

appointed for two-year terms that expire on September 15, 1999.

ADDRESSES: Please submit nominations to Greg Watchman, Acting Assistant Secretary of OSHA, c/o Teresa M.B. Martínez, Office of the Assistant Secretary, OSHA, Department of Labor, Room S-2315, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Bonnie Friedman, Director, Office of Information and Consumer Affairs, OSHA, 202-219-8151.

SUPPLEMENTARY INFORMATION: The function of ACCSH is to advise the Assistant Secretary "with respect to the setting of construction standards and policy matters affecting federally-financed or assisted construction pursuant to the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and the setting of construction standards pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 656)."

ACCSH is expected to meet two to six times per year for one or two days per meeting. Pursuant to 29 CFR 1912.3 (b) and (c), ACCSH has 15 members categorized as follows:

- Five representatives of employee interests;
- Five representatives of employer interests;
- Two representatives of State safety and health agencies;
- Two representatives qualified by knowledge and experience related to construction safety and health; and
- One representative, designated by the U.S. Secretary of Health and Human Services (HHS), from the National Institute for Occupational Safety and Health (NIOSH), an agency within HHS.

Nominations of new members or renominations of former or current members will be accepted in all categories of membership, except for the representative from NIOSH. Nominees should have specified experience related to occupational safety or health in the construction industry. The category of membership for which the candidate is qualified should be specified in the nomination letter(s).

Nominations for a particular category of membership should come from organizations or individuals within that category. A summary of the candidate's qualifications should be included with the nomination. In addition, each nomination letter should state that the person consents to the nomination and acknowledges the responsibilities of serving on ACCSH. The Department of Labor is committed to equal opportunity in the workplace and seeks a broad-based and diverse ACCSH membership.

(**Authority:** 40 U.S.C. 333; 29 U.S.C. 656)

Signed at Washington, DC this 31st day of July, 1997.

Greg Watchman,

Acting Assistant Secretary of Labor.

[FR Doc. 97-20687 Filed 8-5-97; 8:45 am]

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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m., Thursday, August 7, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission shall consider and act upon the following:

1. Secretary of Labor v. Fort Scott Fertilizer, Inc., Docket Nos. CENT 92-334-M, CENT 93-117-M (Issues include whether the judge correctly determined that two violations of 30 C.F.R. § 56.14101 were caused by employee misconduct and were not the result of the operator's unwarrantable failure to comply with the standard, that the operator was not negligent, and that the operator's agent was not liable under section 110(c) of the Mine Act for the violation, and whether the judge erred by failing to consider all of the civil penalty criteria set forth in section 110(i) of the Mine Act.

Any person attending the meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 C.F.R. § 2706.150(a)(3) and § 2706.160(d).

CONTACT PERSON FOR MORE INFO: Jean Ellen (202) 653-5629/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

Jean H. Ellen,

Chief Docket Clerk.

[FR Doc. 97-20776 Filed 8-1-97; 4:56 pm]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-244]

In the Matter of Rochester Gas and Electric Corporation; R.E. Ginna Nuclear Power Plant; Exemption

I

On December 10, 1984, the Nuclear Regulatory Commission issued Facility Operating License No. DPR-18 to

Rochester Gas and Electric Corporation (RG&E or the Licensee) for the R.E. Ginna Nuclear Power Plant. The license stipulated, among other things, that the facility is subject to all rules, regulations, and orders of the Commission.

II

In its letter dated June 12, 1997, the licensee requested an exemption from the Commission's regulations. Section 50.60 of Title 10 of the Code of Federal Regulations, "Acceptance Criteria for Fracture Prevention Measures for Lightwater Nuclear Power Reactors for Normal Operation," states that all lightwater nuclear power reactors must meet the fracture toughness and material surveillance program requirements for the reactor coolant pressure boundary as set forth in Appendices G and H to 10 CFR part 50. Appendix G to 10 CFR part 50 defines pressure/temperature (P/T) limits during any condition of normal operation, including anticipated operational occurrences and system hydrostatic tests to which the pressure boundary may be subjected over its service lifetime. It also states that the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) edition and addenda specified in 10 CFR 50.55a are applicable. It is specified in 10 CFR 50.60(b) that alternatives to the described requirements in Appendices G and H to 10 CFR Part 50 may be used when an exemption is granted by the Commission under 10 CFR 50.12.

To prevent low-temperature overpressure transients that would produce pressure excursions exceeding the 10 CFR part 50, Appendix G, P/T limits while the reactor is operating at low temperatures, the licensee installed a low-temperature overpressure protection (LTOP) system. The system includes pressure-relieving devices called power-operated relief valves (PORVs). The PORVs are set at a pressure low enough so that if an LTOP transient occurred, the mitigation system would prevent the pressure in the reactor vessel from exceeding the 10 CFR part 50, Appendix G, P/T limits. To prevent the PORVs from lifting as a result of normal operating pressure surges (e.g., reactor coolant pump starting, and shifting operating charging pumps) with the reactor coolant system in a solid water condition, the operating pressure must be maintained below the PORV setpoint. Applying the LTOP instrument uncertainties required by the staff's approved methodology results in an LTOP setpoint that establishes an operating window that is too narrow to