

diluting the concentration without the limitation of a fixed quantity of purge air. This continuous airflow eliminates the issues of having a finite quantity of breathable air such as currently provided by portable, self-contained systems.

(9) The petitioner states that NIOSH research has shown that a BIP-RA that is provided with a dedicated borehole offers a significant improvement over the use of self-contained systems. NIOSH has stated that if a BIP-RA with a dedicated borehole is used, spacing of those systems can be up to 5,000 feet from the face.

(10) NIOSH recommends taking steps to ensure post-disaster communications from within an occupied RA to the surface. The use of dedicated borehole provides a separate, protected communications pathway from inside the BIP-RA to the surface by routing a communication cable up through the borehole to the surface.

(11) A portable, self-contained RA has a finite length of time that it will provide refuge to miners, and that length of time is impacted by the number of miners inside the RA. If rescue exceeds that finite timeframe, the miners' air supply would be exhausted. These BIP-RA structures at San Juan Mine can be ventilated indefinitely via that dedicated borehole.

Within 60 days after the proposed decision (PDO) and order becomes final, the petitioner will submit proposed revisions for its approved 30 CFR 48 training plan to the DM if MSHA determines that current ongoing training conducted under the existing Emergency Response Plan needs to be supplemented. Such proposed revisions will specify the terms and conditions stated in the PDO.

The petitioner submits that for the reasons and on the terms stated above, utilizing BIP-RAs with dedicated boreholes to the surface equipped with Part 7 approved breathable air components, harmful gas removal components, and air monitoring components, will at all times provide an equivalent or even greater measure of protection as that afforded by the current standard.

*Docket Number:* M-2016-010-M.

*Petitioner:* Fred Weber, Inc., 2320 Creve Coeur Mill Road, Maryland Heights, Missouri 63043.

*Mine:* Joliet MI, LLC Mine, MSHA I.D. No. 11-03153, located in Will County, Illinois.

*Regulation Affected:* 30 CFR 49.6(a)(1) (Equipment and maintenance requirements).

*Modification Request:* The petitioner requests a modification of the existing

standard to start a mine rescue station consisting of only six self-contained breathing apparatus for a single team at the Joliet mine. The petitioner states that:

(1) There is not enough manpower at the mine to fully staff two functional teams.

(2) As a backup mine rescue team, a fully equipped team from another active mine within two hours of the Joliet mine will be secured through written agreement.

The petitioner asserts that the alternative method will at all times provide the same measure of protection as the existing standard.

**Sheila McConnell,**

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

[FR Doc. 2017-06342 Filed 3-30-17; 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 Standards

**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 May 1, 2017.

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

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto: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 copies 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](mailto:barron.barbara@dol.gov) (Email), or 202-693-9441 (Facsimile). [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 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-2017-004-C.

*Petitioner:* Tunnel Ridge, LLC, 2596 Battle Run Road, Triadelphia, West Virginia 26059.

*Mine:* Tunnel Ridge Mine, MSHA I.D. No. 46-08864, located in Ohio County, West Virginia.

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

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of nonpermissible electronic testing or diagnostic equipment in by the last open crosscut. The petitioner states that:

(1) Nonpermissible electronic testing and diagnostic equipment to be used includes: Laptop computers; oscilloscopes; vibration analysis machines; cable fault detectors; point temperatures probes; infrared temperature devices; insulation testers (meggers); voltage, current, resistance meters and power testers, and electronic tachometers. Other testing and diagnostic equipment may be used if approved in advance by the MSHA District Manager.

(2) All nonpermissible testing and diagnostic equipment used in or inby the last open crosscut will be examined by a qualified person, as defined in 30 CFR 75.153, before use to ensure the equipment is being maintained in a safe operating condition. The examinations results will be recorded weekly in the examination book and will be made available to MSHA and the miners at the mine.

(3) A qualified person, as defined in 30 CFR 75.151, will continuously monitor for methane immediately before and during the use of nonpermissible electronic testing and diagnostic equipment in or inby the last open crosscut.

(4) Nonpermissible electronic testing and diagnostic equipment will not be used if methane is detected in concentrations at or above 1.0 percent. When a 1.0 percent or more methane concentration is detected while the nonpermissible electronic equipment is being used, the equipment will be deenergized immediately and the nonpermissible equipment withdrawn outby the last open crosscut.

(5) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320.

(6) Except for time necessary to troubleshoot under actual mining conditions, coal production in the section will cease. However, coal may remain in or on the equipment to test and diagnose the equipment under "load."

(7) All electronic testing and diagnostic equipment will be used in accordance with the manufacturer's recommendations.

(8) Qualified personnel who use electronic testing and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with use of the equipment.

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.

*Docket Number:* M-2017-005-C.

*Petitioner:* Tunnel Ridge, LLC, 2596 Battle Run Road, Triadelphia, West Virginia 26059.

*Mine:* Tunnel Ridge Mine, MSHA I.D. No. 46-08864, located in Ohio County, West Virginia.

*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 the use of nonpermissible electronic testing or diagnostic equipment in return air outby the last open crosscut. The petitioner states that:

(1) Nonpermissible electronic testing and diagnostic equipment to be used includes: Laptop computers; oscilloscopes; vibration analysis machines; cable fault detectors; point temperatures probes; infrared temperature devices; insulation testers (meggers); voltage, current, resistance meters and power testers, and electronic tachometers. Other testing and diagnostic equipment may be used if approved in advance by the MSHA District Manager.

(2) All nonpermissible testing and diagnostic equipment used in return air outby the last open crosscut will be examined by a qualified person, as defined in 30 CFR 75.153, before use to ensure the equipment is being maintained in a safe operating condition. These examinations results will be recorded weekly in the examination book and will be made available to MSHA and the miners at the mine.

(3) A qualified person, as defined in 30 CFR 75.151, will continuously monitor for methane immediately before and during the use of nonpermissible electronic testing and diagnostic equipment in return air outby the last open crosscut.

(4) Nonpermissible electronic testing and diagnostic equipment will not be used if methane is detected in concentrations at or above 1.0 percent. When a 1.0 percent or more methane concentration is detected while the nonpermissible electronic equipment is being used, the equipment will be deenergized immediately and withdrawn from the return air outby the last open crosscut.

(5) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320.

(6) All electronic testing and diagnostic equipment will be used in accordance with the manufacturer's recommendations.

(7) Qualified personnel who use electronic testing and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with use of the equipment.

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.

*Docket Number:* M-2017-006-C.

*Petitioner:* Tunnel Ridge, LLC, 2596 Battle Run Road, Triadelphia, West Virginia 26059.

*Mine:* Tunnel Ridge Mine, MSHA I.D. No. 46-08864, located in Ohio County, West Virginia.

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

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of nonpermissible electronic testing or diagnostic equipment within 150 feet of pillar workings or longwall faces. The petitioner states that:

(1) Nonpermissible electronic testing and diagnostic equipment to be used includes: Laptop computers; oscilloscopes; vibration analysis machines; cable fault detectors; point temperatures probes; infrared temperature devices; insulation testers (meggers); voltage, current, resistance meters and power testers, and electronic tachometers. Other testing and diagnostic equipment may be used if approved in advance by the MSHA District Manager.

(2) All nonpermissible testing and diagnostic equipment used within 150 feet of pillar workings or longwall faces will be examined by a qualified person, as defined in 30 CFR 75.153, before use to ensure the equipment is being maintained in a safe operating condition. These examinations results will be recorded in the weekly examination book and will be made available to MSHA and the miners at the mine.

(3) A qualified person, as defined in 30 CFR 75.151, will continuously monitor for methane immediately before and during the use of nonpermissible electronic testing and diagnostic equipment within 150 feet of pillar workings or longwall faces.

(4) Nonpermissible electronic testing and diagnostic equipment will not be used if methane is detected in concentrations at or above 1.0 percent. When a 1.0 percent or more methane concentration is detected while the nonpermissible electronic equipment is being used, the equipment will be deenergized immediately and withdrawn to fresh air (intake air entry) more than 150 feet from pillar workings and longwall faces.

(5) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320.

(6) Except for time necessary to troubleshoot under actual mining conditions, coal production in the

section will cease. Accumulations of coal and combustible materials referenced in 30 CFR 75.400 will be removed before testing begins to provide additional safety to miners.

(7) All electronic testing and diagnostic equipment will be used in accordance with the manufacturer's recommendations.

(8) Qualified personnel who use electronic testing and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with use of the equipment.

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.

**Sheila McConnell,**

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

[FR Doc. 2017-06344 Filed 3-30-17; 8:45 am]

**BILLING CODE 4520-43-P**

## **NATIONAL CREDIT UNION ADMINISTRATION**

### **Submission for OMB Review; Comment Request**

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Notice.

**SUMMARY:** The National Credit Union Administration (NCUA) will be submitting the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before May 1, 2017 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for NCUA, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.gov](mailto:OIRA_Submission@OMB.EOP.gov) and (2) NCUA PRA Clearance Officer, 1775 Duke Street, Alexandria, VA 22314, Suite 5067, or email at [PRAComments@ncua.gov](mailto:PRAComments@ncua.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission may be obtained by contacting Dawn Wolfgang, NCUA PRA Clearance Officer, at (703) 548-2279, emailing [PRAComments@ncua.gov](mailto:PRAComments@ncua.gov), or viewing the entire

information collection request at [www.reginfo.gov](http://www.reginfo.gov).

#### **SUPPLEMENTARY INFORMATION:**

*OMB Number:* 3133-0151.

*Title:* Leasing, 12 CFR part 714.

*Abstract:* Section 714.5 of NCUA's Regulations requires a federal credit union engaged in leasing to obtain or have on file financial documentation demonstrating that the guarantor of an estimated residual value has the resources to meet the guarantee. Estimated residual value is the projected future value of leased property at lease end. The accuracy of the estimated residual values used in a lease program is a fundamental element in the success or failure of a lease program. The higher the estimated residual values used by a federal credit union, the greater the potential for loss. To mitigate this risk, the leasing rule requires that if the amount of the estimated residual value relied on by the federal credit union to satisfy the full payout lease requirement exceeds 25 percent of the original cost of the leased property, the credit union must obtain a guarantee of the excess from a financially capable party.

If the guarantor cannot meet its guarantee, a federal credit union may suffer serious financial loss. Accordingly, it is important that a federal credit union documents that a guarantor has the financial resources and capability to meet the guarantee. If the guarantor is an insurance company, the federal credit union may satisfy this record keeping requirement by obtaining and maintaining information demonstrating that the insurance company has a rating equivalent to a B+ or better from a major rating company.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Private Sector: Not-for-profit institutions.

*Estimated Total Annual Burden Hours:* 680.

*OMB Number:* 3133-0135.

*Title:* Authorization Agreement for Electronic Funds Transfer Payment.

*Abstract:* The NCUA is required under the Debt Collection Improvement Act of 1996 to issue payments to credit unions and all other entities electronically. The "Authorization Agreement for Electronic Funds Transfer Payment" form is used to maintain up-to-date and accurate electronic payment data for new and existing credit unions. NCUA uses this information to update their electronic routing and transit database to enable transmittal of funds and payments. This collection of information is needed to allow NCUA authorization to make financial transactions electronically

through the Automated Clearing House (ACH) in compliance with the Debt Collection Improvement Act of 1996.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Annual Burden Hours:* 25.

*OMB Number:* 3133-0166.

*Title:* Home Mortgage Disclosure Act (HMDA), 12 CFR 1003 (Regulation C).

*Abstract:* Regulation C, 12 CFR part 1003, requires financial institutions that meet certain thresholds to report data annually about: Each application or loan, including the application date; the action taken and the date of that action; the loan amount; the loan type, and purpose; and, if the loan is sold, the type of purchaser; Each applicant or borrower, including ethnicity, race, sex, and income; and Each property, including location and occupancy status.

A covered lender generally must update information quarterly and must submit the completed loan application register (LAR) annually to the appropriate Federal agency by March 1 of the year following the year covered by the LAR. The Federal Financial Institutions Examination Council (FFIEC) then prepares a disclosure statement from data submitted by the financial institutions, and provides the disclosure statement to the financial institution to make available at its home office. A covered lender must make each public disclosure statement available to the public for five years and retain its completed LAR for three years.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Private Sector: Not-for-profit institutions.

*Estimated Total Annual Burden Hours:* 74,542.

By Gerard Poliquin, Secretary of the Board, the National Credit Union Administration, on March 28, 2017.

Dated: March 28, 2017.

**Dawn D. Wolfgang,**

*NCUA PRA Clearance Officer.*

[FR Doc. 2017-06353 Filed 3-30-17; 8:45 am]

**BILLING CODE 7535-01-P**

## **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

### **National Endowment for the Arts**

#### **Proposed Collection; Comment Request**

**ACTION:** Notice.