

the vehicle operator while transporting diesel-filled safety cans; and to transfer the diesel fuel from the safety cans to equipment fuel tanks upon arrival on the longwall section. The petitioner states that the safety cans would not be stored on the longwall section; and that following refueling, the empty safety cans would be returned to the vehicle and transported to the surface or underground storage facility. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

11. Energy West Mining Company

[Docket No. M-97-139-C]

Energy West Mining Company, P.O. Box 310, Huntington, Utah 84528 has filed a petition to modify the application of 30 CFR 75.350 (air courses and belt haulage entries) to its Trail Mountain Mine (I.D. No. 42-01211) located in Emery County, Utah. The petitioner requests that Item (o) of the Proposed Decision and Order for its previously granted petition, docket number M-94-166-C, be amended to incorporate new language specified in this petition. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

12. Energy West Mining Company

[Docket No. M-97-140-C]

Energy West Mining Company, P.O. Box 310, Huntington, Utah 84528 has filed a petition to modify the application of 30 CFR 75.352 (return air courses) to its Trail Mountain Mine (I.D. No. 42-01211) located in Emery County, Utah. The petitioner requests that Item (o) of the Proposed Decision and Order for its previously granted petition, docket number M-94-167-C, be amended to incorporate new language specified in this petition. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

13. M & M Anthracite Coal Company

[Docket No. M-97-141-C]

M & M Anthracite Coal Company, 245 2nd Street, Tremont, Pennsylvania 17981 has filed a petition to modify the application of 30 CFR 75.1400 (hoisting equipment; general) to its Little Tracey Slope (I.D. No. 36-08693) located in Schuylkill County, Pennsylvania. The petitioner proposes to use a slope conveyance (gunboat) in transporting persons without installing safety catches or other no less effective devices but

instead use increased rope strength/safety factor and secondary safety rope connection in place of such devices. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

14. Elk Run Coal Company

[Docket No. M-97-142-C]

Elk Run Coal Company, Box 497, Sylvester, West Virginia 25193 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Laurel Eagle Mine (I.D. No. 46-08181) located in Raleigh County, West Virginia; and its Black Knight II Mine (I.D. No. 46-08402) located in Boone County, West Virginia. The petitioner proposes to use permanently installed, spring-loaded locking devices on mobile battery-powered machines to prevent unintentional loosening of battery plugs from battery receptacles in order to eliminate the hazards associated with difficult removal of padlocks during emergency situations, instead of using padlocks. The petitioner asserts that application of the mandatory 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.

15. Tg Soda Ash, Inc.

[Docket No. M-97-13-M]

Tg Soda Ash, Inc., P.O. Box 100, Granger, Wyoming 82934 has filed a petition to modify the application of 30 CFR 57.22305 (approved equipment (III mines) to its Wyoming Soda Ash Trona Mine (I.D. No. 48-00639) located in Sweetwater County, Wyoming. The petitioner proposes to operate a non-permissible pump in an area of the mine that was previously a shortwall panel. The petitioner proposes to operate approved equipment in by the last open break or in areas where methane may enter the airstream. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

16. Getchell Gold Corporation

[Docket No. M-97-14-M]

Getchell Gold Corporation, P.O. Box 220, 28 Miles N.E., Golconda, Nevada 89414 has filed a petition to modify the application of 30 CFR 57.14130 (roll-over protective structures (ROPS) and seat belts for surface equipment) to its Getchell Mine (I.D. No. 26-02233) located in Humboldt County, Nevada.

The petitioner requests variance from the use of the ROPS portion of the mandatory standard for its John Deere Model 570B Grader, serial number DW570BX5544565 and the Caterpillar D3C Dozer, serial number 6SL0153 equipment used primarily underground. The petitioner asserts that using this equipment underground without rollover protection would present a minimum exposure to the miners.

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 February 17, 1998. Copies of these petitions are available for inspection at that address.

Dated: January 13, 1998.

Patricia W. Silvey,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 98-1152 Filed 1-15-98; 8:45 am]

BILLING CODE 4510-43-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL-1-93]

Wyle Laboratories, Inc., Request for Change of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA); Labor.

ACTION: Notice of change in recognition as a Nationally Recognized Testing Laboratory (NRTL).

SUMMARY: This notice announces the Agency's final decision on the Wyle Laboratories' request to remove a restriction in its recognition as a NRTL under 29 CFR 1910.7.

DATES: The change is effective this January 16, 1998.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Variance Determination, NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N3653, Washington, D.C. 20210, (202) 219-7056.

SUPPLEMENTARY INFORMATION:

Notice of Final Decision

Wyle Laboratories, Inc. (Wyle), previously made application pursuant

to 29 CFR 1910.7, for recognition as a Nationally Recognized Testing Laboratory (see 59 FR 783, 1/6/94), and was so recognized (see 59 FR 37509, 7/22/94). As a part of this notice of recognition, a condition was imposed by OSHA that Wyle "will not test certify any equipment or materials for a client which installs its equipment in an electronic enclosure cabinet manufactured or distributed by Wyle." This condition stemmed from the ownership by Wyle of an Electronic Enclosures Division, which manufactured and distributed electronic enclosures. Wyle Laboratories informed OSHA by letter dated July 15, 1997, that it has sold its Electronic Enclosure Division in its entirety to Electronic Enclosures, Inc., a U.S. subsidiary of the Walker Dickson Group of Edinburgh, Scotland. Wyle also requested that OSHA remove the previously described condition, and notice is hereby given that this condition of Wyle's recognition is removed. While the sale of Division moots this restriction, a notice is appropriate to amend the public record of Wyle's recognition.

The address of the laboratory covered by this request is: Wyle Laboratories, 7800 Highway 20 West, Huntsville, Alabama 35807.

All other conditions and requirements of Wyle's recognition remain the same.

Since this request by Wyle does not fall within the public notice requirements of 29 CFR 1910.7, this is the only notice that OSHA will publish on this decision. A copy of Wyle's July 15, 1997 letter to OSHA is available for inspection and duplication at the Docket Office, Room N-2634, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, (Docket No. NRTL-1-93).

(Authority: 29 CFR 1910.7)

Signed at Washington, D.C. this 7th day of January 1998.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 98-1151 Filed 1-15-98; 8:45 am]

BILLING CODE 4510-26-M

LOCATION: Members of the Board will participate by way of telephonic conferencing equipment allowing them all to hear one another. Members of the Corporation's staff and the public will be able to hear and participate in the meeting by means of telephonic conferencing equipment set up for this purpose in the Corporation's Conference Room, on the 11th floor of 750 First Street, NE., Washington, DC 20002.

MATTERS TO BE CONSIDERED:

1. Approval of agenda.
2. Consider and act on whether to reduce the Corporation's budget mark.
3. Consider and act on proposed appointments to the Vice Presidencies established by the Board on November 15, 1997.
4. Consider and act on an individual Corporate officer's request for permission to receive compensation from a source other than the Corporation while on leave from LSC.
5. Consider and act on other business.

CONTACT PERSON FOR INFORMATION:

Victor M. Fortuno, General Counsel and Secretary of the Corporation, (202) 336-8810.

SPECIAL NEEDS: Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify JoAnn Gretch, at (202) 336-8810.

Dated: January 14, 1998.

Victor M. Fortuno,

General Counsel and Secretary of the Corporation.

[FR Doc. 98-1242 Filed 1-14-98; 12:04 pm]

BILLING CODE 7050-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-410]

New York State Electric & Gas Corporation, Nine Mile Point Nuclear Station, Unit 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an Order approving, under 10 CFR 50.80, an application regarding a proposed indirect transfer of control of ownership and possessory rights held by New York State Electric & Gas Corporation (NYSEG) under the operating license for Nine Mile Point Nuclear Station, Unit No. 2 (NMP2). The indirect transfer would be to a holding company, not yet

named, to be created over NYSEG in accordance with an executed "Agreement Concerning the Competitive Rate and Restructuring Plan of New York State Electric & Gas Corporation." NYSEG is licensed by the Commission to own and possess an 18-percent interest in NMP2, located in the town of Scriba, Oswego County, New York.

Environmental Assessment

Identification of the Proposed Action

The proposed action would consent to the indirect transfer of control of the license to the extent effected by NYSEG becoming a subsidiary of the holding company in connection with a proposed plan of restructuring. Under the restructuring plan, the outstanding shares of NYSEG's common stock (other than shares for which appraisal rights are properly exercised) are to be exchanged for common stock of the holding company on a share-for-share basis, such that the holding company will own all of the outstanding common stock of NYSEG. NYSEG would divest its interest in coal-fired power plants, but would continue to be an "electric utility" as defined in 10 CFR 50.2, engaged in the transmission, distribution and, in the case of NMP2 and hydroelectric facilities, the generation of electricity. NYSEG would retain its ownership interest in NMP2 and continue to be a licensee of NMP2. No direct transfer of the operating license or ownership interests in the station would result from the proposed restructuring. The restructuring of NYSEG would not involve any change to either the management organization or technical personnel of Niagara Mohawk Power Corporation (NMPC), which is responsible for operating and maintaining NMP2 and is not involved in the restructuring of NYSEG. The proposed action is in accordance with NYSEG's application dated September 18, 1997, as supplemented October 20 and 27, 1997.

The Need for the Proposed Action

The proposed action is required to enable NYSEG to restructure as described above.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed corporate restructuring and concludes that there will be no physical or operational changes to NMP2 as a result. The corporate restructuring will not affect the qualifications or organizational affiliation of the personnel who operate

LEGAL SERVICES CORPORATION

Sunshine Act Meeting of the Board of Directors

TIME AND DATE: The Legal Services Corporation Board of Directors will meet by teleconference on January 22, 1998, at 2:00 p.m. EST.

STATUS OF MEETING: Open.