

FOR FURTHER INFORMATION CONTACT:

Patrick J. Sherrill (202) 708-8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Department of Education (ED) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group, publishes this notice containing proposed information collection requests at the beginning of the Department review of the information collection. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. ED invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department, (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate, (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: October 20, 1995.
Gloria Parker,
Director, Information Resources Group.
Office of Postsecondary Education

Type of Review: New.
Title: Repayment Plan Selection.
Frequency: On Occasion.

Affected Public: Individual or households.

Annual Reporting and Recordkeeping Hour Burden

Reporting Burden:
Responses: 525,000.
Burden Hours: 173,250.

Abstract: Borrowers in the William D. Ford Federal Direct Loan Program will use this form to choose a repayment plan for their loans(s).

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Arbitration Panel Decision Under the Randolph-Sheppard Act

AGENCY: Department of Education.
ACTION: Notice of arbitration panel decision under the Randolph-Sheppard Act.

SUMMARY: Notice is hereby given that on January 25, 1995, an arbitration panel rendered a decision in the matter of *Robert Hill v. Michigan Commission for the Blind* (Docket No. R-S/93-2). This panel was convened by the Secretary of the U.S. Department of Education pursuant to 20 U.S.C. 107d-2, upon receipt of a complaint filed by Robert Hill.

FOR FURTHER INFORMATION CONTACT: A copy of the full text of the arbitration panel decision may be obtained from George F. Arsnow, U.S. Department of Education, 600 Independence Avenue SW., Room 3230, Switzer Building, Washington, D.C. 20202-2738. Telephone: (202) 205-9317. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205-8298.

SUPPLEMENTARY INFORMATION: Pursuant to the Randolph-Sheppard Act (20 U.S.C. 107d-2(c)), the Secretary publishes a synopsis of arbitration panel decisions affecting the administration of vending facilities on Federal and other property.

Background

The complainant, Robert Hill, was granted a license and was assigned to operate a vending facility at the U.S. Army Tank-Automotive Command (TACOM). Following his assignment, staff of the Michigan Commission for the Blind, the State licensing agency (SLA), made routine visits to complainant's vending facility.

On one of the routine visits, the staff person alleges that certain problems were found at the facility, which included outdated products being sold, lack of cleaning and upkeep of the area, and lack of timely filing of required

reports. The SLA staff person also alleges that a number of complaints from officials at TACOM had been received and that these complaints were under investigation to confirm their validity.

The SLA staff person provided technical assistance to the vendor, making numerous suggestions and attempting to assist the vendor in increasing his profit percentage, which was below the norm established by the SLA. The SLA staff person encouraged Mr. Hill to contact other experienced vendors in the vending program for assistance. When no improvement was noted by the SLA staff person and Mr. Hill rejected offers of assistance, the business counselor recommended to the SLA that Mr. Hill's license be revoked as the result of the sanitation problems, the sale of outdated products, the failure to meet profit margin standards, and the late filing of reports.

On October 16, 1991 the SLA notified Mr. Hill that he was failing to comply with the vendor's operating license and agreement requirements and that license revocation proceedings were pending. Subsequently, Mr. Hill's license was revoked, and he requested and received a State fair hearing on April 27, 1992.

On July 30, 1992 the hearing officer rendered an opinion sustaining the SLA's decision to revoke Mr. Hill's vending license. The hearing officer considered Mr. Hill's argument that there was a personality conflict between himself and the SLA staff person. Mr. Hill alleged that the conflict was due to his racial ethnicity and that this was the reason for the revocation of his license. The hearing officer ruled that this argument was not credible. Testimony at the hearing indicated that numerous attempts had been made by the SLA to provide technical assistance and training to Mr. Hill and to assist him in reaching the 25 percent profit margin requirement. Mr. Hill further stated that he was not given sufficient opportunities to bid on other locations after his license revocation.

On March 12, 1993 Mr. Hill filed a complaint requesting that the Secretary of the U.S. Department of Education convene a Federal arbitration panel to review the hearing officer's decision, which was adopted as final agency action by the SLA. The complaint was heard by the arbitration panel on September 15 and 26, 1994.

Arbitration Panel Decision

The arbitration panel ruled on three issues as follows: (1) Whether the SLA discriminated against the complainant on the basis of his race. (2) Whether the complainant was given sufficient notice

of his violation of the rules in an appropriate media for his use. (3) Whether a vendor after license revocation can be required to wait a period of time before reapplying or be placed on a waiting list behind other vendors bidding on vending locations.

Concerning the first issue, the panel ruled that, contrary to the complainant's claims, the charges of racial discrimination were not substantiated by testimony.

With respect to the second issue, the panel ruled that the SLA was in compliance with the Federal statute and regulations and State rules concerning communications to licensees. The panel found that complainant had resource persons who would provide assistance in reviewing any communication received by him. Furthermore, the panel noted that the SLA staff person routinely read to the complainant the evaluations and reports prepared during the onsite visits.

Finally, concerning the procedures used by the SLA for complainant's reapplication for a vending license, the panel ruled that it was appropriate to require him to be retrained and reoriented and that, if the complainant fulfilled these requirements, he should be placed on the bidding list for another vending location. If complainant did not complete retraining requirements, then his placement on the bidding list should be delayed until such time as he complied with that prerequisite. However, the panel ruled that, once complainant had completed retraining, his placement on the bidding list should be in accordance with his prior standing of seniority. The panel concluded that to deny complainant his former standing on the bidding list would be unreasonable and punitive.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: October 18, 1995.

Howard R. Moses,

Acting Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 95-26552 Filed 10-25-95; 8:45 am]

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DEPARTMENT OF ENERGY

Disposition of Surplus Highly Enriched Uranium; Draft Environmental Impact Statement

AGENCY: Department of Energy.

ACTION: Notice of availability.

SUMMARY: The Department of Energy (DOE) announces the availability of the

Draft Environmental Impact Statement for Disposition of Surplus Highly Enriched Uranium (draft HEU EIS) for public review and comment. In accordance with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and the Department's NEPA Implementation Procedures (10 CFR Part 1021), the Department has prepared this draft HEU EIS to evaluate alternatives for the disposition of United States-origin weapons-usable highly enriched uranium (HEU) that has been, or may be, declared surplus to national defense needs by the President.

DATES: The public is invited to comment on the draft HEU EIS during a comment period that will continue until December 11, 1995. Comments postmarked after that date will be considered to the extent practicable. The Department will hold two public workshops to discuss and receive comments on the draft HEU EIS on November 14 and 16, 1995. The times and locations of the workshops are provided in the Supplementary Information.

ADDRESSES: Copies of the draft HEU EIS and requests for information should be directed to: Office of Fissile Materials Disposition (MD-4), Attention: HEU EIS, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, 1-800-820-5134.

Written comments on the draft HEU EIS should be mailed to the following address: DOE—Office of Fissile Materials Disposition, P.O. Box 23786, Washington, DC 20026-3786. Comments may also be submitted orally (to a recording machine) or by fax to 1-800-820-5156.

FOR FURTHER INFORMATION CONTACT: For information on the DOE National Environmental Policy Act process, contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance (EH-42), U.S. Department of Energy, 1000 Independence Ave., SW, Washington, DC 20585, (202) 586-4600 or leave a message at 1-800-472-2756.

Availability of the draft HEU EIS: Copies of the draft HEU EIS have been distributed to Federal, State, Indian tribal, and local officials, agencies, and interested organizations and individuals. Copies of the draft HEU EIS and supporting technical reports are also available for public review at the locations listed at the end of this Notice.

SUPPLEMENTARY INFORMATION:

Background

On June 21, 1994, the Department published a Notice of Intent (NOI) in the Federal Register (59 FR 31985) to prepare a programmatic EIS (PEIS) for weapons-usable fissile materials, including both surplus and non-surplus HEU. The purpose of the NOI was to inform the public of the proposed scope of the *Storage and Disposition of Weapons-Usable Fissile Materials PEIS* (Storage and Disposition PEIS), to solicit public input, and to announce that public scoping meetings would be conducted from August through October 1994.¹ During that period, 12 public meetings were held throughout the United States to obtain input regarding the scope, alternatives, and issues associated with weapons-usable fissile materials that should be addressed in the Storage and Disposition PEIS. The extensive scoping process for the Storage and Disposition PEIS included options for the disposition of surplus HEU.

In the course of the PEIS public scoping process, it appeared that it may be more appropriate to analyze the impacts of surplus HEU disposition in a separate EIS. The Department held a public meeting on November 10, 1994, to obtain comments on this potential course of action. While views were expressed both pro and con, the Department subsequently concluded that a separate EIS would be appropriate. Accordingly, the Department published a notice in the Federal Register (60 FR 17344) on April 5, 1995, to inform the public of the proposed plan to prepare a separate EIS for the disposition of surplus HEU.

Alternatives Considered

The draft HEU EIS assesses environmental impacts of five reasonable alternatives identified for the disposition of up to 200 metric tons of surplus HEU. This includes HEU that has already been declared surplus (165 metric tons) as well as additional weapons-usable HEU that may be declared surplus in the future. The material is currently located at facilities throughout the Department's nuclear weapons complex, but the majority is in, or destined for, interim storage at the Department's Y-12 Plant in Oak Ridge, Tennessee. Except for no action, all reasonable alternatives involve blending HEU with depleted, natural, or low-enriched uranium (LEU) to make LEU,

¹ In the NOI, the PEIS was referred to as the *Long-Term Storage and Disposition of Weapons-Usable Fissile Materials PEIS*.