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Signed at Washington, DC this 3d day of November 1995.

Philip J. Gloss,
Chief, Branch of Construction Wage Determinations.

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 BILLING CODE 4510-27-M

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Consolidation Coal Company

[Docket No. M-95-152-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.380(d)(4) (escapeways; bituminous and lignite mines) to its Powhatan No. 4 Mine (I.D. No. 33-01157) located in Monroe County, Ohio. The petitioner requests that its petition for modification, docket number M-93-60-C be amended to allow a minimum clearance of 4 feet for its alternate escapeway instead of the 2 feet minimum clearance specified in its previous petition. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

2. Twentymile Coal Company

[Docket No. M-95-153-C]

Twentymile Coal Company, One Oxford Center, 301 Grant Street—20th Floor, Pittsburgh, Pennsylvania 15219 has filed a petition to modify the application of 30 CFR 75.804(a) (underground high-voltage cables) to its Foidel Creek Mine (I.D. No. 05-03836) located in Routt County, Colorado. The petitioner requests that its previous petition for modification, docket number M-92-55-C be amended to

allow the use of high-voltage cables that are made by any manufacturer instead of cables made by one manufacturer and that meets the specification listed in this petition. The petitioner proposes to use these cables for 2400 and 4160-volts high-voltage longwall systems. The types of cables would be the Tiger Brand SHD-CGC, Pirelli SHD-Center-GC, and Cablec SHD + GC, or any cable manufactured to ICEA specification S-75-381 for type SHD-3 conductor cable that is 5000 volt, MSHA-accepted flame-resistant cable with a ground-check wire that is 16 AWG minimum. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

3. Knott County Mining Company

[Docket No. M-95-154-C]

Knott County Mining Company, P.O. Box 2805, Pikeville, Kentucky 41502 has filed a petition to modify the application of 30 CFR 75.1710 (canopies or cabs; electric face equipment) to its Hollybush Mine No. 1 (I.D. No. 15-15289), and its Brimstone Mine No. 1 (I.D. No. 15-16893) both located in Knott County, Kentucky. The petitioner proposes to operate electric face equipment without cabs and canopies in mining heights below 48 inches. The petitioner states that application of the standard would result in a diminution of safety to equipment operator. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

4. Clintco Enterprises, Inc.

[Docket No. M-95-155-C]

Clintco Enterprises, Inc., P.O. Box 2831, Pikeville, Kentucky 41502 has filed a petition to modify the application of 30 CFR 75.388(a)(3) (boreholes in advance of mining) to its No. 1 Mine (I.D. No. 15-17700) located in Floyd County, Kentucky. The petitioner requests a modification of the standard to allow them to not drill boreholes to locate old workings. The petitioner asserts that application of the standard could be dangerous because drilling would create a conduit for gas or water to accumulate on the active section and cause the equipment to slip, slide, or become marred in wet bottom; and that these wet conditions would increase the probability of electrical-related injuries and accidents. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

5. Amax Coal Company and Clipmate Corporation

[Docket No. M-95-156-C]

Amax Coal Company and Clipmate Corporation, 16 S. Pennsylvania, Oklahoma City, Oklahoma 73106 have filed a petition to modify the application of 30 CFR 75.1303(y) (1) and (2) to its Chinook Mine (I.D. No. 12-00322) located in Clay County, Indiana. The petitioner proposes to use a protected Rozdet open circuit detonator system at its Chinook Mine instead of shunted electrical detonators; to package and store the detonator at the mine in accordance with the U.S. Department of transportation Report, Reference Number EX-9309092; and to provide instructions in each Rozdet package on the proper use of the Rozdet. The petitioner asserts that application of the standard would result in a diminution of safety to the miners under certain conditions. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

6. Sunshine Precious Metals, Inc.

[Docket No. M-95-11-M]

Sunshine Precious Metals, Inc., P.O. Box 1080, Kellogg, Idaho 83837-1080 has filed a petition to modify the application of 30 CFR 57.11055 (inclined escapeways) to its Sunshine Mine (I.D. No. 10-00089) located in Shoshone County, Idaho. The petitioner requests a modification of the requirement for an emergency hoisting facility. The Petitioner states that a portion of the West Chance orebody between the 2700 and 3100 foot levels of the mine is being developed for mining; that no mining has taken place in recent years; and that the 2700 foot level is only accessible from the Jewell Shaft. The petitioner proposes to establish a second escapeway to the 3100 foot level which would provide access to the adjoining Silver Summit Mine; to have a borehole at a 5-foot diameter raise lined with steel in order to establish a 4-foot diameter opening for ventilation from the 2700 foot to the 3100 foot level; and to have a suitable ladderway for safe travel in an emergency. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

Request for Comments

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before December 13, 1995. Copies of these petitions are available for inspection at that address.

Dated: November 1, 1995.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 95-27872 Filed 11-9-95; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-155]

Consumers Power Company, Big Rock Point Nuclear Plant; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of 10 CFR Part 50, Appendix J, Paragraph III.D.2(b)(i), concerning testing of the escape air lock, to the Consumers Power Company (CPCo or the licensee), for operation of the Big Rock Point Plant (BRP), located in Charlevoix County, Michigan.

Environmental Assessment

Identification of the Proposed Action

The proposed action would allow an exemption from the requirement of 10 CFR Part 50, Appendix J, Paragraph III.D.2(b)(i), to test air locks at an internal pressure not less than P_a . This requires the emergency (or escape) air lock at Big Rock Point to be tested at 23 psig, the calculated peak pressure (P_a) for Big Rock Point. The proposed action is in accordance with the licensee's application for exemption dated October 4, 1994, as supplemented by letter dated September 27, 1995.

The Need for the Proposed Action

The regulation, as set forth in 10 CFR Part 50, Appendix J, paragraph III.D.2(b)(i), requires that Big Rock Point's containment emergency air lock be tested at an internal pressure not less than P_a , which is 23 psig for Big Rock Point. Currently, the containment escape air lock at Big Rock Point is

tested at a pressure of 2 psig. Therefore, the explicit requirement of paragraph III.D.2(b)(i) of Appendix J is not met. The requested exemption is required because of the emergency air lock manufacturer's restrictions on internal pressurization and the Big Rock Point design which necessitates frequent personnel entries. The licensee stated that the escape air lock internal pressurization is limited by the manufacturer to 2 psig without a strongback and 5 psig with a strongback in place, thereby making pressurization to peak pressure impossible for local leak rate tests. In addition, the licensee stated that the required use of a strongback for the 5-psig test and its positioning on the inside of the lock which tends to assist the door in sealing is less conservative than the 2-psig test for the inner door. Therefore, the 5-psig test has no significant increase in value. The licensee believes that the escape air lock's performance is demonstrated with the local leak rate test at 2 psig.

Environment Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the proposed exemption will not affect facility radiation levels or facility radiological effluents. The licensee has provided an acceptable basis for concluding that the proposed exemption to test the escape air lock at a pressure of 2 psig would maintain the containment leak rates within acceptable limits.

The change will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or