

*Regulation Affected:* 30 CFR 75.335(a)(1).

*Summary of Findings:* Petitioner's proposal is to use 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 criteria 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. This is considered an acceptable alternative method for the Mountain Side Mine. MSHA grants the petition for modification for seals installed in the Mountain Side Mine with conditions.

*Docket No.:* M-2002-094-C.

*FR Notice:* 67 FR 71988.

*Petitioner:* Mountain Side Coal Company.

*Regulation Affected:* 30 CFR 75.1100-2(a)(2).

*Summary of Findings:* Petitioner's proposal is to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails is not practical, and to use two (2) portable fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working for equivalent fire protection. This is considered an acceptable alternative method for the Mountain Side Mine. MSHA grants the petition for modification for firefighting equipment in the working section at the Mountain Side Mine with conditions.

*Docket No.:* M-2002-098-C.

*FR Notice:* 67 FR 71989.

*Petitioner:* Mountain Side Coal Company.

*Regulation Affected:* 30 CFR 75.1400.

*Summary of Findings:* Petitioner's proposal is to use a slope conveyance (gunboat) for transporting persons without installing safety catches or other no less effective devices. The petitioner instead proposes to use increased rope strength and secondary safety rope connections in place of such devices. This is considered an acceptable alternative method for the Mountain Side Mine. MSHA grants the petition for modification for use of the hoist conveyance (gunboat) without safety catches at the Mountain Side Mine with conditions.

*Docket No.:* M-2002-113-C.

*FR Notice:* 68 FR 1484.

*Petitioner:* Monterey Coal Company.

*Regulation Affected:* 30 CFR 75.350.

*Summary of Findings:* Petitioner's proposal is to use belt air to ventilate working places from a location inby the

furthest inby conveyor drive for the remaining length of the panels. 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. This is considered an acceptable alternative method for the No. 1 Mine. MSHA grants the petition for modification to allow air coursed through conveyor belt haulage entries to be used to ventilate active working places in longwall development sections and in retreating longwall panels, from a location inby the furthest inby conveyor drive for the remaining length of the development section or retreating panel for the No. 1 Mine with conditions.

*Docket No.:* M-2002-117-C.

*FR Notice:* 68 FR 1485.

*Petitioner:* Energy West Mining Company.

*Regulation Affected:* 30 CFR 75.901(a).

*Summary of Findings:* Petitioner's proposal is to request a modification of the standard to allow the electrical grounding requirements for portable diesel-driven electric generators to be waived based on the use of ground fault detection, ground wire monitoring, and other circuit protection means, such as short circuit, over-current and undervoltage protection. This is considered an acceptable alternative method for the Deer Creek Mine. MSHA grants the petition for modification for use of the 200 KW/250 KVA, 480-volt, diesel powered generator (DPG) set to supply power to three-phase 480-volt and 995-volt power circuits to move mobile equipment around the mine and to provide temporary power to mobile equipment and pumps in outby locations for the Deer Creek Mine with conditions.

*Docket No.:* M-2002-119-C.

*FR Notice:* 68 FR 1485.

*Petitioner:* H & M Coal Company.

*Regulation Affected:* 30 CFR 49.2(b).

*Summary of Findings:* Petitioner's proposal is to provide two mine rescue teams, each consisting of three members and one alternate to provide coverage for both teams at the Rocky Top Mine. The petitioner will provide a total of seven mine rescue team members. This is considered an acceptable alternative method for the Rocky Top Mine. MSHA grants the petition for modification for the Rocky Top Mine with conditions.

*Docket No.:* M-2002-120-C.

*FR Notice:* 68 FR 1485.

*Petitioner:* H & M Coal Company.

*Regulation Affected:* 30 CFR 75.1100-2(a).

*Summary of Findings:* Petitioner's proposal to use portable fire

extinguishers only to replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails is not practical. The petitioner proposes to use two (2) portable fire extinguishers near the slope bottom, and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the Rocky Top Mine. This is considered an acceptable alternative method for the Rocky Top Mine. MSHA grants the petition for modification for firefighting equipment in the working section at the Rocky Top Mine with conditions.

*Docket No.:* M-2002-121-C.

*FR Notice:* 68 FR 1485.

*Petitioner:* H & M Coal Company.

*Regulation Affected:* 30 CFR 75.1200(d) and (i).

*Summary of Findings:* Petitioner's proposal is to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000 foot intervals of advance from the intake slope. The petitioner also proposes to limit the required mapping of the mine workings above and below to those present within 100 feet of the vein being mined except those veins that are interconnected to other veins beyond the 100-foot limit through rock tunnels. This is considered an acceptable alternative method for the Rocky Top Mine. MSHA grants the petition for modification for use at the Rocky Top Mine with conditions.

*Docket No.:* M-2002-122-C.

*FR Notice:* 68 FR 1486.

*Petitioner:* H & M Coal Company.

*Regulation Affected:* 30 CFR 75.1202 and 30 CFR 75.1202-1(a).

*Summary of Findings:* Petitioner's proposal is to revise and supplement mine maps annually instead of every 6 months as required, and to update maps daily by hand notations. This is considered an acceptable alternative method for the Rocky Top Mine. MSHA grants the petition for modification for annual revisions and supplements of the mine map at the Rocky Top Mine with conditions.

*Docket No.:* M-2002-123-C.

*FR Notice:* 68 FR 3897.

*Petitioner:* Double M Mining, Inc.

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

*Summary of Findings:* Petitioner's proposal is to cover the coal seam with inert material, backfill and eliminate the highwall with refuse on a 2 to 1 slope and cover with soil in order to reclaim the site where face up and the adjacent areas of the mine have been augered and now needs to be reclaimed. This is