

petitioner requests a modification of the standard to permit alternative methods of seal 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 to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 6. Black Gem Mining, Inc.

[Docket No. M-95-58-C]

Black Gem Mining, Inc., P.O. Box 1257, Pikeville, Kentucky 41502 has filed petitions to modify the application of 30 CFR 75.1710 (canopies or cabs; electric face equipment) to its No. 3 Mine (I.D. No. 15-12303) located in Floyd County, Kentucky. The petitioner proposes to operate its C X 2 S & S Scoop without a canopy due to the height of this equipment, which is 54 inches with canopy, and the height of the seam varies from 40 inches to 60 inches. The petitioner states that installation of a canopy on the equipment would result in a diminution of safety to the equipment operator.

#### 7. McElroy Coal Company

[Docket No. M-95-59-C]

McElroy Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241 has filed petitions to modify the application of 30 CFR 75.364(b)(2) (weekly examination) to its McElroy Mine (I.D. No. 46-01437) located in Marshall County, West Virginia. Due to deteriorating roof and rib conditions in the return entry of the new section adjacent to the bottom of the Belt Slope in the oldest portion of the mine, physically traveling the area on a weekly basis would be unsafe. The petitioner proposes to establish checking stations A and B to monitor for methane and the quantity of air in the affected area; to have a certified person check each station on a weekly basis and record the result in a book kept on the surface and made available for inspection by interested persons; to conduct an immediate investigation of the affected area by the mine foreman and record the results in a book located on the surface if at any time the quantity of air at either checking station indicates a change of ten (10) percent or a 0.5 percent increase in methane; to include the checking stations in the Ventilation Plan with the location of air readings

shown on the ventilation map; and to examine the stopping line along the track entry on a weekly basis. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 8. Mystic Energy, Inc.

[Docket No. M-95-60-C]

Mystic Energy, Inc., 130 George Street, Suite J, Beckley, West Virginia 25801 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Candice 2 Mine (I.D. No. 46-08429) located in Boone County, West Virginia. The petitioner proposes to replace a padlock on battery plug connectors on mobile battery-powered machines used inby the last open cross-cut with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load; to provide a warning tag that states "Do Not Disengage Plugs Under Load" on all battery plug connectors on battery-powered machines using the alternative method; and to instruct all persons who are required to operate or maintain the battery-operated machines on safe work practices and procedures. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 9. AMAX Coal West, Inc.

[Docket No. M-95-61-C]

AMAX Coal West, Inc., P.O. 3040, Gillette, Wyoming 82717-3040 has filed a petition to modify the application of 30 CFR 77.1304(a) (blasting agents; special provisions) to its Eagle Butte Mine (I.D. No. 48-01078) located in Campbell County, Wyoming. The petitioner proposes to use petroleum-based lubrication oils, recycled from equipment used at its mine for blending with fuel oil for the purpose of creating ammonium nitrate/fuel oil (ANFO) for use as a blasting agent at its surface coal mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 10. Pen Coal Corporation

[Docket No. M-95-62-C]

Pen Coal Corporation, Route 1, Box 191, Dunlow, West Virginia 25511 has filed a petition to modify the application of 30 CFR 75.503

(permissible electric face equipment; maintenance) to its Deviltrace N. 3 Mine (I.D. No. 46-08470) located in Wayne County, West Virginia. The petitioner proposes to replace a padlock on battery plug connectors on mobile battery-powered machines used inby the last open cross-cut with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load; to provide a warning tag that states "Do Not Disengage Plugs Under Load" on all battery plug connectors on battery-powered machines using the alternative method; and to instruct all persons who are required to operate or maintain the battery-operated machines on safe work practices and procedures. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### Request for Comments

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 2, 1995. Copies of these petitions are available for inspection at that address.

Dated: April 27, 1995.

**Patricia W. Silvey,**

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

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## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts

#### Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Dance Advisory Panel (Choreographers Fellowships Prescreening Section) to the National Council on the Arts will be held on May 31-June 2, 1995. The panel will meet from 10 a.m. to 5 p.m. on May 31 and from 9 a.m. to 6 p.m. on June 1-2 in Room M-07, at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting is for the purpose of application evaluation, under the