This document is scheduled to be published in the Federal Register on 2026-11-17 and available online at https://www.federalregister.gov/d/2026-23309, and on https://govinfo.gov

e: 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition 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 a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Coeur Alaska Inc.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments and informational materials, identified by Docket No. MSHA-2026-0925, electronically at the *Federal eRulemaking Portal, https://www.regulations.gov.* Follow the online instructions for making electronic submissions. You should not include personal or proprietary information that you do not wish to disclose publicly. If you mark parts of a comment as "business confidential" information, MSHA will not post those parts of the comment. Otherwise, MSHA will post all comments without change, including any personal information provided. MSHA cautions against submitting personal information.

FOR FURTHER INFORMATION CONTACT: Corliss A. Josephs-Conway, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@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 (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. Petition for Modification

Docket Number: M-2026-002-M

Petitioner: Coeur Alaska Inc., 3031 Clinton Drive, Suite 202, Juneau, AK 99801.

Mine: Kensington Mine, MSHA ID No. 50-01544, located in Juneau, Alaska.

Regulation Affected: 30 CFR 57.6603, Air gap.

Modification Request: The petitioner requests modification of the application of 30 CFR 57.6603 to permit an alternative method of complying with the requirement to maintain a minimum 15-foot air gap between electric power lines and blasting lines.

The petitioner states that:

(a) The petitioner requests a clarification of 30 CFR 57.6603 to permit the use of non-electric (NONEL) shock tube and electronic detonator initiation systems. The section currently calls for maintaining a minimum 15-foot air gap between electric power lines and blasting lines in

underground drifts but does not specify if it pertains to electronic or electric initiation means. The current practice at Kensington is to maintain a minimum of 2 feet between blast and electrical lines, as per 30 CFR 57.6308 manufacturer (Dyno Nobel) recommendations for the electronic initiation system. The petitioner would like to continue this workflow - using a central blast system to initiate electronic detonators and subsequently NONEL detonators in the hole.

(b) The petitioner operates an underground metal/nonmetal mine with numerous existing drifts ranging from approximately 10 to 16 feet in width.

(c) Due to these dimensional constraints, maintaining a 15-foot air gap between installed electric power lines and blasting lines, as required by § 57.6603, is not feasible in certain areas without significantly altering mine infrastructure.

(d) The petitioner currently utilizes blasting initiation products along with central blasting hardware and software from Dyno Nobel.

(e) The petitioner utilizes NONEL (non-electric) shock tube and Driftshot Starter electronic initiation systems for development blasting activities. For the latter, the system is initiated via a central blast computer that requires both a coded signal and a blast specific voltage to trigger an initiation response in the Driftshot Starters.

(f) Production blasts adopt the same principal but are fully electronic and do not rely on NONEL delays.

(g) Unlike traditional electric blasting caps, Dyno Nobel electronic systems are not susceptible to stray electrical currents, or induced voltages from nearby energized power lines. They require a secondary coded signal and specific voltage to be initiated. The continuous communication between the central blast system and the blast control units would throw a fault and prevent initiation should this state be upset and left unresolved. The petitioner also submitted an official certification from electrical testing taken by Detnet – who partnered with Dyno Nobel when developing the electronic initiation systems.

(h) After a successful handshake between the Driftshot starters and central blasting computer, a blasting voltage is initiated from the blast control units down the blast lines. The blast lines are attached to the Driftshot starters via a segment of harness wire. The Driftshot starters are attached to a segment of Detcord, which in turn sets off the NONEL caps with appropriate delays.

(i) High voltage testing up to 30 kV and lightning simulations were performed on the electronic detonators. No degradation in performance was reported and there was no unplanned initiation.

(j) Kensington is compliant with 30 CFR 57.6308, wherein initiation systems have been installed, and used, in accordance with the manufacturer's recommendations. Dyno Nobel has recommended a minimum of 2 feet separation between live electrical wires and trunk/harness wires. Should there be a need to cross over the two lines, these can be done on a 90 degree angle, with a slight drop on the blast line.

(k) The existing standard was developed primarily to address hazards associated with electric detonators and the risk of premature initiation due to electrical energy.

(l) The application of the 15-foot air-gap requirement to Kensington's current electronic initiation systems does not directly address the same hazard profile and presents operational challenges in narrow underground headings.

(m) Detnet has been used reliably throughout the industry and Kensington since its implementation. It has also undergone rigorous testing that renders 30 CFR 57.6603 not applicable for this scenario.

(n) Electronic initiation systems differ from the susceptibility of stray currents as with electric initiation – and require several more steps for positive initiation.

(o) Kensington has implemented the electronic initiation system as per 30 CFR 57.6308, and separated blast cables double the distance away from high voltage lines.

(p) Should faults occur, problem areas cannot be blasted until the problem is resolved.

(q) Electric detonators have been removed from Kensington underground, as per manufacturer recommendation.

(r) The petitioner states that the proposed alternative method provides no less than the same measure of protection while allowing safe and practical blasting operations within existing underground constraints.

The petitioner proposes the following alternative method:

(a) All development blasting initiation shall be conducted using NONEL shock tube and Driftshot electronic starter systems. No electric detonators shall be used in the mine without leadership approval.

(b) Shock tubes shall be visually inspected prior to use to ensure integrity and proper condition.

(c) Blasting circuits shall continue to be physically organized and secured to prevent entanglement, abrasion, or damage from mobile equipment. Audits shall also be conducted on new and existing headings to ensure compliance with manufacturer install guidelines.

(d) Detnet user manuals have suggested that a 1 foot minimum is sufficient for separation between live cable and blast line infrastructure. However, Dyno Nobel guidelines prefer a 2 foot separation to further reduce noise interference in electronics.

(e) Electric power lines shall be properly installed, insulated, and maintained in accordance with applicable MSHA standards.

(f) Blasting activities shall be conducted in accordance with established safe blasting procedures, including clearing, guarding the blast area, and only connecting the blast lines at end of shift.

(g) All personnel involved in blasting operations shall be trained in the safe handling and use of NONEL and electronic systems, including recognition of potential hazards and proper setup techniques.

(h) Misfire procedures specific to NONEL and electronic systems are in place and shall be strictly followed.

(i) The miners at Kensington Mine are represented by a miners representative and the petition for modification has been served to the miners representative on May 10, 2026.

In support of the petition, the petitioner provided additional information including manufacturer safety and testing documentation, Detnet and Dyno Nobel cable installation recommendations, and a manufacturer note on electronic vs. electric detonators.

.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Corliss A. Josephs-Conway,

Acting Director,

Office of Standards, Regulations, and Variances.

[FR Doc. 2026-23309 Filed: 11/16/2026 8:45 am; Publication Date: 11/17/2026]