Sunshine Act Meetings

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Monday, November 20, 1989

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3)

FEDERAL ENERGY REGULATORY COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: November 14, 1989, 54 FR 47446.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: November 15, 1989, 10:00 a.m.

CHANGE IN THE MEETING: The Commission Meeting scheduled for November 15, 1989, at 10:00 a.m., has been cancelled.

Lois D. Cashell,
Secretary.

[FR Doc. 89-27387 Filed 11-16-89; 11:26 am]

BILLING CODE 6717-02-M

TENNESSEE VALLEY AUTHORITY

TIME AND DATE OF MEETING: 10 a.m. (EST) Thursday, November 16, 1989.

PLACE OF MEETING: Tennessee Valley Authority (TVA), Knoxville Office Complex, 400 West Summit Hill Drive, Knoxville, Tennessee.

STATUS: Open.

Agenda Items

A—Budget and Financing

1. Proposed Supplemental Resolution authorizing Tennessee Valley Authority Power Bonds.

2. Proposed resolution authorizing Chairman and certain Tennessee Valley Authority Officers to take further actions relating to issuance and sale of Power Bonds.

SUPPLEMENTARY INFORMATION: The TVA Board of Directors has found, the public interest not requiring otherwise, that TVA business requires that a meeting be called at the time set out above and that no earlier announcement of this meeting was possible.

CONTACT PERSON FOR MORE INFORMATION: Alan Carmichael, Manager, Public Affairs, or a member of his staff can respond to requests for information about this meeting. Call (615 632-8000 or 632-6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office, (202) 479-4412.

William L. Osteen, Jr.,
Assistant Secretary and Associate General Counsel.

[FR Doc. 89-27292 Filed 11-16-89; 11:26 am]

BILLING CODE 8120-01-M

TENNESSEE VALLEY AUTHORITY

(Meeting No. 1424)

TIME AND DATE: 10 a.m. (EST), November 22, 1989.

PLACE: TVA Chattanooga Office Complex Auditorium, 1101 Market Street, Chattanooga, Tennessee.

STATUS: Open.

Agenda

Approval of minutes of meeting held on October 17 and 18, 1989.

Action Items

Old Business

*1. Purchase Agreement with the Federal Financing Bank Covering Arrangements for Short-term Power Bond Financing.

*2. Supplemental Resolution Authorizing Tennessee Valley Authority Power Bonds First Short-term Series.

*3. Resolution Authorizing Chairman and Certain Tennessee Valley Authority Officers to Take Further Actions Relating to the Arrangements with the Federal Financing Bank.

New Business

A—Budget and Financing

A1. Fiscal Year 1989 Financial Statements (Unaudited).

B—Purchase Awards

*B1. Proposal RH-19054A-01—Integrated Computer System for Browns Ferry Nuclear Plant Unit 2.

B2. Requisition 76—Short-term Coal for Colbert Fossil Plant and Requisition 78—Short-term Coal for Johnsonville Fossil Plant

B3. Proposal YE-44983B-01—Indefinite Quantity Term Contract for Nuclear Plant Radio Systems for All TVA Nuclear Facilities.

B4. Negotiation GA-77750A—Waterwall Panels for Bull Run Fossil Plant.

B5. Proposal QC-00034B—Indefinite Quantity Term Agreement for Copy Paper—Office Products Services.

E—Real Property Transactions

E1. Sale of Excess Property Affecting Approximately 4,125 Acres of Fabius Coal Mining Land in Jackson County, Alabama

E2. Abandonment of Easement Affecting Approximately 1.2 Acres Located near Franklin, Tennessee.

E3. Sale of Permanent Easement Affecting Approximately 0.26 Acre of the Land of North Tullahoma and Northern Field Substations Located in Coffee County, Tennessee.

E4. Proposed 30-Year Term Easement Affecting Approximately 6.88 Acres of Wheeler Reservoir Land in Limestone County, Alabama.

E5. Proposed Deed Modification Affecting Approximately 12 Acres of Chickamauga Reservoir Land in Hamilton County, Tennessee.

F—Unclassified

*F1. Performance Increases for Employees on the Manager and Specialist Salary Schedule.

*F2. Revision to Pay Rates for Excluded Positions.

*F3. Recommendations Resulting from the Thirty-seventh Salary Policy Negotiations.

F4. Resolution Approving the Filing of Condemnation Cases.

F5. Exercise of Option to Contract No. TV-74577A with Coopers & Lybrand for Fiscal Year 1990 Audit Services.

F6. Relocation Expense Reimbursement for New Appointees and Reimbursement of Travel Expenses Incurred by New Appointees When Traveling on Behalf of TVA Prior to Date of Appointment—Management and Specialist Positions.

F7. Supplements to 12 Performance Based Task Contracts.

F8. Nickajack Reservoir Land Management Plan.

F9. Chickamauga Reservoir Land Management Plan.

F10. Agreement with Consolidated Communications Corporation for Fiber Optic Ground Wire with Guntersville-Fultondale 115-kV Transmission Line.

CONTACT PERSON FOR MORE INFORMATION: Alan Carmichael, Manager of Public Affairs, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-8000, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 479-4412.

Dated: November 15, 1989.

Edward S. Christenbury,
General Counsel and Secretary.

[FR Doc. 89-27293 Filed 11-16-89; 11:26 am]

BILLING CODE 8120-01-M

*Item approved by individual Board members. This would give formal ratification to the Board's action

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Part II

Department of Commerce

National Oceanic and Atmospheric Administration

50 CFR Part 640

Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic; Proposed rule and Notice

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 640

[Docket No. 90893-9193]

RIN: 0648-AC29

Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Withdrawal of proposed regulations.

SUMMARY: NOAA withdraws from review the proposed regulations to implement Amendment 2 to the Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic (FMP). While NOAA has approved Amendment 2 to the FMP, it has concluded that the proposed regulations are not needed to implement the amendment. Notice of approval is published elsewhere in this issue.

FOR FURTHER INFORMATION CONTACT: Michael E. Justen, 813-893-3722.

SUPPLEMENTARY INFORMATION: The spiny lobster fishery is managed under the FMP, prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils), and its implementing regulations at 50 CFR part 640, under the authority of the Magnuson Fishery Conservation and Management Act. Amendment 2 to the FMP was submitted by the Councils on July 19, 1989. A notice of availability of the amendment and request for comments was published on July 26, 1989 (54 FR 31063). A proposed rule to implement Amendment 2 was published on August 24, 1989 (54 FR 35212).

Amendment 2 has been approved. However, NOAA has concluded that regulatory language is not necessary to implement the amendment's procedure for the future implementation of specified types of gear and harvest restrictions applicable to the spiny lobster fishery in the exclusive economic zone. That procedure applies only to the Florida Marine Fisheries Commission, the South Atlantic and Gulf of Mexico Fishery Management Councils, and NMFS; the procedure is not regulatory in nature because it does not control the behavior or activities of fishermen. Accordingly, the proposed amendments to 50 CFR part 640 published in 54 FR 35212, August 24, 1989, are withdrawn.

FOR FURTHER INFORMATION CONTACT: Michael E. Justen, 813-893-3722.

List of Subjects in 50 CFR Part 640

Fisheries, Fishing, Recordkeeping and reporting requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: November 14, 1989.

James E. Douglas, Jr.,

Deputy Assistant Administrator For Fisheries, National Marine Fisheries Service

[FR Doc. 89-27141 Filed 11-17-89; 8:45 am]

BILLING CODE 3510-22-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 90893-9248]

RIN 0648-AC29

Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of approval of an amendment to a fishery management plan.

SUMMARY: NOAA announces approval of Amendment 2 to the Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic (FMP). Amendment 2 establishes a regulatory amendment procedure for the future implementation of specified types of gear and harvest restrictions applicable to the fishery in the exclusive economic zone (EEZ) and makes other minor changes to the FMP. The intended effects of the procedure are to provide a more flexible and timely system implementing rules governing the conduct of the spiny lobster fishery, enhance cooperative Florida (State)/Federal management, reduce Federal management costs, improve the effectiveness of necessary rules, and presumably increase productivity from the resource.

EFFECTIVE DATE: Amendment 2 was approved on October 27, 1989.

FOR FURTHER INFORMATION CONTACT: Michael E. Justen, 813-893-3722.

SUPPLEMENTARY INFORMATION: The spiny lobster fishery is managed under the FMP, prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils), and its implementing regulations at 50 CFR part 640, under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). Amendment 2 to the FMP was submitted by the Councils on July 19, 1989. A notice of availability of the amendment and request for comments was published on July 26, 1989 (54 FR 31063). A proposed rule to implement Amendment 2 was published on August 24, 1989 (54 FR 35212).

The FMP manages the spiny lobster fishery throughout the EEZ off the coastal states from the Virginia/North Carolina border south and through the Gulf of Mexico. The preamble to the proposed rule contained information on the fishery, discussed the proposed regulatory changes, and analyzed the benefits of the proposed changes. That information is not repeated here.

Comments and Responses

Four written responses were received commenting on the proposed rule and amendment. Two Federal agencies, the U.S. Coast Guard and the Department of Interior, Fish and Wildlife Service, recommended approval of Amendment 2. The Organized Fishermen of Florida (OFF), an organization that represents commercial fishermen, recommended that changes to the commercial gear and harvest restrictions be made by amendment of the FMP rather than by regulatory amendment initiated by the Florida Marine Fisheries Commission (FMFC). OFF does not believe that the FMFC has the capability to evaluate potential economic and social impacts of the critical measures in the detail required to meet the Federal requirements and does not allow ample and fair opportunity for public input into the State rulemaking process. A local chamber of commerce expressed concerns about the potential for adverse impacts resulting from future changes to the gear and harvest restrictions. NOAA disagrees with both concerns. Submission of proposed regulations addressing gear and harvest restrictions under the regulatory amendment process does not constitute automatic approval and implementation of such regulations in the EEZ. Supporting analyses prepared by the FMFC must meet the requirements of the Magnuson Act and other applicable Federal law before the proposed regulations can become effective in the EEZ. The public will have the same opportunity to comment on proposed gear and harvest restrictions, and to have those comments considered in NOAA's decision as to whether and in what form any proposed restrictions should be issued, as it does under all other proceedings carried out under the rulemaking provisions of the Administrative Procedure Act, 5 U.S.C 553. Furthermore, the procedures established by Amendment 2 require that the FMFC also inform the Councils of each recommended rule and supporting analysis. If either Council determines that a rule is not consistent with the Magnuson Act or the FMP, and so informs the Regional Director, NOAA cannot proceed with rulemaking under Amendment 2 until the Council withdraws its objection.

Concomitant with the proposed regulatory amendment procedure for changing certain gear and harvest limitations, Amendment 2 also (1) amends and adds to the issues of the "Problems and Issues in the Fishery" identified in the FMP; (2) adds to the FMP a "Management Objective" to provide for a more flexible management system that minimizes regulatory delay, thus assuring more effective, cooperative State and Federal management of the fishery; (3) modifies the statement of optimum yield to remove numerically specified minimum legal carapace and tail lengths, thus permitting modification of those lengths by the regulatory amendment process contained in Amendment 2; (4) adds a "Vessel Safety" section; and (5) updates the "Habitat of the Stocks" section. No comments were received on these changes and additions.

Based on the comments received, NOAA finds no basis for disapproval of the amendment.

Changes From the Proposed Rule

The proposed rule would have codified the procedure for the future implementation of specified types of gear and harvest restrictions applicable to the spiny lobster fishery in the EEZ. That procedure would apply only to the Florida Marine Fisheries Commission, the Councils, and NMFS but is not regulatory in nature because it does not control the behavior of fishermen. Accordingly, NOAA has concluded that regulatory language is not necessary to implement the procedure. NOAA chose to publish the procedure as a proposed rule as the most effective means of notifying persons who would be affected and obtaining public comments. Accordingly, while Amendment 2 has been approved, the proposed rule has been withdrawn, by a notice appearing elsewhere in this issue, in view of NOAA's conclusion that regulatory language is unnecessary.

Classification

The Secretary of Commerce determined that Amendment 2 is necessary for the conservation and management of the spiny lobster fishery and that it is consistent with the Magnuson Act and other applicable law.

The Councils prepared an environmental assessment (EA) for Amendment 2 and, based on the EA, the Assistant Administrator for Fisheries, NOAA, concluded that there will be no significant adverse impact on the human environment as a result of Amendment 2.

Since Amendment 2 has no implementing regulations, preparation of and conclusions based on a regulatory impact review (RIR)/regulatory flexibility analysis (RFA), normally required by E.O. 12291 and the Regulatory Flexibility Act, are not required. It should be noted, however, that each future action initiated under the procedure established in Amendment 2 will be accompanied by an RIR and, if it will have a significant economic impact on a substantial number of small entities, an RFA will be prepared.

The Councils determined that Amendment 2 is consistent to the maximum extent practicable with the approved coastal zone management programs of Alabama, Florida, Louisiana, Mississippi, North Carolina, and South Carolina. Georgia and Texas do not have approved coastal zone management programs. This determination was submitted for review by the responsible state agencies under section 307 of the Coastal Zone Management Act. Florida, Louisiana, North Carolina, Mississippi, and South Carolina agreed with the Councils' determination. Alabama did not comment within the statutory time period, and, therefore, consistency is automatically implied.

Amendment 2 does not contain a collection-of-information requirement for purposes of the Paperwork Reduction Act.

The Deputy Assistant Secretary of Commerce for Intergovernmental Affairs determined that Amendment 2 and the proposed rule had sufficient federalism implications to warrant preparation of a Federalism Assessment (FA). The FA concluded that Amendment 2 is consistent with the principles, criteria, and requirements of E.O. 12612 and will reduce the governmental costs of managing the spiny lobster fishery in Florida's waters and the EEZ without increasing costs to the industry or consumers.

List of Subjects in 50 CFR Part 640

Fisheries, Fishing, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: November 14, 1989.

James E. Douglas, Jr.,

Deputy Assistant Administrator for Fisheries, National Wildlife Fisheries Service.

[FR Doc. 89-27140 Filed 11-17-89; 8:45 am]

BILLING CODE 3510-22-M

federal register

Monday
November 20, 1989

Part III

Department of Labor

Mine Safety and Health Administration

30 CFR Parts 49, 75, and 77
Information Collection Requirements for Mine Rescue, Self-Rescuer, Fire Drill, and First-Aid Training for Supervisory Employees; Proposed Rules

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 49, 75, and 77

RIN 1219-AA50

Information Collection Requirements for Mine Rescue, Self-Rescuer, Fire Drill, and First-Aid Training for Supervisory Employees

AGENCY: Mine Safety and Health Administration.

ACTION: Proposed rules.

SUMMARY: These proposed rules would reduce the information collection burden imposed by the Mine Safety and Health Administration (MSHA) on mine operators or other affected parties by revising reporting and recordkeeping requirements. In most cases, paperwork requirements would be replaced with certification provisions. Proposed for revision are the requirements for mine rescue equipment test and inspection records, records of fire drills, self-rescuer examination records and records of first-aid training for selected supervisory employees. Recordkeeping requirements are preserved for situations where hazardous conditions are discovered. The proposals are in accordance with the goals of the Paperwork Reduction Act of 1980.

DATES: Written comments on the proposals must be received on or before January 26, 1990.

ADDRESSES: Send comments to the Office of Standards, Regulations, and Variances; MSHA: Room 631, Ballston Towers No. 3; 4015 Wilson Boulevard, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, MSHA, (703) 235-1910.

SUPPLEMENTARY INFORMATION:

I. Background and Introduction

The Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq., was enacted, in part, to minimize the Federal paperwork burden for individuals, small businesses and others on whom reporting and recordkeeping requirements are imposed. No agency may conduct or sponsor the collection of information unless approved by the Office of Management and Budget (OMB). Collections of information are generally subject to review and approval every three years. In exercising its responsibility to review MSHA paperwork requirements in 1987 and 1988, OMB approved extensions of the requirements related to mine rescue equipment, underground coal mine self-rescuers and first-aid training for selected supervisory employees on the condition that the Agency undertake regulatory review of these requirements. In addition, MSHA agreed to consider the fire drill record requirements for revision. These proposed rules address paperwork requirements only.

MSHA has reviewed these paperwork provisions and believes that the reporting and recordkeeping burden could be reduced while preserving the effectiveness of the underlying regulatory requirements and without reducing the protection afforded to miners. As discussed in more detail below, MSHA believes that recordkeeping and reporting for routine inspections and tests can be replaced in most cases with a certification that the inspection or test has been conducted; and that detailed records need only be maintained to document actual or potential hazardous conditions or other problems that require further attention.

II. Discussion of Proposed Revisions

A. Mine Rescue Equipment Test and Inspection Records (OMB No. 1219–0093)

The ready availability of a mine rescue capability in the event of an accident is vital for protection of miners. Mine operators are required to maintain mine rescue equipment in a manner which will assure this readiness. A person trained in the use and care of breathing apparatus is required to inspect and test the apparatus at intervals not exceeding 30 days. Under 30 CFR 49.6(b), records of the results of the inspections and tests are required to be kept. There are approximately 800 underground coal and metal and nonmetal mines that maintain mine rescue stations. Each station is required to have 12 breathing apparatus. MSHA safety specialists estimate that it takes 12½ minutes to conduct the required test and inspection of each piece of equipment for a total of 2½ hours per month per rescue station. MSHA estimates the burden hours for this recordkeeping requirement to be 24,000 hours. MSHA proposes to replace the recordkeeping requirement with a requirement that the person performing the inspection and test certify that the inspections and tests were done. A record would be required where deficiencies in equipment are found.

B. Records of Fire Drills and Programs to Instruct and Train Miners in the Location and Use of Firefighting Equipment (Underground Coal Mines) (OMB No. 1219–0054)

Under 30 CFR 75.1101–23, operators of underground coal mines must submit to MSHA for approval a specific firefighting and evacuation plan designed to acquaint miners on all shifts with procedures for evacuation of all miners not required for firefighting activities; rapid assembly and transportation of necessary persons, fire suppression equipment and rescue apparatus to the scene of the fire; operation of the fire suppression equipment available in the mine; and signals that will be given in the event of an emergency. The standard also requires the mine operator to conduct fire drills at intervals of not more than 90 days and to keep records of the fire drills which include the date on which the drill was held, the number of miners participating, the area of the mine involved in the drill, the procedures followed, and equipment used. The standard pertains to 2,328 underground coal mines. Fire drills are required every 90 days and it is estimated that it would take 15 minutes to conduct the fire drill and 5 minutes to make the record. The average underground coal mine has 2 sections and 10 miners per section. MSHA estimates the burden hours for this recordkeeping requirement to be 40,320 hours. MSHA proposes to replace the recordkeeping requirement with a requirement that the operator certify that fire drills were conducted in accordance with the approved plan.

C. First-Aid Training; Supervisory Employees (OMB No. 1219–0085)

Under 30 CFR 75.1713–3, and 77.1703, each operator of an underground and surface coal mine is required to conduct first-aid training courses for selected supervisory employees. In addition, within 60 days after selection, the operator is required to submit a written report to the District Manager containing the names, job titles, and dates of training of all supervisory employees. The standard pertains to 5,585 mining operations. It is estimated that there would be one record per mine per year and that the recordkeeping would take 30 minutes to record. MSHA estimates the burden hours for this recordkeeping requirement to be 2,793 hours. MSHA proposes to replace the recordkeeping requirement contained in these standards with a requirement that the mine operator certify the name of the employee and date on which the employee satisfactorily completed the first-aid training course.

D. Records of Results of Examinations of Self-Rescuers (Underground Coal Mines) (OMB No. 1219–0044)

Because of the rugged underground coal mining environment to which self-rescuers are subjected, the potential for these devices being rendered inoperative is high. In the event of a mine fire, mine explosion, or mine inundation, the use of self-rescuers can be the difference between life and death. Therefore, it is essential that these devices are examined regularly to achieve maximum assurance that they are maintained in usable and operative condition. Mine operators are required by 30 CFR 75.1714–3 to test self-rescue devices at 90-day intervals and to keep a record of the results of the tests. The estimated number of respondents per year is 2,328 underground coal mine operators with four reports annually by each respondent for a total of 9,312 responses. The estimated time per response for recordkeeping is 26 minutes and 38 minutes for examination for a total of 9,871 hours expended each year. MSHA proposes to replace the recordkeeping requirement with a requirement that the operator certify that the required tests were done. Records would be required only where defective devices are found.

III. Executive Order 12291 and the Regulatory Flexibility Act

These rules will not result in major cost increases nor have an effect of $100 million or more on the economy. Therefore, these rules do not fall within the criteria of major rules and Regulatory Impact Analyses are not required.

The Regulatory Flexibility Act requires that agencies evaluate and include, whenever possible, compliance alternatives that minimize adverse impact on small businesses when developing regulatory proposals. These proposed rules would reduce paperwork burdens on all affected operations, including small mines. Accordingly, the Agency has not conducted an initial regulatory flexibility analysis and, in accordance with section 605(b) of the Regulatory Flexibility Act, certifies that these proposed rules will not have a significant economic impact on a substantial number of small entities.

IV. Paperwork Reduction Act

The collection of information requirements contained in these proposals have been submitted to the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1980. Comments regarding the collection of information requirements contained in these proposals should be sent to OMB, Office of Information and Regulatory Affairs, Room 3208, New Executive Office Building, Washington, DC 20503, Attention: Desk Officer for MSHA.

List of Subjects in 30 CFR Parts 49, 75 and 77

Mine safety and health, Reporting and recordkeeping requirements.

Dated: November 14, 1989.

William J. Tattersall,

Assistant Secretary for Mine Safety and Health.

Accordingly, Subchapters G and O, Chapter I, Title 30 of the Code of Federal Regulations, is proposed to be amended under 30 U.S.C. 811 as follows:

PART 49—MINE RESCUE TEAMS

1. The authority citation for part 49 is revised to read as follows:

Authority: 30 U.S.C. 811, 825(e) and 957.

2. Section 49.6(b) is revised to read as follows:

§ 49.6 Equipment and maintenance requirements.

* * * * *

(b) Mine rescue apparatus and equipment shall be maintained in a manner which will ensure readiness for immediate use. A person trained in the use and care of breathing apparatus shall inspect and test the apparatus at intervals not exceeding 30 days and certify that the inspections and tests were done. When apparatus is removed from service for repair, the person shall record the reason for the removal and the corrective action taken. The certification and the record of removal shall be maintained at the mine rescue station for a period of one year.

PART 75—MANDATORY SAFETY STANDARDS—UNDERGROUND COAL MINES

1. The authority citation for part 75 continues to read as follows:

Authority: 30 U.S.C. 811, 957 and 961.

2. Section 75.1101–23(c)(1) is revised to read as follows:

§ 75.1101-23 Program of instruction; location and use of firefighting equipment; location of escapeways, exits and routes of travel; evacuation procedures; fire drills.

* * * * *

(c) * * *

(1) The operator shall certify that the fire drills were held in accordance with the requirements of this section. The certification shall be kept at the mine and made available on request to an authorized representative of the Secretary.

* * * * *

3. Section 75.1713–3 is revised to read as follows:

§ 75.1713-3 First-Aid training; supervisory employees.

The mine operator shall conduct first-aid training courses for selected supervisory employees at the mine. Within 60 days after the selection of a new supervisory employee to be so trained, the mine operator shall certify the name of the employee and date on which the employee satisfactorily completed the first-aid training course. The certification shall be kept at the mine and made available on request to an authorized representative of the Secretary.

4. Section 75.1714–3(e) is revised to read as follows:

§ 75.1714-3 Self-rescue devices; inspection, testing, maintenance, repair, and recordkeeping.

* * * * *

(e) The operator shall certify that the tests required by paragraphs (c) and (d) of this section were done. Where self-rescue devices are removed for repair, the operator shall record the reason for the removal and the corrective action taken. The operator's certification and the record of removal shall be kept at the mine and made available on request to an authorized representative of the Secretary.

* * * * *

PART 77—MANDATORY SAFETY STANDARDS—SURFACE COAL MINES AND SURFACE WORK AREAS OF UNDERGROUND COAL MINES

1. The authority citation for part 77 is revised to read as follows:

Authority: 30 U.S.C. 811, 957 and 961.

2. Section 77.1703 is revised to read as follows:

§ 77.1703 First-Aid training; supervisory employees.

The mine operator shall conduct first-aid training courses for selected supervisory employees at the mine. Within 60 days after the selection of a new supervisory employee to be so trained, the mine operator shall certify the name of the employee and date on which the employee satisfactorily completed the first-aid training course. The certification shall be kept at the mine and made available on request to an authorized representative of the Secretary.

[FR Doc. 89-27200 Filed 11-17-89; 8:45 am]
BILLING CODE 4510-43-M