

U.S. DEPARTMENT OF LABOR, EMPLOYMENT AND TRAINING ADMINISTRATION, NATIONAL FARMWORKER JOBS PROGRAM—  
CAREER SERVICES AND TRAINING GRANTS—Continued

[Impact of final PY 2021 allotments to states]

State	PY 2020		PY 2021				
	Allotment	Percentage share	With hold harmless			Without hold harmless	
			Allotment	Percentage share	Difference (PY 2021 vs. PY 2020)	Allotment	Percentage share
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
Illinois .....	1,746,897	2.04965	1,829,288	2.10394	82,391	1,935,797	2.22644
Indiana .....	1,145,731	1.34430	1,229,140	1.41368	83,409	1,300,706	1.49599
Iowa .....	1,588,068	1.86330	1,756,778	2.02054	168,710	1,859,065	2.13818
Kansas .....	1,220,211	1.43169	1,243,435	1.43012	23,224	1,315,834	1.51339
Kentucky .....	1,044,219	1.22519	1,011,993	1.16393	(32,226)	836,164	0.96170
Louisiana .....	798,040	0.93635	782,626	0.90013	(15,414)	828,194	0.95254
Maine .....	328,886	0.38589	408,044	0.46931	79,158	431,802	0.49663
Maryland .....	386,681	0.45370	521,061	0.59929	134,380	551,400	0.63419
Massachusetts .....	364,444	0.42761	512,780	0.58977	148,336	542,637	0.62411
Michigan .....	2,129,494	2.49856	2,073,573	2.38490	(55,921)	2,194,306	2.52376
Minnesota .....	1,629,902	1.91238	1,579,601	1.81676	(50,301)	1,664,564	1.91448
Mississippi .....	1,026,761	1.20471	995,074	1.14447	(31,687)	922,368	1.06085
Missouri .....	985,363	1.15614	1,219,415	1.40250	234,052	1,290,415	1.48416
Montana .....	628,528	0.73746	699,452	0.80447	70,924	740,177	0.85131
Nebraska .....	1,295,534	1.52006	1,255,552	1.44406	(39,982)	1,319,642	1.51777
Nevada .....	190,893	0.22398	223,924	0.25754	33,031	236,962	0.27254
New Hampshire .....	115,590	0.13562	145,953	0.16787	30,363	154,451	0.17764
New Jersey .....	602,990	0.70749	769,856	0.88544	166,866	814,680	0.93700
New Mexico .....	1,049,022	1.23083	1,067,856	1.22818	18,834	1,130,032	1.29969
New York .....	1,574,968	1.84793	2,169,172	2.49485	594,204	2,295,471	2.64011
North Carolina .....	2,638,326	3.09557	2,556,903	2.94079	(81,423)	2,107,580	2.42401
North Dakota .....	828,016	0.97152	802,462	0.92294	(25,554)	778,997	0.89595
Ohio .....	1,417,710	1.66341	1,437,210	1.65299	19,500	1,520,892	1.74924
Oklahoma .....	1,007,381	1.18197	976,292	1.12287	(31,089)	926,713	1.06585
Oregon .....	2,447,454	2.87162	2,371,922	2.72804	(75,532)	2,335,380	2.68601
Pennsylvania .....	1,485,920	1.74344	1,762,208	2.02678	276,288	1,864,813	2.14479
Puerto Rico .....	2,420,800	2.84035	2,346,090	2.69833	(74,710)	2,043,240	2.35001
Rhode Island .....	60,713	0.07124	64,858	0.07460	4,145	68,635	0.07894
South Carolina .....	811,276	0.95188	786,239	0.90428	(25,037)	695,074	0.79943
South Dakota .....	610,598	0.71642	665,710	0.76566	55,112	704,471	0.81024
Tennessee .....	894,737	1.04980	867,124	0.99731	(27,613)	631,232	0.72600
Texas .....	5,281,950	6.19736	5,118,941	5.88749	(163,009)	4,630,482	5.32570
Utah .....	466,894	0.54781	653,979	0.75217	187,085	692,057	0.79596
Vermont .....	185,768	0.21796	204,723	0.23546	18,955	216,643	0.24917
Virginia .....	1,002,595	1.17635	971,653	1.11754	(30,942)	784,640	0.90245
Washington .....	4,518,313	5.30138	4,510,391	5.18758	(7,922)	4,773,008	5.48962
West Virginia .....	155,408	0.18234	150,612	0.17322	(4,796)	112,164	0.12900
Wisconsin .....	1,639,775	1.92396	1,719,060	1.97716	79,285	1,819,152	2.09228
Wyoming .....	245,597	0.28816	312,536	0.35946	66,939	330,734	0.38039

Suzan G. LeVine,  
Principal Deputy Assistant Secretary,  
Employment and Training, Labor.

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## 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 includes the summaries of two petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

**DATES:** All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before July 16, 2021.

**ADDRESSES:** You may submit your comments including the docket number of the petition 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: Jessica Senk, 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 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:**

Jessica Senk, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), [Senk.Jessica@dol.gov](mailto:Senk.Jessica@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 (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. Petitions for Modification**

*Docket Number:* M–2021–002–M.

*Petitioner:* Tata Chemicals Soda Ash Partners, P.O. Box 551, Green River, Wyoming (Zip 82935).

*Mine:* Tata Chemicals Mine, MSHA ID No. 4800155, located in Sweetwater County, Wyoming.

*Regulation Affected:* 30 CFR 57.22305 (Approved equipment (III mines)).

*Modification Request:* The petitioner requests a modification of the existing standard, to permit an alternative method of compliance for the respiratory protection of miners. The petitioner proposes to use a non-MSHA approved, intrinsically safe air purifying respirator (PAPR) product called a 3M Versaflo TR–800 (TR–800) under normal mining conditions in or beyond the last open crosscut, and where methane may enter the air current.

The petitioner states that:

(a) The TR–800 PAPR respirator will offer miners the best respiratory protection possible from exposure to nuisance dust and incorporate the latest available technology in respiratory protection.

(b) Tata's safety department has spent time researching available PAPRs and have found only two respirators with MSHA approval. One, the 3M Airstream

model has been discontinued by the manufacturer, and the other, the Kasco K80 ET8 can create problems with communication. Specifically, miners depend highly on communication and their ability to see, and the Kasco K80 ET8 can cause communication problems due to the hood being too large requiring removal by miners to hear or speak. In addition, the hood is so large a miner's peripheral vision may be impaired.

(c) The TR–800 provides a level of respiratory protection and safety equal to the 3M Airstream. This unit provides an alternative means of respiratory protection for different tasks which miners are required to perform and affords Tata an additional option to provide respiratory protection for employees.

(d) The TR–800 unit is designed and approved under the following standards for the United States and Canada: Underwriter Laboratories (UL) UL913; UL 60079–0; UL 60079–11; UL 62133 (Battery Pack); UL marked for intrinsic safety when used with the battery, Canada/Canadian Standards Association (CAN/CSA) CAN/CSA C22.2 No. 60079–0; CAN/CSA C22.2 No. 60079–11; and CAN/CSA–E62133.

(e) The TR–800 keeps the air flowing—a multi-speed blower functions up to 16,000 feet and battery offers long run time, less charge time and, ultimately, reduced down time.

(f) The TR–800 utilizes cartridges to help protect against certain gas and vapors, combined with filters for protection against particulates.

(g) The TR–800 PAPR respirator allows the operator to wear the 3M TR–800 unit without using his/her issued hardhat.

(h) The TR–800 unit can be easily disassembled and cleaned.

The petitioner proposes the following alternative method:

(a) While not in operation, the TR–800 units will be charged out-by the last open crosscut utilizing the manufacturer's approved battery charger.

(b) Affected mine employees will be trained in the proper use and care of the TR–800 PAPR unit in accordance with established manufacturer guidelines. Task training and annual refresher training will be documented using MSHA form 5000–23.

(c) If 1.0 percent or more methane is detected, the procedures in 30 CFR part 57.22234 will be followed.

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

*Docket Number:* M–2021–003–M.

*Petitioner:* Tata Chemicals Soda Ash Partners, P.O. Box 551, Green River, Wyoming (Zip 82935).

*Mine:* Tata Chemicals Mine, MSHA ID No. 4800155, located in Sweetwater County, Wyoming.

*Regulation Affected:* 30 CFR 57.22305 (Approved equipment (III mines)).

*Modification Request:* The petitioner requests a modification of the existing standard, to permit an alternative method of compliance for the respiratory protection of miners. The petitioner proposes to use a non-MSHA approved, intrinsically safe air purifying respirator (PAPR) product called a CleanSpace EX under normal mining conditions in or beyond the last open crosscut and where methane may enter the air current.

The petitioner states that:

(a) The CleanSpace EX PAPR respirator will offer miners the best respiratory protection possible from exposure to nuisance dust and incorporate the latest available technology in respiratory protection.

(b) Tata's safety department has spent time researching available PAPRs and have found only two respirators with MSHA approval. One, the 3M Airstream model has been discontinued by the manufacturer, and the other, the Kasco K80 ET8 can create problems with communication. Specifically, miners depend highly on communication and their ability to see, and the Kasco K80 ET8 can cause communication problems due to the hood being too large requiring removal by miners to hear or speak. In addition, the hood is so large a miner's peripheral vision may be impaired.

(c) The CleanSpace EX provides a level of respiratory protection and safety equal to the 3M TR–800 with additional enhancements to meet the needs of the miners. This unit provides an alternative means of respiratory protection for different tasks which miners are required to perform and affords Tata an additional option to provide respiratory protection for employees.

(d) The CleanSpace EX unit is certified by Underwriter Laboratories (UL) under the American National Standards Institute/UL 60079–11 standard. Per this certification, the CleanSpace EX unit is specialized to be used in hazardous locations; has met the most onerous level of intrinsic safety protection; and the level of protection is acceptable for use in mines susceptible to firedamp.

(e) The CleanSpace EX incorporates a lithium polymer battery that does not detach from the electrical circuit and

charges as a complete unit. It has an 8-hour continual use with a rapid 2 hour re-charge.

(f) The CleanSpace EX unit provides a NIOSH approved high capacity, high efficiency (HEPA) particulate/vapor filter for the half mask and a NIOSH approved HEPA particulate filter for the full facemask.

(g) NIOSH has approved the half mask or the full-face mask. The CleanSpace EX does not restrict the vision or impair communication of the user.

(h) The CleanSpace EX allows the operator to wear his issued hardhat with miner's headlamp.

(i) The CleanSpace EX incorporates technology which places the filter housing and fan assembly above the shoulders. This design addresses several ergonomic restrictions. The unit frees the operator of having to wear the fan and filter assembly around their waist. Furthermore, there is not a hose attached to the filter/battery assembly which could create additional potential hazards.

(j) The CleanSpace EX also affords Tata Chemicals the ability to quantitatively fit test employees.

(k) The CleanSpace EX respirator provides a level of comfort beyond additional PAPR units when operating mining equipment due to limited space and mobility in the operator's cab.

(l) The CleanSpace EX unit can be easily disassembled and cleaned.

The petitioner proposes the following alternative method:

(a) While not in operation, the CleanSpace EX units will be charged out-by the last open crosscut utilizing the manufacturer's approved battery charger.

(b) Affected mine employees will be trained in the proper use and care of the CleanSpace EX PAPR unit in accordance with established manufacturer guidelines. Task training and annual refresher training will be documented using MSHA form 5000-23.

(c) If 1.0 percent or more methane is detected, the procedures in 30 CFR part 57.22234 will be followed.

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

**Jessica Senk,**

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

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**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

[OMB Control No. 1219-0119]

**Proposed Extension of Information Collection; Diesel-Powered Equipment in Underground Coal Mines**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Request for public comments.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance request for comment to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This request helps to ensure that: Requested data can be provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection for Diesel-Powered Equipment in Underground Coal Mines.

**DATES:** All comments must be received on or before August 16, 2021.

**ADDRESSES:** You may submit comment as follows. Please note that late, untimely filed comments will not be considered.

*Electronic Submissions:* Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for docket number MSHA-2021-0007. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket, with no changes. Because your comment will be made public, you are responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as your or anyone else's Social Security number or confidential business information.

- If your comment includes confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission.

*Written/Paper Submissions:* Submit written/paper submissions in the following way:

- *Mail/Hand Delivery:* Mail or visit DOL-MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452.

- MSHA will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Jessica Senk, Director, Office of Standards, Regulations, and Variances, MSHA, at [MSHA.information.collections@dol.gov](mailto:MSHA.information.collections@dol.gov) (email); (202) 693-9440 (voice); or (202) 693-9441 (facsimile).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811, authorizes the Secretary of Labor to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

MSHA requires mine operators to provide important safety and health protections to underground coal miners who work on and around diesel-powered equipment. The engines powering diesel equipment are potential contributors to fires and explosion hazards in the confined environment of an underground coal mine where combustible coal dust and explosive methane gas are present. Diesel equipment operating in underground coal mines also can pose serious health risks to miners from exposure to diesel exhaust emissions, including diesel particulates, oxides of nitrogen, and carbon monoxide. Diesel exhaust is a lung carcinogen in animals.

Information collection requirements are found in: Section 75.1901(a), Diesel fuel requirements; section 75.1911(j), Fire suppression systems for diesel-powered equipment and fuel transportation units; section 75.1912(i), Fire suppression systems for permanent underground diesel fuel storage facilities; sections 75.1914(f)(1), (f)(2), (g)(5), (h)(1), and (h)(2), Maintenance of diesel-powered equipment; and sections 75.1915(b)(5), (c)(1), and (c)(2), Training and qualification of persons working on diesel-powered equipment.