

requirements of the PDO granted by MSHA prior to mining within 150 feet of the well intended to be mined through.

(25) The responsible person required under 30 CFR 75.1501, shall be responsible for well intersection emergencies. The well intersection procedures shall be reviewed by the responsible person prior to any planned intersection.

(26) Within 30 days after the PDO granted by MSHA becomes final, proposed revisions shall be submitted for the approved mine emergency evacuation and firefighting program of instruction required under 30 CFR 75.1502. The program of instruction shall be revised to include the hazards and evacuation procedures to be used for well intersections. All underground miners shall be trained in this revised plan within 30 days of submittal.

(f) The miners at Cumberland Mine are represented by a miners representative and the petition for modification has been served to the miners representative on February 18, 2026.

In support of the Petition, the petitioner provided additional information including: a schematic showing the cutting, milling, perforating, or ripping well casing above and below the Pittsburgh #8 coal seam; a general proposed permanent plugging schematic for a gas well; mine information including construction details, pressures, production history, site-specific geology, gas-producing formations locations, and relevant logging information; surface location well plat; mine map with gas well location; and well record and competition report for the Daddy Long Legs 1H, 3H, 5H, 7H, 9H and 11H wells.

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. 2026-12662 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 Fossil Rock Resources, 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-2026-0364 by any of the following methods:

1. *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2026-0364.

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-2026-009-C.

Petitioner: Fossil Rock Resources, LLC, 5125 N Cottonwood Road, Orangeville, UT 84537.

Mine: Fossil Rock Mine, MSHA ID No. 42-01211, located in Emery County, Utah.

Regulation Affected: 30 CFR 75-500(d), Permissible electric equipment.

Modification Request: The petitioner requests modification of standard 30 CFR 75.500(d) to permit the use of intrinsically safe powered air-purifying respirators (PAPRs) and specified full-face respirators taken into or used in by the last open crosscut at the Fossil Rock Mine.

The petitioner states that:

(a) The petitioner seeks this modification because PAPRs that meet MSHA permissibility requirements for use in gassy underground coal mines are no longer manufactured or commercially available. Fossil Rock Mine has determined that currently available respiratory protection devices that provide equivalent or greater protection from respirable coal mine dust exposure are limited to intrinsically safe PAPRs that meet internationally recognized hazardous-location safety standards rather than MSHA permissibility approvals. Fossil Rock Mine has evaluated available respiratory protection equipment and determined that the devices identified in the petition incorporate intrinsic safety protections and are certified to recognize hazardous-location standards such as ANSI/UL 60079-11. These devices provide positive-pressure respiratory protection and are designed for use in environments where ignition hazards may exist. Because MSHA-approved permissible PAPRs for underground coal mines are discontinued or unavailable, and because the identified intrinsically safe devices provide comparable protection while meeting modern hazardous-location electrical safety standards, the petitioner seeks modification of § 75.500(d) to permit their use under the safeguards described in the petition.

(b) Equipment to be used:

(1) CleanSpace EX—Full-face or half-mask configuration (NIOSH-approved; intrinsically safe).

(2) 3M Versaflo TR-800 PAPR—UL classified to ANSI/UL 60079-11; intrinsically safe.

(3) 3M Ultimate FX Full-Facepiece Respirator—Non-battery-powered.

(c) The proposed respiratory protection devices are designed for use in hazardous underground coal mine environments and incorporate intrinsic

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:

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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