comply with the Commission recommendation. Encumbered disposal of the site would also allow the Army to return surplus capacity to public or private use.

However, encumbered disposal of the DPSC would result in the Army imposing reuse constraints on future owners. For example, special easements would be required to maintain access to groundwater-monitoring wells, access for testing and inspection for environmental remediation, and access to conduct maintenance on parcels not yet disposed. In addition, special-use restrictions would prohibit entry into or interference with remedial operation and maintenance facilities or may permanently restrict certain uses of the property. Finally, property sale or transfer covenants may require a new owner to maintain significant historic buildings.

Additional constraints may be identified during future investigations of the property. These constraints would be identified and imposed by the Army at the time of deed transfer. Currently, the facility is in compliance with all applicable federal environmental statutes and executive orders.

The unencumbered alternative involves transfer without constraints such as easements or mitigation measures. Under this method of disposal, the Army would remove any constraints that could feasibly be removed before the transfer occurs. The removal of encumbrances before transfer could be costly and delay transfer.

Implementation of the no-action alternative would perpetuate maintenance costs incurred by the Army by requiring the Army to retain the property. Additionally, no remedial actions would be taken for known contaminants on the site.

The EA results in a Finding of No Significant Impact (FNSI); therefore, an Environmental Impact Statement (EIS) is not required for encumbered disposal of the DPSC.

**DATES:** Comments must be received on or before November 18, 1996.

**ADDRESSES:** Persons wishing to comment may obtain a copy of the EA or inquire regarding the FNSI by writing to Mr. Jerry Jones, U.S. Army Corps of Engineers, ATTN: CESAM–PD–EI, 109 St. Joseph Street, P.O. Box 2288, Mobile, Alabama 36628–0001.

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding this FNSI may be directed to the U.S. Army Corps of Engineers, ATTN: Mr. Jerry Jones, at (334) 690–2725.

Raymond J. Fatz,

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

[FR Doc. 96–26774 Filed 10–17–96; 8:45 am]

**BILLING CODE 3710–08–M**

## Programmatic Environmental Impact Statement: Destruction of Non-Stockpile Chemical Warfare Materiel Containing Chemical Agent

**AGENCY:** Department of the Army, Department of Defense.

**ACTION:** Notice of Intent.

**SUMMARY:** The Department of the Army announces its intent to prepare a Programmatic Environmental Impact Statement (PEIS) on the destruction of chemical warfare materiel (CWM) containing chemical agent and to initiate the public scoping process for the PEIS. The PEIS is being prepared in accordance with the National Environmental Policy Act (NEPA), as amended.

The U. S. Army's Program Manager for Chemical Demilitarization has the responsibility for the destruction of the nation's chemical warfare materiel. The Program Manager has established project managers to accomplish this goal. The Project Manager for Chemical Stockpile Disposal is responsible for destroying the stockpile of unitary chemical weapons in the Department of Defense/Department of Army inventory (called stockpile). The PEIS for destroying the stockpile materiel was completed in 1988, and the destruction program is in progress at two locations—Johnston Island in the Pacific and Tooele, Utah. The Project Manager for Non-Stockpile Chemical Materiel (NSCM) analysis include: (1) on-site chemical treatment of CWM with off-site destruction of the resultant wastes either by thermal destruction or another disposal method; (2) on-site chemical treatment and on-site destruction/disposal of chemical treatment wastes (3) on-site thermal destruction; (4) off-site chemical treatment and/or thermal destruction or another disposal method; and (5) no action, which is defined as a continuation of the current methods for handling these types of CWM, including safely packing, shipping and storing CWM at permitted locations.

**DATES:** Written and oral comments on alternative strategies and their components (treatment, storage, transportation, and destruction/disposal) and the important environmental issues that should be evaluated in the PEIS are invited. Comments should be provided by February 28, 1997, to ensure consideration. Comments received after this date will be considered to the extent practicable.

To facilitate public participation and comment on the proposed scope of the PEIS, the Army will hold five regional public scoping meetings in the vicinity of Tampa, Florida; Newport, Indiana; Huntsville, Alabama; Salt Lake City, Utah; and San Antonio, Texas. The specific dates, times, and locations of these meetings will be announced in a separate Federal Register notice, by letter, and in appropriate news media. Repositories containing information on the NSCM Program and the PEIS will be established at these and other locations and will be identified in local media announcements.

**ADDRESSES:** Written comments on the scope of the PEIS should be sent to Program Manager for Chemical Demilitarization, ATTN: SFAE–CD–NP (Mr. Dragunas/PEIS), Aberdeen Proving Ground, Maryland 21010–5401. Comments on the scope of the PEIS may also be made by calling the toll-free telephone number 1–800–410–9901.

**FOR FURTHER INFORMATION CONTACT:** Program Manager for Chemical Demilitarization, ATTN: SFAE–CD–NP (Mr. Dragunas/PEIS), Aberdeen Proving Ground, Maryland 21010–5401. Requests for further information may also be made by calling the above listed toll-free telephone number.

**SUPPLEMENTARY INFORMATION:**

*Background*

The Convention on the Prohibition of the Development, Production, Stockpiling, and Use of the Chemical Weapons and on Their Destruction, or Chemical Weapons Convention (CWC), requires the destruction of all CWM. The U.S. Army, as Executive Agent for the Department of Defense, is responsible for ensuring that NSCM is destroyed in a safe, environmentally sound and cost-effective manner. The U.S. and over 150 nations signed the CWC on January 13, 1993, and they and the U.S. are working towards ratification.

Buried CWM can be dated back to World War I. The practice of burying leaking or obsolete CWM in the past was an acceptable method of disposal. Often burial was accompanied by draining and decontamination. Therefore, the CWM is responsible for destroying all other CWM (called non-stockpile) within the United States and its territories.

The PEIS is specifically concerned with the following CWM containing chemical agent under the auspices of the Project Manager for Non-Stockpile Materiel: (1) CWM from former test ranges and burial sites once it is recovered; (2) CWM that has already been recovered and is currently in storage; and (3) research, development, test and evaluation (RDT&E) materiel used in CWM development and pre-production processes. Presently, materiel are either known to exist or possibly exist at 68 locations in 31 states, the Virgin Islands, and Johnston Island in the Pacific Ocean.

To achieve the destruction of chemical agent contained in the CWM considered in this PEIS, the Army proposes to select one or more strategies that (1) provide protection for human health, safety, and the environment and (2) enable the U. S. to comply with the requirements of the Chemical Weapons Convention. The selection of one or more strategies is needed by the Army in order to focus resources on, and provide for, a future destruction capability. The Non-Stockpile PEIS will analyze the potential environmental consequences of various alternative strategies that will meet these objectives.

Strategy components that could be used in alternative development may include any or all of the following: treatment, transportation and/or destruction/disposal. The preliminary alternatives that the Army is considering for analysis include: (1) on-site chemical treatment of CWM with off-site destruction of the resultant wastes either by thermal destruction or another disposal method; (2) on-site chemical treatment and on-site destruction/disposal of chemical treatment wastes (3) on-site thermal destruction; (4) off-site chemical treatment and/or thermal destruction or another disposal method; and (5) no action, which is defined as a continuation of the current methods for handling these types of CWM, including safely packing, shipping and storing CWM at permitted locations.

**DATES:** Written and oral comments on alternative strategies and their components (treatment, storage, transportation, and destruction/disposal) and the important environmental issues that should be evaluated in the PEIS are invited. Comments should be provided by February 28, 1997, to ensure consideration. Comments received after this date will be considered to the extent practicable.

To facilitate public participation and comment on the proposed scope of the PEIS, the Army will hold five regional public scoping meetings in the vicinity of Tampa, Florida; Newport, Indiana; Huntsville, Alabama; Salt Lake City, Utah; and San Antonio, Texas. The specific dates, times, and locations of these meetings will be announced in a separate Federal Register notice, by letter, and in appropriate news media. Repositories containing information on the NSCM Program and the PEIS will be established at these and other locations and will be identified in local media announcements.

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**FOR FURTHER INFORMATION CONTACT:** Program Manager for Chemical Demilitarization, ATTN: SFAE-CD-NP (Mr. Dragunas/PEIS), Aberdeen Proving Ground, Maryland 21010–5401. Requests for further information may also be made by calling the above listed toll-free telephone number.

**SUPPLEMENTARY INFORMATION:** Background: The Convention on the Prohibition of the Development, Production, Stockpiling, and Use of the Chemical Weapons and on Their Destruction, or Chemical Weapons Convention (CWC), requires the destruction of all CWM. The U.S. Army, as Executive Agent for the Department of Defense, is responsible for ensuring that NSCM is destroyed in a safe, environmentally sound and cost-effective manner. The U.S. and over 150 nations signed the CWC on January 13, 1993, and they and the U. S. are working towards ratification.

Buried CWM can be dated back to World War I. The practice of burying leaking or obsolete CWM in the past was an acceptable method of disposal. Often burial was accompanied by draining and decontamination. Therefore, the CWM underwent a form of destruction. In other cases, intact munitions were simply buried. These techniques reduced the risk to the public. These approaches sometimes resulted in incomplete and/or partial destruction. However, in certain situations, based on site-specific determinations, current technological limitations and stakeholder input, leaving the buried CWM in the ground may be preferable to excavation and destruction.

*Non-Stockpile Chemical Materiel Program*

The Project Manager for NSCM is responsible for the destruction of all CWM containing chemical agent in the U.S. and its territories not included in the nation's unitary stockpile of chemical weapons and chemical agent. Different types of NSCM include: (1) CWM from former test ranges and burial sites once it is recovered; (2) CWM that has already been recovered and is in storage: (3) binary chemical weapons and components; (4) former chemical weapon production facilities; (5) miscellaneous chemical warfare materiel.

This PEIS will focus on those specific types of NSCM that require similar decisions as to their destruction strategies. These include (a) CWM from former test ranges and burial sites once it is recovered; (b) CWM that has already been recovered and is in storage and (c) the RDT&E materiel portion of the miscellaneous materiel. Decisions concerning destruction strategies for binary chemical weapons and components; former production facilities; and the remainder of the miscellaneous materiel are independent of this PEIS and undergo appropriate levels of environmental review. These latter actions are independent because they consist mainly of demolition, recycling and/or disposal operations that use completely different destruction strategies than those under consideration in this PEIS and they do not contain chemical agent.

In accordance with Section 176 of 1993 Defense Authorization Act, the NSCMP has prepared a Survey and Analysis Report (1993), that identifies the locations, types, and quantities of NSCM. Since the issuance of the Report, the number of locations, types, and quantities of NSCM continue to be updated. The tables included with this notice lists the sites where CWM is presently known or could possibly exist. The Army continues to review historical documents and data to assess sites where past actions may have resulted in disposal of CWM by burial.

TABLE 1.—LOCATIONS WITH KNOWN OR POSSIBLE BURIED CHEMICAL WARFARE MATERIEL[1]

| |
|---|
| Alabama: |
| Camp Sibert |
| Fort McClellan |
| Redstone Arsenal |
| Alaska: |
| Cape Yakak Radio Station |
| Chicagof Harbor |
| Fort Wainwright |
| Gerstle River Expansion Area |

TABLE 1.—LOCATIONS WITH KNOWN OR POSSIBLE BURIED CHEMICAL WARFARE MATERIEL[1]—Continued

- Gerstle River Test Site
- Unalaska Island

Arizona:
- Camp Navajo
- Yuma Proving Ground

Arkansas:
- Fort Chaffee
- Pine Bluff Arsenal
- Southwestern Proving Ground

California:
- Edwards Air Force Base
- Fort Ord
- Santa Rosa Army Air Field

Colorado:
- Pueblo Army Activity
- Rocky Mountain Arsenal

Florida:
- Brooksville Army Air Field
- MacDill Air Force Base
- Withlacoochee

Georgia:
- Fort Benning
- Fort Gillem

Hawaii:
- Kipapa Ammunition Storage
- Schofield Army Barracks

Illinois:
- Fort Sheridan
- Savanna Army Depot Activity

Indiana:
- Camp Atterbury Naval Surface Warfare Center, Crane Division
- Newport Chemical Activity

Iowa:
- Camp Dodge

Kentucky:
- Blue Grass Army Depot
- Fort Knox

Louisiana:
- Camp Claiborne
- England Air Force Base
- Fort Polk

Maryland:
- Aberdeen Proving Ground
- Fort Meade

Massachusetts:
- Fort Devens

Michigan:
- Chemical Warfare Development Division

Mississippi:
- Camp Van Dorn
- Columbus Army Airfield

Missouri:
- Camp Crowder

Nevada:
- Hawthorne Army Depot

New Jersey:
- Fort Hancock Naval Air Warfare Center, Lakehurst
- Raritan Arsenal

New Mexico:
- Fort Wingate Depot Activity

New York:
- Camp Hero

North Carolina:
- Camp Lejeune
- Laurinburg-Maxton Army Air Base

Ohio:
- Cleveland Plant
- Raven Army Ammunition Plant

Oregon:
- Umatilla Depot Activity

South Carolina:
- Charleston Naval Weapons Station

South Dakota:
- Black Hills Ordnance Depot

Tennessee:
- Defense Depot Memphis

Texas:
- Camp Bullis
- Camp Stanley Storage Activity

U.S. Virgin Islands:
- Water Island

Utah:
- Dugway Proving Ground (Formerly Used Defense Site)
- Dugway Proving Ground
- Tooele Army Depot
- Wendover Bombing and Gunnery Range

[1] Based on a U.S. Army Non-Stockpile Chemical Materiel Program Survey and Analysis Report, November 1993 updated data base which is unpublished.

TABLE 2.—LOCATIONS WITH RECOVERED CHEMICAL WARFARE MATERIEL AND RESEARCH, DEMONSTRATION, TESTING, AND EVALUATION MATERIEL[1]

Alabama:
- Anniston Army Depot
- Redstone Arsenal

Alaska:
- Fort Richardson

Arkansas:
- Pine Bluff Arsenal

Colorado:
- Pueblo Army Activity
- Rocky Mountain Arsenal
- Johnston Island

Kentucky:
- Blue Grass Army Depot

Maryland:
- Aberdeen Proving Ground

Oregon:
- Umatilla Depot Activity

Texas:
- Camp Bullis

Utah:
- Dugway Proving Ground
- Tooele Army Depot

[1] Based on a U.S. Army Non-Stockpile Chemical Materiel Program Survey and Analysis Report, November 1993 updated data base which is unpublished.

To achieve the destruction of certain types of CWM, the Army proposes to select and implement strategies that (1) provide the highest levels of protection for human health, safety, and the environment and (2) enable the U.S. to comply with the requirements of the Chemical Warfare Convention. The PEIS will analyze the potential environmental consequences of various alternative strategies that will meet this need.

Components of a strategy could include any or all of the following: treatment, transportation, and/or destruction/disposal. The alternatives that the Army is considering at this time for analysis include: (1) on-site chemical treatment of CWM with off-site destruction of the resultant wastes either by thermal destruction or another disposal method; (2) on-site chemical treatment and destruction of chemical treatment wastes (3) on-site thermal destruction; (4) off-site chemical treatment and/or thermal destruction or another disposal method; and (5) no action, which is defined as a continuation of the storage of recovered and RDT&E materiel, and the packaging, transportation and storage of future recovered buried CWM at permitted locations.

Decisions concerning whether sites should be excavated to recover possible CWM and how sites should be cleaned up are the responsibility of installation/site authorities. These site-specific decisions will determine whether a selected strategy is appropriate for each specific location.

The preliminary strategies that have been identified for evaluation in the PEIS are:

*On-site Chemical Treatment and Off-site Destruction of Chemical Treatment Waste*—Chemical agents in CWM would be chemically treated on site. Waste from chemical treatment and any other wastes such as metal body parts would be packaged in accordance with appropriate transportation regulations and the waste would then be transported off site for thermal destruction or another disposal method.

*On-site Chemical Treatment and On-site Destruction/Disposal of Chemical Treatment Waste*—Chemical agents in CWM would be chemically treated on site. Waste from chemical treatment would also be destroyed/disposed of on site. Any other waste such as metal body parts from the on-site treatment would be packaged in accordance with appropriate transportation regulations and then transported off site for disposal.

*On-site Thermal Destruction*—Chemical agents in CWM would be thermally destroyed on site. Any waste from thermal destruction such as ash and/or metal body parts would be packaged in accordance with appropriate transportation regulations and the waste would then be transported off site for disposal.

*Off-site Chemical Treatment and/or Off-site Thermal Destruction*—CWM containing chemical agents would be packaged in accordance with appropriate transport regulations and

then transported to an off site location. The CWM containing chemical agents would then be either chemically treated or thermally destroyed or disposed of by another method at the off-site location.

*No Action*—CWM containing chemical agent already in storage and RDT&E materiel would continue to be stored. CWM containing chemical agent recovered in the future would be packaged in accordance with appropriate transport regulations and then transported to an off-site location for long term storage at a permitted location.

For all disposal alternatives, treated residual metal parts would likely be recycled or disposed of in accordance with applicable environmental regulations.

The PEIS, as currently envisioned, will not evaluate specific off-site/on-site treatment and/or destruction/disposal locations under these strategies. Should the Army select an off-site destruction/disposal strategy, further environmental review would be required to determine the potential environmental consequences of implementing that strategy at that specific location. The PEIS will also not evaluate on-site contamination. This contamination will be handled under established environmental remediation/restoration procedures and regulations.

The important environmental issues that have been identified on a preliminary basis for evaluation and analysis in the PEIS are: (1) The potential impacts of the alternative strategies on air quality, water resources, and land resources; (2) the potential impacts to public health from the implementation of the destruction technologies; (3) the potential impacts to public health and safety from accidents that could occur during the handling, transport, storage, and destruction of CWM; and (4) the potential socioeconomic impacts of the alternative strategies.

*Scoping Process*

Scoping, which is integral to the NEPA process, is a procedure that solicits input to the EIS process to ensure that issues are identified early and properly studied. Scoping commences after a decision is made to prepare an EIS in order to provide an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. The scope of issues to be addressed in the draft PEIS will be determined, in part, from written comments received by mail and oral comments received and recorded by phone and at the public meetings. The preliminary identification of alternatives and environmental issues is not meant to be exhaustive or final. The Army considers the scoping process to be open and dynamic in the sense that alternatives other than those given above may warrant study and new matters may be identified for potential evaluation.

The scoping process will include both interagency and public scoping. The public is invited to submit written comments or provide oral comments at a meeting or by phone to the addresses and phone numbers listed under the **DATES** section of this notice and/or attend a public meeting that will be announced in area news media.

The Army will use the public input received during scoping to develop a Statement of Scope to guide preparation of the PEIS. After completion, the Statement of Scope will be made available to scoping participants and the public upon request. The draft PEIS prepared from the scoping process will be made available for public review and comment. Notice of availability of the draft PEIS will be announced, written comments on the draft solicited, and information about a possible public meeting to comment on the draft will be published at a future date. The Army expects to release a final PEIS by mid-1999.

Richard E. Newsome,

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

[FR Doc. 96–26343 Filed 10–17–96; 8:45 am]

**BILLING CODE 3710–08–P**

## Army Science Board; Notice of Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92–463), announcement is made of the following Committee Meeting:

*Name of Committee:* Army Science Board (ASB).

*Date of Meeting:* 24 & 25 October 1996.

*Time of Meeting:* 0930–1600, 24 Oct 96, 0930–1600, 25 Oct 96.

*Place:* Pentagon—Washington, DC.

*Agenda:* The Army Science Board (ASB) Summer Study on ''Technical Architecture C4I'' will meet for briefings and discussions. These meetings will be closed to the public in accordance with Section 552b(c) of title 5, U.S.C., specifically subparagraph (4) thereof, and Title 5, U.S.C., Appendix 2, subsection 10(d). The proprietary matters to be discussed are so inextricably intertwined so as to preclude opening any portion of these meetings. For further information, please contact Michelle Diaz at (703) 695–0781.

Michelle P. Diaz,

*Program Support Specialist, Army Science Board.*

[FR Doc. 96–26737 Filed 10–17–96; 8:45 am]

**BILLING CODE 3710–08–M**

## Army Science Board; Notice of Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92–463), announcement is made of the following Committee Meeting:

*Name of Committee:* Army Science Board (ASB).

*Date of Meeting:* 17 & 18 October 1996.

*Time of Meeting:* 0900–1600, 17 Oct 96, 0900–1700, 18 Oct 96.

*Place:* Pentagon—Washington, DC.

*Agenda:* The Army Science Board (ASB) Ad Hoc Study on ''Global Broadcast Service'' will meet for briefings and discussions on the study subject. These meetings will be closed to the public in accordance with Section 552b(c) of title 5, U.S.C., specifically subparagraph (4) thereof, and Title 5, U.S.C. Appendix 2, subsection 10(d). The proprietary matters to be discussed are so inextricably intertwined so as to preclude opening any portion of these meetings. For further information, please contact Michelle Diaz at (703) 695–0781.

Michelle P. Diaz,

*Program Support Specialist, Army Science Board.*

[FR Doc. 96–26738 Filed 10–17–96; 8:45 am]

**BILLING CODE 3710–08–M**

# DEPARTMENT OF EDUCATION

## Intent To Repay to the Maine Department of Education Funds Recovered as a Result of a Final Audit Determination

**AGENCY:** Department of Education.

**ACTION:** Correction notice.

**DATE OF SETTLEMENT AGREEMENT AND PERIOD OF AVAILABILITY OF FUNDS:** On April 2, 1996, the Secretary published in the Federal Register (61 FR 14598) a notice of intent to award grantback funds to the Maine Department of Education. Detailed information concerning the intended grantback award was contained in that notice. The purpose of this notice is to correct the execution date of the settlement agreement that resolved one of the audits, ACN: 01–93025, involved in the intended grantback award and to correct the period of availability of funds awarded through this grantback.

The execution date of the settlement agreement for ACN: 01–93025 is ''December 2, 1992.'' The funds