

Communist regime. The original notice was published in the Federal Register on June 27, 1995. 60 FR 33234. In addition, potential claimants are advised to submit their claims to the Commission for consideration even if they do not meet the U.S. residency requirement or otherwise have doubt as to whether their claims are compensable.

**DATES:** The new deadline for filing of claims against the Government of Albania with the Foreign Claims Settlement Commission shall be December 29, 1995.

**FOR FURTHER INFORMATION CONTACT:**

David E. Bradley, Chief Counsel, Foreign Claims Settlement Commission of the United States, U.S. Department of Justice, 600 E Street NW., Room 6002, Washington, DC 20579, Tel. (202) 616-6975, FAX (202) 616-6993.

**SUPPLEMENTARY INFORMATION:** Pursuant to sec. 4(b) of Title I of the International Claims Settlement Act of 1949, as amended (22 U.S.C. 1623(b)), the Foreign Claims Settlement Commission hereby gives notice that the period for the filing of claims against the Government of Albania for the nationalization, expropriation, confiscation, or other taking of property of United States nationals by the former Albanian Communist regime has been extended. The new filing deadline shall be December 29, 1995.

Potential claimants are advised that, even if they have doubt as to whether their claims are compensable, they should nevertheless submit them. Specifically, the Commission has not yet decided how to apply the U.S. residency requirement stated in Paragraph 1 of the Agreed Minute to the U.S.-Albania Settlement Agreement. Potential claimants are therefore encouraged to submit their claims to the Commission for consideration, even if they do not meet the U.S. residency requirement.

Failure to submit a claim by December 29, 1995, will foreclose any opportunity to pursue a claim through the United States Government in the future.

Claims forms and other information concerning the Albanian Claims Program may be obtained by mail from the Foreign Claims Settlement Commission, Washington, DC 20579. Claims forms also may be requested by telephone (202-616-6975) or by fax (202-616-6993).

Delissa A. Ridgway,  
*Chair.*

[FR Doc. 95-26175 Filed 10-20-95; 8:45 am]

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Summary of Decisions Granting in Whole or in Part Petitions for Modification

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

**ACTION:** Notice of affirmative decisions issued by the administrators for coal mine safety and health and metal and nonmetal mine safety and health on petitions for modification of the application of mandatory safety standards.

**SUMMARY:** Under section 101(c) of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor may modify the application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Summaries of petitions received by the Secretary appear periodically in the Federal Register. Final decisions on these petitions are based upon the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. MSHA has granted or partially granted the requests for modification submitted by the petitioners listed below. In some instances the decisions are conditioned upon compliance with stipulations stated in the decision.

**FOR FURTHER INFORMATION CONTACT:**

Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations and Variances, MSHA, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Dated: October 13, 1995.

Patricia W. Silvey,  
*Director, Office of Standards, Regulations and Variances.*

#### Affirmative Decisions on Petitions for Modification

Docket No.: M-85-127-C.

FR Notice: 50 FR 48281.

Petitioner: Utah Power & Light Company.

Reg Affected: 30 CFR 75.326 (now 30 CFR 75.350).

**Summary of Findings:** This petition was originally filed by Emery Mining Corporation, a lessee of Utah Power & Light Company. Petitioner's proposal to

install a low-level carbon monoxide detection system as an early warning fire detection system in all entries used as intake or return air courses and at each belt drive and tailpiece located in intake air courses except in specified situations during development of a two-entry mining system for a longwall panel where the belt haulage entry would serve (act) as a return air course and for longwall panel retreat mining where the belt haulage entry would act as intake air course for longwall face ventilation. Granted with conditions for the Deer Creek and Cottonwood Mines.

Docket No.: M-85-184-C.

FR Notice: 51 FR 1586 (amendment 52 FR 46134).

Petitioner: Clinchfield Coal Company.  
Reg Affected: 30 CFR 75.1105 (now 30 CFR 75.340).

**Summary of Findings:** Petitioner's proposal to locate transformers and high voltage vacuum circuit breakers in the belt entry splits of air and to use dry-type transformers containing no flammable liquid or hydraulic oil except for capacitors in power centers which may contain up to a total of three gallons of flammable liquid; to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entry splits of air; to have the velocity of air in the belt conveyor at 50 feet a minute or greater and have a definite and distinct movement in the designated direction; and to have the velocity of air current in the belt conveyor entry to not exceed that which is established in the approved Ventilation System and Methane and Dust Control Plan considered acceptable alternative method. Granted with conditions.

Docket No.: M-86-167-C.

FR Notice: 51 FR 42663 (amendment 52 FR 46133).

Petitioner: Clinchfield Coal Company.  
Reg Affected: 30 CFR 75.326 (now 75.350).

**Summary of Findings:** Petitioner's proposal to install a carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses considered acceptable alternative method. Granted with conditions.

Docket No.: M-89-117-C.

FR Notice: 54 FR 37844.

Petitioner: Westmoreland Coal Company.

Reg Affected: 30 CFR 75.326 (now 75.350).

**Summary of Findings:** On August 2, 1988, petitioner was granted a petition for modification, docket number M-85-57-C, to use intake air coursed through belt haulage and/or track entries to

ventilate active working places and to install an early warning fire detection system to monitor the air with a carbon monoxide detection system. Petitioner's request of August 1, 1989, to amend MSHA's Proposed Decision and Order (PDO) for the previously granted petition to allow the use of air velocity in the belt conveyor entry to be in excess of 300 feet per minute (fpm) subject to conditions outlined in the PDO considered acceptable alternative method. Granted with conditions.

Docket No.: M-90-14-C.

FR Notice: 55 FR 5087.

Petitioner: Island Creek Coal Company.

Reg Affected: 30 CFR 75.326 (now 75.350).

Summary of Findings: Petitioner's proposal to install a low-level carbon monoxide monitoring system as an early warning fire detection system in all belt entries used as intake air courses considered acceptable alternative method. Granted with conditions.

Docket No.: M-90-78-C.

FR Notice: 55 FR 28111.

Petitioner: Tanoma Mining Company.

Reg Affected: 30 CFR 75.326 (now 75.350).

Summary of Findings: Petitioner's proposal to install a low-level carbon monoxide monitoring system as an early warning fire detection system in all belt entries in which air coursed through the belt entry is used to ventilate active working places conditioned upon the terms of consent agreement considered acceptable alternative method. Granted with conditions.

Docket No.: M-92-49-C.

FR Notice: 57 FR 22493.

Petitioner: Clinchfield Coal Company.

Reg Affected: 30 CFR 75.1710-1(a).

Summary of Findings: Petitioner's proposal to operate its Joy 21 SC center-driven shuttle cars and 482 and 488 scoops without canopies due to the undulating conditions of the mine floor resulting roof supports dislodging, poor visibility to the equipment operator, and assertion that application of the standard would result in and a diminution of safety to the miners considered acceptable. Granted with conditions.

Docket No.: M-93-29-C.

FR Notice: 58 FR 16553.

Petitioner: Consolidation Coal Company.

Summary of Findings: On February 22, 1993, petitioner filed a petition for modification of the application of 30 CFR 75.364(b)(2), and on November 22, 1993, petitioner filed an amended petition deleting an air course and revising the petition of the application

of 30 CFR 75.364(b)(1) for the remaining air courses. Petitioner's proposal to establish monitoring stations in the intake air course and to evaluate these stations weekly rather than daily due to deteriorating roof conditions and assertion that application of the standard would result in a diminution of safety to the miners considered acceptable. Granted with conditions for the intake air course on the south side of Main West and for the intake air course at the Sugar Run Portal Motor Barn at the Loveridge No. 22 Mine.

Docket No.: M-93-35-C.

FR Notice: 58 FR 16554.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish check points in the South side of the Main West entries from the Dolls Portal to the No. 1 Check point and to have a certified person test for methane and the quantity of air at check points and take pressure readings at check point 7 at a track overcast along the mainline haulage due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for the Main West intake air courses at the Osage No. 3 Mine.

Docket No.: M-93-81-C.

FR Notice: 58 FR 39235.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish evaluation check points to monitor certain areas of the return air course and to have a certified person test for methane and the quantity of air in the affected area on a weekly basis due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for three separate return air courses and one intake air course in the vicinity of the Statler Airshaft at the Osage No. 3 Mine.

Docket No.: M-93-137-C.

FR Notice: 58 FR 39241.

Petitioner: M & S Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually and to update maps daily by hand notations considered acceptable alternative method. Granted with conditions for annual revisions and supplements of the mine map.

Docket No.: M-93-166-C.

FR Notice: 58 FR 41295.

Petitioner: Tito Coal Company.

Reg Affected: 30 CFR 75.335(a)(1).

Summary of Findings: Petitioner's proposal to use an alternative method of

construction by using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted with conditions for seals installed at the Whites Vein Slope Mine.

Docket No.: M-93-187-C.

FR Notice: 58 FR 41298.

Petitioner: Primrose Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually and to update maps daily by hand notations considered acceptable alternative method. Granted with conditions for annual revisions and supplements of the mine map.

Docket No.: M-93-207-C.

FR Notice: 58 FR 44701.

Petitioner: Ashland Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually and to update maps daily by hand notations considered acceptable alternative method. Granted with conditions for annual revisions and supplements of the mine map.

Docket No.: M-93-222-C.

FR Notice: 58 FR 46220.

Petitioner: Rhen Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually and to update maps daily by hand notations considered acceptable alternative method. Granted with conditions for annual revisions and supplements of the mine map.

Docket No.: M-93-281-C.

FR Notice: 58 FR 58566.

Petitioner: Old Ben Coal Company.

Reg Affected: 30 CFR 75.364.

Summary of Findings: Petitioner's proposal to establish evaluation check points in certain areas of the return air course, one at each end of the areas affected, to monitor for methane and the quantity and quality of air entering and leaving the affected areas due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for the #1 Main South return air course between 10th West South and the "D" Fan Shaft at the No. 26 Mine.

Docket No.: M-93-320-C.

FR Notice: 58 FR 68671.

Petitioner: Consol Pennsylvania Coal Company.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish check points in certain areas of the intake air course and have a certified person test these check points for methane and the quantity of air on a weekly basis and record the results in a book kept on the surface available for inspection to interested persons due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for each of the two areas where roof falls exist at either end of the petitioned air course (the first located immediately inby the shop regulator and other near Spad No. 052) at the Bailey Mine.

Docket No.: M-94-29-C.  
FR Notice: 59 FR 15238.

Petitioner: New Warwick Mining Company.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish evaluation check points to monitor the quantity and quality of air entering and leaving certain areas of the intake air course due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for the Mains Right side intake air course between track markers 90 and 102 at the Warwick Mine.

Docket No.: M-94-59-C.  
FR Notice: 59 FR 26816.

Petitioner: Black Dog Coal Corporation.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish evaluation check points to monitor the quantity and quality of air entering and leaving certain areas of the intake air course due to deteriorating roof conditions considered acceptable alternative method. Granted with conditions for the intake air course left of the belt entry in the Jaw Bone Mains extending from survey stations No. 1116 and 1117 to survey stations No. 1211 and 1229 at the No. 1 Mine.

Docket No.: M-94-61-C.  
FR Notice: 59 FR 29305.

Petitioner: Cyprus Emerald Resources Corporation.

Reg Affected: 30 CFR 75.507.

Summary of Findings: Petitioner's proposal to use a nonpermissible submersible pump in the longwall bleeder sump near the No. 2 bleeder shaft for dewatering the sump and to provide unrestricted airflow into the return shaft; to provide training for all selected mine electricians performing electrical work on the pumps; and to examine the surface pump control and power circuits monthly considered acceptable alternative method. Granted

with conditions for the submersible pump located in the No. 2 bleeder sump borehole near the No. 2 bleeder shaft at the Emerald No. 1 Mine.

Docket No.: M-94-85-C.  
FR Notice: 59 FR 35148.

Petitioner: K & S Coal Company.  
Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually and to update maps daily by hand notations considered acceptable alternative method. Granted with conditions for annual revisions and supplements of the mine map.

Docket No.: M-94-87-C.  
FR Notice: 59 FR 38202.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: The petitioner filed a petition for modification of 30 CFR 75.364(b)(2). MSHA's investigation of the petition revealed that the air flowing in the petitioned air course had not ventilated any working faces or passed through a worked out area. Therefore, the petition is treated as requesting modification of 30 CFR 75.364(b)(1). In its investigation of the petition, the Agency finds that application of the standard would result in a diminution of safety to the miners. As set out in the special terms and conditions to at all times provide a safe work environment for the miners, the petitioner would perform weekly evaluations at the monitoring stations, weekly examination of the ventilation controls, and daily examination of the roof above the overcast because of the 400-foot length of the single entry air course and the ability to safely examine and maintain all ventilation controls creating the air course (eight stoppings and one overcast) from outside the air course. This is considered an acceptable alternative method. Granted with conditions for approximately 400 feet of intake air course crossing the Main North overcast to Carpenter Shaft between Spad Nos. 2809 and 2830 at the Blacksville No. 2 Mine.

Docket No.: M-94-123-C.  
FR Notice: 59 FR 43869.

Petitioner: B & M Coal Company.  
Reg Affected: 30 CFR 75.326.

Summary of Findings: Petitioner's request that Item 15 of its petition for modification be amended to include language requiring intake escapeways to be maintained in accordance with mandatory standard 30 CFR 75.380(f)(1) (Ventilation Final Rule of November 15, 1992) considered acceptable. Granted with conditions at the B & M No. 2 Mine.

Docket No.: M-94-149-C.

FR Notice: 59 FR 52840.

Petitioner: Genwal Coal Company.  
Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage (4,160 volts) operated equipment inby the last open crosscut at the longwall section, assertion that application of the standard would result in a diminution of safety to the miners considered acceptable alternative method. Granted with conditions at the Crandall Canyon Mine. Application for Relief to Give Effect to the Proposed Decision and Order granted.

Docket No.: M-94-159-C.  
FR Notice: 59 FR 59434.

Petitioner: Clark Elkhorn Coal Company, Inc.

Reg Affected: 30 CFR 75.900.

Summary of Findings: Petitioner's proposal to use contractors to provide undervoltage, grounded phase, and overload protection and to monitor the grounding conductors for 480-volt belt conveyor drive motors and water pump motors greater than 5 horsepower considered acceptable alternative method. Granted with conditions in the Sunset Mine No. 1.

Docket No.: M-94-182-C.  
FR Notice: 60 FR 3436.

Petitioner: D.G. W Coal Company.  
Reg Affected: 30 CFR 75.1400.

Summary of Findings: Petitioner's proposal to use the gunboat without safety catches with an increased rope strength safety factor and secondary safety connections which are securely fastened around the gunboat and to the hoisting rope above the main connecting device in transporting persons due to steep, frequently changing pitch and numerous curves and knuckles in the main haulage slope considered acceptable alternative method. Granted with conditions for the use of the gunboat without safety catches at the Buck Mt. Slope.

Docket No.: M-95-04-C.  
FR Notice: 60 FR 9867.

Petitioner: R & R Anthracite Coal Company.

Reg Affected: 30 CFR 75.1400.

Summary of Findings: Petitioner's proposal to use the gunboat without safety catches with an increased rope strength safety factor and secondary safety connections which are securely fastened around the gunboat and to the hoisting rope above the main connecting device in transporting persons due to steep, frequently changing pitch and numerous curves and knuckles in the main haulage slope considered acceptable alternative method. Granted with conditions for the use of the gunboat without safety catches at the Buck Mt. Slope.

Docket No.: M-95-20-C.  
FR Notice: 59 FR 11682.  
Petitioner: Eighty-Four Mining Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage (4,160 volts) cables in by the last open crosscut to supply power to longwall face equipment considered acceptable alternative method. Granted with conditions at the Mine No. 84. Petitioner's Application for Relief to Give Effect to the Proposal Decision and Order granted.

Docket No.: M-94-01-M.

FR Notice: 59 FR 24730.

Petitioner: Cyprus Sierrita Corporation.

Reg Affected: 30 CFR 56.6309.

Summary of Findings: Petitioner's proposal to blend recycled oil with fuel oil to create a blasting agent considered acceptable alternative method. Granted with conditions.

Docket No.: M-94-04-M.

FR Notice: 59 FR 4114.

Petitioner: Magna Copper Company.

Reg Affected: 30 CFR 57.9360(a)(2).

Summary of Findings: Petitioner's proposal to use two alternative sets of stipulations specified in its petition for modification for spacing shelter holes along its haulage roads for miners on the 2675 and 2950 levels considered acceptable alternative method. Granted with conditions at the San Manuel Mine.

Docket No.: M-95-02-M.

FR Notice: 60 FR 9867.

Petitioner: Aluminum Company of America.

Reg Affected: 30 CFR 56.9300.

Summary of Findings: Petitioner's proposal to restrict access to its mud lake impoundment lake roadway(s) by using specific procedures outlined in its petition for modification considered acceptable alternative method. Granted with conditions.

Docket No.: M-78-26-M.

FR Notice: 43 FR 59926.

Petitioner: Anthony Dally & Sons.

Reg Affected: 30 CFR 57.19-7 (now 57.19007).

Summary of Findings: Petitioner's granted petition for 30 CFR 57.19007 an underground mandatory standard, was reviewed and changes were noted. It was that the petitioner should have petitioned for 30 CFR 56.19007, applicable for surface mining operations, and that three of the mines had been permanently closed. The modifications to the Diamond Slate Quarry, Quarry No. 6, and the Stephens-Jackson Slate Quarry is no longer applicable. Modification to the Doney

Slate Company Pit as it pertains to operating man hoists without overspeed or overtravel controls installed considered acceptable. Granted with conditions.

Docket No.: M-87-09-M.

FR Notice: 52 FR 34437.

Petitioner: Ziegler Chemical and Mineral Corporation.

Reg Affected: 30 CFR 57.4760(a).

Summary of Findings: On January 25, 1990, MSHA issued a Proposed Decision and Order (PDO) granting this petition for modification conditioned upon circumstances existing at the Bonanza No. 3, Little Emma No. 7, Bonanza No. 11 and 12, Independent No. 4 and 5, and the Cottonwood No. 1 mines for the elimination of shaft station ventilation control doors. On December 7, 1993, MSHA's Rocky Mountain District Manager submitted a review of conditions relevant to the granted petition. In the review it was noted that conditions at the mines remained unchanged and that the petition should continue in effect, and that the Little Emma No. 7 and Cottonwood No. 1 mines had ceased mining operations. On August 16, 1993, a PDO was issued revoking the granted petition of the two non-operating mines. On April 21 and May 23, 1995, the District Manager submitted another review of the conditions of the granted petition noting that one mine name and mine ID number, Bonanza Mill and Mines—(ID No. 42-00876) was used to identify all gilsonite mines owned and operated by the petitioner. Based on this review it was noted that the petition should be revoked at the Bonanza No. 11 & 12, Independent No. 4 & 5, and Bonanza No. 3 mines, and that the petition should be amended to include only one mine, Bonanza Mill and Mines (ID No. 42-00876). The amended petition granted with conditions as it pertains to operating without shaft ventilation control doors installed in the Bonanza Mill and Mines.

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### Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

#### 1. McElroy Coal Company

[Docket No. M-95-138-C]

McElroy Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30

CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its McElroy Mine (I.D. No. 46-01437) located in Marshall County, West Virginia. The petitioner proposes to use high-voltage (4,160 volts) cables in by the last open crosscut to supply power to longwall mining equipment. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 2. Megan, Inc.

[Docket No. M-95-139-C]

Megan, Inc., HC 83, Box 121B, Cannon, Kentucky 40923 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its No. 2 Mine (I.D. No. 15-17568) located in Whitley County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen indicators instead of machine-mounted methane monitors on three-wheel tractors with drag bottom buckets. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 3. Peabody Coal Company

[Docket No. M-95-140-C]

Peabody Coal Company, 1951 Barrett Court, P.O. Box 1990, Henderson, Kentucky 42420-1990 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (weekly examination) to its Camp No. 11 Mine (I.D. No. 15-08357) located in Union County, Kentucky. Due to hazardous roof conditions in certain areas of the return air course, the area cannot be traveled in its entirety. The petitioner proposes to have a certified person examine for methane, oxygen, and the quantity of air in the No. 8 (outside) intake entry in by and out by the roof fall on a weekly basis and record the results in a book kept on the surface at the mine and available to interested parties. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 4. Three Way Coal Company

[Docket No. M-95-141-C]

Three Way Coal Company, 117 School Rowe, Branchdale, Pennsylvania 17923 has filed a petition to modify the application of 30 CFR 75.1400 (hoisting equipment; general) to its Little Vein Slope (I.D. No. 36-08332) located in Schuylkill County, Pennsylvania. The petitioner proposes to use a slope conveyance (gunboat) in transporting