

record, all comments should be submitted in writing. All comments, both oral and written, will become part of the public record in the study. In the interest of available time, each speaker will be asked to limit oral comments to five minutes. Longer comments should be summarized at the public hearing and submitted in writing either at the hearing or mailed to the address listed below. Written comments must be received by May 13, 1996, to become part of the official record. Additional information concerning this notice may be obtained by contacting: Mr. Ronnie Lattimore (Code 064RL), Southern Division, Naval Facilities Engineering Command, P.O. Box 190010, North Charleston, South Carolina 29419-9010, telephone (803) 820-5888.

Dated: April 1, 1996.

M.A. Waters,

LCDR, JAGC, USN, Federal Register Liaison Officer.

[FR Doc. 96-8289 Filed 4-3-96; 8:45 am]

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DEPARTMENT OF EDUCATION

Office of Administrative Law Judges; Notice of Intent To Compromise a Claim; Alaska Department of Education

SUMMARY: The Department intends to compromise a claim against the Alaska Department of Education (Alaska) now pending before the Office of Administrative Law Judges (OALJ). Docket No. 94-204-R. (20 U.S.C. 1234a(j)).

DATES: Interested persons may comment on the proposed action by submitting written data, views, or arguments on or before May 20, 1996.

ADDRESSES: Comments should be addressed to Lynette Charboneau, Office of the General Counsel, U.S. Department of Education, 600 Independence Avenue, S.W. (Room 5312, FB 10B), Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Lynette Charboneau, Esq., Telephone: (202) 401-8292. 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: The claim in question arose from an audit of the financial assistance programs of Alaska for the fiscal year ending June 30, 1991. The audit was performed by the Alaska Division of Legislative Audit, to fulfill the requirements of Office of Management and Budget Circular A-

128. The audit included an evaluation of the internal control systems used in administering Federal financial assistance programs.

Among the systems examined were Alaska's procedures for administering funds awarded under Title II of the Carl D. Perkins Vocational Education Act (Perkins Act), 20 U.S.C. 2331 (1988). The Perkins Act imposed specific requirements as to a State's allocation of Title II funds among State administration, Part A, and Part B. See 20 U.S.C. 2312 (1988). A State could reserve up to 7 percent of the total grant for Title II for State administration, including \$60,000 for sex equity administration, plus an additional amount by which the \$60,000 exceeded 1 percent of the State's total grant under Title II. After funds were reserved for administration, the State was required to allocate the remainder 57 percent to Part A and 43 percent to Part B. The 57 percent for Part A was to be further reserved to benefit specific targeted groups of students. See 20 U.S.C. 2332 (1988). Thus, if a State expended more than the allowable 7 percent on State administration, it would necessarily have to spend less than the mandated amount for Part A or Part B, or both.

The auditors found that Alaska's expenditures for State administration in Fiscal Years (FYs) 1990 and 1991 exceeded the 7 percent cap. Further, the auditors found that in FY 1990 the State's expenditures under Part B exceeded the allowable 43 percent. On October 19, 1994, the Department's Assistant Secretary for Vocational and Adult Education (Assistant Secretary) issued a program determination letter (PDL) sustaining the auditors' findings and requiring Alaska to repay \$414,657.72 for the amounts of the overfunding of State administration and Part B (and corresponding underfunding of Part A) in FYs 1990 and 1991.

Alaska filed a timely appeal with the Office of Administrative Law Judges (OALJ). After filing its brief and evidence, Alaska offered to settle the claim against it. The administrative law judge (ALJ) appointed to hear this appeal stayed the proceeding to allow counsel to seek formal approval of the tentative settlement.

Based on documentation submitted by Alaska during the course of the proceedings before the OALJ demonstrating that \$168,116.27 of the funds were allowable, the Assistant Secretary has decided to reduce the claim to \$246,541.45. The Department proposes to compromise the remaining claim for \$91,500. After receiving the PDL, Alaska submitted information directly to the Assistant Secretary to

show that its FSRs reflected reporting errors as to the amount of Title II funds expended for State administration. Additionally, during the course of its appeal to the OALJ, Alaska submitted voluminous evidence in an attempt to show that the State could have charged to Part A many of the overcharges to Part B because of the overlapping purposes and goals of those program authorities.

After consideration of the documentation and arguments presented by Alaska to the OALJ, the Assistant Secretary has decided to reduce the repayment demanded by \$168,116.27, and the Department proposes to settle the remaining claim of \$246,541.45 for \$91,500. Given the amount that would be repaid by Alaska under the settlement agreement, the additional documentation, and the litigation risks and costs of proceeding through the appeal process, the Department has determined that it would not be practical or in the public interest to continue this proceeding. Rather, under the authority provided in 20 U.S.C. § 1234a(j)(1), the Department has determined that a compromise of this claim for \$91,500 would be appropriate.

The public is invited to comment on the Department's intent to compromise this claim. Additional information may be obtained by writing to Lynette Charboneau at the address given at the beginning of this notice.

Program Authority: 20 U.S.C. 1234a(j).

Dated: April 1, 1996.

Donald R. Wurtz,

Chief Financial Officer.

[FR Doc. 96-8300 Filed 4-3-96; 8:45 am]

BILLING CODE 4000-01-P

[CFDA No.: 84.263A]

Experimental and Innovative Training; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1996

Purpose of Program: This program is designed—

(a) To develop new types of training programs for rehabilitation personnel and to demonstrate the effectiveness of these new types of training programs for rehabilitation personnel in providing rehabilitation services to individuals with disabilities; and

(b) To develop new and improved methods of training rehabilitation personnel so that there may be a more effective delivery of rehabilitation services by State and other rehabilitation agencies.

Eligible Applicants: State agencies and other public or nonprofit agencies

and organizations, including institutions of higher education.

Deadline for Transmittal of Applications: May 13, 1996.

Deadline for Intergovernmental Review: July 12, 1996.

Applications Available: April 12, 1996.

Available Funds: \$500,000.

Estimated Range of Awards: \$90,000–\$110,000.

Estimated Average Size of Awards: \$100,000.

Estimated Number of Awards: 5.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86; and (b) The regulations for this program in 34 CFR Parts 385 and 387.

For Applications or Information Contact: Dr. Beverly Brightly, U.S. Department of Education, 600 Independence Avenue, S.W., Room 3322, Switzer Building, Washington, D.C. 20202–2649. Telephone: (202) 205–9561. 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.

Information about the Department's funding opportunities, including copies of application notices for discretionary grant competitions, can be viewed on the Department's electronic bulletin board (ED Board), telephone (202) 260–9950; on the Internet Gopher Server at GOPHER.ED.GOV (under Announcements, Bulletins, and Press Releases); or on the World Wide Web at <http://www.ed.gov/money.html>. However, the official application notice for a discretionary grant competition is the notice published in the Federal Register.

Program Authority: 29 U.S.C. 774.

Dated: April 1, 1996.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 96–8299 Filed 4–3–96; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Office of the Environment, Safety and Health

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

Notice of Addendum to Memorandum of Understanding

SUMMARY: This notice is to advise the public of an addendum to the interagency memorandum of understanding which delineates regulatory coverage of occupational safety and health at government-owned, contractor-operated sites administered by the Department of Energy. The addendum provides for coverage by the Occupational Safety and Health Administration of certain facilities and operations at the Savannah River Site in South Carolina.

EFFECTIVE DATE: March 28, 1996.

FOR FURTHER INFORMATION CONTACT: Anne Cyr, Acting Director, Office of Public Information and Consumer Affairs, U.S. Department of Labor, Occupational Safety and Health Administration, Room N–3647, 200 Constitution Avenue, N.W., Washington, DC 20210. Telephone: (202) 219–8615.

SUPPLEMENTARY INFORMATION: The U.S. Department of Energy (DOE) and the Occupational Safety and Health Administration of the U.S. Department of Labor (OSHA), entered into a Memorandum of Understanding on August 10, 1992, delineating regulatory authority over the occupational safety and health of contractor employees at DOE government-owned or leased, contractor-operated (GOCO) facilities. In general, DOE exercises statutory authority relating to the occupational safety and health of private sector employees at these facilities.

Section 4(b)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 653(b)(1), exempts from OSHA coverage working conditions over which other federal agencies have exercised statutory authority to prescribe or enforce occupational safety or health. The 1992 interagency Memorandum of Understanding acknowledges DOE's extensive regulation of contractor health and safety through safety orders which require contractor compliance with all OSHA standards as well as additional requirements prescribed by DOE, and concludes with an agreement by the agencies that the provisions of the Occupational Safety and Health Act shall not apply to GOCO sites for which

DOE has exercised its authority to regulate occupational safety and health.

Among the listed GOCO sites covered by the Memorandum of Understanding is the Savannah River Site in South Carolina. Recently, DOE concluded a new lease agreement with South Carolina Electric and Gas (SCE&G) under which that public utility would operate certain coal-fired power and heat generation facilities located within the Savannah River Site, selling power to DOE as well as to some outside customers. As part of this privatization effort DOE intends to exempt from DOE safety orders the power generation and transmission facilities leased by SCE&G, in effect terminating DOE's exercise of health and safety authority over the leased facilities and reinstating that of OSHA. The following addendum to the DOE/OSHA Memorandum of Understanding implements the termination of DOE authority and makes all standards, rules, and requirements under the Occupational Safety and Health Act applicable to the SCE&G leased facilities on the Savannah River Site.

Because the site is located in South Carolina, a state which enforces its own occupational safety and health standards under a federally-approved state OSHA plan, the addendum also must address the issue of state plan coverage. The exercise of state authority over federally-owned, contractor-operated facilities raises unique jurisdictional issues; some GOCO facilities may retain the status of federal instrumentalities, where state regulatory authority is limited. Other facilities may be located on so-called federal enclave land, subject to regulation only by the federal government. Because of possible restrictions on the state's legal authority, the South Carolina Department of Labor has decided that SCE&G operations on the Savannah River Site will not be covered under the South Carolina state OSHA plan. The addendum to the OSHA/DOE Memorandum of Understanding therefore specifies that SCE&G operations at the Savannah River site will be covered by federal OSHA rather than under the state plan. OSHA intends to amend Subpart C of 29 CFR Part 1952 to reflect this coverage.

Federal OSHA coverage will extend to all working conditions of SCE&G employees and its subcontractor employees on the Savannah River site not covered by DOE job safety or health requirements. DOE and OSHA have discussed the issue of resources likely to be needed to carry out the additional responsibilities to be assumed by OSHA, and OSHA has concluded that sufficient inspection resources are