

Affirmative Determinations NAFTA-TAA

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

NAFTA-TAA-02035; *Hanes Printables, Maxton Sewing Plant, Maxton, NC: November 24, 1996.*

NAFTA-TAA-02012; *American Standard Apparel Corp., American Standard Div., and Bertha's Boys Division, Williamsport, PA: November 3, 1996.*

NAFTA-TAA-02023; *Tyco Internation, Ltd., Kendall Healthcare Products Co., Ocala, FL: November 7, 1996.*

NAFTA-TAA-02022; *MAPA Pioneer Corp., Willard, OH: October 13, 1996.*

NAFTA-TAA-02013; *SRAM Corp., Elk Grove, IL: November 4, 1996.*

NAFTA-TAA-02029; *Hogg's Factory, Malden, MO: October 22, 1996.*

NAFTA-TAA-02019; *Barbee Mill Co., Renton, WA: November 11, 1996.*

NAFTA-TAA-02034; *Dee, Mfg., Inc., El Paso, TX: November 20, 1996.*

NAFTA-TAA-01881 & A & B; *Fruit of The Loom, Martin Mills, Inc., St. Martinville, LA, Abbeville Mills, Division of Martin Mills, Inc., Abbeville, LA, Port Barre Mills, Division of Martin Mills, Inc., Port Barre, LA: August 13, 1996.*

NAFTA-TAA-01998 & A; *Tennessee River, Inc., Plant #7, Russellville, AL and Plant #11, Hamilton, AL: October 30, 1996.*

NAFTA-TAA-02014; *Alcoa Fujikura Ltd., Campbellsburg, KY: November 6, 1996.*

NAFTA-TAA-01971; *Reef Gear Manufacturing, Inc., Plant II, Marine City, MI: October 10, 1996.*

I hereby certify that the aforementioned determinations were issued during the month of December, 1997. Copies of these determinations are available for inspection in Room C-4318, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: December 16, 1997.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 97-181 Filed 1-5-98; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR**Occupational Safety and Health Administration**

[V-97-1]

Application for Permanent Variance From Dixie Divers; Extension of Comment Period

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Extension of comment period.

SUMMARY: On October 31, 1997, OSHA published a notice requesting comments on the application of Dixie Divers, Inc., for a permanent variance from the Occupational Safety and Health Administration (OSHA) requirements. OSHA has received a number of requests for extension of the comment period. In response to these requests, OSHA is extending the comment period for 60 days.

DATES: The last date for interested parties to submit comments on the variance application is March 2, 1998.

ADDRESSES: The original and four copies of written comments must be submitted to: U.S. Department of Labor, Occupational Safety and Health Administration, Office of Variance Determination, Room N-3653, Attention: Ms. Juanita Jones, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

For comments, one original (hardcopy) and one diskette ((5¼)-or 3½-inch) in Wordperfect 5.0, 5.1 or 6.1, or ASCII may be sent to this address; however, any information not contained on the diskettes (e.g., studies, articles) must be submitted in quadruplicate with the original written comments. Written comments of 10 pages or less may be transmitted by facsimile (fax) to OSHA's office of Variance Determination at (202) 219-7068, provided the original and four copies of the fax material are sent to OSHA's Office of Variance Determination within the period allowed for comments.

FOR FURTHER INFORMATION CONTACT: Ms. Juanita Jones, Office of Variance Determination (see ADDRESSES above), Telephone: (202) 219-7193, Fax: (202) 219-7068, E-mail: juanita.jones@osha-no.osha.gov or the following Regional and Area Offices:

U.S. Department of Labor—OSHA, 1375 Peachtree Street, N.W., Suite 587, Atlanta, Georgia 30367, Telephone: (404) 562-2300, Fax: (404) 562-2295, E-mail: buryoyne-joanne@dol.gov and

U.S. Department of Labor—OSHA, 5807 Breckenridge Parkway, Suite A, Tampa, Florida 33610, Telephone: (813) 626-1177, Fax: (813) 626-7015, E-mail: larry.falck@tampa.osha.gov.

For an electronic copy of this Federal Register notice, contact the Labor News Bulletin Board at (202) 219-4748, or access OSHA's web page on the Internet at <http://www.OSHA.gov>.

SUPPLEMENTARY INFORMATION: On October 31, 1997, OSHA published a notice (62 FR 58995) requesting comments on the application of Dixie Divers, Inc., for a permanent variance from the Occupational Safety and Health Administration (OSHA) requirements for the availability and use of decompression chambers for mixed-gas diving operations (i.e., 29 CFR 1910.423(b)(2), 29 CFR 1910.423(c)(3)(iii), and 29 CFR 1910.426(b)(1)). OSHA provided all the details for this application for permanent variance in this previous notice.

Authority and Signature

This document was prepared under the direction of Charles N. Jeffress, Assistant Secretary of Labor, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, pursuant to Section 6(d) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655); Secretary of Labor's orders 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), or 6-96 (62 FR 111), as applicable; and 29 CFR part 1905.

Signed at Washington, D.C. this 24th day of December, 1997.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 98-150 Filed 1-5-98; 8:45 am]

BILLING CODE 4510-26-M

NATIONAL SAFETY TRANSPORTATION BOARD**Sunshine Act Meeting**

TIME AND DATE: 9:30 a.m., Tuesday, January 13, 1998.

PLACE: NTSB Board Room, 5th Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

6885A—Marine Accident Report: Allision of the Liberian Freighter *Bright Field* with the Poydras Street Wharf, Riverwalk Marketplace, and New Orleans Hilton Hotel, New Orleans, Louisiana, December 14, 1996.

6725C—Aircraft Accident Report:
Uncontained Engine Failure, Delta Air
Lines Flight 1288, McDonnell Douglas
MD-88, N927DA, Pensacola, Florida,
July 6, 1996.

6958—Safety Recommendation Letter:
Aerial advertising/banner towing.

NEWS MEDIA CONTACT: Telephone: (202)
314-6100.

FOR MORE INFORMATION CONTACT: Ray
Smith (202) 314-6065.

Dated: January 2, 1998.

Ray Smith,

Alternate Federal Register Liaison Officer.

[FR Doc. 98-374 Filed 1-2-98; 2:56 pm]

BILLING CODE 7533-01-P

**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 50-155]

**Consumers Energy Company (Big
Rock Point Nuclear Plant; Exemption**

I

Consumers Energy Company (Consumers or the licensee) is the holder of Facility Operating License No. DPR-6, which authorizes the licensee to possess the Big Rock Point Nuclear Plant (BRP or facility). The license states, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect. The facility consists of a boiling water reactor located at the licensee's site in Charlevoix County, Michigan. The facility is permanently shut down and defueled and is no longer authorized to operate or place fuel in the reactor vessel.

II

Section 50.54(q) of 10 CFR part 50 requires a power reactor licensee to follow and maintain in effect emergency plans that meet the standards of 10 CFR 50.47(b) and the requirements of Appendix E to 10 CFR part 50. Section 50.47(b) provides, in part, that the offsite emergency plan must meet the standards specified in subparagraphs (1) through (16) of 10 CFR 50.47(b). Appendix E, Section IV.F.2.c, of 10 CFR part 50 requires a licensee to exercise its offsite emergency plans biennially with full participation by each authorized authority having a role under the plan.

NRC may grant exemptions from the requirements of the regulations which, pursuant to 10 CFR 50.12(a), are (1) authorized by law, will not present an undue risk to public health and safety, and are consistent with the common

defense and security and (2) present special circumstances. Special circumstances exist when application of the regulation in the particular circumstance would not serve the underlying purpose of the rule (10 CFR 50.12(a)(2)(ii)). Special circumstances also exist, in part, when the exemption would provide only temporary relief from the applicable regulation (10 CFR 50.12(a)(2)(v)). The underlying purpose of 10 CFR part 50, Appendix E, Section IV.F.2.c, is to demonstrate that the emergency plans are adequate and capable of being implemented and that the state of offsite emergency preparedness provides reasonable assurance that adequate protective measures can and will be undertaken in the event of a radiological emergency.

III

On July 17, 1997, the licensee requested exemption from the "annual" emergency preparedness exercise and then on August 5, 1997, submitted Revision 1 to their July 17 request to clarify that they are requesting exemption from the "biennial" offsite emergency exercise requirement of 10 CFR part 50, Appendix E, Section IV.F.2.c. In a letter dated July 22, 1997, the licensee described the scope and objectives for the planned offsite emergency plan exercise, involving the State of Michigan and each authorized authority having a role under the plan.

On August 8, 1997, the licensee requested a scheduler exemption to defer the October 21, 1997, offsite exercise to June 1998 to allow additional time for the BRP staff to revise the exercise scenario to reflect the permanently shut down and defueled condition of the BRP facility. Then, on August 22, 1997, Consumers gave notice that the current offsite exercise scenario (reflecting an operating nuclear power plant) will be forwarded to the NRC Region III office, as required. Consumers then rescheduled the offsite exercise to December 16, 1997 (within the biennial time period stipulated by the regulations and, thus, not requiring an exemption from NRC requirements). On September 4, 1997, the licensee provided additional clarification of its reasons to defer the 1997 offsite exercise until June 1998. These reasons included, in part, a discussion concluding that the exercise would result in "significant resource expenditure by the company and outside agencies" and a reference to an NRC Initial Decision dated August 29, 1984, regarding the licensee's amendment request to expand the spent fuel storage capacity of the BRP spent fuel pool. Therefore, the licensee

requested only temporary relief (10 CFR 50.12(a)(2)(v)) from 10 CFR part 50, Appendix E, Section IV.F.2.c.

On September 19, 1997, Consumers submitted a number of documents reflecting the permanent cessation of power operations and the defueled condition of BRP, including, in part, the BRP Defueled Technical Specifications and the Defueled Emergency Plan. This submittal also contained a request for exemption from the requirements of 10 CFR part 50, Appendix E, Section IV.F.2.c, because, as Consumers asserted, there are "no design basis or other credible events that would result in doses beyond the site area boundary that would exceed the EPA PAGs [Environmental Protection Agency Protective Action Guides] following 68 days post shutdown (11/5/97)." The September 19, 1997, exemption request is still undergoing NRC staff review.

In a letter to Federal Emergency Management Agency (FEMA) Region V, dated November 25, 1997, the State of Michigan stated that "requiring the state and counties to conduct an exercise at this time, based on assumptions of an operating full power reactor, would be unrealistic and counter-productive to all parties involved." The State further asserted that a "more realistic test of local and state capabilities would be to assess response to an accident once all plans and procedures have been revised to reflect the new status of the plant." The State of Michigan's position was again documented to FEMA Region V in a letter dated December 5, 1997.

By letter dated December 9, 1997, Consumers informed the Commission that they have reasonable assurance that the offsite emergency plan is adequate and that appropriate measures can be taken to protect the health and safety of the public in the event of a radiological emergency at BRP to support a postponement in the conduct of the offsite exercise. The licensee based its determination on the successful performance of the 1995 full-participation offsite/onsite emergency exercise, the 1996 onsite emergency exercise, and the conduct of emergency plan drills.

By letter dated December 17, 1997, FEMA informed the NRC that, based on its evaluation, "the offsite radiological emergency response plans and preparedness are adequate and that there is reasonable assurance that they can be implemented to protect the health and safety of the public in the event of an emergency" at the BRP facility. Further, FEMA supports the rescheduling of the 1997 offsite exercise to a date within the first quarter of 1998 and the revision of the offsite exercise