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Signed at Washington, DC, this 31st day of December 2002.

Carl J. Poleskey

Chief, Branch of Construction Wage Determinations.

[FR Doc. 03-280 Filed 1-9-03; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR**Mine Safety and Health Administration****Petitions for Modification**

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

1. Monterey Coal Company

[Docket No. M-2002-113-C]

Monterey Coal Company, 14300 Brushy Mound Road, Carlinville, Illinois 62626 has filed a petition to modify the application of 30 CFR 75.350 (Air courses and belt haulage entries) at its No. 1 Mine (MSHA I.D. No. 11-00726) located in Macoupin County, Illinois. The petitioner requests a modification of the existing standard to allow belt air to be used to ventilate working places from a location in by the furthest in by conveyor drive for the remaining length of the panels. The petitioner states that during panel development, the location is in by the main conveyor drive near the belt head, and during longwall mining, the location is in by the tripper/booster drive, usually positioned not greater than 8,000 feet in by the belt head. The petitioner proposes to install a carbon monoxide monitoring system as an early warning fire detection system in all belt entries used to course intake air to a working place. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.