

equivalency to MSHA's product approval requirements.

**SUMMARY:** This notice announces the Mine Safety and Health Administration's intent to review the International Electrotechnical Commission's (IEC) standards for Electrical Apparatus for Explosive Gas Atmospheres, Part 0, General Requirements; Part 1, Construction and Verification Test of Flameproof enclosures of Electrical Apparatus; and Part 11, Intrinsic Safety.

MSHA will review these standards to determine if they are equivalent to the applicable MSHA product approval requirements or can be modified to provide at least the same degree of protection as those requirements.

**DATES:** Written comments must be submitted by January 30, 2004.

**ADDRESSES:** Comments must be clearly identified as such and transmitted either electronically to [equivalencycomments@dol.gov](mailto:equivalencycomments@dol.gov), by facsimile to (304) 547-2044, or by regular mail or hand delivery to MSHA, Approval and Certification Center, Box 251, Industrial Park Road, Triadelphia, West Virginia 26059. You may contact MSHA with any format questions. Comments are posted for public viewing at <http://www.msha.gov/currentcomments.htm>.

**FOR FURTHER INFORMATION CONTACT:** David C. Chirdon, Chief, Electrical Safety Division, Approval and Certification Center, MSHA; phone: (304) 547-2026; facsimile: (304) 547-2044; E-mail: [chirdon.david@dol.gov](mailto:chirdon.david@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 17, 2003, MSHA published a final rule, 30 CFR part 6—Testing and Evaluation by Independent Laboratories and Non-MSHA Product Safety Standards. The rule established alternate requirements for testing and evaluation of products that MSHA approves for use in gassy underground mines. This final rule permits manufacturers to have their products approved based on non-MSHA product safety standards. This will occur only after MSHA has determined that such standards are equivalent to its applicable product approval requirements or can be modified to provide at least the same degree of protection as those MSHA requirements.

Section 6.20(b) of this regulation stated that "MSHA will publish its intent to review any non-MSHA product safety standard for equivalency in the **Federal Register** for the purpose of soliciting public input." Section 6.20(c)

further explained that "A listing of all equivalency determinations will be published in this part 6 and the applicable approval parts. The listing will state whether MSHA accepts the non-MSHA product safety standards in their original form, or whether MSHA will require modifications to demonstrate equivalency. If modifications are required, they will be provided in the listing. MSHA will notify the public of each equivalency determination and will publish a summary of the basis for its determination."

MSHA solicits public input on its review of the International Electrotechnical Commission's (IEC) standards for Electrical Apparatus for Explosive Gas Atmospheres, Part 0, General Requirements (IEC 60079-0); Part 1, Construction and Verification Test of Flameproof enclosures of Electrical Apparatus (IEC 60079-1); and Part 11, Intrinsic Safety (IEC 60079-11). The IEC is a worldwide organization for standardization comprising all national electrotechnical committees. The object of the IEC is to promote international cooperation on all questions concerning standardization in the electrical and electronic fields. To this end and in addition to other activities, the IEC publishes international standards. The standards referenced in this notice are subparts of the IEC standards for hazardous location equipment.

MSHA welcomes comments on this review and any comments relative to other product safety standards that could be considered for future consideration.

After the comment period closes, an evaluation will be performed. At the conclusion of that evaluation, the determination will be published in the **Federal Register**. This determination will be accompanied by a list of modifications, if they are deemed necessary.

Dated: November 20, 2003.

**Dave D. Lauriski,**

*Assistant Secretary of Labor for Mine Safety and Health.*

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**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Petitions for Modification**

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

**1. Genwal Resources, Inc.**

[Docket No. M-2003-082-C]

Genwal Resources, Inc., P.O. Box 1077, Price, Utah 84501 has filed a petition to modify the application of 30 CFR 75.350 (Air courses and belt haulage entries) to its South Crandall Canyon Mine (MSHA I.D. No. 42-02356) located in Emery County, Utah. The petitioner requests a modification of the existing standard to allow the use of two-entry longwall development. The petitioner proposes to use the belt entry as a return air course during two-entry longwall development, and as an intake air course during longwall extraction to insure an adequate quantity of ventilation to dilute and render harmless any methane or other noxious gases that otherwise may accumulate. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard and will not result in a diminution of safety to the affected miners.

**2. Genwal Resources, Inc.**

[Docket No. M-2003-083-C]

Genwal Resources, Inc., P.O. Box 1077, Price, Utah 84501 has filed a petition to modify the application of 30 CFR 75.500 (Permissible electric equipment) to its South Crandall Canyon Mine (MSHA I.D. No. 42-02356) located in Emery County, Utah. The petitioner requests a modification of the existing standard to allow for the use of specific electronic equipment for testing and diagnostics on permissible equipment, for which permissible testing and diagnostic equipment is not readily available or approved. This will allow use of testing and diagnostic equipment in those locations within the mine where permissible electric equipment is required. The petitioner proposes to use the following non-permissible low-voltage or battery powered electronic testing and diagnostic equipment: lap top computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices and recorders, pressure and flow measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, electronic tachometers and battery operated drills. The petitioner states that other testing and diagnostic equipment may be used if approved in advance by MSHA's District Office. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**3. Genwal Resources, Inc.**

[Docket No. M-2003-084-C]

Genwal Resources, Inc., P.O. Box 1077, Price, Utah 84501 has filed a petition to modify the application of 30 CFR 75.804(a) (Underground high-voltage cables) to its South Crandall Canyon Mine (MSHA I.D. No. 42-02356) located in Emery County, Utah. The petitioner requests a modification of the existing standard to allow the use of high-voltage cables for longwall equipment, with an insulated internal ground check conductor smaller than a No. 10 (AWG), and the ground check conductor not smaller than a No. 16 (AWG). The type of high-voltage cables for longwall equipment will be Cablec Anaconda grand 5KV 3/C type SHD+GC, Pirelli 5KV 3/C type SHD-CENTER-GC or Tiger Grand 5KV type SHC-CGC, MSHA accepted as flame-resistant cable. The ground check conductor will not be smaller than a No. 16 (AWG) stranded conductor. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**4. Genwal Resources, Inc.**

[Docket No. M-2003-085-C]

Genwal Resources, Inc., P.O. Box 1077, Price, Utah 84501 has filed a petition to modify the application of 30 CFR 75.1002-1(a) (Location of other electric equipment; requirements for permissibility) now 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility) to its South Crandall Canyon Mine (MSHA I.D. No. 42-02356) located in Emery County, Utah. The petitioner requests a modification of the existing standard to allow for the use of specific electronic equipment for testing and diagnostics on permissible equipment, for which permissible testing and diagnostic equipment is not readily available or approved, in those locations within the mine where permissible electric equipment is required. The petitioner proposes to use the following non-permissible low-voltage or battery powered electronic testing and diagnostic equipment: lap top computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices and recorders, pressure and flow measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, electronic tachometers and battery operated drills. The petitioner states that other testing and diagnostic equipment may be used if approved in advance by MSHA's District Office. The petitioner asserts that the proposed

alternative method would provide at least the same measure of protection as the existing standard.

**5. Genwal Resources, Inc.**

[Docket No. M-2003-086-C]

Genwal Resources, Inc., P.O. Box 1077, Price, Utah 84501 has filed a petition to modify the application of 30 CFR 75.1101-8 (Water sprinkler systems; arrangement of sprinklers) to its South Crandall Canyon Mine (MSHA I.D. No. 42-02356) located in Emery County, Utah. The petitioner proposes to use a water sprinkler system that consists of a single overhead pipe system with automatic sprinklers located not more than 10 feet apart so that the water discharged from the sprinklers will cover 50 feet of fire-resistant belt or 150 feet of non-fire resistant belt adjacent to the belt drive. In addition, automatic sprinklers would be located not more than 10 feet apart so that the water discharged from the sprinkler(s) will cover the drive motor(s), belt take-up, electrical controls, and gear reducing unit for each belt drive. The petitioner has listed in this petition for modification, specific procedures that would be followed when using the proposed water sprinkler system. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**6. White County Coal, LLC**

[Docket No. M-2003-087-C]

White County Coal, LLC, 1525 County Road 1300 North Carmi, Illinois 62821 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its Pattiki II Mine (MSHA I.D. No. 11-03058) located in White County, Illinois. The petitioner proposes to plug oil and gas wells using the proven techniques described in this petition and then mine in close proximity or through such plugged wells using the specific procedures listed in the petition for modification. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**7. D & D Coal Company**

[Docket No. M-2003-088-C]

D & D Coal Company, 320 East Main Street, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.311(b)(2) and (b)(3) (Main mine fan operation) to its Primrose Slope Mine (MSHA I.D. No. 36-08341) located in Schuylkill County, Pennsylvania. The petitioner requests a

modification of the existing standard to permit the electrical circuits entering the underground mine to remain energized to the mine's pumps while the main fan has been intentionally shut down during idle shifts when no miners are working underground. The petitioner has listed in this petition specific terms and conditions that would be followed when implementing the proposed alternative method. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**8. Warrior Coal, LLC**

[Docket No. M-2003-089-C]

Warrior Coal, LLC, 57 J. E. Ellis Road, Madisonville, Kentucky 42431 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its West Ridge Mine (MSHA I.D. No. 15-17216) located in Hopkins County, Kentucky. The petitioner proposes to mine through oil and gas wells in all mineable coal beds using the specific terms and conditions listed in this petition. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**9. Kingwood Mining Company, LLC**

[Docket No. M-2003-090-C]

Kingwood Mining Company, LLC, Route 1, Box 294C, Newburg, West Virginia 26410 has filed a petition to modify the application of 30 CFR 75.503 (Permissible electric face equipment; maintenance) to its Whitetail K—Mine (MSHA I.D. No. 46-08751) located in Preston County, West Virginia. The petitioner proposes to use #4 A.W.G. and #2 A.W.G. portable trailing cables up to a maximum length of 750 feet to supply 575-volt, three phase, alternating current to roof bolting machines and shuttle cars using the specific terms and conditions listed in this petition. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**Request for Comments**

Persons interested in these petitions are encouraged to submit comments via e-mail to [comments@msha.gov](mailto:comments@msha.gov), or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before December 31, 2003. Copies of these

petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 17th day of November, 2003.

**Marvin W. Nichols, Jr.,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 03-29746 Filed 11-28-03; 8:45 am]

**BILLING CODE 4510-43-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-009]

### System Energy Resources, Inc.; Notice of Acceptance of Application for Early Site Permit for the Grand Gulf ESP Site

On October 21, 2003, the Nuclear Regulatory Commission (NRC, the Commission) received an early site permit (ESP) application dated October 16, 2003, from System Energy Resources, Inc., a subsidiary of Entergy Corporation, filed pursuant to Section 103 of the Atomic Energy Act and 10 CFR part 52. The site selected for the application is property co-located with the Grand Gulf Nuclear Station near Port Gibson, Mississippi (the Grand Gulf ESP site). A notice of receipt and availability of this application was previously published in the **Federal Register** (68 FR 64665; November 14, 2003).

An applicant may seek an ESP in accordance with subpart A of 10 CFR part 52 separate from the filing of an application for a construction permit (CP) or combined license (COL) for a nuclear power facility. The ESP process allows resolution of issues relating to siting. At any time during the period of an ESP (up to 20 years), the permit holder may reference the permit in a CP or COL application.

The NRC staff has determined that System Energy Resources has submitted information in accordance with 10 CFR parts 2 and 52 that is sufficiently complete and acceptable for docketing. The Docket No. established for this application is 52-009. The NRC staff will perform a detailed technical review of the application, and docketing of the ESP application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The Commission will conduct a hearing in accordance with 10 CFR 52.21 and will receive a report on the application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.23. If the Commission then finds that

the application meets the applicable standards of the Atomic Energy Act and the Commission's regulations, and that required notifications to other agencies and bodies have been made, the Commission will issue an ESP, in the form and containing conditions and limitations that the Commission finds appropriate and necessary.

In accordance with 10 CFR part 51, the Commission will also prepare an environmental impact statement for the proposed action. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future **Federal Register** notice.

Finally, the Commission will announce, in a future **Federal Register** notice, the opportunity for petition for leave to intervene in the hearing required for this application by 10 CFR 52.21.

A copy of the System Energy Resources ESP application is available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and available to local residents at the Harriette Person Memorial Library in Port Gibson, Mississippi. It is also accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession No. ML032960315). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room staff by telephone at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 24th day of November, 2003.

For the Nuclear Regulatory Commission.

**James E. Lyons,**

*Program Director, New, Research and Test Reactors Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-29791 Filed 11-28-03; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Licensing Support Network; Advisory Review Panel

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Licensing Support Network Advisory Review Panel (LSNARP) will hold its next meeting on Tuesday December 9, 2003, at the Alexis Park, located at 375 East Harmon, Las Vegas, Nevada 89109. The meeting will be open to the public pursuant to the Federal Advisory Committee Act (Pub. L. 94-463, 86 Stat. 770-776).

**Agenda:** The meeting will be held from 8:30 a.m. to 5 p.m. on Tuesday, December 9. The preliminary agenda includes the topics listed below. Additional details regarding timing of presentations and changes to the agenda may be obtained through the contacts listed below and will be announced prior to the meeting.

1. Introductory Remarks—NRC/LSNARP
2. Proposed changes to 10 CFR part 2 and Guidance for Submission of Electronic Docket Materials under 10 CFR part 2, subpart J—NRC-OGC/OCIO
3. Status of the revision to the Topical Guidelines.—NRC-OGC/NMSS
4. Status of LSN Expansion Activities and New Electronic Information Exchange Interface—NRC-LSA/OCIO
5. Participation of ARP in testing of document submission process—NRC/LSNARP
6. Status of loading NRC's collection—NRC-LSA/OCIO/NMSS—types of problems the NRC has addressed in spidering by the LSN.—“Lessons learned” in conversion of NRC's legacy documents, such as CNWRA
7. Progress of potential parties in identifying and making their docs available to the LSN. Discussion of problems and solutions in processing and publishing, and meeting the requirements of part 2—NRC/LSNARP

**SUPPLEMENTARY INFORMATION:** The LSN is an internet based electronic discovery database being developed to aid the NRC in complying with the schedule for decision on the construction authorization for the high-level waste repository contained in section 114(d) of the Nuclear Waste Policy Act of 1982, as amended. In 1998, the NRC Rules of Practice in 10 CFR part 2, subpart J, were modified to provide for the creation and operation of the LSN, an internet-based technological solution to the submission and management of records and documents relating to the licensing of a geologic repository for the disposal of high-level radioactive waste (63 FR 71729). Pursuant to 10 CFR 2.1011(d), the agency has chartered the LSNARP, an advisory committee that