This document is scheduled to be published in the
Federal Register on 2026-11-17 and available online at
https://www.federalregister.gov/d/2026-23311, 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 Ramaco Resources Land Holdings, LLC.

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-2026-0992, 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-2026-023-C

Petitioner: Ramaco Resources Land Holdings, LLC, 499 Fork Ridge Road, Raven, Virginia, 24639.

Mine: Tiller No. 1, MSHA ID No. 44-06804, located in Tazewell County, Virginia.

Regulation Affected: 30 CFR 75.364(b)(2), Weekly examination.

Modification Request: The petitioner requests a modification of the existing standard, 30 CFR 75.364(b)(2) to permit the weekly examination of the return air course to end when the return air course enters the exhaust ventilation tube at the bottom of the existing slope.

The petitioner states that:

(a) The petitioner seeks modification of 30 CFR 75. 364(b)(2) as it pertains to weekly examinations of a return air course.

(b) That standard 30 CFR 75.364(b)(2) provides in relevant part:

> In at least one entry of each return air course, in its entirety, so that the entire air course is traveled.

(c) Tiller No. 1 Mine is a Slope/Shaft Underground Coal Mine with existing developments in the Tiller Coal Seam.

(d) The underground mine is currently idle with no underground ventilation. The petitioner intends to restart the mine in the future to conduct additional mining in the Tiller Seam as well as to use the existing developed works to access the underlying Castle Seam.

(e) In July 2026, the petitioner conducted a re-entry and exploration of the mine to determine the feasibility and actions needed to rehabilitate the mine to resume operation. During the exploration it was determined the set of entries previously used to direct return air to the surface (Mud Lick Mains) are no longer accessible due to mine roof deterioration and collapses. The loss of these entries has resulted in the Tiller No 1 Mine having only two usable openings to the surface; the Belt Neutral Slope and the Intake Shaft (Blowing Mine Fan).

(f) Currently, to comply with 30 CFR 75.301, the petitioner must have at least three usable openings to the surface to facilitate

(1) an Intake Air Course/Primary Escapeway,

(2) Neutral Air Course Belt/Alternate Escapeway, and

(3) Return Air course.

(g) The petitioner intends to establish an isolated return air course to the surface by installing ventilation tubing within the Belt/Alternate Escapeway (Slope Entry) to be connected to an exhausting fan installation on the surface.

(h) The petitioner seeks an alternative method to the mandatory safety standard, asserting it will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) An isolated return air course using a separate entry or set of entries, separated from other air courses using traditionally accepted ventilation controls, will be maintained in the underground areas of the mine from the bottom of the Slope to all areas within the mine where a return air course is needed.

(b) At the bottom of the existing slope the return air course will enter a ventilation tube and be coursed to the surface. The ventilation tube will be continuous from the bottom of the slope to the surface where it will be connected to an exhausting mine fan installation.

(c) The ventilation tube will have a minimum outside diameter of 42” and will be constructed of MSHA Approved materials.

(d) The ventilation tube will be attached to the mine roof using non-combustible chains, cables or straps as deemed appropriate, or the tubing will be placed on the mine floor and secured and protected from damage.

(e) The entry where the tubing will be placed will be the belt/neutral slope entry (Alternate Escapeway). This entry will be ventilated from the main blowing mine fan with air traveling outby to the surface. This entry will be examined each shift as required by 30 CFR 75.360. Examinations will include ensuring the tubing is properly maintained.

(f) The slope where the Tubing Return Air Course will share the same entry as the Belt Neutral Air Course is 1,030’ in length.

(g) The tubing will be connected to a mine fan installation on the surface installed in compliance with all applicable requirements of 30 CFR 75.310 through 75.312. The fan to be used will be a 929 RBB Centrifugal exhauster capable of operating at 900 RPM producing up to 30 IN/WG of vacuum.

(h) The current Main Mine Fan (Blowing) and the Return Mine Fan (Exhausting) will operate at all times. The Main Mine Fan will be adjusted to introduce a sufficient quantity of air into the mine to supply the working areas of the mine ventilated by the Exhaust Mine Fan

(Ventilation Tube Split) as well as to ventilate areas to be coursed to the Belt/Neutral Air Course. This will ensure constant air flow in all areas without any unplanned reversals.

(i) The air entering the mine from the Main Mine Fan (Blowing) will always be 40% or more greater than the air exiting the mine through the exhausting ventilation tube. The anticipated air flow through the Exhausting Mine Fan will be 60,000 CFM. The Main Mine Fan (Blowing) will be adjusted to deliver 84,000 CFM or more into the mine.

(j) Examinations of the return air courses, per compliance with 30 CFR 75.364(b)(2), will be accomplished by a certified examiner traveling at least one entry of the return air course in its entirety. These examinations will end when the return air enters the exhaust ventilation tubing near the bottom of the slope.

(k) The examination of the portion of the return air being course through the tubing will consist of examining the outside perimeter of the tube along the 1,030' entirety. This examination will include all connectors and means used to secure the tubing into place. Ports will be provided for inserting a Pitot Tube for measuring the air flow inside the ventilation tubing. A minimum of three ports will be installed as follows:

(1) within 50' of the beginning of the tube near the slope bottom,

(2) at the approximate mid-point (500' from the bottom of the slope), and

(3) within 50' of the fan installation on the surface. Obtaining these three readings will allow the examiner to quantify the air flow to determine the amount of leakage if any. Due to the pressure differential of the exhaust system, any leakage would travel from the neutral air course into the tubing and would therefore pose no hazard of return air short circuiting into the neutral. These examinations of the tube conducted weekly will be in addition to the examinations which will be conducted each shift in accordance with 30 CFR 75.360 as detailed in item (f).

(l) The petitioner intends to develop new air shafts once the mine reaches the Castle Seam, at which time this alternative Return Air Course will no longer be needed. The petitioner

anticipates completion of the new air shafts within 9 to 12 months after the slope construction begins.

The miners at Ramaco Resources Land Holdings, LLC are not represented by a labor organization and this petition is posted on the mine bulletin board as September 8, 2026. The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard. In support of the proposed alternative method, the petitioner has also submitted a mine map depicting the locations of the mine fans, ventilation tubing, ventilation controls and the air courses.

Corliss A. Josephs-Conway,

Acting Director,

Office of Standards, Regulations, and Variances.

[FR Doc. 2026-23311 Filed: 11/16/2026 8:45 am; Publication Date: 11/17/2026]