

which requires "informed consent" from the individual to whom the information pertains, safeguards the information once it is in the hands of the private entity and closely restricts or prohibits further dissemination, and requires the private entity to pay all costs associated with disclosure. Consent is not informed if an individual is not told that governmental records, including a State's records, may be released and to whom the information may be provided. A more complete discussion is found in UIPL No. 23-96.

d. *Subpoenas.* Where a subpoena requests the disclosure of confidential UC information that is not permitted to be disclosed to the party seeking it, disclosure is permitted only after a motion to quash, on the grounds that it is privileged UC information, has been overruled by a court. This is because, while subpoenas may be issued by a public official (e.g., a clerk of court), they are generally requested for a private party, such as a claimant or an employer. Cooperation with law enforcement officials is encouraged so that there should be no need for these officials to rely upon subpoenas.

7. *Action Required.* State administrators are requested to provide the above information to appropriate staff.

8. *Inquiries.* Direct questions to the appropriate Regional Office.

#### U.S. Department of Labor

##### Employment and Training Administration

Washington, D.C. 20210

Classification: UI

Correspondence Symbol: TEUL

Date: July 21, 1997

Rescissions: None

Expiration Date: Continuing

Directive: Unemployment Insurance Program Letter No. 37-96 Change 1

To: All State Employment Security Agencies

From: GRACE A. KILBANE, Director,

Unemployment Insurance Service

Subject: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996—Deduction of Child Support Obligations from Unemployment Compensation through Legal Process

1. *Purpose.* To advise States of an amendment to the definition of legal process made to Federal law by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

2. *References.* The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193); the Social Security Act (SSA); and Unemployment Insurance Program Letter (UIPL) No. 37-96.

3. *Background.* The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), popularly known as the "welfare reform" bill, made several changes which affect the unemployment compensation (UC) program. The purpose of this UIPL is to provide information on one of these changes which was not discussed in the Department's previous issuance on PRWORA, UIPL 37-96. This change relates to the definition of "legal process" used for purposes of intercepting child support obligations from UC.

4. *Legal Process.* The child support intercept requirement for UC is found at

Section 303(e)(2)(A)(iii)(III), SSA. It requires States, as a condition for UC administrative grants, to deduct and withhold child support obligations from any UC otherwise payable to an individual if the obligation is "required to be so deducted and withheld from such unemployment compensation through legal process (as defined in section 462(e))," SSA. This definition of legal process was repealed by Section 362(b)(1), PRWORA. Although a new definition of legal process was added to the SSA, the UC intercept provisions were not amended to reference this new definition.

The new definition of legal process is found at Section 459(i)(5), SSA, as amended by Section 362(a), PRWORA. It is substantially similar to the old definition. However, whereas the old definition included only courts of competent jurisdiction, the new definition is expanded to include administrative agencies of competent jurisdiction. Thus, a writ, order, summons, or other similar process in the nature of garnishment which is issued by an administrative agency of competent jurisdiction is now included in the definition of legal process.

Under the repealed Section 462(e), the definition of legal process applied to Section 459. In contrast, the new definition is itself contained in Section 459. In the Department's view, the shifting of the definition from Section 462 to Section 459 is merely technical. Further, the child support intercept provision must be effectuated. Therefore, although the child support intercept provision was not amended to reference the new definition, the Department interprets it as re/quiring that States deduct and withhold UC in accordance with the new definition of legal process. This interpretation gives effect to one of the purposes of the PRWORA—to strengthen child support enforcement mechanisms.

States should be aware that any additional costs incurred by the State UC agency in administering this new definition must be reimbursed by the appropriate State or local child support enforcement agency as required by Section 303(e)(2)(C), SSA.

5. *Action.* States will need to determine whether amendment to State law is necessary.

6. *Inquiries.* Please direct inquiries to the appropriate Regional Office.

[FR Doc. 97-19648 Filed 7-24-97; 8:45 am]

BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment Standards Administration Wage and Hour Division

##### Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They

specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by

contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

### Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

#### Volume I:

##### Maine

ME970022 (Feb. 14, 1997)

##### New Jersey

NJ970002 (Feb. 14, 1997)

NJ970003 (Feb. 14, 1997)

NJ970004 (Feb. 14, 1997)

NJ970007 (Feb. 14, 1997)

##### New York

NY970001 (Feb. 14, 1997)

NY970002 (Feb. 14, 1997)

NY970003 (Feb. 14, 1997)

NY970005 (Feb. 14, 1997)

NY970007 (Feb. 14, 1997)

NY970008 (Feb. 14, 1997)

NY970010 (Feb. 14, 1997)

NY970011 (Feb. 14, 1997)

NY970012 (Feb. 14, 1997)

NY970013 (Feb. 14, 1997)

NY970014 (Feb. 14, 1997)

NY970016 (Feb. 14, 1997)

NY970017 (Feb. 14, 1997)

NY970018 (Feb. 14, 1997)

NY970019 (Feb. 14, 1997)

NY970021 (Feb. 14, 1997)

NY970025 (Feb. 14, 1997)

NY970026 (Feb. 14, 1997)

NY970031 (Feb. 14, 1997)

NY970032 (Feb. 14, 1997)

NY970033 (Feb. 14, 1997)

NY970034 (Feb. 14, 1997)

NY970036 (Feb. 14, 1997)

NY970037 (Feb. 14, 1997)

NY970039 (Feb. 14, 1997)

NY970041 (Feb. 14, 1997)

NY970044 (Feb. 14, 1997)

NY970045 (Feb. 14, 1997)

NY970046 (Feb. 14, 1997)

NY970047 (Feb. 14, 1997)

NY970048 (Feb. 14, 1997)

NY970050 (Feb. 14, 1997)

NY970051 (Feb. 14, 1997)

NY970060 (Feb. 14, 1997)

NY970072 (Feb. 14, 1997)

NY970073 (Feb. 14, 1997)

NY970075 (Feb. 14, 1997)

NY970077 (Feb. 14, 1997)

#### Volume II:

None

#### Volume III:

##### Florida

FL970001 (Feb. 14, 1997)

FL970015 (Feb. 14, 1997)

FL970032 (Feb. 14, 1997)

##### Kentucky

KY970001 (Feb. 14, 1997)

KY970002 (Feb. 14, 1997)

KY970003 (Feb. 14, 1997)

KY970006 (Feb. 14, 1997)

KY970007 (Feb. 14, 1997)

KY970025 (Feb. 14, 1997)

KY970027 (Feb. 14, 1997)

KY970028 (Feb. 14, 1997)

KY970029 (Feb. 14, 1997)

KY970032 (Feb. 14, 1997)

KY970033 (Feb. 14, 1997)

KY970035 (Feb. 14, 1997)

KY970054 (Feb. 14, 1997)

##### North Carolina

NC970001 (Feb. 14, 1997)

NC970003 (Feb. 14, 1997)

#### Volume IV:

##### Illinois

IL970001 (Feb. 14, 1997)

IL970002 (Feb. 14, 1997)

IL970003 (Feb. 14, 1997)

IL970005 (Feb. 14, 1997)

IL970006 (Feb. 14, 1997)

IL970007 (Feb. 14, 1997)

IL970008 (Feb. 14, 1997)

IL970009 (Feb. 14, 1997)

IL970011 (Feb. 14, 1997)

IL970013 (Feb. 14, 1997)

IL970014 (Feb. 14, 1997)

IL970016 (Feb. 14, 1997)

IL970018 (Feb. 14, 1997)

##### Minnesota

MN970005 (Feb. 14, 1997)

MN970007 (Feb. 14, 1997)

MN970008 (Feb. 14, 1997)

MN970015 (Feb. 14, 1997)

MN970027 (Feb. 14, 1997)

MN970031 (Feb. 14, 1997)

MN970035 (Feb. 14, 1997)

MN970039 (Feb. 14, 1997)

MN970049 (Feb. 14, 1997)

MN970058 (Feb. 14, 1997)

MN970059 (Feb. 14, 1997)

MN970061 (Feb. 14, 1997)

##### Ohio

OH970002 (Feb. 14, 1997)

OH970028 (Feb. 14, 1997)

OH970029 (Feb. 14, 1997)

##### Wisconsin

WI970005 (Feb. 14, 1997)

WI970013 (Feb. 14, 1997)

#### Volume V:

##### Iowa

IA970004 (Feb. 14, 1997)

IA970005 (Feb. 14, 1997)

IA970012 (Feb. 14, 1997)

IA970013 (Feb. 14, 1997)

IA970014 (Feb. 14, 1997)

IA970016 (Feb. 14, 1997)

IA970024 (Feb. 14, 1997)

##### Kansas

KS970006 (Feb. 14, 1997)

KS970007 (Feb. 14, 1997)

KS970012 (Feb. 14, 1997)

KS970016 (Feb. 14, 1997)

##### Nebraska

NE970001 (Feb. 14, 1997)

NE970003 (Feb. 14, 1997)

NE970011 (Feb. 14, 1997)

NE970019 (Feb. 14, 1997)

##### Texas

TX970003 (Feb. 14, 1997)

TX970005 (Feb. 14, 1997)

TX970010 (Feb. 14, 1997)

TX970055 (Feb. 14, 1997)

TX970069 (Feb. 14, 1997)

#### Volume VI:

None

#### Volume VII:

##### California

CA970002 (Feb. 14, 1997)

CA970004 (Feb. 14, 1997)

CA970027 (Feb. 14, 1997)

CA970028 (Feb. 14, 1997)

CA970029 (Feb. 14, 1997)

CA970030 (Feb. 14, 1997)

CA970031 (Feb. 14, 1997)

CA970032 (Feb. 14, 1997)

CA970034 (Feb. 14, 1997)

CA970035 (Feb. 14, 1997)

CA970036 (Feb. 14, 1997)

CA970038 (Feb. 14, 1997)

CA970039 (Feb. 14, 1997)

CA970040 (Feb. 14, 1997)

CA970041 (Feb. 14, 1997)

CA970042 (Feb. 14, 1997)

CA970043 (Feb. 14, 1997)

CA970044 (Feb. 14, 1997)

CA970045 (Feb. 14, 1997)

CA970046 (Feb. 14, 1997)

CA970047 (Feb. 14, 1997)

CA970048 (Feb. 14, 1997)

##### Nevada

NV970001 (Feb. 14, 1997)

### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the county.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from:

Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, D.C. this 18th Day of July 1997.

**Terry Sullivan,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 97-19349 Filed 7-24-97; 8:45 am]

BILLING CODE 4510-27-M

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting

**TIME:** 1:00 p.m., Friday, August 1, 1997.

**PLACE:** EAA Fly-In Convention, Aviation Safety Center, Wittman Regional Airport, Oshkosh, Wisconsin.

**STATUS:** Open.

#### MATTERS TO BE DISCUSSED:

6886 Briefs of Aviation Accidents—

1996 File Nos:

1325—Pueblo, Colorado, 10/4/96

1505—Fairchild AFB, Washington, 09/14/96

6887 Safety Recommendations to FAA Concerning Amateur-Built Experimental Aircraft

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

**FOR MORE INFORMATION CONTACT:** Bea Hardesty, (202) 314-6065.

Dated: July 22, 1997.

**Bea Hardesty,**

*Federal Register Liaison Officer.*

[FR Doc. 97-19724 Filed 7-22-97; 4:27 pm]

BILLING CODE 7533-01-P

## NUCLEAR REGULATORY COMMISSION

**Docket Nos. 50-269, 50-270, and 50-287**

### Duke Power Company Oconee; Nuclear Station, Units 1, 2, and 3 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. DPR-38, DPR-47, and

DPR-55 issued to Duke Power Company (the licensee), for operation of the Oconee Nuclear Station Units 1, 2, and 3, located in Oconee County, South Carolina.

### Environmental Assessment

#### Identification of Proposed Action

The proposed action would exempt the licensee from the requirements of 10 CFR 70.24, which requires a monitoring system that will energize clear audible alarms if accidental criticality occurs in each area in which special nuclear material is handled, used, or stored. The proposed action would also exempt the licensee from the requirements to maintain emergency procedures for each area in which this licensed special nuclear material is handled, used, or stored to ensure that all personnel withdraw to an area of safety upon the sounding of the alarm, to familiarize personnel with the evacuation plan, and to designate responsible individuals for determining the cause of the alarm, and to place radiation survey instruments in accessible locations for use in such an emergency.

The proposed action is in response to the licensee's application dated February 4, 1997, as supplemented on March 19, 1997.

#### The Need for the Proposed Action

The purpose of 10 CFR 70.24 is to ensure that if a criticality were to occur during the handling of special nuclear material, personnel would be alerted to that fact and would take appropriate action. At a commercial nuclear power plant the inadvertent criticality with which 10 CFR 70.24 is concerned could occur during fuel handling operations. The special nuclear material that could be assembled into a critical mass at a commercial nuclear power plant is in the form of nuclear fuel; the quantity of other forms of special nuclear material that is stored on site is small enough to preclude achieving a critical mass. Because the fuel is not enriched beyond 5.0 weight percent Uranium-235 and because commercial nuclear plant licensees have procedures and features designed to prevent inadvertent criticality, the staff has determined that it is unlikely that an inadvertent criticality could occur due to the handling of special nuclear material at a commercial power reactor. The requirements of 10 CFR 70.24, therefore, are not necessary to ensure the safety of personnel during the handling of special nuclear materials at commercial power reactors. The proposed exemption is needed, however, for Oconee to

continue to operate in accordance with its license and Commission regulations.

### Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there is no significant environmental impact if the exemption is granted. Inadvertent or accidental criticality will be precluded through compliance with the Oconee Nuclear Station Technical Specifications, the design of the fuel storage racks providing geometric spacing of fuel assemblies in their storage locations, and administrative controls imposed on fuel handling procedures. Technical Specifications requirements specify reactivity limits for the fuel storage racks and minimum spacing between the fuel assemblies in the storage racks.

Appendix A of 10 CFR Part 50, "General Design Criteria for Nuclear Power Plants," Criterion 62, requires the criticality in the fuel storage and handling system to be prevented by physical systems or processes, preferably by use of geometrically safe configurations. This is met at Oconee, as identified in the Technical Specification Section 3.8 and in the Updated Final Safety Analysis Report (UFSAR) Section 9.1, by detailed procedures that must be available for use by refueling personnel. Therefore, as stated in the Technical Specifications, these procedures, the Technical Specifications requirements, and the design of the fuel handling equipment with built-in interlocks and safety features, provide assurance that no incident could occur during refueling operations that would result in a hazard to public health and safety. In addition, the design of the facility does not include provisions for storage of fuel in a dry location.

UFSAR Section 9.1.1, New Fuel Storage, states that new fuel will normally be stored in the spent fuel pool serving the respective unit and that it may be also be stored in the fuel transfer canal. The fuel assemblies are stored in five racks in a row having a nominal center-to-center distance of 2 feet 1 $\frac{3}{4}$  inches. New fuel may also be stored in shipping containers. (Note that in none of these locations would criticality be possible.)

The proposed exemption would not result in any significant radiological impacts. The proposed exemption would not affect radiological plant effluent nor cause any significant occupational exposures since the Technical Specifications, design controls (including geometric spacing and design of fuel assembly storage spaces) and administrative controls