

*Petitioner:* Remington Coal Company, Inc.

*Regulation Affected:* 30 CFR 75.1700.

*Summary of Findings:* Petitioner's proposal is to plug and mine through oil and gas wells. This is considered an acceptable alternative method for the Stockburg No. 1 Mine. MSHA grants the petition for modification for mining through or near (whenever the safety barrier diameter is reduced to a distance less than the District Manager would approve pursuant to Section 75.1700) plugged oil or gas wells penetrating the Stockton and Coalburg Coal Seams and other minable coal seams using continuous miners, conventional mining, or longwall mining methods at the Stockburg No. 1 Mine with conditions.

*Docket No.:* M-2002-085-C.

*FR Notice:* 67 FR 66168.

*Petitioner:* KenAmerican Resources, Inc.

*Regulation Affected:* 30 CFR 75.380(g).

*Summary of Findings:* Petitioner's proposal is to request a variance from the existing standard so that the primary escapeway for the #9 Slope would not be required to be separated from the belt entries until the initial development stage is completed, that is, when connection is made to the airshaft. This is considered an acceptable alternative method for the Brier Creek Mine. MSHA grants the petition for modification for the slope, during initial development, until development can progress to the airshaft and make connection at the Brier Creek Mine with conditions.

*Docket No.:* M-2002-087-C.

*FR Notice:* 67 FR 66169.

*Petitioner:* Highland Coal Company (Formerly Peabody Coal Company).

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to amend its previously granted petition for modification, docket number M-2002-040-C, to revise 30 CFR 75.1002 paragraph 14(b) of same section, to allow routine use of cable crossovers, and to revise paragraph 43(b), to allow a temporary transformer that is not mounted to the mining machine. The petitioner's proposed alternative method is essentially the same as the special terms and conditions previously granted under the Proposed Decision and Order (PDO) of docket number M-2001-040-C. The significant difference in the proposed alternative method address the method of powering the tram motors of the miner during equipment moves, and proposed wording changes and additions to clarify the intent of Item No. 14. This is considered an acceptable

alternative method for the Highland Mine. MSHA grants the petition for modification for the 2400-volt high-voltage continuous miner(s) at the Highland Mine with conditions.

*Docket No.:* M-2002-089-C.

*FR Notice:* 67 FR 66169.

*Petitioner:* Europa Coal Company, Inc.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use a Joy 12CM27 continuous miner which operates at 2,400 volts. This is considered an acceptable alternative method for the Dry Branch Coalburg Mine. MSHA grants the petition for modification to use 2,400-volt high-voltage continuous miner at the Dry Branch Coalburg Mine with conditions.

*Docket No.:* M-2002-100-C.

*FR Notice:* 67 FR 7198.

*Petitioner:* Highland Mining Company.

*Regulation Affected:* 30 CFR 75.503 and 30 CFR 18.41(f).

*Summary of Findings:* Petitioner's proposal is to use spring-loaded locking device on battery plug connectors on mobile battery-powered equipment to prevent the threaded ring securing the battery plugs to the battery receptacles from unintentional loosening, and attach locking device brackets to the battery receptacles to prevent the loss of the brackets. The petitioner proposes to install a warning tag on all battery plug connectors that states "Do Not Disengage Under Load," and provide instructions on the safe practices and provisions to all persons who operate or maintain the battery-powered machines. The petitioner will revise its training plan to specify initial and refresher training for use of the spring-loaded devices. This is considered an acceptable alternative method for the Highland #11 Mine. 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 Highland #11 Mine with conditions.

*Docket No.:* M-2002-101-C.

*FR Notice:* 67 FR 71989.

*Petitioner:* Oxbow Mining, LLC.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to operate its diesel grader at a maximum speed of between 10 and 12 miles per hour or less, train all grader operators to lower the moldboard (grader Blade) for additional stopping capability in emergencies, and to recognize appropriate levels of speed for different road conditions and slopes.

This is considered an acceptable alternative method for the Elk Creek Mine. MSHA grants the petition for modification for the Elk Creek Mine with conditions. The Proposed decision and Order is limited in application to the Getman RDG-1504C, diesel graders (Roadbuilder), which has 6 wheels.

*Docket No.:* M-2002-108-C.

*FR Notice:* 67 FR 78822.

*Petitioner:* A, B & J Coal Company.

*Regulation Affected:* 30 CFR 75.503 and 30 CFR 18.41(f).

*Summary of Findings:* Petitioner's proposal is to use a permanently installed spring-loaded locking device on battery plug connectors on mobile battery-powered equipment in lieu of padlocks. The spring-loaded locking device would prevent unintentional loosening of the battery plugs from battery receptacles and eliminate the hazards associated with difficult removal of padlocks during emergency situations. This is considered an acceptable alternative method for the Mine #3C. 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 Mine #3C with conditions.

*Docket No.:* M-2002-118-C.

*FR Notice:* 68 FR 1485.

*Petitioner:* Canyon Fuel Company, LLC.

*Regulation Affected:* 30 CFR 75.507.

*Summary of Findings:* Petitioner's proposal is to install and use a non-permissible, 4,160-volt AC power submersible pump in a cased borehole which penetrates an abandoned and sealed portion of the Skyline Mine No. 3, Level 2 workings. This is considered an acceptable alternative method for the Skyline Mine No. 3. MSHA grants the petition for modification for the use of 4,160-volt, three-phase, alternating current submersible pumps installed in boreholes in the Skyline Mine No. 3 with conditions.

*Docket No.:* M-2003-004-C.

*FR Notice:* 68 FR 5664.

*Petitioner:* Remington Coal Company, Inc.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use a 2,400 volt Joy 14CM27 continuous mining machine in lieu of the 2,400 volt Joy 12CM27 continuous mining machine currently being used at the Stockburg No. 1 Mine. This is considered an acceptable alternative method for the Stockburg No. 1 Mine. MSHA grants the petition for modification for the use of the 2,400-volt high-voltage continuous miner(s) at