

implementation from 8:30 a.m. to 10:00 a.m. For the rest of the day, the Council will meet with representatives from the State School-to-Work Implementation Grantees in small groups to discuss and determine strategies for addressing State sustainability issues. The meeting will close with a summary of the day's meeting and a discussion of future actions.

**Public Participation:** The meeting on Tuesday, December 2, 1997, from 8:30 a.m. to 4:30 p.m. at the Renaissance Mayflower Hotel, will be open to the public. Seats will be reserved for the media. Individuals with disabilities in need of special accommodations should contact the Designated Federal Official (DFO), listed below, at least seven (7) days prior to the meeting.

**FOR FURTHER INFORMATION CONTACT:** JD Hoye, Designated Federal Official (DFO), Advisory Council for School-to-Work Opportunities, Office of School-to-Work Opportunities, 400 Virginia Avenue, S.W., Room 210, Washington, D.C. (202) 401-6222, (This is not a toll free number.)

Signed at Washington, D.C. this 17th day of November 1997.

**Jon Weintraub,**

*Acting Assistant Secretary for Vocational and Adult Education, Department of Education.*

**Raymond J. Uhalde,**

*Acting Assistant Secretary, Employment and Training Administration, Department of Labor.*

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## DEPARTMENT OF ENERGY

### Notice of Intent To Prepare an Environmental Impact Statement for the Advanced Mixed Waste Treatment Project at the Idaho National Engineering and Environmental Laboratory, Idaho Falls, ID

**AGENCY:** Department of Energy.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement.

**SUMMARY:** The Department of Energy (DOE) intends to prepare an Environmental Impact Statement (EIS) and conduct a public scoping process for a proposal to construct and operate a facility known as the Advanced Mixed Waste Treatment Project (AMWTP) at the Idaho National Engineering and Environmental Laboratory (INEEL). Under the terms of a 1995 Court Order/Settlement Agreement with the State of Idaho in the case of *Public Service Co. v. Batt*, Civil No. 91-0035-S-EJL (D. Idaho) (Lead case), DOE agreed to

procure a treatment facility for mixed low-level waste, transuranic waste and alpha-contaminated mixed low-level waste, and to treat transuranic waste that requires treatment so as to permit disposal outside of the State of Idaho at the Waste Isolation Pilot Plant in New Mexico or other acceptable disposal facility. DOE also needs to manage DOE alpha-contaminated mixed low-level waste, transuranic waste, and mixed low-level waste in a manner that will comply with applicable laws and requirements, and protect the environment and the health and safety of the workers and the public in a cost-effective manner. The AMWTP EIS will assist the Department in making the necessary decisions to comply with the Settlement Agreement and other applicable requirements for these wastes.

DOE's proposed action is to implement a proposal from British Nuclear Fuels Limited, Inc. (BNFL) to construct and operate the AMWTP at the INEEL. The AMWTP, as proposed by BNFL, would retrieve, sort, characterize, and treat mixed low-level waste and approximately 65,000 cubic meters of alpha-contaminated mixed low-level waste and transuranic waste currently stored at the INEEL Radioactive Waste Management Complex, and package the treated waste for shipment off site for disposal. The AMWTP would employ thermal treatment processes (incineration and vitrification) and also treat similar wastes generated by ongoing INEEL activities and activities at other DOE sites.

This EIS will make use of previously developed information and analyses by "tiering" from other environmental impact statements, including: (1) the Department of Energy Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final EIS (SNF & INEL EIS) (DOE/EIS-0203-F), issued April 1995; (2) the DOE Waste Management Programmatic Environmental Impact Statement (WM PEIS) (DOE/EIS-0200-F), issued May 1997; and (3) the Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement (SEIS-II) (DOE/EIS-0026-S-2), issued September 1997. DOE will conduct two public scoping workshops and welcomes public comment on the scope of the proposed EIS.

**DATES:** The public scoping period begins with the publication of this Notice in the **Federal Register**. DOE invites other Federal agencies, Native American

tribes, State and local governments and the general public to comment on the scope of this EIS. DOE must receive scoping comments by January 9, 1998, to ensure consideration, although DOE will consider comments received after that date to the extent practicable.

Two public workshops will be held during this scoping period:

December 4, 1997—Borah High School, 6001 Cassia, Boise, ID; 6:30 pm–9:00 pm

December 9, 1997—Taylorview Junior High School, 350 Castlerock Lane, Idaho Falls, ID; 6:30 pm–9:00 pm

These workshops will provide the public with information about the proposed project and an opportunity to comment on the scope of the EIS, including the reasonable alternatives and issues that the Department should consider. Written comments may be submitted to DOE at these workshops, sent by facsimile to (208) 526-0598, or mailed to the EIS Document Manager, Mr. John E. Medema, at the address listed below.

**ADDRESSES:** Written comments on this EIS should be sent to: Mr. John E. Medema, Document Manager, Advanced Mixed Waste Treatment Project EIS, U.S. Department of Energy, Idaho Operations Office, 850 Energy Drive, MS 1117, Idaho Falls, ID 83402, Facsimile: (208) 526-0598.

**FOR FURTHER INFORMATION CONTACT:** To request information about this EIS, or to be placed on the EIS document distribution list, please call the 24-hour toll-free information line at 1-800-708-2680.

For general information about the DOE National Environmental Policy Act (NEPA) process, please contact: Carol Borgstrom, Director, Office of NEPA Policy and Assistance (EH-42), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585-0119, Phone: (202) 586-4600, Messages: (800) 472-2756, Facsimile: (202) 586-7031.

#### SUPPLEMENTARY INFORMATION:

#### Background and Purpose and Need for Agency Action

Approximately 25,000 cubic meters of alpha-contaminated low-level waste and 40,000 cubic meters of transuranic waste are currently stored at the Radioactive Waste Management Complex at INEEL. Approximately 95% of this waste is contaminated with Resource Conservation and Recovery Act (RCRA) hazardous waste, classifying it as "mixed waste." INEEL also is storing mixed low-level waste (which refers herein to mixed low-level waste other than alpha-contaminated mixed

low-level waste). Additionally, some of these wastes are in containers that include asbestos and polychlorinated biphenyls, which are regulated under the Toxic Substances Control Act. Similar wastes are generated as a result of ongoing environmental restoration, decontamination and decommissioning, waste retrieval projects, and other activities at INEEL and other DOE sites. Depending on decisions resulting from the Federal Facilities Compliance Act process and the Waste Management Programmatic EIS, up to 120,000 cubic meters of such wastes from other DOE sites could be treated at the proposed AMWTP. To protect the environment and public health and meet existing regulatory requirements, including the RCRA Land Disposal Restrictions, these wastes must be treated and packaged appropriately for shipment to a disposal facility.

In May 1995, the Department issued its Record of Decision (ROD) (60 FR 28680, June 1, 1995) for the Department of Energy Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final EIS (SNF & INEL EIS) (DOE/EIS-0203-F). One of the decisions announced in that ROD was to manage transuranic waste by building "treatment facilities necessary to comply with the Federal Facility Compliance Act. Treatment of transuranic waste at a minimum will be for the purpose of meeting waste acceptance criteria for disposal at the Waste Isolation Pilot Plant (near Carlsbad, New Mexico) and will occur on a schedule to be negotiated with the State of Idaho."

On October 17, 1995, the State of Idaho, the Department of the Navy, and the Department of Energy settled the case of *Public Service Co. of Colorado v. Batt*, Civil No. CV 91-0035-S-EJL (D. Idaho) (Lead case). Certain conditions of the Idaho Court Order/Settlement Agreement obligated the Department to:

- Commence procurement of a treatment facility at the INEEL for the treatment of mixed (low-level) waste, transuranic waste, and alpha-contaminated mixed low-level waste;
- Execute a procurement contract for the treatment facility by June 1, 1997, complete construction of the facility by December 31, 2002, and commence operation by March 31, 2003.
- Treat waste shipped to Idaho for treatment in the treatment facility within six months (with the exception of two cubic meters of mixed low-level waste from the Mare Island Naval Shipyard);

- Ship transuranic waste received from another DOE site for treatment at the INEEL outside the State of Idaho for storage or disposal within six months of treatment.

In accordance with the Settlement Agreement, DOE conducted a procurement for a facility to treat mixed low-level waste, transuranic waste, and alpha-contaminated mixed low-level waste at the INEEL. On December 20, 1996, DOE executed a phased contract with BNFL to construct and operate the proposed AMWTP. Phase 1, currently in progress, involves information-gathering by BNFL, DOE performing environmental analysis under the National Environmental Policy Act (NEPA), RCRA and other permitting activities by BNFL, and other planning activities needed to support the project if DOE decides to implement the proposed action. Contract phases 2 and 3 would involve the construction and operation of the AMWTP and would occur only after the issuance of a Record of Decision in which the Department indicated its decision to implement the proposed action.

To support the contractor selection process for the AMWTP, DOE undertook the following actions in accordance with DOE NEPA regulations (10 CFR Part 1021.216): (1) Required that offerors submit environmental data and analyses as part of their proposals; and (2) independently verified the accuracy of the environmental data and analyses, and prepared a confidential environmental critique of each offeror's proposal. (The critique included a discussion of the purpose of the procurement, the salient characteristics of each offeror's proposal, permits, licenses and approvals needed, and a comparative evaluation of the potential environmental impacts of the offers.) DOE is preparing an environmental synopsis, based on the environmental critique, to document the consideration given to environmental factors and to record that the relevant environmental consequences of reasonable alternatives have been evaluated in the selection process. The environmental synopsis will be made publicly available and incorporated into this EIS.

The proposed action to be analyzed in the AMWTP EIS is consistent with the ROD for the SNF & INEL EIS and meets the requirements of the Court Order/Settlement Agreement. The Department of Energy must decide if it will implement Phases 2 and 3 of DOE's contract with BNFL to construct the facility and treat mixed low-level waste, transuranic waste, and alpha-contaminated mixed low-level waste at the INEEL.

### The EIS Schedule

The Settlement Agreement requires DOE to ship alpha-contaminated mixed low-level waste and transuranic waste now located at the INEEL, currently estimated at 65,000 cubic meters in volume, to the Waste Isolation Pilot Plant or other disposal facility designated by DOE by a target date of December 31, 2015. If the target date cannot be met, the waste will be shipped no later than December 31, 2018. To comply with the Settlement Agreement, construction of the proposed AMWTP must begin in 1999. Therefore, DOE is planning to complete the EIS and issue a Record of Decision by November 1998.

### Alternatives

#### Proposed Action

Under the proposed action, DOE would implement Phases 2 and 3 of the contract with BNFL to construct and operate a facility for thermally treating mixed low-level waste, transuranic waste, and alpha-contaminated mixed low-level waste according to the treatments required under the RCRA Land Disposal Restrictions, as necessary. The proposed waste treatment process consists of: retrieving wastes from above-ground storage, characterizing and separating wastes, thermally treating up to 25% of the waste using incineration and vitrification, and treating the remaining waste using the physical waste form modification processes of super-compaction and macro-encapsulation. Under the proposed action, the AMWTP may treat up to 120,000 cubic meters of DOE waste from other DOE sites.

#### Other Action Alternatives

During the procurement process, all of the qualified offerors proposed a similar combination of thermal and physical treatment processes. Nevertheless, DOE intends to consider in the EIS other treatment alternatives, including but not necessarily limited to non-thermal (e.g., chemical treatment), other thermal technologies (e.g., vitrification), and physical treatment processes (e.g., repackaging), and will analyze a range of those treatment processes (or combinations of processes) that DOE determines are reasonable alternatives to the proposed action. DOE invites comments on these treatment options and suggestions for other alternatives that DOE should consider in the EIS.

#### No Action

The Council on Environmental Quality NEPA Regulations (40 CFR parts 1500-1508) and the DOE NEPA

Regulations (10 CFR part 1021) require the analysis of a no action alternative. Under the no action alternative, DOE would continue storing mixed low-level waste, alpha-contaminated mixed low-level waste and transuranic waste in the existing RCRA Type II storage modules and the earthen covered berm at the Radioactive Waste Management Complex. The waste stored in the earthen berm of the Transuranic Storage Area Retrieval Enclosure would not be retrieved. Under the no action alternative, all INEEL activities supporting the Waste Isolation Pilot Plant would cease once the current inventory of waste that is now ready for transport to the Waste Isolation Pilot Plant has been shipped. Waste currently stored in the RCRA Type II storage modules at the Radioactive Waste Management Complex that could not be shipped to the Waste Isolation Pilot Plant would remain in storage indefinitely. If DOE selects the no action alternative, the contract with BNFL would be terminated for convenience.

#### Related NEPA Decisions and Reviews

This tiered EIS will use, and supplement as necessary, the information and analyses contained in: (1) the SNF & INEL EIS, (DOE/EIS-0203-F); (2) the WM PEIS, (DOE/EIS-200-F) and (3) SEIS-II (DOE/EIS-0026-S-2).

Volume 2 of the SNF & INEL EIS, issued in April 1995, is a site-wide EIS for environmental restoration and waste management activities at the INEEL. Volume 2 includes analysis of the potential environmental impacts associated with treating alpha-contaminated and transuranic mixed wastes and packaging the waste for shipment to a DOE approved repository. The SNF & INEL EIS evaluated two proposed generic treatment facilities: the Private Sector Alpha Low-Level Waste Treatment Facility, and the Idaho Waste Processing Facility. The SNF & INEL EIS envisioned that these projects would be identical (except for how they would be funded and operated) and would involve thermal (incineration) and non-thermal treatment processes. The SNF & INEL EIS also envisioned that only one of these projects would ultimately be implemented, and that appropriate further NEPA review would be conducted before DOE would decide to implement one of the projects. In the SNF & INEL EIS, the potential environmental impacts of these facilities were analyzed sufficiently to assess their incremental contribution to the cumulative impacts of past, present and reasonably foreseeable future activities at the INEEL.

The WM PEIS, issued in May 1997, is a DOE complex-wide study examining the potential environmental impacts associated with managing five types of radioactive and hazardous wastes generated by past, present, and reasonably foreseeable future activities at 24 major sites located around the United States. The five types of waste examined by the WM PEIS are mixed low-level radioactive waste (including alpha-contaminated mixed low-level waste), low-level radioactive waste, transuranic waste, hazardous waste, and high-level radioactive waste. The WM PEIS preferred treatment alternative for mixed low-level waste is treatment at DOE facilities (including INEEL). The WM PEIS preferred alternative for transuranic waste involves treatment at DOE facilities that have significant quantities of transuranic waste, such as the INEEL. Based on the preferred alternative, treated transuranic waste would be stored where it is treated pending decisions on a final repository (see below). A WM PEIS Record of Decision has not yet been issued for any waste types.

The SEIS-II assesses whether to dispose of transuranic waste at the Waste Isolation Pilot Plant, and reasonable options for transportation and other activities associated with disposal, as well as reasonable alternatives concerning quantities, sources, and treatment of transuranic waste for disposal. The Department's preferred alternative in SEIS-II is to dispose of post-1970 defense transuranic waste at the Waste Isolation Pilot Plant, and to transport the waste to the Waste Isolation Pilot Plant by truck (although DOE would continue to explore the availability of safe and cost-effective commercial rail transportation). The preferred alternative is consistent with the proposed action that will be analyzed in the AMWTP EIS.

In addition to the programmatic EISs described above, the High-Level Waste and Facilities Disposition (HLWFD) EIS is an ongoing NEPA analysis that is potentially related to the AMWTP EIS. The HLWFD EIS will analyze the potential environmental impacts of treating INEEL's high-level waste and associated radioactive waste. The HLWFD EIS is potentially relevant to the proposed Advanced Mixed Waste Treatment Project EIS because a small portion of the radioactive waste (not high-level waste) considered in the former EIS is a candidate for treatment at the proposed AMWTP. A Notice of Intent to prepare the HLWFD EIS was issued on September 19, 1997 (62 FR 49209).

#### Preliminary Identification of EIS Issues

- Potential effects on the Snake River Plain Aquifer;
- Effects of emissions and discharges from the thermal treatment of mixed low-level waste, alpha-contaminated mixed low-level waste, and transuranic waste;
- Potential effects on the public and workers from exposure to radiological and hazardous materials, during normal operations and from reasonably foreseeable accidents;
- Potential effects on air, soil, and water quality, from normal operations and reasonably foreseeable accidents;
- Potential effects on members of the public, including minority and low income populations, from normal operations and reasonably foreseeable accidents;
- Pollution prevention, waste minimization, and energy and water use reduction technologies to eliminate or reduce use of energy, water, and hazardous substances, and to minimize environmental impacts;
- Potential socioeconomic impacts, including potential impacts associated with the number of workers needed for operations;
- Potential impacts on cultural and historic resources;
- Regulation of commercial operations on a DOE site;
- Compliance with applicable Federal, State, and local requirements and the Court Order/Settlement Agreement;
- Potential cumulative environmental impacts of all past, present, and reasonably foreseeable future operations at the INEEL;
- Potential irreversible and irretrievable commitment of resources and the ultimate use of INEEL land;
- Potential environmental impacts, including long term risks to humans, associated with constructing, operating, and decommissioning the AMWTP.

Issued in Washington, D.C. on November 17, 1997.

**Peter N. Brush,**

*Acting Assistant Secretary Environment, Safety and Health.*

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#### DEPARTMENT OF ENERGY

##### Environmental Management Site-Specific Advisory Board, Savannah River Site

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.