

(escapeways; bituminous and lignite mines) to its No. 1 Mine (I.D. No. 11-00726) located in Macoupin County, Illinois. The petitioner requests a modification of the standard to allow the width of the escapeway to be 5 feet instead of 6 feet when using the belt conveyor as an alternate escapeway. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

### 3. Tennessee Energy Corporation

[Docket No. M-96-38-C]

Tennessee Energy Corporation, 1000 Pocket Road, Whitewell, Tennessee 37397 has filed a petition to modify the application of 30 CFR 75.1405 (automatic couplers) to its Mine No. 41 (I.D. No. 40-02875) located in Sequatche County, Tennessee. The petitioner proposed to use flatcars instead of regular supply cars to haul supplies into the mine due to mining heights. The petitioner proposes to connect the motor and the flatcar with a steel tongue that would be aligned and secured with a pin instead of using automatic couplers. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

### 4. R B Coal Company, Inc.

[Docket No. M-96-39-C]

R B Coal Company, Inc., 8174 East Highway 72, Pathfork, Kentucky 40863 has filed a petition to modify the application of 30 CFR 75.1710-1 (canopies or cabs; self-propelled electric face equipment; installation requirements) to its R B No. 5 Mine (I.D. No. 15-17077) located in Harlan County, Kentucky. The petitioner requests a variance from the use of canopies to the area of the tram leavers used to tram the two Eimco, Model No. 350-43, roof bolting machines from place to place. The petitioner states that at no time would the area pass in by unsupported roof; and asserts that modification of the standard would not pose any type of additional hazard to the miners.

### 5. Pontiki Coal Corporation

[Docket No. M-96-40-C and M-96-41-C]

Pontiki Coal Corporation, P.O. Box 801, Route 1401, Lovely, Kentucky 41231 has filed a petition to modify the application of 30 CFR 75.388 (boreholes in advance of mining) to its Pontiki No. 1 Mine (I.D. No. 15-08413), and its Pontiki No. 2 Mine (I.D. No. 15-09571) both located in Martin County, Kentucky. The petitioner proposes to

drill boreholes when working places advance to within 30 feet of certain surveyed areas in the mine unless those areas have been preshift examined. The petitioner has outlined specific procedures for its alternative method in the petition for modification. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

### 6. Beech Fork Processing, Inc.

[Docket No. M-96-42-C]

Beech Fork Processing, Inc., P.O. Box 190, Lovely, Kentucky 41231 has filed a petition to modify the application of 30 CFR 75.388 (boreholes in advance of mining) to its Mine No. 1 (I.D. No. 15-16162) located in Johnson County, Kentucky. The petitioner requests a variance to mine adjacent to old works, leaving a 50 foot unmined barrier without boring test holes, within 200 feet of old works. The petitioner asserts that the proposed alternative method would not pose any breach in safety procedures.

### 7. New Warwick Mining Company

[Docket No. M-96-43-C]

New Warwick Mining Company, R. D. 1 Box 167A, Mount Morris, Pennsylvania 15349 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (weekly examination) to its Warwick Mine (I.D. No. 36-02374) located in Greene County, Pennsylvania. Due to hazardous conditions in certain areas of the return air course, the area cannot be traveled in its entirety. The petitioner proposes to establish two monitoring points to evaluate the affected area. The petitioner states that the area would be monitored on a weekly basis. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

### 8. Consolidation Coal Company

[Docket No. M-96-44-C]

Consolidation Coal Company, Consol, Inc., Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.364(b)(1) (weekly examination) to its Loveridge No. Mine (I.D. No. 46-01433) located in Monongalia County, West Virginia. Due to deteriorating roof conditions in the intake airway from the vent tubes at the inside shop to the Sugar Run return air shaft (one block West of Check Point "C"), traveling the area to make weekly examinations would be unsafe. The petitioner proposes to establish two

check points, on inby and outby the affected area; to maintain these check points in a safe conditions at all times; and to have a certified person test for methane and the quantity of air on a weekly basis at both check points. In addition, the person making such examinations would record the results with their initials and date in a record book kept on the surface and made accessible to interested parties. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

### 9. Elk Run Coal Company

[Docket No. M-96-45-C]

Elk Run Coal Company, P.O. 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 Castle Mine (I.D. No. 46-07009), Bishop No. 2 Mine (I.D. No. 46-08181), Black King No. 1/North Portal (I.D. No. 46-08553), White Knight Mine (I.D. No. 46-08055), and Black King No. 1 Mine all located in Boone County, West Virginia; and its Laurel Eagle Mine (I.D. No. 46-0883), and Laurel Alma Mine (I.D. No. 46-08457) located in Raleigh County, West Virginia. The petitioner proposes to use permanently installed spring-loaded locking devices to secure battery plugs on mobile equipment instead of padlocks to maintain equipment in permissible condition in accordance with 30 CFR 18.41. 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 July 26, 1996. Copies of these petitions are available for inspection at that address.

Dated: June 20, 1996.

Edward C. Hugler,

*Deputy Assistant Secretary for Mine Safety and Health.*

[FR Doc. 96-16260 Filed 6-25-96; 8:45 am]

BILLING CODE 4510-43-M

**MERIT SYSTEMS PROTECTION BOARD****Opportunity to File Amicus Brief in Forrest v. Department of Agriculture, Docket Number SF-531D-95-0446-I-1**

**AGENCY:** Merit Systems Protection Board.

**ACTION:** The Merit Systems Protection Board is providing an opportunity for interested parties to submit amicus briefs concerning the issue of whether appellants in Board appeals can receive an award of reimbursement for "reasonable" leave time expended to pursue an appeal of an appealable action that is ultimately determined to be unwarranted, or is rescinded or reversed.

**SUMMARY:** The Merit Systems Protection Board currently has an appeal pending in which it is considering the extent of the relief it can award following the reversal or rescission of a personnel action. The appellant in the appeal *Forrest v. Department of Agriculture*, Docket No. SF-532D-95-0446-I-1, has argued that he is entitled to an award of reimbursement for "reasonable" leave time he expended in pursuing his appeal of a personnel action that was ultimately rescinded by the agency. The appellant argues that his agency should be required to restore eight hours of annual leave he used to consult with his attorney about his case. The Board is inviting interested parties to submit amicus briefs addressing the question of whether the Board has the authority to award such relief.

**DATES:** All briefs in response to this notice shall be filed with the Clerk of the Board on or before July 29, 1996.

**ADDRESSES:** All briefs shall include the case name and docket number noted above (*Forrest v. Department of Agriculture*, Docket No. SF-531D-95-0446-I-1) and be entitled "Amicus Brief." Briefs should be filed with the Office of the Clerk, Merit Systems Protection Board, 1120 Vermont Avenue, N.W., Washington, DC 20419.

**FOR FURTHER INFORMATION CONTACT:** Shannon McCarthy, Deputy Clerk of the Board, or Matthew Shannon, Counsel to the Clerk, (202) 653-7200.

Dated: June 21, 1996.

Robert E. Taylor,  
Clerk of the Board.

[FR Doc. 96-16316 Filed 6-25-96; 8:45 am]

BILLING CODE 7400-01-M

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****Notice of Meeting**

**SUMMARY:** NASA will conduct an open forum to solicit questions, views, and options of interested persons/firms concerning NASA's procurement policies and practices. The purpose of the meeting is to have an open discussion between NASA's Associate Administrator for Procurement, industry and the public.

**DATES:** August 22, 1996, from 2 p.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Teague Auditorium, Building 2, located at the NASA Johnson Space Center, 2101 NASA Road 1, Houston, Texas.

**FOR FURTHER INFORMATION CONTACT:** Barbara Kirkland, NASA Johnson Space Center, Industry Assistance Office, Code BD35, 2101 NASA Road 1, Houston, TX 77058, (713) 483-4512, e-mail: bkirklan@bal.jsc.nasa.gov.

**SUPPLEMENTARY INFORMATION:**  
Format

There will be a presentation by the Associate Administrator for Procurement, followed by a question and answer period. Procurement issues will be discussed including NASA policies used in the award and administration of contracts.

**Admittance**

Doors will open at 1:30 p.m. Admittance will be on a first-come, first-served basis. Reservations will NOT be accepted. Questions for the open forum should be presented at the meeting and should not be submitted in advance. Position papers are not being solicited.

**Initiatives**

In addition to the general discussion mentioned above, NASA invites comments or questions relative to its ongoing procurement initiatives, some of which include the following:

**Cost Control.** NASA is developing this initiative to increase the emphasis on cost control with its contractors and within the Agency.

**Source Selection.** NASA is working to reduce the time and effort that contractors and source selection personnel spend on a contract.

**Performance-Based Contracting:** NASA's newest procurement initiative is focused on structuring an acquisition around the purpose of the work to be performed instead of how the work is to be performed, on broad and imprecise statements of work.

*Change Order Reduction and Process Change.* NASA is attempting to improve overall change order management through the use of better technical direction, realistic cost estimates and more effective and timely negotiations.

*MidRange Procurement Procedures:* A test program for a third category of procurements (between the simplified acquisition threshold and \$1,000,000 annually) has been implemented at all NASA centers.

Thomas S. Luedtke,

Deputy Associate Administrator for Procurement.

[FR Doc. 96-16262 Filed 6-25-96; 8:45 am]

BILLING CODE 7510-01-M

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-443]

**North Atlantic Energy Service Company, et al., Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Considering 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-86 issued to North Atlantic Energy Service Corporation (the licensee) for operation of the Seabrook Station, Unit No. 1 located in Rockingham County, New Hampshire.

The proposed amendment would modify the Appendix A Technical Specifications (TSs) for the Electrical Power Systems, Onsite Power Distribution. Specifically, the proposed amendment would change Seabrook Station Appendix A Technical Specification 3.8.3.1, Action a. to increase from 8 hours to 7 days the allowable time that 480-volt Emergency Bus #E64 may be less than fully energized.

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.

The Commission has made a proposed determination 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