

safety protections to prevent ignition hazards. The safeguards outlined ensure operational control consistent with the intent of 30 CFR 75.500(d). The requested modification enhances miner protection against respirable dust exposure while maintaining compliance with permissibility principles. The devices provide positive pressure respiratory protection and meet recognized hazardous-location electrical safety standards that ensure protection against ignition hazards.

(d) MSHA has previously granted petitions for modification permitting the use of the 3M Versaflo TR-800 PAPR and the CleanSpace intrinsically safe respiratory protection devices in the last open crosscut at affiliated underground coal mines operated by Wolverine Fuels, including Skyline Mine and SUFCO Mine. The safeguards and operational limitations proposed in this petition are consistent with those previously approved by MSHA for those operations. The petitioner respectfully requests that MSHA consider these prior approvals when evaluating this petition.

(e) The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the existing standard.

The petitioner proposes the following alternative method:

(a) All PAPR battery charging shall occur outby the last open crosscut.

(b) Only manufacturer-approved charging equipment shall be used.

(c) The 3M Versaflo TR-800 shall operate solely with the TR-830 battery pack.

(d) All affected miners shall receive training consistent with the mine's respiratory protection program.

(e) Each unit shall be examined prior to use to ensure housing integrity and operational readiness.

(f) If methane concentrations reach 1.0 percent or greater, actions shall be taken in accordance with 30 CFR part 75.

(g) The proposed devices shall supplement, not replace, required engineering and administrative dust controls.

(h) Any damaged or malfunctioning respiratory protection equipment shall be immediately removed from service and repaired or replaced in accordance with manufacturer recommendations.

(i) Fossil Rock Mine does not currently have a designated representative of miners and a copies of the petitions for modification have been posted on the official mine bulletin board at Fossil Rock Mine on April 7, 2026.

In support of the petition, the petitioner provided additional information including equipment specifications, intrinsic safety classifications/certifications, operating instructions, and component compatibility for the respiratory protection systems proposed for use at Fossil Rock Mine.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Jessica D. Senk,

Acting Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2026-12665 Filed 6-23-26; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by ICG Beckley, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before July 24, 2026.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2026-0430 by any of the following methods:

1. *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2026-0430.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances, MSHA, Room C3522, 200 Constitution Ave NW, Washington, DC 20210. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9440 to make an appointment.

FOR FURTHER INFORMATION CONTACT:

Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) and Title 30 of the Code of Federal Regulations (30 CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the 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 of Labor 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. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2026-011-C.

Petitioner: ICG Beckley, LLC, P.O.

Box. 49, Eccles, West Virginia 25836.

Mine: Beckley Pocahontas Mine, MSHA Mine ID No. 46-05252, located in Raleigh County, West Virginia.

Regulation Affected: 30 CFR 75.351(h), Atmospheric monitoring systems, Location of sensors—electrical installations.

Modification Request: The petitioner requests modification of standard 30 CFR 75.351(h) to install an atmospheric monitoring system (AMS) within 50 feet downwind of each electrical installation in certain areas of the Beckley Pocahontas Mine.

The petitioner states that:

(a) The Beckley Pocahontas Mine extracts coal from the Pocahontas No. 3 coal seam. The mine has three shafts, one slope, and operates five continuous miner sections which produce coal five to six days per week.

(b) Miners primarily access the mine via the Hunt Intake/Elevator Shaft to the "Bottom Area." The Bottom Area houses diesel powered personnel carriers which are utilized to transport miners to the working sections and other inby areas of the mine; mine supplies; diesel powered supply motors; a personnel carrier repair shop; and the No. 1 belt head.

(c) Approximately five to seven miners work exclusively in the Bottom Area and along the Nos. 1 and 2 belts each working shift.

(d) The No. 1 belt traverses 21 breaks inby along the North Mains and is

ventilated with Belt Intake Air from the Hunt Slope. The No. 2 belt joins at the Northeast Mains and shares the same ventilation source, as do the adjacent travel ways along the Nos. 1 and 2 belts.

(e) There are approximately 18 electrical installations located at the Bottom Area and along the Nos. 1 and 2 belts which are subject to the AMS requirements set forth in 30 CFR 75.351(h). Three electrical installations located further inby along the No. 2 belt are not subject to this petition and will have AMS sensors located within 50 feet. This petition applies only to those installations located in the Belt Intake Air Course in the Bottom Area, No. 1 belt.

(f) The Bottom Area and travel ways along the Nos. 1 and 2 belt experience frequent utilization of diesel-powered equipment. The current placement of AMS units within 50 feet of each electrical installation in these areas has historically resulted in nuisance CO alarms unrelated to detection of fire conditions.

(g) Miners frequently work and travel in this area operating equipment, monitoring and examining the belt and belt structure, and working in and around the diesel shop. The Bottom Area is not a remote location that primarily relies on atmospheric monitoring to detect combustion.

(h) On January 29, 2026, ICG Beckley, LLC submitted a proposed revision to its approved ventilation plan to the MSHA Beckley District Office. The revised ventilation plan would permit the utilization of Belt Intake Air to ventilate certain working sections of the mine. The proposed revision underwent two District reviews and final approval was obtained on February 19, 2026.

(i) The proposed alternative method for atmospheric monitoring of outby electrical installations guarantees no less than the same measure of protection and early fire detection afforded by the existing standard.

The petitioner proposes the following alternative method:

(a) Install five AMS units at strategic locations based upon ventilation modeling and CO transport time analysis to allow for continuous monitoring of CO levels at or below existing MSHA-approved alarm setpoints.

(b) Airflow volume in the petition area is approximately 108,297 cubic feet per minute, with average air velocities of 505 feet per minute. At this velocity, the CO detection time at the strategically placed AMS units would be:

(1) Longest—128 seconds (from electrical installation at the elevator air lock doors); and

(2) Shortest—9 seconds (from the electrical installations at 9 break to the AMS units at 10 break).

(c) The five AMS units create overlapping coverage zones which cover all electrical installations in the Bottom Area, the Nos. 1 and 2 belt, and associated travel ways. Ventilation models show no dead air zones exist between any electrical installation and proposed AMS unit location.

(d) The proposed AMS unit configuration will reduce nuisance alarms while maintaining early fire detection capability, enhancing AMS alarm reliability, improving miner confidence in alarm signals, and promoting prompt and effective response to fire conditions.

(e) The AMS units will continue to comply with applicable fire detection, suppression, examination, and response requirements including immediate alarm transmission to the surface monitoring station, identical fire response procedures, and reevaluation of AMS placement upon any material change in ventilation quantity, direction, or electrical installation location.

(f) In support of the proposed alternative method, ICG Beckley, LLC has also submitted a table that depicts air flow volume under the approved ventilation change and a map of the proposed locations of the five AMS units in the Bottom Area, No. 1 belt.

(g) A copy of the petition was mailed to the miners' representative on April 15, 2026. A copy of the petition was also posted on the mine bulletin board on April 6, 2026.

Jessica D. Senk,

Acting Director, Office of Standards, Regulations, and Variances.

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BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Sally Ann Coal Company, Inc.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before July 24, 2026.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2026-0232 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2026-0232.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9440 to make an appointment.

FOR FURTHER INFORMATION CONTACT:

Jessica D. Senk, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

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 of Labor 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. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2026-007-C.

Petitioner: Sally Ann Coal Company, Inc., 356 South College Drive, Bluefield, VA 24605.