

alternative method for the Dora 8 Mine. MSHA grants the petition for modification for the temporary electrical installations, provided the petitioner maintains two portable fire extinguishers having at least the minimum capacity specified for a portable fire extinguisher in 30 CFR 75.1100-1(e), or one portable fire extinguisher with twice the minimum capacity specified in 75.1100-1(e) at each of the temporary electrical installations at the Dora 8 Mine.

*Docket No.:* M-2002-106-C and M-2002-107-C.

*FR Notice:* 67 FR 78822.

*Petitioner:* Highland Mining Company.

*Regulation Affected:* 30 CFR 75.1101-1(b).

*Summary of Findings:* Petitioner's proposal is to conduct weekly examinations and functional testing of the deluge fire suppression systems as an alternative to complying with the standard. This is considered an acceptable alternative method for the Highland No. 9 and Highland No. 11 Mines. MSHA grants the petition for modification for the use of deluge-type water spray systems installed at belt-conveyor drives in lieu of blow-off dust covers for nozzles at the Highland No. 9 and Highland No. 11 Mines with conditions.

*Docket No.:* M-2002-110-C.

*FR Notice:* 67 FR 78823.

*Petitioner:* Coastal Coal-West Virginia, LLC.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use continuous mining machines with nominal voltage of the power circuits not to exceed 2,400 volts at the Upper Mercer Mine. This is considered an acceptable alternative method for the Upper Mercer Mine. MSHA grants the petition for modification for the use of 2,400-volt continuous miners at the Upper Mercer Mine with conditions.

*Docket No.:* M-2002-111-C and M-2002-112-C.

*FR Notice:* 67 FR 78823.

*Petitioner:* Black Energy Coal, Inc.

*Regulation Affected:* 30 CFR 75.503 (18.41(f) of part 18).

*Summary of Findings:* Petitioner's proposal is to use permanently installed spring-loaded locking devices with specific fastening characteristics, in lieu of padlocks, with its fastening configuration to secure plugs and electrical type connectors to batteries and to the permissible mobile powered equipment the batteries serve. The purpose of the locking device is to prevent accidental separation of the

battery plugs from their receptacles during normal operation of the battery equipment. This is considered an acceptable alternative method for the Mine #2 and Mine #3. MSHA grants the petition for modification for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plug and receptacle-type connectors for mobile battery-powered equipment at the Mine #2 and Mine #3, with conditions.

*Docket No.:* M-2001-078-C.

*FR Notice:* 66 FR 41891

*Petitioner:* Black Beauty Coal Company.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use high-voltage 2,400-volt cables in by the last open crosscut at the working continuous miner section(s). This is considered an acceptable alternative method for the Vermillion Grove Mine. MSHA grants the petition for modification for the use at the Vermillion Grove Mine with conditions.

*Docket No.:* M-2001-093-C.

*Petitioner:* Consolidation Coal Company.

*Regulation Affected:* 30 CFR 75.364(b)(4).

*Summary of Findings:* Petitioner's proposal is to establish designated check points and have a certified person examine the check points on a daily basis to monitor for methane and to ensure safe air passage in the six seals in 1 South of the intake air course where roof and rib conditions are deteriorating and unsafe to travel. This is considered an acceptable alternative method for the Shoemaker Mine. MSHA grants the petition for modification for the Shoemaker Mine with conditions.

*Docket No.:* M-2001-095-C.

*FR Notice:* 66 FR 52156.

*Petitioner:* Leeco, Inc.

*Regulation Affected:* 30 CFR 75.900.

*Summary of Findings:* Petitioner's proposal is to use a maximum nominal voltage of the belt conveyor drive and water pump circuit(s) not to exceed 995-volts for under-voltage protection, a nominal voltage of belt conveyor drive control and water pump control circuit(s) not to exceed 120-volts, vacuum contactors built into or permanently affixed to the transformer enclosure and properly separated and isolated from the other components of the unit, and provide under-voltage protection for belt drive(s) and water pump motors greater than 5 horsepower for vacuum contactors that have associated protective relays. This is considered an acceptable alternative method for the No. 68 and No. 78

Mines. MSHA grants the petition for modification for the use of contactors to provide under-voltage, grounded phase, and overload protection. This would also allow the petitioner to monitor the grounding conductors for 995-volt belt conveyor drive motors and water pump motors greater than 5 horsepower located in the No. 68 and No. 78 Mines with conditions.

*Docket No.:* M-2001-096-C.

*FR Notice:* 66 FR 52156.

*Petitioner:* Leeco, Inc.

*Regulation Affected:* 30 CFR 77.214(a).

*Summary of Findings:* Petitioner's proposal is to place refuse over previously abandoned and reclaimed mines. The petitioner amended its petition for modification on August 26, 2002, to clarify its alternate method concerning what method and material would be used and put in place to cover the mine openings. It was determined that the material that will be used to reclaim portal openings at the No. 7, and 5A seams has a permeability of  $6.25 \times 10^{-6}$  cm/sec so that it will be relatively impermeable and will prevent air flow from the mine. In addition, spoil that is at least 2 feet deep by 50 feet wide will be placed on top of, and in front of the mine openings. The spoil will be compacted to 90%. When compacted to 90%, the refuse will not spontaneously combust because the density and the compactness of the refuse will prevent infiltration of sufficient oxygen to result in spontaneous combustion. Further, since the No. 7 and No. 5 coal seams dip away from the refuse pile, the small valley where the coal seams are located will be completely filled in front of the mine openings so that the closest distance between the face of the slope of fill and the deep mine openings will be approximately 400 feet. At this distance, the water from the deep mine openings will not affect the stability of the pile. This is considered an acceptable alternative method for the No. 64 Mine. MSHA grants the petition for modification for the No. 64 Mine with conditions.

*Docket No.:* M-2001-105-C.

*FR Notice:* 66 FR 64993.

*Petitioner:* Oxbow Mining, Inc.

*Regulation Affected:* 30 CFR 75.804(a).

*Summary of Findings:* Petitioner's proposal is to use a No. 16 A.W.G. ground check conductor in a high-voltage cable. These cables would be flame-resistant Anaconda Type SHD+GC, Pirelli Type SHD-Center-GC, Tiger Brand Type SHD-CGC, and other brands of cable of identical