

Consequently, as a result of the mandated closure of Fort Chaffee, the Army is disposing of excess property at Fort Chaffee.

DATES: The public comment period for the DEIS will end 45 days after publication of the NOA in the **Federal Register** by the Environmental Protection Agency (EPA).

ADDRESSES: Questions and/or written comments regarding the DEIS or a request for a copy of the document may be directed to Mr. Jim Ellis at the Little Rock District, U.S. Army Corps of Engineers (ATTN: CESWL-PL-A), PO Box 867, Little Rock, AR 72203.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Ellis at (501) 325-5033 or telefax at (501) 324-5605.

SUPPLEMENTARY INFORMATION: The DEIS analyzes three disposal alternatives: (1) The no action alternative, which entails maintaining the property in caretaker status after closure; (2) the encumbered disposal alternative, which entails transferring the property to future owners with Army-imposed limitations or encumbrances on the future use of the property; and (3) the unencumbered disposal alternative, which entails transferring the property to future owners with fewer or no Army-imposed restrictions on the future use of the property. The preferred action identified in this DEIS is encumbered disposal of excess property at Fort Chaffee. Based upon the analysis contained in the DEIS, encumbrances and deed restrictions associated with the Army's disposal actions for Fort Chaffee will be mitigation measures.

Planning for the reuse of the property to be disposed of is a secondary action resulting from closure. The local community established the Fort Chaffee Redeveloping Authority (FCRA) to produce a reuse development plan for the surplus property. The impacts of reuse are evaluated in terms of land use intensities. This reuse analysis is based upon implementing one of three reuse alternatives, all of which are based upon the FCRA reuse plan. The Army has not selected one of these three reuse alternatives as the preferred action. Selection of the preferred reuse plan is a decision that will be made by the FCRA.

Copies of the DEIS have been forwarded to the EPA, other Federal, state, and local agencies; public officials; and organizations and individuals who previously provided substantive comments in the EIS scoping process. Copies of the DEIS are available for review at the following libraries: Arkansas River Valley Regional Library, 501 N. Front Street,

Dardenelle, Arkansas 72834; Charleston Public Library, 501 Main Street, Charleston, Arkansas 72933; Clarksville Public Library, 2 Taylor Circle, Clarksville, Arkansas 72830; Franklin County Library, 407 W. Market, Ozark, Arkansas 72949; Fort Smith Public Library, 61 S. 8th Street, Fort Smith, Arkansas 72901; Gattis—Logan County Library, 100 E. Academy, Paris, Arkansas 72855; Logan County Library, 419 N. Kennedy Street, Booneville, Arkansas 72927; Sebastian County Library, 18 North Adair, Greenwood, Arkansas 72936; Van Buren Public Library, 111 N. 12th Street, Van Buren, Arkansas 72956; Yell County Library, 901 Atlanta Street, Danville, Arkansas 72833; and Little Rock District, U.S. Army Corps of Engineers, 700 West Capitol, Little Rock, Arkansas 72201.

A public meeting will be held during the 45-day DEIS comment period, to afford the public the opportunity to provide oral and written comments on the DEIS. The location and time of the meeting will be announced in local newspaper at least 15 days prior to the meeting. Verbal comments made at the public meeting and written comments received during the comment period will be used in the preparation of the FEIS and ROD.

Dated: September 30, 1998.

Raymond J. Fatz,

Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health), OASA (I,L&E).

[FR Doc. 98-26755 Filed 10-5-98; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Inventions for Licensing; Government-Owned Inventions

AGENCY: Department of the Navy, DOD.
ACTION: Notice.

SUMMARY: The inventions listed below are assigned to the United States Government as represented by the Secretary of the Navy and are available for licensing by the Department of the Navy:

Patent Application Serial No. 08/985,430 entitled "BIOPEPELLANT MATRIX COATING;" Patent Application Serial No. 08/926,854 entitled "COMPUTER CONTROLLED THREE-DIMENSIONAL VOLUMETRIC DISPLAY;" Patent Application Serial No. 08/726,305 entitled "COMPUTER PROGRAM FOR A THREE-DIMENSIONAL VOLUMETRIC

DISPLAY;" Patent Application Serial No. 08/687,091 entitled "LASER BASED 3D VOLUMETRIC DISPLAY SYSTEM;" and U. S. Patent No. 5,595,635 entitled "APPARATUS FOR MEASURING LEAD CONTENT IN WATER."

ADDRESSES: Requests for copies of the patent and patent applications cited should be directed to the Office of Naval Research, ONR 00CC, Ballston Tower One, 800 North Quincy Street, Arlington, Virginia 22217-5660 and must include the Patent Application Serial Number.

FOR FURTHER INFORMATION CONTACT: Mr. R. J. Erickson, Staff Patent Attorney, Office of Naval Research, ONR 00CC, Ballston Tower One, 800 North Quincy Street, Arlington, Virginia 22217-5660, telephone (703) 696-4001.

(Authority: 35 U.S.C. 207, 37 CFR Part 404.)

Dated: September 29, 1998.

Ralph W. Corey,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 98-26743 Filed 10-5-98; 8:45 am]

BILLING CODE 3810-FF-U

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

[Recommendations 98-1]

Integrated Safety Management and the Department of Energy (DOE) Facilities

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice recommendations.

SUMMARY: The Defense Nuclear Facilities Safety Board has made a recommendation to the Secretary of Energy pursuant to 42 U.S.C. 2286a concerning integrated safety management and the Department of Energy (DOE) facilities.

DATES: Comments, data, views, or arguments concerning this recommendation are due on or before November 5, 1998.

ADDRESSES: Send comments, data, views, or arguments concerning this recommendation to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Pusateri or Andrew L. Thibadeau at the address above or telephone (202) 208-6400.

Dated: October 1, 1998.

John T. Conway,
Chairman.

[Recommendation 98-1]

Integrated Safety Management and the Department of Energy (DOE) Facilities

Dated: September 28, 1998.

On October 11, 1995, the Defense Nuclear Facilities Safety Board (Board) issued to the Secretary of Energy its Recommendation 95-2, entitled *Safety Management*. The Recommendation proposed adoption by the Department of Energy (DOE) of a concept termed "Integrated Safety Management" (ISM) as a means of improving assurance of safety at DOE's defense nuclear facilities. The Secretary of Energy provided an implementation plan for the Recommendation on April 18, 1996, which the Board accepted in turn. In accordance with the implementation plan, DOE issued its Policy Statement 450.4 to be the basis for initiation and conduct of ISM at its facilities.

DOE and its contractors are making good progress in implementing the concept of ISM at defense nuclear facilities. One of the central functions of ISM called out both in the Recommendation and the implementation plan is "feedback and improvement." That function is exercised both in planning work and establishing safety controls at the outset, and in subsequent assessment of the diligence in application and the success in achievement of safety.

DOE has established through its directives system its expectation of actions by both the federal work force and contractor management in assessing the effectiveness of its safety management programs as they are practiced. Such safety assessments include both observance of work and determination of long term trends. They are accomplished principally through two major kinds of assessments for feedback and improvement.

- Self-assessment by the contractor of site/facility/activity programs responsive to DOE Policy 450.5, and parallel oversight by DOE line managers and facility representatives responsible for the missions and contractor performance. This is assessment by line management.

- Corporate level assessments by DOE safety specialists (ES&H), independent of the line, responsible for capturing and sharing lessons learned, preparing trend analyses, performing special investigations and otherwise performing corporate-level reviews in support of the Secretarial Offices. This is independent assessment.

These assessments and the corrective actions taken in response to them are important elements of the internal safety management program of DOE.

In the course of its oversight of DOE's safety management program, the Board has noted considerable variability in implementation and effectiveness of the feedback and improvement function as performed by the numerous federal and contractor entities. There appears to be much collection of data (about 30 DOE directives drive the process) but less evidence of follow-up. To facilitate a closer examination of the matter, the Board in a March 20, 1998,

letter stated its observations, and requested a report on how the function was being performed at defense nuclear facilities. DOE, by letter dated June 3, 1998, provided such report. The report and the matter in general were the subject of discussions with representatives of DOE and its contractors at a public meeting held by the Board in Washington, DC, on June 24, 1998.

The outcome of these exchanges to date has been a mutual understanding of a number of improvements that are merited. An action plan presented to the Board in DOE's letter of June 3, 1998, proposes to focus on four areas:

- Accelerating implementation of DOE Policy 450.5,
- Improving DOE's tracking and follow-on processes,
- Improving DOE's lessons Learned processes, and
- Improving implementation of the Functions, Responsibilities, Accountability Manual (FRAM) relative to feedback and improvement.

The Board commends DOE for these initiatives. As worthy as they are, however, they are not, in the Board's view, sufficient to cover all aspects of DOE's feedback and improvement of its safety management programs. The Board has noted that the initiatives for improvement, particularly DOE's actions on findings, are limited to results of oversight by line operations. They do not address deficiencies in feedback and improvement based on results of independent oversight by the Office of the Assistant Secretary for Environment, Health and Safety (EH)—more specifically that of the Deputy Assistant Secretary for Oversight (EH-2). The purpose of this recommendation is to address that matter.

For many years, it has been commonplace for DOE's Headquarters to conduct independent assessments of safety management by the field offices and their contractors, in relation to performance of DOE's hazardous work. This parallels a normal practice of headquarters of commercial hazardous industries which have multiple product lines and facilities and which therefore delegate primary responsibility for doing work safely to officials of a facility or a product line. But assessment of safety is not sufficient. To be effective, the constructive criticisms must be brought to the attention of corporate management. There they must be evaluated, and course corrections must be directed, if the benefits of assessment are to be achieved. This is especially true where resource issues are involved and allocation or re-allocation of funds is required.

Recognizing that at times there is a need for Secretarial involvement at levels above the program offices and the corporate role of the independent assessors, in September 1989 Secretary Watkins established the Office of Nuclear Safety (ONS), reporting directly to him as described in SEN-6E-92. That led to Secretarial review of all findings of ONS, and an opportunity for response at the Secretarial level if necessary. With the change in Administration in 1994, this Office was assigned to report to the Assistant Secretary for ES&H, and it was redesignated

as EH-2 with direction by a Deputy Assistant Secretary. In that capacity, EH-2, according to the DOE Manual of Safety Management Functions, Responsibilities, and Authorities (DOE M411.1-1), performs corporate level assessments, independent of the safety management programs as implemented by DOE program offices and associated contractors.

Evaluations are provided to the Secretary of Energy, Congress, Cognizant Secretarial Offices, Field Managers and Contractors. However, under this organizational arrangement, most of the assessments and findings by EH-2 are treated largely as advisories. Such follow-up actions as are taken are no longer subjected to a deliberative process involving, when appropriate, the Office of the Secretary of Energy (Secretary, Deputy Secretary, Under Secretary). Rather, they become discretionary to lower levels of DOE line management (such as cognizant Secretarial Officers and Field Managers). An exception to this general discretionary pattern occurs when an accident results in death or serious injury of workers, or threatens the public. For example, Type A accident investigations require, among other things, corrective action plans (CAPs), approval of the CAPs by the cognizant secretarial officer, and completion of corrective actions subject to independent verification. These requirements, in DOE Order 225.1A, *Accident Investigations*, November 26, 1997, and supporting guidance effectively close the loop on accident investigations.

EH-2 does make a practice of requesting a CAP after submission of a report on other types of investigation, and usually receives one from the cognizant party. Proposed corrective actions in these CAPs are frequently incomplete and are sometimes only loosely related to findings in the oversight report. Some CAPs are no more than commitments to provide a CAP in the future. The Department of Energy has not identified criteria for adequate CAPs, nor has DOE authorized EH-2 to require adequate CAPs which are responsive to evaluation reports. As a result, problems identified as accident precursors are not handled with the same rigor as accidents themselves. The end effect is that corrective action under the current system is reactive rather than proactive.

Nothing prevents EH-2 from elevating safety issues via its management (Assistant Secretary for ES&H), but the process of evaluation is now ad hoc, not institutionalized and protocol driven. There is a natural tension between those charged with doing work safely and those tasked by management to monitor and evaluate how well the doers perform. There is also a natural resistance to having to reallocate resources when deficiencies are found. Such factors cause outcomes to depend highly on the forcefulness of the personalities involved. It is precisely at this interface between the Secretarial Program offices and the independent reviewers of safety performance (EH-2) that DOE's safety management program merits additional attention. The need for an institutionalized protocol for content and treatment of a CAP, and for

addressing and resolving differences are the central points of issue.

The Board is of the opinion that the Department of Energy should take additional action with respect to its program for improvement of feedback and safety for defense nuclear facilities by establishing clearer lines of authority and responsibility for resolution of safety findings of its internal, independent safety organization. Towards such end, the Board recommends that the Department of Energy:

1. Establish by policy statement, directives, or other protocols, the manner in which the Secretary expects Cognizant Program Secretarial Officers (Assistant Secretaries) and Field managers to address and resolve findings of its independent internal corporate safety organization (Assistant Secretary for ES&H). In so doing, consideration should be given to direction and guidance for the following:

- Establishing authority and responsibility for conducting and responding to independent oversight, preparing and approving corrective action plans, reporting on progress toward timely and adequate closure of findings, and subsequent closure, including independent verification of closure.

- Elevating cases of inadequate or untimely response to findings to the Office of the Secretary for resolution.

- Describing the purpose and content of corrective action plans responsive to oversight findings (e.g., cause identification, actions, to correct immediate problem, lessons learned, actions to prevent recurrence).

Scheduling the time frames within which the evaluation and process activities must occur.

- Periodically reporting the status of corrective actions by the responsible entity.
- Tracking findings and corrective actions to closure with a system accessible to DOE line management and the independent oversight organization.

2. Make explicit the Secretarial Officer or designee assigned the resolution function.

John T. Conway,
Chairman.

September 28, 1998.

The Honorable Bill Richardson,
Secretary of Energy,
1000 Independence Avenue, SW,
Washington, DC 20585-1000

Dear Secretary Richardson: On September 28, 1998, the Defense Nuclear Facilities Safety Board (Board), in accordance with 42 U.S.C. § 2286a(a)(5), unanimously approved Recommendation 98-1, which is enclosed for your consideration. Recommendation 98-1 deals with Integrated Safety Management and the Department of Energy (DOE) facilities.

42 U.S.C. § 2286d(a) requires the Board, after receipt by you, to promptly make this recommendation available to the public in DOE's regional public reading rooms. The Board believes the recommendation contains no information which is classified or otherwise restricted. Atomic Energy Act of 1954, 42 U.S.C. §§ 2161-68, as amended, please arrange to have this recommendation promptly placed on file in your regional public reading rooms.

The Board will publish this recommendation in the **Federal Register**.

Sincerely,

John T. Conway,
Chairman.

c: Mr. Mark B. Whitaker, Jr..

[FR Doc. 98-26753 Filed 10-5-98; 8:45 am]

BILLING CODE 3670-01-M

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Chief Financial and Chief Information Officer, Office of the Chief Financial and Chief Information Officer, invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 5, 1998.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Danny Werfel, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW, Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address Werfel_d@al.eop.gov. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, SW, Room 5624, Regional Office Building 3, Washington, DC 20202-4651, or should be electronically mailed to the internet address Pat_Sherrill@ed.gov, or should be faxed to 202-708-9346.

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 Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. 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 Chief Financial and Chief Information Officer, Office of the Chief Financial and Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. 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. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: October 2, 1998.

Donald Rappaport,

Chief Financial and Chief Information Officer, Office of the Chief Financial and Chief Information Officer.

Office of Elementary and Secondary Education

Type of Review: New.

Title: Consolidated State Performance Report.

Frequency: Annually.

Affected Public: State, local or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 53.

Burden Hours: 202,354.

Abstract: The reauthorized Elementary and Secondary Education Act (ESEA), in general, and its provision for submission of consolidated plans, in particular (see section 14301 of the ESEA), emphasize the importance of cross-program coordination and integration of federal programs into educational activities carried out with State and local funds. Yet while nearly all States receive ESEA formula grant program funding on the basis of consolidated plans, until now the Department has still required states to report on program performance and beneficiaries on a program-by-program basis. Continuing to do so sends an inconsistent message about the value of consolidated planning and program integration as tools for increasing student achievement. This consolidated state reporting instrument would replace individual program reporting under ESEA programs and Goals 2000 for all entities that submit ESEA consolidated plans (and be an optional reporting vehicle for the other states). It