

and beyond. Specifically, NACIE will address several urgent Indian education issues including: the Federal Comprehensive Indian Education Policy Statement; the future role of the National Advisory Council on Indian Education; status report on the Director vacancy in the Office of Indian Education, U.S. Department of Education; discussion on how the Department of Education intends to provide consultation on Indian education issues pursuant to President Clinton's Executive Order of April 28, 1994 authorizing each federal agency to consult with Tribal Nations; status report on the restructuring initiative within the Office of Indian Education; briefing on Tribally Controlled Community Colleges Executive Order; and discussion with the Assistant Secretary of Elementary and Secondary Education on the status of the FY 96 Indian Education Act. These proposals will have a direct and immediate effect on the quantity and quality of educational services to American Indian and Alaska Native communities nationwide and on the role that the National Advisory Council on Indian Education is authorized by law to uphold. This meeting may include a teleconference call on either day depending on the availability of a quorum of the NACIE membership.

The public is being given less than 15 days notice due to problems in scheduling this meeting.

Records shall be kept of all Council proceedings and are available for public inspection at the office of the National Advisory Council on Indian Education located at 1250 Maryland Avenue SW., Washington, DC 20202-7556 from the hours of 9:00 a.m. to 4:30 p.m. Monday through Friday, except holidays.

Dated: March 4, 1996.

John W. Cheek,

Acting Executive Director, National Advisory Council on Indian Education.

[FR Doc. 96-5485 Filed 3-6-96; 9:24 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs

AGENCY: Department of Energy.

ACTION: Amendment to Record of Decision.

SUMMARY: The Department of Energy (DOE) has issued an amendment to the

May 30, 1995 Record of Decision on the Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement (60 FR 28680, June 1, 1995). The May 30, 1995 Record of Decision includes a decision to regionalize the management of DOE owned spent nuclear fuel, by fuel type, and also includes decisions concerning environmental restoration and waste management programs at the Idaho National Engineering Laboratory. This amended Record of Decision reflects the October 16, 1995 Settlement Agreement among DOE, the State of Idaho and the Department of the Navy pertaining to spent nuclear fuel shipments into and out of the State of Idaho. The Settlement Agreement was entered as a Consent Order by the U.S. District Court for the District of Idaho on October 17, 1995, which resolved litigation between the State of Idaho and DOE. See, *Public Service Co. of Colorado v. Batt*, No. CV 91-0035-S-EJL (D. Idaho) and *United States v. Batt*, No. CV-91-0065-S-EJL (D. Idaho). This amended Record of Decision does not modify or rescind any of the provisions of the May 30, 1995 Record of Decision, except as discussed below.

ADDRESSES: Copies of the Department of Energy Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement (DOE/EIS-0203-F), and the May 30, 1995 Record of Decision are available in the public reading rooms and libraries identified in the Federal Register Notice that announced the availability of the Final Environmental Impact Statement (60 FR 20979, April 28, 1995).

For further information on DOE's spent nuclear fuel management program and environmental restoration and waste management programs at the Idaho National Engineering Laboratory or to receive a copy of the Final Environmental Impact Statement, or Settlement Agreement with the State of Idaho, please contact: U.S. Department of Energy, Idaho Operations Office, Bradley P. Bugger, Office of Communications, 850 Energy Drive, MS 1214, Idaho Falls, ID 83403-3189, 208-526-0833.

For general information on the Department's National Environmental Policy Act (NEPA) process, please contact: Ms. Carol 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.

SUPPLEMENTARY INFORMATION:

Department of Energy Programmatic Spent Nuclear Fuel Management

This amended Record of Decision reduces the number of shipments of spent nuclear fuel into the State of Idaho. As a result, there are differences in the number of spent nuclear fuel shipments and inventories from those listed in Tables 3.1 and 3.2 of the May 30, 1995 Record of Decision. Tables 1.1 and 1.2 of this amendment hereby revise Tables 3.1 and 3.2, respectively, of the May 30, 1995 Record of Decision to show those differences. Table 1.1 shows the origin and interim management destination of specific fuels and the potential number of shipments. One shipment, whether by truck or rail, consists of a single shipping container of spent nuclear fuel. Table 1.2 shows the existing and resulting inventory at DOE's main spent nuclear fuel management locations. The differences include the Fort St. Vrain fuel and 512 shipments of the Hanford Site fuel. The change regarding Fort St. Vrain spent nuclear fuel shipments implements an explicit provision of the October 17, 1995 Consent Order settling the litigation among the State of Idaho, the Department of Energy, and the Department of the Navy. The change regarding spent nuclear fuel at the Hanford site reflects the Consent Order's general limitation of spent nuclear fuel shipments to the Idaho National Engineering Laboratory. Both the Fort St. Vrain and Hanford spent fuels may be safely maintained at their present locations. (See Volume 1, Appendix A, Section 5.1; Volume 1, Section 3.1.1.7; and Volume 1, Appendix E, Section 4.1.3.2.) There are also refinements in the number of spent nuclear fuel shipments to the Idaho National Engineering Laboratory from Argonne National Laboratory-East, Sandia National Laboratory, the Oak Ridge Reservation, Babcock & Wilcox, and Foreign Research Reactors. This Amendment to the Record of Decision is consistent with DOE's mission of managing its spent nuclear fuel safely and efficiently. The environmental impacts associated with the decisions contained in this Amendment were analyzed in the DOE Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement.

TABLE 1.1—STATE-BY-STATE PLANNED SHIPMENT DESTINATIONS AND NUMBER OF SHIPMENTS.¹

Generator or current storage	Destination ²	
	Idaho National Engineering Laboratory	Savannah River Site
Aerotest (California)	3	.....
General Atomics (California)	8	.....
General Electric (California) .....	.....	4
McClellan Air Force Base (California)	3	.....
U.S. Geological Survey (Colorado)	6	.....
Fort St Vrain (Colorado) ³	0	.....
Idaho National Engineering Laboratory (Idaho) .....	.....	114
Argonne National Laboratory—East (Illinois)	6	.....
Armed Forces Research Institute (Maryland)	3	.....
National Institute of Science and Technology (Maryland) .....	.....	185
DOW Corp. (Michigan)	3	.....
Veterans Medical Center (Nebraska)	2	.....
Los Alamos National Laboratory (New Mexico) .....	.....	17
Sandia National Laboratory (New Mexico) ⁴	11	15
Brookhaven National Laboratory (New York) .....	.....	71
West Valley Demonstration Project (New York)	⁵ 83	.....
Savannah River Site (South Carolina)	121	.....
Oak Ridge Reservation (Tennessee) ⁴	14	68
Babcock & Wilcox, Lynchburg (Virginia)	5	.....
Hanford Site (Washington)	⁶ 12	.....
Foreign Research Reactors (various) ^{4,7}	162	838
Navy	575	.....
Universities (various) ⁴	116	403
Total	1,133	1,715

¹ The number of shipments analyzed in the Final Environmental Impact Statement, including either truck or rail shipments.

² The Hanford Site would not receive any additional fuel.

³ No shipments for storage, but shipments may be needed for treatment for disposal.

⁴ The specific distribution would be based upon the fuel type (i.e., cladding material).

⁵ For West Valley Demonstration Project spent fuel, 7 rail shipments would be equal to 83 truck shipments.

⁶ This represents the sodium-bonded Fast Flux Test Facility fuel.

⁷ A policy decision on acceptance of foreign research reactor spent nuclear fuel will be made after completion of a separate environmental impact statement.

TABLE 1.2—APPROXIMATE SPENT NUCLEAR FUEL INVENTORY IN METRIC TONS OF HEAVY METAL.¹

Sites	Existing spent fuel inventory (as of 1995) (percent of total)	Existing redistributed and newly generated inventory (by year 2035) (percent of total)
Hanford Site	2133 (80.6%)	2132 ³ (77.8%) (non-sodium-bonded Fast Flux Test Facility fuel, miscellaneous and production reactor spent nuclear fuel).
Idaho National Engineering Laboratory	261 (9.9%)	381 (13.9%) (non-aluminum-clad spent nuclear fuel).
Savannah River Site	206 (7.8%)	213 (7.8%) (aluminum-clad spent nuclear fuel)
Other (Oak Ridge, other Department of Energy facilities, universities, special case commercial) ³ .	46 (1.7%)	16 ⁴ (.5%)
Total	2646 (100%)	2742 (100%).

¹ A "metric ton of heavy metal" is a common unit of measure for spent nuclear fuel, which is 1000 kilograms (2,200 pounds) of heavy metal (uranium, plutonium, thorium) contained in the spent fuel.

² Inventory shown assumes no final disposition (repository disposal or processing).

³ The Hanford and Oak Ridge sites would ship some or all of their existing inventory to the Savannah River Site and Idaho National Engineering Laboratory, depending on fuel type.

⁴ DOE spent fuel stored at the Fort St. Vrain reactor in Colorado.

Decision and Approval.

The Atomic Energy Act of 1954 (42 U.S.C. 2011 *et seq.*) and the Department

of Energy Organization Act (42 U.S.C. 7101 *et seq.*) establish the Department's responsibility for the management of its spent nuclear fuel. The decision process

reflected in this document complies with requirements of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing

regulations at 40 CFR Parts 1500–1508 and 10 CFR Part 1021. These decisions affect activities under the authority of the U.S. Department of the Navy, and the Navy was a cooperating agency in the preparation of the Environmental Impact Statement. Pursuant to 10 CFR § 1021.315, the Department of Energy may revise the Record of Decision at any time, so long as the revised decision is adequately supported by an existing environmental impact statement. Implementation of the Record of Decision as amended is subject to compliance with all applicable federal statutes, regulations and orders, including the Anti-Deficiency Act.

Issued in Washington, DC, this 28th day of February 1996.

Hazel R. O'Leary,

Secretary of Energy.

[FR Doc. 96–5561 Filed 3–7–96; 8:45 am]

BILLING CODE 6450–01–P

Storage and Disposition of Weapons-Usable Fissile Materials Draft Programmatic Environmental Impact Statement

AGENCY: Department of Energy.

ACTION: Notice of Availability.

SUMMARY: The Department of Energy (DOE) announces the availability of the Storage and Disposition of Weapons-Usable Fissile Materials Draft Programmatic Environmental Impact Statement (Storage and Disposition Draft PEIS) for public review and comment. The Department has prepared this Storage and Disposition Draft PEIS 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 Implementing Procedures (10 CFR Part 1021). The PEIS analyzes alternatives for two proposed actions: (1) to provide a long-term storage system for weapons-usable fissile materials that meets all applicable environmental, safety, and health standards while reducing storage and infrastructure cost; and (2) to provide for disposition of surplus plutonium (Pu) and Pu that may be declared surplus in the future, in order to achieve proliferation resistance by making the Pu as inaccessible and difficult to retrieve after disposition as the Pu in spent fuel from commercial reactors (referred to as the Spent Fuel Standard). Throughout this Notice, reference to Pu or to plutonium refers only to weapons-usable plutonium.

DATES: The public is invited to comment on the Storage and Disposition Draft PEIS during the public comment period

that begins on March 8, 1996 and continues until May 7, 1996. Comments postmarked after that date will be considered to the extent practicable. The Department will hold eight public meetings to discuss and receive comments on the Storage and Disposition Draft PEIS. The times and locations of these meetings are provided in the Supplementary Information to this Notice of Availability.

ADDRESSES: Requests for copies of the Storage and Disposition Draft PEIS and related information should be directed to: Office of Fissile Materials Disposition (MD-4), Attention: Storage and Disposition PEIS, U.S. Department of Energy, 1000 Independence Ave., SW, Washington, DC 20585, or by calling 1–800–820–5134.

Written comments on the Storage and Disposition Draft PEIS 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 by calling 1–800–820–5156.

FOR FURTHER INFORMATION CONTACT: Information regarding the DOE National Environmental Policy Act process should be directed to: 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 by calling 1–800–472–2756.

Availability of the Storage and Disposition Draft PEIS: Copies of the Storage and Disposition Draft PEIS are being distributed to Federal, State, Indian tribal, and local officials, as well as agencies, organizations and individuals who may be interested or affected. Copies of the draft PEIS are also available for public review along with supporting technical reports 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. 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, to solicit public input, and to announce that public scoping meetings would be conducted from August through October 1994. Twelve 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. On March 30, 1995, the Implementation Plan for the PEIS was issued, which provided guidance and the schedule for the preparation of the PEIS.

Alternatives Considered

The Storage and Disposition Draft PEIS assesses environmental impacts of the proposed actions, which include activities that would result in:

- The long-term storage of inventories of non-surplus weapons-usable Pu and highly enriched uranium (HEU);
- The storage of inventories of weapons-usable Pu and HEU that have been or may be declared surplus, pending disposition; and,
- The disposition of weapons-usable Pu that has or may be declared surplus (disposition of surplus HEU is being addressed in a separate Disposition of Surplus Highly Enriched Uranium Environmental Impact Statement).

The Storage and Disposition Draft PEIS analyzes the following reasonable long-term storage alternatives: (1) upgrade or replacement of current Pu and HEU storage facilities at multiple DOE sites, (2) consolidation of Pu at a single DOE site, and (3) collocation of Pu and HEU at a single DOE site. The six candidate storage sites are: Hanford Site, Washington; Idaho National Engineering Laboratory (INEL), Idaho; Nevada Test Site (NTS), Nevada; Oak Ridge Reservation (ORR), Tennessee; Pantex Plant, Texas; and Savannah River Site (SRS), South Carolina. For disposition, the Draft PEIS analyzes broader, programmatic strategies and technologies; DOE will prepare subsequent, tiered site specific NEPA documentation as necessary for disposition. The reasonable disposition alternatives fall into three categories: (1) the Deep Borehole Category consisting of two alternatives—Direct Disposition, and Immobilized Disposition; (2) the Immobilization Category consisting of three alternatives—Vitrification, Ceramic Immobilization, and Electrometallurgical Treatment; and (3) the Reactor Category consisting of four alternatives—Existing Light Water Reactors (LWRs), Evolutionary LWRs, Partially Completed LWRs, and the Canadian Deuterium Uranium (CANDU) Reactor. In addition, No Action Alternatives are analyzed, in which no change in storage and/or no disposition would occur.

Under the upgrade at multiple sites long-term storage alternative, DOE would either modify certain existing facilities or build new facilities