

Delineators will be used along the perimeter of areas of the roadway where no pipeline was laid and there was a drop-off sufficient for equipment to overturn. Delineators are installed along the perimeter of the impoundment so that, for both directions of travel, the reflective surfaces of at least three delineators along each elevation will always be visible to the driver and spaced at intervals sufficient to indicate the edges and altitude of the roadway; (6) access to the locked gate will be limited to individuals who have received and successfully completed training consisting of applicable task training, and a supervised tour of the impoundment roadway. A training form will be completed for each employee that receives the training and will detail the topics covered in the training. Personnel deemed essential by the petitioner to operate equipment in the area who has not received the training will be accompanied by a person who has received the specified training. Training will be valid for four years from the date of completion; (7) records of the training will be maintained for four years and made available to MSHA upon request; and (8) to enable U.S. Silver to not berm the inside of the impoundment roadway not only prevents a diminution of safety for miners, it provides an alternative method of achieving the results of the standard which at all times guarantees no less than the same measure of protection to all miners at the Galena Mine afforded by the standard.

Dated: April 12, 2011.

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

[FR Doc. 2011-9195 Filed 4-19-11; 8:45 am]

**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Petitions for Modification of Application of Existing Mandatory Safety Standards**

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

**ACTION:** Notice of Withdrawal.

**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 to withdraw a petition for modification for the Speed Mining, Inc., American Eagle Mine, MSHA I.D. No. 46-05437. MSHA published a notice in the **Federal**

**Register** on January 14, 2011 (76 FR 2725).

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron, Office of Standards, Regulations and Variances at 202-693-9447 (voice), *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. However, petitioner requested a modification of 30 CFR 75.1403-5(g), which is a safeguard and is within the authority of an Authorized Representative of the Secretary to prescribe or modify. See 30 CFR 75.1403-1. Therefore, the Speed Mining, Inc., American Eagle Mine, MSHA I.D. No. 46-05437, Petition for Modification is withdrawn.

Dated: April 12, 2011.

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

[FR Doc. 2011-9194 Filed 4-19-11; 8:45 am]

**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Petitions for Modification of Application 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 May 20, 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*. 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* (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-2011-004-C, M-2011-005-C, and M-2011-006-C.

*Petitioner:* Amfire Mining Company, LLC, One Energy Place, Latrobe, Pennsylvania 15650.

*Mine:* Barrett Mine, MSHA I.D. No. 36-09342, Gillhouser Mine, MSHA I.D. No. 36-09033, Nolo Mine, MSHA I.D. No. 36-08850.

*Regulation Affected:* 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.35(a)(5)(i) (Portable trailing cables and cords).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of extended trailing cables on Mobile Bridge Conveyors, Dual Boom Roof Bolters, Continuous Miners, and Shuttle Cars. The petitioner states that these petitions will apply to: (1) Trailing cables that supply 995-Volt 3 Phase AC current to Continuous Miners and Mobile Bridge Conveyors; and (2) trailing cables which supply 480-volt 3 phase AC current to Roof Bolters and Shuttle Cars. The cables will have a 90 degree insulation rating. Additionally, the petitioner states that: (1) The extended length of trailing cables used on Shuttle Cars and Roof Bolters will be 3 conductor round cable, type G-GC, type G or type G & GC. When a type G-GC or type G & GC round cable is used with wireless ground wire monitoring, the ground check conductor will be connected as a ground conductor; (2) the maximum cable length of the Miner, Mobile Bridge Conveyor, Roof Bolters and Shuttle Cars will not exceed 1000 feet. The trailing cable for the Miner will not be smaller than #2/0 American Wire Gauge (AWG). The trailing cable for the Roof Bolter and Shuttle Car will not be smaller than a #4 AWG, and the trailing cable for the haulage unit will not be smaller than a #2 AWG; (3) all circuit breakers used to protect the #4 AWG trailing cables exceeding 600 feet in length will have instantaneous trip units calibrated to trip at 500 amperes (AMPS). The trip settings of these breakers will either be sealed or the breaker trip units will not be larger than 500 AMPS. The circuit breakers will have permanent legible labels attached. The label will identify the circuit breakers as being suitable for protecting #4 AWG cables; (4) replacement breakers and/or instantaneous trip units used to protect #4 AWG cables will be calibrated to trip at 500 AMPS and this setting will be sealed or trip units will not be larger than 500 AMPS; (5) all circuit breakers

used to protect #2 AWG cables exceeding 700 feet in length will have instantaneous trip units calibrated to trip at 800 AMPS. The trip settings of these circuit breakers will be sealed and will have permanent legible labels. The label will identify the circuit breakers as being suitable for protecting #2 AWG cables; (6) replacement circuit breakers and/or instantaneous trip units used to protect #2 AWG trailing cables will be calibrated to trip at 800 AMPS and this setting will be sealed; (7) all circuit breakers used to protect #2/0 AWG trailing cables exceeding 850 feet in length will have instantaneous trip units calibrated to trip at 1500 AMPS. The trip setting of these circuit breakers will be sealed, or the maximum available setting on the trip units will not be greater than 1500 AMPS. These circuit breakers will have permanent legible labels. The label will identify the circuit breaker as being suitable for protecting #2/0 AWG cables; (8) replacement breakers and/or instantaneous trip units used to protect #2/0 AWG trailing cables will be calibrated to trip at 1500 AMPS and this setting will be sealed or maximum size of the trip unit will be 1500 AMPS; (9) all components that provide short circuit protection will have a sufficient interruption rating in accordance with maximum calculated fault currents available; (10) during each production day, persons designated by the operator will visually examine the trailing cables to ensure the cables are in safe operating condition and that the instantaneous settings of the specially calibrated breakers do not have seals removed or tampered with and they do not exceed 500, 800 or 1500 AMPS respectively; (11) any trailing cable that is not in a safe operating condition will be removed from service immediately and repaired or replaced; (12) each splice or repair in the trailing cables to the Miner, Mobile Bridge Conveyor, Roof Bolter or shuttle car will be made in a workmanlike manner and in accordance with the instructions of the manufacturer of the splice or repair materials. The splice or repair will comply with 30 CFR 75.603 and 75.604 requirements; (13) permanent warning labels will be installed and maintained on the cover or covers of the power center identifying the location of each sealed short circuit protective device. The labels will warn miners not to change or alter these sealed short circuit settings; (14) in the event the mining methods or operating procedures cause or contribute to the damage of any trailing cable, the cable will be removed from service immediately and repaired or replaced. Additional precautions will be

taken to ensure that haulage roads and trailing cable storage areas are situated to minimize contact of the trailing cable with the Continuous Miner, Mobile Bridge Conveyor, Shuttle Cars and Roof Bolters. Trailing cables, anchors or cable reel equipment will be of permanent type that minimizes the tensile forces on the trailing cables; (15) where the method of mining would require that trailing cables cross roadways or haulage ways, the cables will be securely supported from the mine roof or a substantial bridge for equipment to pass over the cables will be provided and used; (16) excess cable will be stored behind the anchor or anchors on equipment that uses cable reels to prevent the cables from overheating; (17) this change will not be implemented until this petition for modification is approved and all miners who will be responsible for examining the cables and associated electrical components have been trained on the contents and precautions included in the petition; and (18) proposed revisions for the approved Part 48 training plan will be submitted to the District Manager for the areas for which the mines are located. The training will include: (a) The hazards of setting the short circuit interrupting device or devices too high to adequately protect the trailing cables; (b) how to verify that the circuit interrupting devices protecting the trailing cables are properly set and maintained; (c) mining methods and operating procedures that will protect the trailing cables from damage; (d) how to protect the trailing cables against damage caused by overheating cables due to excessive cable stored on reels and adjusting stored cable behind cable anchors as tramping distances change; and (e) proper procedures for examining the trailing cable to ensure the cables are in safe operating condition by a visual inspection of the entire cable, observing the insulation, the integrity of splices, nicks and abrasions. The petitioner further states that if regulations are subsequently promulgated that supersede the requirements of 30 CFR 75.503 (18.35(a)(5)(i), the standard, unless it is determined by the Secretary or his representative after opportunity for input from the operator that the alternative method contained in the petition will at all times guarantee no less than the same measure of protection afforded the subsequent promulgated standard. The petitioner asserts that the proposed alternative method will provide for a level of safety equal to or greater than the statute in place.

Dated: April 12, 2011.

Patricia W. Silvey,  
Certifying Officer.

[FR Doc. 2011-9193 Filed 4-19-11; 8:45 am]

BILLING CODE 4510-43-P

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2011-0062]

#### Powered Industrial Trucks Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements contained in the Powered Industrial Trucks Standard (29 CFR 1910.178). The information collection requirements address truck design, construction, and modification, as well as certification of training and evaluation for truck operators.

**DATES:** Comments must be submitted (postmarked, sent, or received) by June 20, 2011.

**ADDRESSES:** *Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2011-0062, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and OSHA docket number (OSHA-2011-0062) for the Information Collection Request (ICR). All comments, including any

personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**. *Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Theda Kenney at the address below to obtain a copy of the ICR.

#### FOR FURTHER INFORMATION CONTACT:

Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2222.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

Paragraph (a)(4) of the Standard requires that employers obtain the

manufacturer's written approval before modifying a truck in a manner that affects its capacity and safe operation; if the manufacturer grants such approval, the employer must revise capacity, operation, and maintenance instruction plates, tags, and decals accordingly. For front-end attachments not installed by the manufacturer, paragraph (a)(5) mandates that employers provide a marker on the trucks that identifies the attachment, as well as the weight of both the truck and the attachment when the attachment is at maximum elevation with a laterally centered load. Paragraph (a)(6) specifies that employers must ensure that the markers required by paragraphs (a)(3) through (a)(5) remain affixed to trucks and are legible.

Paragraphs (l)(1) through (l)(6) of the Standard contain the paperwork requirements necessary to certify the training provided to powered industrial truck operators. Accordingly, these paragraphs specify the following requirements for employers:

- Paragraph (l)(1)—Ensure that trainees successfully complete the training and evaluation requirements of paragraph (l) prior to operating a truck without direct supervision.
- Paragraph (l)(2)—Allow trainees to operate a truck only under the direct supervision of an individual with the knowledge, training, and experience to train operators and to evaluate their performance, and under conditions that do not endanger other employees. The training program must consist of formal instruction, practical training, and evaluation of the trainee's performance in the workplace.
- Paragraph (l)(3)—Provide the trainees with initial training on each of 22 specified topics, except on topics that the employer demonstrates do not apply to the safe operation of the truck(s) in the employer's workplace.
- Paragraphs (l)(4)(i) and (l)(4)(ii)—Administer refresher training and evaluation on relevant topics to operators found by observation or formal evaluation to have operated a truck unsafely, been involved in an accident or near-miss incident, or been assigned to operate another type of truck, or if the employer identifies a workplace condition that could affect safe truck operation.
- Paragraph (l)(4)(iii)—Evaluate each operator's performance at least once every three years.
- Paragraph (l)(5)—Train rehires only in specific topics that they performed unsuccessfully during an evaluation and that are appropriate to the employer's truck(s) and workplace conditions.
- Paragraph (l)(6)—Certify that each operator meets the training and