to the operator. The petitioner proposes to instruct the equipment operator to inspect each fire extinguisher daily prior to entering the escapeway, maintain records of the inspections, and maintain a sufficient number of spare fire extinguishers at the mine in case a fire extinguisher becomes defective. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 6. Canfield Energy, Inc.

[Docket No. M-1999-089-C]

Canfield Energy, Inc., P.O. Box 1021, Barbourville, Kentucky 40906 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its #5 Mine (I.D. No. 15-18176) located in Knox County, Kentucky. The petitioner proposes to use a hand-held continuous-duty methane and oxygen detector instead of machine-mounted methane

monitors on three-wheel tractors. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 7. Canterbury Coal Company

[Docket No. M-1999-090-C]

Canterbury Coal Company, R.D. #1, Box 119A, Avonmore, Pennsylvania 15618 has filed a petition to modify the application of 30 CFR 75.350 (air courses and belt haulage entries) to its DiAnne Mine (I.D. No. 36-05708) located in Armstrong County, Pennsylvania. The petitioner proposes to use belt air to ventilate a working section(s). The petitioner proposes to install a carbon monoxide monitoring system as a fire detection system in all belt entries where air coursed through the belt entry is used to ventilate active working places. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 8. Mallie Coal Company

[Docket No. M-1999-091-C]

Mallie Coal Company, Rt. 1, Box 173, Woodbine, Kentucky 40771 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Mine No. 4 (I.D. No. 15-17603) located in Knox County, Kentucky. The petitioner proposes to use a hand-held continuous-duty methane and oxygen detector instead of machine-mounted methane monitors on three-wheel tractors. The petitioner asserts that application of the existing standard will diminish the safety of the miners and the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 9. Marfork Coal Company, Inc.

[Docket No. M-1999-092-C]

Marfork Coal Company, Inc., P.O. Box 457, Whitesville, West Virginia 25209 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Brushy Eagle Mine (I.D. No. 46-08315) located in Raleigh County, West Virginia. The petitioner proposes to use 4,160 volt longwall face equipment utilizing the specific terms and conditions listed in this petition for modification. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 10. RAG Empire Corporation

[Docket No. M-1999-093-C]

RAG Empire Corporation, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219-1410 has filed a petition to modify the application of 30 CFR 75.507 (power connection points) to its Eagle No. 5 Mine (I.D. No. 05-01370) located in Moffat County, Colorado. The petitioner requests a modification of the mandatory standard to permit the use of a 480-volt non-permissible pump in boreholes in sealed areas of the Eagle No. 5 Mine. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 11. RAG Empire Corporation

[Docket No. M-1999-094-C]

RAG Empire Corporation, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219-1410 has filed a petition to modify the application of 30 CFR 75.902 (low- and medium-voltage ground check monitor circuits) to its Eagle No. 5 Mine (I.D. No. 05-01370) located in Moffat County, Colorado. The petitioner requests a modification of the mandatory standard to permit the use of 480-volt non-permissible submersible pumps in boreholes into sealed areas at the 1 North areas of the Eagle No. 5 Mine. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

#### 12. Wabash Mine Holding Company

[Docket No. M-1999-095-C]

Wabash Mine Holding Company, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219-1410 has filed a petition to modify the application of 30 CFR 75.332(a)(2) (working sections and working places) to its Wabash Mine (I.D. No. 11-00877) located in Wabash County, Illinois. The petitioner requests a modification of the mandatory standard to permit the use of two continuous miners within the same split air. The petitioner proposes to have one continuous miner cleanup the working face previously mined, while the other continuous miner on the super section starts to cut and load coal from another working face on the same working section, on the same split of air. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**13. Canyon Fuel Company, LLC**

[Docket No. M-1999-096-C]

Company Fuel Company, LLC, P.O. Box 1029, Wellington, Utah 84542 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley) to its Dugout Canyon Mine (I.D. No. 42-01890) located in Carbon County, Utah. The petitioner proposes to use a nominal voltage of longwall power circuits not to exceed 2,400 volts to supply power to permissible longwall mining equipment. The petitioner states that application of the mandatory standard will prevent a diminution of safety to the miners resulting from the application of the existing standard. In addition, the petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**14. Drummond Company, Inc.**

[Docket No. M-1999-097-C]

Drummond Company, Inc., P.O. Box 10246, Birmingham, Alabama 35202-0246 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (nonpermissible diesel-powered equipment; design and performance requirements) to its Shoal Creek Mine (I.D. No. 01-02901) located in Jefferson County, Alabama. The petitioner requests a variance from the mandatory standard to permit the use of its diesel grader without individual service brakes on all grader wheels. The petitioner proposes to (i) equip the grader with service brakes on each drive wheel and stationary emergency brakes; (ii) limit the tramping speed of the grader to 10 miles per hour; and (iii) train grader operators to check the function of the brakes during pre-operational checks and if required, train the operators to lower the grader blade to the ground as an additional braking mechanism and while the machine is parked. The petitioner states that all grader operators will be trained during refresher training and on all provisions of its proposed alternative method. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**15. Canyon Fuel Company, LLC**

[Docket No. M-1999-098-C]

Canyon Fuel Company, LLC, HC 35 Box 380, Helper, Utah 84526 has filed a petition to modify the application of 30 CFR 75.500 (permissible electric equipment) to its Skyline Mine No. 3 (I.D. No. 42-01566) located in Carbon County, Utah. The petitioner requests a modification of the mandatory standard to permit the use of a nonpermissible

hand-held battery powered drill in areas inby the last open crosscut. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**16. J & A Coal Corporation**

[Docket No. M-1999-099-C]

J & A Coal Corporation, P.O. Box 848, Prestonburg, Kentucky 41653 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its No. 1 Mine (I.D. No. 15-15776) located in Knott County, Kentucky. The petitioner proposes to use a spring loaded locking device to secure battery plugs into machine mounted receptacle on mobile battery powered equipment instead of using padlocks. The petitioner states that application of the mandatory standard will result in a diminution of safety to the miners affected.

**17. Bowie Resources Limited**

[Docket No. M-1999-100-C]

Bowie Resources Limited, P.O. Box 483, Paonia, Colorado 81428 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (nonpermissible diesel-powered equipment; design and performance requirements) to its Bowie No. 2 Mine (I.D. No. 05-04591) located in Delta County, Colorado. The petitioner proposes to install brakes on the front wheels of six wheeled road graders in its Bowie No. 2 Mine. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**18. RAG Emerald Resources Corporation**

[Docket No. M-1999-101-C]

RAG Emerald Resources Corporation, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219-1410 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Emerald Mine (I.D. No. 36-05466) located in Greene County, Pennsylvania. The petitioner requests that certain provisions be eliminated from its previously granted high-voltage longwall petition, docket number M-95-37-C. The petitioner proposes to use 4,160 high-voltage longwall equipment. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**19. Nehemiah Coal Company, Inc.**

[Docket No. M-1999-102-C]

Nehemiah Coal Company, Inc., 644 Callahan Avenue, P.O. Box 466, Appalachia, Virginia 24216 has filed a petition to modify the application of 30 CFR 75.1710 (canopies or cabs; diesel-powered and electric face equipment) to its Mine #1 (I.D. No. 44-06871) located in Wise County, Virginia. The petitioner proposes to operate face equipment without canopies. The petitioner asserts that using canopies in the low mining height present at the mine will result in a diminution of safety to the miners affected by the existing standard.

**20. CONSOL of Kentucky, Inc.**

[Docket No. M-1999-103-C]

CONSOL of Kentucky, Inc., Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.901(a) (protection of low- and medium-voltage three-phase circuits used underground) to its Mousie H4 Mine (I.D. No. 15-18166) located in Knott County, Kentucky. The petitioner proposes to obtain a low- and medium voltage, three-phase, alternating current for use underground from a portable diesel-driven generator and to connect the neutral of the generator's transformer secondary through a suitable resistor to the frame of the diesel generator. The petitioner states that the frame of the diesel generator will not have solid connection to a borehole casing, a metal waterline, or a grounding conductor with a low resistance to earth. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

**21. Wayne Processing, Inc.**

[Docket No. M-1999-104-C]

Wayne Processing, Inc., Rt. 3, Box 144, Philippi, West Virginia 26416 has filed a petition to modify the application of 30 CFR 75.380(d)(3) (Escapeways; bituminous and lignite mines) to its Sentinel Mine (I.D. No. 46-014168) located in Barbour County, West Virginia. The petitioner proposes to use a mechanical device to travel across the #2 Miner Section belt undercast, where the escapeway height is less than that required by the standard. The undercast is used as a secondary escapeway. The petitioner proposes to post signs on both sides of the undercast indicating low clearance area. The petitioner states that the mechanical device will enable miners including disabled miners to escape quickly in an emergency, and allow a

worker to sit down or be provided with a stretcher and pulled across the undercast to either the inby or outby ends. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

## 22. Alex Energy, Inc.

[Docket No. M-1999-105-C]

Alex Energy, Inc., P.O. Box 857, Summersville, West Virginia 26651 has filed a petition to modify the application of 30 CFR 75.1700 (oil and gas wells) to its Jerry Fork Eagle Mine (I.D. No. 46-08787) located in Nicholas County, West Virginia. The petitioner proposes to plug and mine through oil and gas wells and to notify the District Manager or designee prior to mining within 300 feet of the well. The petitioner asserts that the proposed alternative method will provide at least the same measure of protection as the mandatory standard.

## Request for Comments

Persons interested in these petitions are encouraged to submit comments via e-mail to "comments@msha.gov," or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before November 26, 1999. Copies of these petitions are available for inspection at that address.

Dated: October 18, 1999.

**Carol J. Jones,**

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

[FR Doc. 99-27855 Filed 10-25-99; 8:45 am]

BILLING CODE 4510-43-P

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting; Agenda

**TIME AND DATE:** 9:30 a.m., Tuesday, November 2, 1999.

**PLACE:** NTSB Board Room, 5th Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20594.

**STATUS:** Open to the Public.

**MATTERS TO BE CONSIDERED:**

6952A Aviation Accident Report: Controlled flight into Terrain, Korean Air Flight 801, Boeing 747-300, HL7468, Nimitz Hill, Guam, on August 6, 1997

**NEWS MEDIA CONTACT:** Telephone: (202) 314-6100.

Individuals requesting specific accommodation should contact Mrs. Barbara Bush at (202) 314-6220 by Friday, October 29, 1999.

**FOR MORE INFORMATION CONTACT:** Rhonda Underwood (202) 314-6065.

Dated: October 22, 1999.

**Rhonda Underwood,**

*Federal Register Liaison Officer.*

[FR Doc. 99-28097 Filed 10-22-99; 3:51 pm]

BILLING CODE 7533-01-M

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, or extension: Extension.

2. The title of the information collection: Generic Letter 91-02, "Reporting Mishaps Involving LLW Forms Prepared for Disposal."

3. The form number, if applicable: N/A.

4. How often the collection is required: Reports are made only when the licensee or waste processor experiences a mishap that is reportable under the guidelines described in the Generic Letter.

5. Who will be required or asked to report: Nuclear power reactor licensees and Agreement State and non-Agreement State waste processors and disposal site operators.

6. An estimate of the number of responses: 34.

7. The estimated number of annual respondents: 34.

8. An estimate of the number of hours needed annually to complete the requirement or request: 272 hours (an average of 8 hours per response).

9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.

10. Abstract: Generic Letter 91-02 encourages voluntary reporting (by both waste form generators and processors) of information concerning mishaps to low-level radioactive waste (LLW) forms prepared for disposal. The information is used by NRC to determine whether follow-up action is necessary to assure protection of public health and safety.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer by November 26, 1999: Erik Godwin, Office of Information and Regulatory Affairs (3150-0156), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 20th day of October 1999.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 99-27951 Filed 10-25-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8968-ML; ASLBP No. 95-706-01-ML]

### Hydro Resources, Inc.; Notice of Reconstitution

Pursuant to the authority contained in 10 CFR 2.721 and 2.1207, the Presiding Officer in the captioned 10 CFR part 2, Subpart L proceeding is hereby replaced by appointing Administrative Judge Thomas S. Moore as Presiding Officer in place of Administrative Judge Peter B. Bloch.

All correspondence, documents, and other material shall be filed with the Presiding Officer in accordance with 10 CFR 2.1203. The address of the new Presiding Officer is: Administrative Judge Thomas S. Moore, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001.