

redesignate as Certifying Officers for the TAA program:

- a. Del Min Amy Chen, Program Analyst, Office of Trade Adjustment Assistance
- b. Michael W. Jaffe, Program Analyst, Office of Trade Adjustment Assistance
- c. Hope D. Kinglock, Program Analyst, Office of Trade Adjustment Assistance
- d. Elliott S. Kushner, Program Analyst, Office of Trade Adjustment Assistance
- e. Norris T. Tyler III, Director, Division of Management Information Systems and Investigations, Office of Trade Adjustment Assistance

The foregoing officials are delegated authority and assigned responsibility, subject to the general direction and control of the Assistant Secretary and Deputy Assistant Secretaries of the Employment and Training Administration, and the Director of the Office of Trade Adjustment Assistance or the successor office, to carry out the duties and functions of Certifying Officers under 29 CFR part 90 and any succeeding regulations.

5. *Effective Date.* This order is effective on date of issuance.

This order rescinds ETO 1-09.

This Employment and Training Order No. 1-11 was signed by Jane Oates on 1/11/11.

Dated: Signed this 11th day January 2010.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2011-825 Filed 1-13-11; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Affirmative Decisions on Petitions for Modification Granted in Whole or in Part

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR Part 44 govern the application, processing, and disposition of petitions for modification. This **Federal Register** Notice (FR Notice) notifies the public that it has investigated and issued a final decision on certain mine operator petitions to modify a safety standard.

**ADDRESSES:** Copies of the final decisions are posted on MSHA's Web Site at <http://www.msha.gov/indexes/petition.htm>. The public may inspect the petitions and final decisions during normal business hours in MSHA's

Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209. All visitors must first stop at the receptionist desk on the 21st Floor to sign-in.

**FOR FURTHER INFORMATION CONTACT:** Roslyn B. Fontaine, Acting Director, Office of Standards, Regulations and Variances at 202-693-9475 (Voice), [fontaine.roslyn@dol.gov](mailto:fontaine.roslyn@dol.gov) (E-mail), or 202-693-9441 (Telefax), or Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Under section 101 of the Federal Mine Safety and Health Act of 1977, a mine operator may petition and the Secretary of Labor (Secretary) may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) An alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) that the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.

##### II. Granted Petitions for Modification

On the basis of the findings of MSHA's investigation, and as designee of the Secretary, MSHA has granted or partially granted the following petitions for modification:

- *Docket Number:* M-2009-009-C  
*FR Notice:* 74 FR 23746 (May 20, 2009).

*Petitioner:* Twentymile Coal Company, Suite 1340, 401 Liberty Avenue, Pittsburgh, Pennsylvania 15222.

*Mine:* Foidel Creek Mine, MSHA I.D. No. 05-03836, located in Routt County, Colorado.

*Regulation Affected:* 30 CFR 75.312(c) and (d) (Main mine fan examinations and records).

- *Docket Number:* M-2009-019-C  
*FR Notice:* 74 FR 34371 (July 15, 2009).

*Petitioner:* Process Energy Mining Company, 115 North Big Creek Road, P.O. Box 299, Sidney, Kentucky 41564.

*Mine:* Mine No. 1, MSHA I.D. No. 15-19097, located in Pike County, Kentucky.

*Regulation Affected:* 30 CFR 75.380(d)(3) (Escapeways; bituminous and lignite mines).

- *Docket Number:* M-2009-054-C  
*FR Notice:* 74 FR 3258 (January 20, 2010).

*Petitioner:* Pinnacle Mining Company, P.O. Box 338, Pineville, West Virginia 24874.

*Mine:* Pinnacle Mine, MSHA I.D. No. 46-01816, located in Wyoming County, West Virginia.

*Regulation Affected:* 30 CFR 75.507-1 (Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements).

- *Docket Number:* M-2010-014-C  
*FR Notice:* 75 FR 10187 (March 31, 2010).

*Petitioner:* Sunrise Coal, LLC, 1183, East Canvasback Drive, Terre Haute, Indiana 47802.

*Mine:* Carlisle Mine, MSHA I.D. No. 12-02349, located in Sullivan County, Indiana.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

- *Docket Number:* M-2010-002-M  
*FR Notice:* 75 FR 34487 (June 17, 2010).

*Petitioner:* Solvay Chemicals, Inc., P.O. Box 1167, 400 County Road 85, Green River, Wyoming 82935.

*Mine:* Solvay Chemicals, Inc., Mine, MSHA I.D. No. 48-01295, located in Sweetwater County, Wyoming.

*Regulation Affected:* 30 CFR 57.22305 (Approved equipment (III mines)).

- *Docket Number:* M-2010-004-C  
*FR Notice:* 75 FR 12796 (March 17, 2010).

*Petitioner:* Jim Walter Resources, Inc., P.O. Box 133, Brookwood, Alabama 35444.

*Mine:* No. 7 Mine, MSHA I.D. No. 01-01401, located in Tuscaloosa County, Alabama.

*Regulation Affected:* 30 CFR 75.507 (power connection points).

- *Docket Number:* M-2010-030-C  
*FR Notice:* 75 FR 41530 (July 16, 2010).

*Petitioner:* Rosebud Mining Company, 301 Market Street, Kittanning, Pennsylvania 16201.

*Mine:* Beaver Valley Mine, MSHA I.D. No. 36-08725, located in Beaver County, Pennsylvania and Cherry Tree Mine, MSHA I.D. No. 36-09224, located in Indiana County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

- *Docket Number:* M-2009-063-C

*FR Notice:* 75 FR 3253 (January 20, 2010).

*Petitioner:* Prairie State Generating Company, LLC, 4274 County Highway 12, Marissa, Illinois 62257.

*Mine:* Lively Grove Mine, MSHA I.D. No. 11-03193, located in Washington County, Illinois.

*Regulation Affected:* 30 CFR 75.1909(b)(6) (Nonpermissible diesel-powered equipment; design and performance requirements).

• *Docket Number:* M-2009-001-M  
*FR Notice:* 74 FR 23745 (May 20, 2009).

*Petitioner:* General Chemical (Soda Ash) Partners.

*Mine:* General Chemical Mine, MSHA I.D. No. 48-00155, located in Sweetwater County, Wyoming.

*Regulation Affected:* 30 CFR 57.22305 (Approved equipment (III mines) and 30 CFR 18.35 (Portable (trailing) cables and cords).

Dated: January 10, 2011.

**Patricia W. Silvey,**  
*Certifying Officer.*

[FR Doc. 2011-686 Filed 1-13-11; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations and Variances on or before February 14, 2011.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 1-202-693-9441.

3. *Regular Mail:* MSHA, Office of Standards, Regulations and Variances,

1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939,  
*Attention:* Roslyn B. Fontaine, Acting Director, Office of Standards, Regulations and Variances.

4. *Hand-Delivery or Courier:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, *Attention:* Roslyn B. Fontaine, Acting Director, Office of Standards, Regulations and Variances.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

#### FOR FURTHER INFORMATION CONTACT:

Barbara Barron, Office of Standards, Regulations and Variances at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary determines that: (1) An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or (2) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR §§ 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

##### II. Petitions for Modification

*Docket Number:* M-2010-044-C.

*Petitioner:* Emerald Coal Resources, LP, Three Gateway Center, Suite 1340, 401 Liberty Avenue, Pittsburgh, Pennsylvania 15222-1000.

*Mine:* Emerald Mine, MSHA I.D. No. 36-05466, located in Greene County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1700 (oil and gas wells).

*Modification Request:* The petitioner requests a modification of the existing

standard to permit an alternative method of compliance with the standard with respect to vertical degasification wells with horizontal laterals into the underground coal seam. The Emerald Mine proposes to plug vertically drilled degasification gas wells in order to mine through them. The petitioner proposes to use the following procedures when mining through vertically drilled degasification boreholes with horizontal laterals to permit mining through the boreholes: (a) Plugging Procedures: (1) The borehole will be filled with flexible gel prior to the anticipated mine through. Alternative grouting methods including cementations or polyurethane grout may be used; (2) a packer will be installed at a location in the lateral to ensure that an appropriate amount of the lateral will be filled with gel; (3) any water present in the hole will be tested for chlorides prior to the time of the gelling. The gel quality will be adjusted to compensate for the chloride concentration; (4) a triplex piston pump will be utilized to pump (1.75) times the calculated hole volume of gel underground. The calculated volume of gel will be pumped until the volume of gel is depleted, (100-140) psi pressure is realized, or until gel leakage is observed along the ribs underground. The gel will be pumped through the drill string and inflated packer equipped with a one-way check valve. After the calculated (1.75) times the hole volume of gel has been pumped, a robber wiper will be run down the string under the wiper to the top of the packer will be the final gel injection pressure. The one-way check valve will prevent the gel to flow back into the drill string; and (5) the volume of fill required will be calculated and (1.75) times that amount will be pumped unless the (100-140) psi pressure is reached; (b) Procedures for mining through degasification boreholes that are plugged as specified: (1) Prior to mining within 300 feet of the boreholes or lateral, MSHA, the Bureau of Deep Mine Safety, and a representative of the miners will be notified. This notification will be both verbally and through a letter accompanied by a drawing of the borehole location and a copy of a certification that plugging has occurred as specified in this petition; (2) the District Mine inspector from the Bureau of Deep Mine Safety, MSHA District Manager, and a representative of the United Mine Workers of America will be notified in sufficient time prior to the mining through to have representatives present during the actual mining through operations if they so choose; (3) at the beginning of the shift in which a