E.O. 13496 advances the Administration's goal of promoting economy and efficiency of Federal government procurement by ensuring that workers employed in the private sector as a result of Federal government contracts are informed of their rights to engage in union activity and collective bargaining. Knowledge of such basic statutory rights promotes stable labor-management relations, thus reducing costs to the Federal government.

The contractual provisions require contractors and subcontractors to post a notice, created by the Secretary of Labor, informing employees of their rights under the National Labor Relations Act. The notice also provides a statement of the policy of the United States to encourage collective bargaining, as well as a list of activities that are illegal under the Act. The notice concludes with a general description of the remedies to which employees may be entitled if these rights have been violated and contact information for further information about those rights and remedies, as well as enforcement procedures.

The clause also requires contractors to include the same clause in their nonexempt subcontracts and purchase orders, and describes generally the sanctions, penalties, and remedies that may be imposed if the contractor fails to satisfy its obligations under the Order and the clause.

The regulatory provisions implementing E.O. 13496 (29 CFR part 471) include the language of the required notices, and they explain posting and contractual requirements, the complaint process, the investigatory process, and sanctions, penalties, and remedies that may be imposed if the contractor or subcontractor fails to comply with its obligations under the Order. Specifically, 29 CFR part 471.11(c) sets forth the procedures that the Department must use when accepting written complaints alleging that a contractor doing business with the Federal government has failed to post the notice required by the Executive Order.

Type of Review: Extension.

Agency: Office of Labor-Management Standards.

OMB Number: 1245–0004.

Affected Public: Employees of Federal Contractors and Subcontractors.

Total Respondents: 10.

Total Annual Responses: 10.

Estimated Total Burden Hours: 12.80.

Estimated Time per Response: 1.28 hours.

Frequency: On occasion of employee of a Federal contractor or subcontractor filing a complaint alleging a violation of proposed 29 CFR part 471.

Total Burden Cost (capital/startup): $5.90 ($0.59 per response × 10 respondents).

Total Burden Cost (operating/maintenance): $0.

Employee Complaints Cost: $351.70 ($35.17 per response × 10 respondents).

Total Annual Burden Cost: $357.60 ($5.90 + $351.70).

Total respondent and responses estimates are based upon the estimate of 10 in the previous E.O. 13496 extension of information collection, in 2016. See 81 FR 7376. Since 2016, the Department has received 0 complaints. The Department maintains the estimate of 10 complaints for purposes of this renewal request.

The Department has not adjusted its total employee complaint hour estimate of 1.28 hours, which it estimated in the E.O. 13496 final rule. 75 FR 28368.

Based on the average seasonally-adjusted hourly earnings on private non-farm payrolls for all workers of $27.48, we estimate that an employee will incur a cost of approximately $35.17 for the 1.28 hours involved ($27.48 × 1.28) in preparing a complaint. The total hourly cost for all employees is therefore $351.70. Additionally, employees will incur costs of $0.59 per complaint in capital/start-up costs ($0.55 for postage + $0.03 for an envelope + $0.01 for paper) for a total cost of $5.90. (Although employees will submit many if not all complaints via email, the Department assumes, conservatively, that it will receive all via mail.) The total cost for the estimated 10 complaints is therefore $357.60 ($351.70 + $5.90). There are no ongoing operation/maintenance costs associated with this information collection.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: February 8, 2019.

Andrew R. Davis,

Chief of the Division of Interpretations and Standards, Office of Labor-Management Standards, U.S. Department of Labor.

[FR Doc. 2019–02647 Filed 2–19–19; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standard

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

DATES: All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 22, 2019.

ADDRESSES: You may submit your comments, identified by ''docket number'' on the subject line, by any of the following methods:

1. *Email: zzMSHA-comments@dol.gov.* Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202–693–9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452, Attention: Sheila McConnell, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect a copy of the petitions and comments during normal business hours at the address listed above.

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.

FOR FURTHER INFORMATION CONTACT: Barbara Barron, Office of Standards, Regulations, and Variances at 202–693–9447 (voice), *barron.barbara@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 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 (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.

II. Petitions for Modification

Docket Number: M–2018–026–C.

Petitioner: Castle Valley Mining, LLC, P.O. Box 475, Huntington, Utah 84528.

Mine: Castle Valley Mine No. 3, MSHA I.D. No. 42–02263 and Castle Valley Mine No. 4, MSHA I.D. No. 42–02335, located in Emery County, Utah.

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

Modification Request: The petitioner requests a modification of the existing standard to permit an alternate method of compliance to allow the use of low voltage battery-powered nonpermissible electronic surveying equipment, including, but not limited to, portable battery-operated mine transits, total station surveying equipment, distance meters, and data loggers, in return airways.

The petitioner states that:

(1) To comply with the requirements of 30 CFR 75.372 and 75.1200, use of the most practical and accurate surveying equipment is necessary.

(2) Underground mining, by its nature and the size and complexity of mine plans, requires that accurate and precise measurements be completed in a prompt and efficient manner.

(3) The petitioner will use the following total station and similar low voltage battery-operated total stations if they have an ingress protection (IP) rating of 66 or greater in return airways subject to the conditions in the Proposed Decision and Order (PDO):

—Sokkia Electronic Total Station Model CX–103.

(4) Nonpermissible electronic surveying equipment will only be used until equivalent permissible electronic surveying equipment is available.

(5) The operator will maintain a logbook for nonpermissible electronic surveying equipment with the equipment, or in the location where mine record books are kept, or in the location where the surveying record books are kept. The logbook will contain the date of manufacture and/or purchase of each particular piece of electronic surveying equipment. The logbook will be made available to MSHA on request.

(6) All nonpermissible electronic surveying equipment to be used in the return airways will be examined by the person operating the equipment prior to taking the equipment underground to ensure the equipment is being maintained in a safe operating condition. These examinations will include:

(i) Checking the instrument for any physical damage and the integrity of the case;

(ii) Removing the battery and inspecting for corrosion;

(iii) Inspecting the contact points to ensure a secure connection to the battery;

(iv) Reinserting the battery and powering up and shutting down to ensure proper connections; and

(v) Checking the battery compartment cover or battery attachment to ensure that it is securely fastened.

The results of the examinations will be recorded in the logbook.

(7) The equipment will be examined at least weekly by a qualified person as defined in 30 CFR 75.153. The examination results will be recorded weekly in the equipment logbook. Examination entries in the logbook will be maintained for at least 1 year from the date of entry.

(8) The operator will ensure that all nonpermissible electronic surveying equipment is serviced according to the manufacturer's recommendations. Dates of service will be recorded in the equipment log book and will include a description of the work performed.

(9) Nonpermissible electronic surveying equipment that will be used in return airways will not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO.

(10) Nonpermissible electronic surveying equipment will not be used if methane is detected in concentrations at or above 1.0 percent. When 1.0 percent or more of methane is detected while the equipment is being used, the equipment will be de-energized immediately and withdrawn out of the return airways. All the requirements of 30 CFR 75.323 will be complied with prior to entering the return airways.

(11) Prior to setting up and energizing nonpermissible electronic surveying equipment in return airways, the surveyor(s) will conduct a visual examination of the immediate area for evidence that the area appears to be sufficiently rock-dusted and for the presence of accumulated float coal dust. If the rock-dusting appears insufficient or the presence of accumulated float coal dust is observed, the nonpermissible electronic surveying equipment will not be energized until sufficient rock dust has been applied and/or the accumulations of float coal dust have been cleaned up. If nonpermissible electronic surveying equipment is to be used in an area within 40 feet of a working face where a continuous mining machine is used to extract coal, the area will be rocked-dusted prior to energizing the nonpermissible electronic surveying equipment.

(12) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320. All methane detectors will provide visual and audible warnings when methane is detected at or above 1.0 percent.

(13) Prior to energizing the nonpermissible electronic surveying equipment in return airways, methane tests will be made in accordance with 30 CFR 75.323.

(14) Prior to surveying, all areas to be surveyed will be examined according to 30 CFR 75.360. If the area has not been examined, a supplemental examination according to 30 CFR 75.361 will be performed before any non-certified person enters the area.

(15) A qualified person, as defined in 30 CFR 75.151, will continuously monitor for methane immediately before and during the use of nonpermissible electronic surveying equipment in return airways, outby the last open crosscut. If there are two people in the surveying crew, both persons will continuously monitor for methane. The other person will either be a qualified person, as defined in 30 CFR 75.151, or be in the process of being trained to be a qualified person but has yet to make such tests for a period of 6 months, as required in 30 CFR 75.150. Upon completion of the 6-month training period, the second person on the surveying crew must become qualified, as defined in 30 CFR 75.151, to continue on the surveying crew. If the surveying crew consists of one person, that person will monitor for methane with two separate devices.

(16) Batteries contained in the nonpermissible electronic surveying equipment will be changed out or charged in intake air out of the return airways. Replacement batteries will be carried only in the compartment provided for a spare battery in the

nonpermissible electronic surveying equipment carrying case. Before each shift of surveying, all batteries for the nonpermissible electronic surveying equipment will be charged sufficiently so that they are not expected to be replaced on that shift.

(17) When using nonpermissible electronic surveying equipment in return airways outby the last open crosscut, the surveyor will confirm by measurement or by inquiry of the person in charge of the section that the air quantity on the section, on that shift, in the last open crosscut is at least the minimum quantity that is required by the mine's ventilation plan.

(18) Personnel engaged in the use of nonpermissible electronic surveying equipment will be properly trained to recognize the hazards and limitations associated with the use of such equipment in areas where methane could be present.

(19) All members of the surveying crew will receive specific training on the terms and conditions of the PDO before using nonpermissible electronic surveying equipment in return airways. A record of the training will be kept with the other training records.

(20) Within 60 days after the PDO becomes final, the operator will submit proposed revisions for its approved 30 CFR part 48 training plans to the District Manager. These revisions will specify initial and refresher training regarding the terms and conditions of the PDO. When training is conducted on the terms and conditions in the PDO, an MSHA Certificate of Training (Form 5000–23) will be completed and will indicate that it was surveyor training.

(21) The operator will replace or retire from service any electronic surveying instrument that was acquired prior to December 31, 2004 within 1 year of the PDO becoming final. The operator will replace or retire from service any electronic surveying instrument that was acquired between January 1, 2005 and December 31, 2010 within 2 years of the PDO becoming final. Within 3 years of the date that the PDO becomes final, the operator will replace or retire from service any total station or other electronic surveying equipment identified in the PDO acquired more than 10 years prior to the date that the PDO became final. After 5 years, the operator will maintain a cycle of purchasing new electronic surveying equipment that will be no older than 5 years from date of manufacture and total stations and other electronic surveying equipment will be no older than 10 years from date of manufacture.

(22) The operator will ensure that all surveying contractors hired by the operator are using nonpermissible electronic surveying equipment in accordance with the requirements in the PDO.

(23) The petitioner states that it may use nonpermissible electronic surveying equipment when production is occurring, subject to the following conditions:

(a) On a mechanized mining unit (MMU) where production is occurring, nonpermissible electronic surveying equipment will not be used downwind of the discharge point of any face ventilation controls, such as tubing or curtains, where coal is being mined.

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

(c) Nonpermissible electronic surveying equipment will 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.

(d) If, while surveying, a surveyor must disrupt ventilation, the surveyor will cease surveying and communicate to the section foreman that ventilation must be disrupted. Production will stop while ventilation is disrupted. Ventilation controls will 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.

(e) Any disruption in ventilation will be recorded in the logbook required by the PDO. The logbook will include a description of the nature of the disruption, the location of the disruption, the date and time of the disruption and 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.

(f) All surveyors, section foremen, section crew members, and other personnel who will be involved with or affected by surveying operations will receive training in accordance with 30 CFR 48.7 on the requirements of the PDO within 60 days of the date the PDO becomes final. The training will be completed before any nonpermissible electronic surveying equipment will be used while production is occurring. The operator will keep a record of the training and provide the record to MSHA on request.

(g) The operator will provide annual retraining to all personnel involved with or affected by surveying operations in accordance with 30 CFR 48.8. The operator will train new miners on the requirements of the PDO in accordance with 30 CFR 48.5, and will train experienced miners, as defined in 30 CFR 48.6, on the requirements of the PDO in accordance with 30 CFR 48.6. The operator will keep a record of the training and provide the record to MSHA on request.

The petitioner asserts that application of existing standard will result in a diminution of safety to the miners and the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the existing standard.

Docket Number: M–2018–027–C.

Petitioner: Spartan Mining Company, #10 Hale Street, 4th Floor, Charleston, West Virginia 25301.

Mine: Road Fork No. 52 Mine, MSHA I.D. No. 46–09522, located in Wyoming County, West Virginia.

Regulation Affected: 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.35 (Portable (trailing) cables and cords).

Modification Request: The petitioner requests a modification of the existing standard to allow the length of trailing cables to be increased for the feeder and continuous mining machines as the equipment is trammed in and out of the petitioner's mine and at other times throughout the mine when the equipment is operating in a non-producing function.

(1) The petitioner seeks to extend the length of the continuous mining machine cable up to 2,000 feet with ⅒ American Wire Gauge (AWG) or larger copper cable.

(2) When the cable length is extended beyond the requirements in 30 CFR 75.503, the petitioner will only operate the continuous mining machine in tram mode up and down the slope and throughout the mine in non-production activities, such as moving the continuous mining machine from one area of the mine to another.

(3) With the extended cable, only the tram motor on the continuous mining machine will be operated. No other motor on the machine will be energized while the extended cable is installed.

(4) The petitioner states that extending the continuous mining machine cable for tramming will allow the petitioner to tram the continuous mining machine longer distances and handle the cable less often. While

tramming the continuous mining machine up and down the slope, the extended cable will allow the petitioner to use the power supply at the top and bottom of the slope and eliminate the need for a move box. The petitioner states that, given the width of the slope, the elimination of the move box will reduce the likelihood of an accident.

(5) An electrical engineering study was conducted and has demonstrated that the continuous mining machine cable can be safely extended.

(6) The petitioner seeks to extend the length of the feeder cable up to 2,000 feet with No. 2 AWG or larger copper cable.

(7) When the cable length is extended beyond the requirements set forth in 30 CFR 75.503, the petitioner will only operate the feeder in tram mode up and down the slope and throughout the mine in non-production activities, such as moving the feeder from one location in the mine to another.

(8) The petitioner states that extending the feeder cable for tramming will allow the petitioner to tram the feeder longer distances and handle the cable less often. While tramming the feeder up and down the slope, the extended cable will allow the petitioner to use the power supply at the top and bottom of the slope and eliminate the need for a move box. The petitioner states that, given the width of the slope, elimination of the move box will reduce the likelihood of an accident.

(9) An electrical engineering study was conducted and has demonstrated that the feeder cable can be safely extended.

(10) Within 60 days after the Proposed Decision and Order (PDO) becomes final, the petitioner will submit proposed revisions for its approved 30 CFR part 48 training plan to the District Manager. These proposed revisions will include initial and refresher training regarding compliance with the terms and conditions in the PDO.

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

Sheila McConnell,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2019–02744 Filed 2–19–19; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standard

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 22, 2019.

ADDRESSES: You may submit your comments, identified by ''docket number'' on the subject line, by any of the following methods:

1. *Email: zzMSHA-comments@dol.gov.* Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202–693–9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452, Attention: Sheila McConnell, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect a copy of the petition and comments during normal business hours at the address listed above.

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.

FOR FURTHER INFORMATION CONTACT: Barbara Barron, Office of Standards, Regulations, and Variances at 202–693–9447 (voice), *barron.barbara@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 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 (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.

II. Petitions for Modification

Docket Number: M–2018–023–C.

Petitioner: Little Buck Coal Company, 21 Pine Lane, Pine Grove, Pennsylvania 17963.

Mine: Broad Mountain Slope, MSHA I.D. No. 36–10233, located in Schuylkill County, Pennsylvania.

Regulation Affected: 30 CFR 75.1200(d), (h) and (i) (Mine map).

Modification Request: The petitioner requests a modification of the existing standard to permit the substation of cross-sections in lieu of contour lines through the intake slope, at locations of rock tunnel connections between veins, at 1,000 feet intervals of advance from the intake slope, and to limit the required mapping of mine workings above and below to those present within 100 feet of the coal vein(s) being mined through rock tunnels, unless these veins are interconnected to other veins beyond the 100 feet limit.

The petitioner requests modification of 30 CFR 75.1200(d), (h) and (i) for the following reasons:

(1) Due to the steep pitch encountered in mining anthracite coal veins, contour lines provide no useful information and their presence would make portions of the map illegible.

(2) The use of cross-sections in lieu of contour lines has been practiced since the late 1800s and provides critical information about spacing between veins and proximity to other mine workings, which fluctuate considerably.

(3) The vast majority of current underground anthracite mining involves either second mining of remnant pillars from previous mining or the mining of coal veins of lower quality in proximity to inaccessible and frequently flooded abandoned mine workings that may or may not be mapped.

(4) All mapping for mines above and below is researched by the petitioner's contract engineer for the presence of interconnecting rock tunnels between veins in relation to the mine, and a hazard analysis is done when mapping