

(t) Personnel engaged in the use of surveying equipment shall be properly trained to recognize the hazards and limitations associated with the use of surveying equipment in areas where methane could be present.

(u) All members of the surveying crew shall receive specific training on the terms and conditions of this Petition before using non-permissible electronic equipment in or inby the last open crosscut, in the return, or within 150 feet of the pillar workings or longwall face. A record of the training shall be kept with the other training records.

(v) Within 60 days after any granted Petition becomes final, the operator shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Coal Mine Safety and Health District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in this Petition. When training is conducted on the terms and conditions in this Petition, an MSHA Certificate of Training (Form 5000–23) shall be completed. Comments shall be included on the Certificate of Training indicating that it was surveyor training.

(w) The operator shall replace or retire from service any electronic surveying instrument that was acquired prior to December 31, 2004 within one year of this Petition becoming final. Within three years of the date that any granted Petition becomes final, the operator shall replace or retire from service any theodolite that was acquired more than five years prior to the date that this Petition became final or any total station or the other electronic surveying equipment identified in this Petition acquired more than ten years prior to the date that this Petition became final. After five years, the operator will maintain a cycle of purchasing new electronic surveying equipment whereby theodolites will be no older than five years from date of manufacture and total stations and other electronic surveying equipment will be no older than 10 years from date of manufacture.

(x) The operator is responsible for seeing that all surveying contractors hired by the operator are using electronic equipment in accordance with the requirements of Condition Number 18 in this Petition. The conditions of use in this Petition shall apply to all non-permissible electronic surveying equipment used in or inby the last open crosscut, in a return, or within 150 feet of pillar workings or longwall faces regardless of whether the equipment is used by the operator or by an independent contractor.

(y) Non-permissible surveying equipment may be used when production is occurring, subject to these conditions:

(1) On an MMU where production is occurring, non-permissible electronic surveying equipment shall not be used downwind of the discharge point of any face ventilation controls, such as tubing (including controls such as “baloney skins”) or curtains.

(2) Production may continue while non-permissible electronic surveying equipment is used, if the surveying equipment is used in a separate split of air from where production is occurring.

(3) Non-permissible surveying equipment shall not be used in a split of air ventilating an MMU if any ventilation controls will be disrupted during such surveying. Disruption of ventilation controls means any change to the mine’s ventilation system that causes the ventilation system not to function in accordance with the mine’s approved ventilation plan.

(4) If, while surveying, a surveyor must disrupt ventilation, the surveyor shall cease surveying and communicate to the section foreman that ventilation must be disrupted. Production must stop while ventilation is disrupted. Ventilation controls must be reestablished immediately after the disruption is no longer necessary. Production can only resume after all ventilation controls are reestablished and are in compliance with approved ventilation or other plans, and other applicable laws, standards, or regulations.

(5) Any disruption in ventilation shall be recorded in the logbook required by this Petition. The logbook shall include a description of the nature of the disruption, the location of the disruption, the date and time of the disruption, the date and time the surveyor communicated the disruption to the section foreman, the date and time production ceased, the date and time ventilation was reestablished, and the date and time production resumed.

(6) All surveyors, section foremen, section crew members, and other personnel who will be involved with or affected by surveying operations shall receive training in accordance with 30 CFR 48.7 on the requirements of this Petition within 60 days of the date this Petition becomes final. Such training must be completed before any non-permissible surveying equipment can be used while production is occurring. The operator shall keep a record of such training and provide such record to MSHA upon request.

(7) The operator shall provide annual retraining to all personnel who will be

involved with or affected by surveying operations in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of this Petition in accordance with 30 CFR 48.5, and shall train experienced miners, as defined in 30 CFR 48.6, on the requirements of this Petition in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Maple Eagle East Deep Mine are not represented by a labor organization and this petition is posted on the mine bulletin board as of June 26, 2026. The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard. In support of the proposed alternative method, the petitioner has also submitted specification sheets for the Topcon 3005 LW and Nikon Nivo 5.M.

Corliss A. Josephs-Conway,
*Acting Director, Office of Standards,
 Regulations, and Variances.*

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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: The Federal Mine Safety and Health Act of 1977, as amended, governs the application, processing, and disposition of petitions for modification of mandatory safety standards. Any mine operator or representative of miners may petition for an alternative method of complying with an existing safety standard. MSHA reviews the content of each submitted petition, assesses the equipment and system(s) proposed at the mine in question, and ultimately issues a decision on the petition. This notice includes a list of petitions for modification that were granted, after MSHA’s review and investigation, between January 1, 2026, and June 30, 2026.

ADDRESSES: Copies of the final decisions are posted on MSHA’s website at <https://www.msha.gov/regulations/rulemaking/petitions-modification>. The public may inspect the petitions and final decisions in person at MSHA. To arrange an in-person visit, call 202–693–

9440 or contact
petitionsformodification@dol.gov.

FOR FURTHER INFORMATION CONTACT:

Corliss A. Josephs-Conway, Acting Director, Office of Standards, Regulations, and Variances, MSHA at 202-693-9440 (voice) or petitionsformodification@dol.gov (email). This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

I. Introduction

Under section 101(c) of the Federal Mine Safety and Health Act of 1977, as amended, any mine operator or representative of miners may petition to use an alternative approach to comply with a mandatory safety standard. In response, 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) the application of the mandatory safety 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 proposed equipment, system(s), and conditions at the mine. In some instances, MSHA may grant a petition for modification on the condition that the mine operator complies with other requirements noted in the decision. In other instances, MSHA may deny, dismiss, or revoke a petition for modification. In accordance with 30 CFR 44.5, MSHA publishes every final action granting a petition for modification.

II. Granted Petitions for Modification

On the basis of the findings of MSHA's investigations, MSHA granted or partially granted the petitions for modification below. The previous **Federal Register** notice (91 FR 16979) included petitions granted through December 31, 2025. This notice includes petitions granted between January 1, 2026, and June 30, 2026. The granted petitions are shown in the order that MSHA received them.

- *Docket Number:* M-2025-048-C.
FR Notice: 90 FR 31698 (7/15/25).
Petitioner: Patton Mining, LLC, P.O. Box 457, Hillsboro, IL 62049.

- *Mine:* Deer Run Mine, MSHA ID No. 11-03182, located in Montgomery County, IL.

- *Regulation Affected:* 30 CFR 18.35(a)(5)(i), Portable (trailing) cables and cords.

- *Docket Number:* M-2025-049-C.
FR Notice: 90 FR 44726 (9/16/2025).
Petitioner: Knight Hawk Coal, LLC, 500 Cutler Trico Road, Percy, IL 62272.
Mine: Prairie Eagle Underground Mine, MSHA ID No. 11-03147, located in Perry County, IL.

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

- *Docket Number:* M-2025-054-C.
FR Notice: 90 FR 44400 (9/15/25).
Petitioner: Century Mining, LLC, 7004 Buckhannon Road, Volga, WV 26238.

- *Mine:* Longview Mine, MSHA ID No. 46-09447, located in Barbour County, WV.

- *Regulation Affected:* 30 CFR 75.500(d), Permissible electric equipment.

- *Docket Number:* M-2025-055-C.
FR Notice: 90 FR 44398 (9/15/25).
Petitioner: Century Mining, LLC, 7004 Buckhannon Road, Volga, WV 26238.

- *Mine:* Longview Mine, MSHA ID No. 46-09447, located in Barbour County, WV.

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

- *Docket Number:* M-2025-056-C.
FR Notice: 90 FR 44399 (9/15/25).
Petitioner: Century Mining, LLC, 7004 Buckhannon Road, Volga, WV 26238.

- *Mine:* Longview Mine, MSHA ID No. 46-09447, located in Barbour County, WV.

- *Regulation Affected:* 30 CFR 75.1002(a), Installation of electric equipment and conductors; permissibility.

- *Docket Number:* M-2025-004-M.
FR Notice: 91 FR 1205 (1/12/26).
Petitioner: Kennecott Utah Copper, LLC, 4700 Daybreak Parkway, South Jordan, UT 84095.

- *Mine:* Kennecott Keystone Underground, MSHA ID No. 42-01392, located in Salt Lake County, UT.

- *Regulation Affected:* 30 CFR 57.11052, Refuge areas.

- *Docket Number:* M-2025-057-C.
FR Notice: 91 FR 1207 (1/12/26).
Petitioner: Greenbrier Smokeless Coal Mining, LLC, 4547 Anjean Road, Rupert, WV 25984.

- *Mine:* Mountaineer Pocahontas No. 1 Mine, MSHA ID No. 46-09172, located in Greenbrier County, WV.

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

- *Docket Number:* M-2026-001-C.
FR Notice: 91 FR 16988 (4/3/26).
Petitioner: Kepler Processing Company, LLC, 3864 R.D. Bailey

Highway State Route 97, Pineville, WV 24874.

- *Mine:* Kepler No. 1 Prep Plant, MSHA ID No. 46-04637, located in Wyoming County, WV.

- *Regulation Affected:* 30 CFR 77.214(a), Refuse Piles; general.

- *Docket Number:* M-2026-002-C.
FR Notice: 91 FR 16985 (4/3/26).

- *Petitioner:* Marfork Coal Company, LLC, Workman Creek Road Route 1, Clear Creek, WV 25044.

- *Mine:* Glen Alum Tunnel Mine, MSHA ID No. 46-09375, located in Raleigh County, WV.

- *Regulation Affected:* 30 CFR 75.500(d), Permissible electric equipment.

- *Docket Number:* M-2026-003-C.
FR Notice: 91 FR 16981 (4/3/26).

- *Petitioner:* Marfork Coal Company, LLC, Workman Creek Road Route 1, Clear Creek, WV 25044.

- *Mine:* Glen Alum Tunnel Mine, MSHA ID No. 46-09375, located in Raleigh County, WV.

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

- *Docket Number:* M-2026-004-C.
FR Notice: 91 FR 16977 (4/3/26).

- *Petitioner:* Marfork Coal Company, LLC, Workman Creek Road Route 1, Clear Creek, WV 25044.

- *Mine:* Glen Alum Tunnel Mine, MSHA ID No. 46-09375, located in Raleigh County, WV.

- *Regulation Affected:* 30 CFR 75.1002(a), Installation of electric equipment and conductors; permissibility.

Corliss A. Josephs-Conway,

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

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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 Panther Creek Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of