

cause exists for not publishing the supplement to the Minnesota State Plan as a proposed change and makes the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective January 23, 1997.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 [29 U.S.C. 667])

Signed at Chicago, Illinois this 4th day of November 1996.

Sandra J. Taylor,

*Acting Regional Administrator.*

[FR Doc. 97-1565 Filed 1-22-97; 8:45 am]

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## Washington State Standards; Notice of Approval

### 1. Background

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On January 26, 1973, notice was published in the Federal Register (38 FR 2421) of the approval of the Washington plan and the adoption of Subpart F to Part 1952 containing the decision.

The Washington plan provides for the adoption of State standards that are at least as effective as comparable Federal standards promulgated under Section 6 of the Act. Section 1953.20 provides that where any alteration in the Federal program could have an adverse impact on the at least as effective as status of the State program, a program change supplement to a State plan shall be required.

In response to a Federal standard change, the State submitted by letter dated March 6, 1995, from Mark O.

Brown, Director, to Richard S. Terrill, Acting Regional Administrator, a State standard identical to the Federal standards 29 CFR 1910.1201, 29 CFR 1915.100, 29 CFR 1917.29, 29 CFR 1918.100 and 29 CFR 1926.61, Retention of DOT Markings, Placards and Labels, published in the Federal Register (59 FR 36695) on July 19, 1994. The State standard was adopted on January 18, 1995, effective March 10, 1995, under Washington Administrative Order 94-19.

In response to Federal and State initiated standard changes, the State submitted by a letter dated December 20, 1991, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, State standard amendments comparable to 1910.1025, Lead, published in the Federal Register (56 FR 24686) on May 31, 1991. The minor State initiated amendments included the incorporation of the appendices and a summary of employer responsibility regarding the lead standard provisions. The change was adopted in Administrative Order 91-07 on November 22, 1991, effective December 24, 1991.

In response to a new Federal standard, the State submitted by letter dated November 17, 1993, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, a State standard comparable to the Federal standard 29 CFR 1926.62, Lead Exposure in Construction; Interim Final Rule, published in the Federal Register (58 FR 26590) on May 4, 1993. The State standard was adopted on October 29, 1993, effective December 10, 1993, under Washington Administrative Order 93-07. The State requires each employer to protect his/her own employees rather than for contractors on multi-contractor worksites to make arrangements among themselves. Other minor differences include correction of errors and deletion of the word "interim".

On its own initiative, the State submitted by letter dated March 6, 1995, from Mark O. Brown, Director, to Richard S. Terrill, Acting Regional Administrator, a State standard amendment comparable to 29 CFR 1910.1025, Lead. The amendments add a new non-mandatory Appendix E to the previously approved WAC 296-62-07521, Lead standard. The State amendments were adopted on January 30, 1995, effective March 3, 1995, under Washington Administrative Order 94-15.

On its own initiative, the State has submitted by letter dated June 20, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, a State standard amendment which prohibits

the use of 4x29 inch wire rope in any maritime "running rigging". The State standard is comparable to 29 CFR 1917.43, Miscellaneous Auxiliary Gear. The change was adopted in Administrative Order 91-01 on May 20, 1991, effective June 20, 1991.

On its own initiative, the State has submitted by letter dated February 9, 1990, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, amendments to the previously approved General Safety and Health Standards, WAC 296-24, which incorporated some of the Washington Industrial Safety and Health Administration (WISHA) Regional Directives (WRD) into appropriate standards. The significant State standard amendments are: WAC 296-24-15001(7), guarding of food waste disposal equipment; WAC 296-24-16517 additional requirements for the guarding and labeling of radial saws; WAC 296-24-20503(5), specific conditions that are required to be followed when operating sewing machines; WAC 296-24-550, requires means of egress for all buildings to be in accordance with the 1985 National Fire Code, (NFPA); WAC 296-24-78007(6), specific construction requirements for Jacob's ladders; WAC 296-24-82503, additional requirements for swinging scaffolds, use of screw shackles, hooks on blocks and lifelines size. The State amendments were adopted on January 11, 1990, effective February 26, 1990, under Washington Administrative Order 89-20.

On its own initiative, the State submitted by letter dated February 8, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, amendments to the previously approved WAC 296-155-950, Rollover Protective Structures for Material Handling Equipment. The significant state standard amendment, which incorporated a Washington Industrial Safety and Health Administration (WISHA) Regional Directive (WRD), references the 1980 Society of Automotive Engineers (SAE) test criteria. The State amendments were adopted on January 10, 1991, effective February 12, 1991, under Washington Administrative Order 90-18.

On its own initiative, the State submitted by letter dated June 20, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, a State standard amendment comparable to 29 CFR 1910.243(d)(1)(i) and 29 CFR 1910.243(d)(3)(iv), Guarding of Portable Powered Tools. The State standard was amended to adopt the 1985 edition of ANSI A10.3, Safety Requirements for Power Actuated Fastening Systems. The State amendments were adopted May

20, 1991, effective June 20, 1991, under Washington Administrative Order 91-01.

On its own initiative, the State submitted by letter dated August 19, 1994, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, a State standard amendment comparable to 29 CFR 1910, General Safety and Health Standards. The State standard at WAC 296-24 was amended to add gender neutral language and make other housekeeping changes. The State amendments were adopted July 20, 1994, effective September 20, 1994, under Washington Administrative Order 94-07.

On its own initiative, the State submitted by letter dated January 4, 1993, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, a State standard amendment comparable to 29 CFR 1926.201(a)(3) and 29 CFR 1926.210(a)(4), Signaling. The State standard was amended to adopt: current edition of ANSI D6.1, Uniform Traffic Control Devices; approved training every three years; and flaggers must have in their possession a certificate verifying required training. The State amendments were adopted December 11, 1992, effective January 15, 1993, under Washington Administrative Order 92-15.

On its own initiative, the State submitted by letter dated October 22, 1993, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, a State standard amendment comparable to 29 CFR 1926.200(g)(2) and 29 CFR 1926.200(h)(1)(i), Accident Prevention Signs and Tags. The State standard was amended to not only require signs, but to clarify that all traffic control signs and devices used in construction must be made and installed according to the 1988 edition of ANSI D6.1, Uniform Traffic Control Devices for Street and Highways. The State amendments were adopted December 11, 1992, effective January 15, 1993, under Washington Administrative Order 92-15; and were adopted September 22, 1993, effective November 1, 1993, under Washington Administrative Order 93-04.

On its own initiative, the State submitted by letter dated October 26, 1994, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, amendments to the previously approved WAC 296-306-020, Serious Injury Reporting. The amendments were to incorporate the April 1, 1994 Federal reporting requirements in 29 CFR 1904.8, which reduced the reporting time from 24 to 8 hours, into the State of Washington's vertical Agriculture standard. The State amendments were adopted on September 30, 1994,

effective November 20, 1994, under Washington Administrative Order 94-16.

On its own initiative, the State submitted by letter dated October 14, 1992, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, amendments to the previously approved State standard, WAC 296-78-515, Management's Responsibility. The amendments incorporated the April 1, 1994 Federal reporting requirements in 29 CFR 1904.8 into the State of Washington's Sawmills and Woodworking Operations standard. The State amendments were adopted on September 30, 1994, effective November 20, 1994, under Washington Administrative Order 94-16.

In response to Federal and State initiated standard changes, the State submitted by a letter dated June 20, 1991, from Joseph A. Dear, Director to James W. Lake, Regional Administrator, a State standard amendment comparable to 29 CFR 1926.100(c), Head Protection. In response to a U.S. Supreme Court decision, which denied relief to any individual from the obligation to comply with a neutral, generally applicable regulatory law, the State eliminated language that gave an exemption for wearing hard hats to Old Order Amish and Sikh Dharma Brotherhood. The amendment was adopted in Administrative Order 91-01 on May 20, 1991, effective June 20, 1991.

On its own initiative, the State submitted by letter dated June 20, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, State standard amendments to WAC 296-62-07540, Formaldehyde. This standard was originally approved in the Federal Register (57 FR 12947) on April 14, 1992. The State initiated amendments add WAC references comparable to those in the Federal Formaldehyde standard. The State standard amendments were adopted under Washington Administrative Order 91-01 on May 20, 1991, effective June 20, 1991.

In response to Federal standard changes, the State submitted by letter dated November 30, 1992, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, corrections to the State standard at WAC 296-62-07540 comparable to corrections to the Federal standard, 29 CFR 1910.1048, Formaldehyde, as published in the Federal Register (57 FR 22290) on May 27, 1992, (57 FR 24701) on June 10, 1992, and (57 FR 27160) on June 18, 1992. The State corrections are contained in Administrative Order 92-

13, adopted November 10, 1992, effective December 18, 1992.

All of the administrative orders were adopted pursuant to RCW 34.04.040(2), 49.17.040, 49.17.050, Public Meetings Act RCW 42.30, Administrative Procedures Act RCW 34.04, and the State Register Act RCW 34.08. These standards changes have been incorporated as part of the State plan.

## 2. Decision

OSHA has determined that the State standard amendments for Miscellaneous Auxiliary Gear, General Safety and Health Standards (1990), Rollover Protective Structures for Material Handling Equipment, Guarding of Portable Power Tools, Signaling, and Accident Prevention Signs and Tags are at least as effective as the comparable Federal standards, as required by Section 18(c)(2) of the Act. These amendments have been in effect since at least November, 1993. During this time OSHA has received no indication of significant objection to these different State standards either as to their effectiveness in comparison to the Federal standards or as to their conformance with product clause requirements of section 18(c)(2) of the Act. (A different State standard applicable to a product which is distributed or used in interstate commerce must be required by compelling local conditions and not unduly burden interstate commerce.) OSHA has also determined that the differences between the State and Federal amendments for Lead, Lead in Construction, General Safety and Health Standards (1994), Serious Injury Reporting, Management's Responsibility, Head Protection and Formaldehyde are minimal and that the State amendments are thus substantially identical. OSHA therefore approves these amendments; however, the right to reconsider this approval is reserved should substantial objections be submitted to the Assistant Secretary. In addition, OSHA has determined that the State amendment for Retention of DOT Markings, Placards and Labels is identical to the comparable Federal standard, and therefore approves the amendment.

## 3. Location of Supplement for Inspection and Copying

A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, 1111 Third Avenue, Suite 715, Seattle, Washington

98101-3212; State of Washington Department of Labor and Industries, 7273 Linderson Way, S.W., Tumwater, Washington 98501; and the Office of State Programs, Occupational Safety and Health Administration, Room N-3700, 200 Constitution Avenue, NW, Washington, D.C. 20210.

#### 4. Public Participation

Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Washington State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standard amendments are as effective as the Federal standards which were promulgated in accordance with the Federal law, including meeting requirements for public participation.

2. The standard amendments were adopted in accordance with the procedural requirements of State law and further public participation would be repetitious.

This decision is effective January 23, 1997.

(Sec. 18, Pub. L. 91-596, 84 STAT. 6108 [29 U.S.C. 667]).

Signed at Seattle, Washington, this 10th day of December 1996.

Richard S. Terrill,

*Acting Regional Administrator.*

[FR Doc. 97-1564 Filed 1-22-97; 8:45 am]

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**DATES:** February 11, 1997, 8 a.m. to 5 p.m.; February 12, 1997, 8 a.m. to 5 p.m.; February 13, 1997, 8 a.m. to 2 p.m.

**ADDRESSES:** Nassau Bay Hilton, 3000 NASA Road 1, Houston, TX.

**FOR FURTHER INFORMATION CONTACT:**

Dr. Edmond M. Reeves, Code US, National Aeronautics and Space Administration, Washington, DC, 20546, 202/358-2560.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the seating capacity of the room. Advance notice of attendance to the Executive Secretary is requested. The agenda for the meeting is as follows:

- Station program update
- Science and technology utilization plans and requirements
- Microgravity environment and vibration isolation
- Telescience requirements and communications capabilities
- Plans for the Office of Life and Microgravity Sciences and Applications Advisory Committee reorganization
- Other topics related to the scientific, technologies, and commercial utilization of the Space Station may be included in the meeting discussions.

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 14, 1997.

Leslie M. Nolan,

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

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3.8.1.14 and 3.8.1.15 until the SONGS Unit 3 Cycle 9 refueling outage (currently scheduled to begin on April 5, 1997), with surveillance requirements that were in force when these surveillances were last performed.

The exigent circumstances for this TS amendment request exist due to the recent discovery of the inappropriate crediting of previous test results to the post-Technical Specification Improvement Program SRs.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change would temporarily replace Surveillance Requirements (SRs) SR 3.8.1.14 and 3.8.1.15 with the SRs that had existed for this testing in the Technical Specifications (TSs) prior to the Technical Specification Improvement Program (TSIP).

Operation of the facility would remain unchanged as a result of the proposed changes and no assumptions or results of any accident analyses are affected. Therefore, the proposed change will not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change would temporarily replace Surveillance Requirements (SRs) SR 3.8.1.14 and 3.8.1.15 with the SRs that had existed for this testing in the previous (pre-TSIP) TS.

Operation of the facility would remain unchanged as a result of the proposed change. Therefore, the proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (97-006)]

### NASA Advisory Council, Life and Microgravity Sciences and Applications Advisory Committee, Space Station Utilization Advisory Subcommittee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act. Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Life and Microgravity Sciences and Applications Advisory Committee, Space Station Utilization Advisory Subcommittee.

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-362]

### Southern California Edison Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed no Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-15 issued to Southern California Edison Company (the licensee) for operation of the San Onofre Nuclear Generating Station (SONGS), Unit No. 3 located in San Diego County, California.

The proposed amendment would replace Surveillance Requirements