

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.

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