

bases, in accordance with objectives for disposal of federal property.

The Secretary of the Navy must consider the community's redevelopment plan proposed for the base slated for closure. The development plan is a plan approved by the Local Redevelopment Authority (LRA) which provides for the reuse or redevelopment of the closed military installation. The City of Long Beach was designated as the LRA by the Secretary of Defense. The City of Long Beach has prepared a reuse plan (July 1996) with recommendations for the reuse of surplus Long Beach Naval Shipyard property.

An Environmental Impact Statement (EIS) is being prepared by the Department of the Navy in accordance with NEPA and DBCRA requirements. The EIS will analyze the environmental effect of the disposal and reuse of the Long Beach NSY. The environmental studies will be based on the reasonably foreseeable reuse of the existing buildings and redevelopment of the site. The EIS will analyze three reuse alternatives in an equal level of detail and a "no action" alternative. The proposed action is the disposal of the base for reuse. Alternative 1 is consistent with the reuse plan proposed by the LRA and would involve demolition of three piers, two dry-docks (one large dry-dock would remain), and most buildings. These would be replaced by a 152-acre container terminal; an intermodal railyard; an 18-acre (one pier) shipyard facility surrounding the remaining dry-dock, with a 100,000 square-foot support building (possibly an existing building); and six 500,000-barrel tanks in a 36-acre liquid bulk facility. Alternative 2, Two-pier Shipyard, would be identical to the proposed action except that the shipyard area would be expanded to 32 acres and contain 2 piers and some additional buildings. Alternative 3, Commercial Shipyard, would involve the conversion of the existing shipyard for commercial use. Under this alternative, all the piers and dry-docks would remain and most of the buildings could be reused. The EIS will also address any alternatives that are raised during the public scoping process. Environmental issues to be addressed in the EIS include: geology, topography, and soils; hydrology; biology; noise; air quality; land use; historic and archaeological resources; socio-economic; transportation/circulation; public facilities/recreation; safety and environmental health; aesthetics; and utilities. Issue analysis will include an evaluation of the direct, indirect, short-term, and cumulative impacts

associated with the proposed action. The decision to implement the proposed action will not be made until the NEPA process is complete.

**ADDRESSES:** The Department of the Navy will initiate a scoping process for the purpose of determining the scope of issues to be addressed and for identifying significant issues relative to this action. A public meeting to allow oral comments from the public will be held at the Long Beach Public Library, Main Branch, 101 Pacific Avenue, Long Beach, California on October 17, 1996 at 7:00 P.M. This meeting will be advertised in area newspapers. Navy representatives will be available at the scoping meeting to receive comments from the public regarding issues of concern. A brief presentation describing the disposal and NEPA processes will precede request for public comments. It is important that federal, state, and local agencies, as well as interested organizations and individuals, take this opportunity to identify environmental concerns that they feel should be addressed during the preparation of the EIS.

Agencies and the public are invited and encouraged to provide written comments in addition to, or in lieu of, oral comments at the public meeting. To be most helpful, scoping comments should clearly describe specific issues or topics that the commenter believes the EIS should address. Written comments or questions regarding the scoping process and/or EIS should be postmarked no later than October 28, 1996 and sent to the following address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Melanie Ault (Code 232MA), BRAC Program Office, Southwest Division, Naval Facilities Engineering Command, 1420 Kettner Boulevard, Suite 507, San Diego, CA 92101-2404; telephone (619) 556-0250 Ext. 226.

Dated: September 25, 1996.

D.E. Koenig,  
LCDR, JAGC, USN, *Federal Register Liaison Officer.*

[FR Doc. 96-24962 Filed 9-27-96; 8:45 am]

BILLING CODE 3810-FF-M

## DEPARTMENT OF EDUCATION

### Office of Vocational and Adult Education; Intent To Repay to the Vermont Department of Education Funds Recovered as a Result of a Final Audit Determination

**AGENCY:** Department of Education.

**ACTION:** Notice of intent to award grantback funds.

**SUMMARY:** Under Section 459 of the General Education Provisions Act (GEPA), 20 U.S.C. 1234h (1988), the Secretary of Education (Secretary) intends to repay to the State of Vermont Department of Education (Vermont), under a grantback arrangement, an amount equal to 75 percent of the principal amount of funds recovered by the U.S. Department of Education (Department) as a result of the final audit determination in this matter. The Department's recovery of funds followed a settlement reached between the parties under which Vermont refunded a total of \$10,000 in principal to the Department in full resolution of the Department's final audit determination (ACN: 01-23119) for fiscal year (FY) 1990. This notice describes Vermont's plan for the use of the repaid funds and the terms and conditions under which the Secretary intends to make those funds available. This notice invites comments on the proposed grantback.

**DATES:** All comments must be received on or before October 30, 1996.

**ADDRESSES:** All written comments should be addressed to Dr. Marcel R. DuVall, Chief, Finance Branch, Division of Vocational-Technical Education, Office of Vocational and Adult Education, U.S. Department of Education, 600 Independence Avenue SW, (Mary E. Switzer Building, Room 4320, MS-7324), Washington, D.C. 20202.

**FOR FURTHER INFORMATION CONTACT:** Dr. Marcel R. DuVall, (202) 205-9502. 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. (Internet address: Marcel\_DuVall@ed.gov).

## SUPPLEMENTARY INFORMATION:

### A. Background

Under a settlement agreement negotiated between the Department and Vermont, the Department recovered \$10,000 from Vermont in full resolution of all claims arising from an audit of the Vermont Department of Education covering FY 1990.

The Department's original claim of \$36,307 was contained in a final letter of determination issued by the Assistant Secretary for Vocational and Adult Education on November 8, 1993. The claim arose from findings related to Vermont's administration of its vocational education program under provisions of the Carl D. Perkins Vocational Education Act of 1984, 20 U.S.C. § 2301 *et seq.* (1988), (Perkins I).

In the November 8, 1991 letter, the Assistant Secretary determined that Vermont had violated sections 113(b)(4) and 202(1)–(6) of Perkins I, implemented at 34 CFR 401.19(a)(4), 401.92(a)–(f) (1989) governing funds set aside for adults in need of training and retraining, single parents, and the incarcerated awarded under Title II, Parts A and B of Perkins I. Specifically, Vermont did not spend the amounts required to be set aside for adults, single parents, and incarcerated individuals.

The settlement negotiations which followed Vermont's appeal of the Assistant Secretary's November 8, 1993 determination in this matter culminated in a settlement agreement in which Vermont agreed to repay \$10,000 to the Department. The settlement agreement was executed on July 25, 1994, and the Department received the final payment under the settlement agreement on January 12, 1995.

#### B. Authority for Awarding a Grantback

Section 459(a) of GEPA, 20 U.S.C. 1234(h), provides that whenever the Secretary has recovered funds following a final audit determination with respect to any applicable program, the Secretary may consider those funds to be additional funds available for the program and may arrange to repay, to the State or local agency affected by that determination, an amount not to exceed 75 percent of the recovered funds. The Secretary may enter into this grantback arrangement if the Secretary determines that the:

(1) Practices and procedures of the recipient that resulted in the violation have been corrected, and that the recipient is, in all other respects, in compliance with the requirements of the applicable program;

(2) Recipient has submitted to the Secretary a plan for the use of those funds pursuant to the requirements of that program and, to the extent possible, for the benefit of the population that was affected by the failure to comply or by the misexpenditures that resulted in the recovery of funds; and

(3) Use of the funds, in accordance with that plan, would serve to achieve the purposes of the program under which funds were originally granted.

#### C. Plan for Use of Funds Awarded Under a Grantback Arrangement

Pursuant to section 459(a)(2) of GEPA, Vermont has applied for a grantback of \$7,500, or 75 percent of the \$10,000 repaid to the Department under the settlement agreement, and has submitted a plan for use of the proposed grantback funds, consistent with the Carl D. Perkins Vocational and Applied

Technology Education Act Amendments of 1990, 20 U.S.C. § 2301 (Supp. IV 1992) (Perkins II), currently in effect.

Vermont plans to use the requested grantback funds totaling \$7,500, along with State funds, to implement a career preparation plan process that was developed in fiscal year 1994. The program is designed to focus on adults on public assistance and adults with disabilities. In addition, single parents and homemakers will qualify to participate in the program.

To achieve its plan, the State will issue a Request for Proposal (RFP) to 17 secondary schools that meet the State criteria for regional technical education centers. The State plan indicates that these recipients are responsible for providing services to adults in Vermont. Of the 17 eligible regional technical education centers, the State will select 3 to receive grants in the amount of \$2,500 each. According to the State's plan, each grant recipient is expected to implement a career planning process resulting in an individualized career plan for 15 eligible adults. Each grant recipient will be authorized to spend 10 percent of its grant for educational materials, 7 percent for travel expenses, and 83 percent for salaries and benefits.

The State's plan provides that participants in the program will have the opportunity to learn about the availability of jobs in their geographic regions, the wages that can be expected, and the prerequisite experience and education necessary for job entry. Participants will be referred to regional workforce development programs available at their regional technical education centers, or other workforce development programs, including programs operated under the Job Training Partnership Act, or apprenticeship programs. The participants will also be provided information about resources that are available to help them reach their career goals.

The State's plan points out that the program was successfully piloted in 4 of Vermont's 16 regional technical education regions in 1994. According to the State, the combination of Federal grantback funds with State funding will result in the continuation of the program activities at 3 of the original pilot sites, plus the extension of the project to an additional 7 sites resulting in career preparation plan processes at a total of 10 technical education service regions.

#### D. The Secretary's Determination

The Secretary has carefully reviewed the plan, amendment, and other relevant documentation submitted by

Vermont. Based upon that review, the Secretary has determined that the conditions under section 459 of GEPA have been met.

This determination is based upon the best information available to the Secretary at the present time. If this information is not accurate or complete, the Secretary is not precluded from taking appropriate administrative action at a later date. In finding that the conditions of section 459 of GEPA have been met, the Secretary makes no determination concerning any pending audit recommendations or final audit determinations.

#### E. Notice of the Secretary's Intent to Enter into a Grantback Arrangement

Section 459(d) of GEPA requires that, at least 30 days before entering into an arrangement to award funds under a grantback, the Secretary must publish in the Federal Register a notice of intent to do so, and the terms and conditions under which the payment will be made.

In accordance with section 459(d) of GEPA, notice is hereby given that the Secretary intends to make funds available to the Vermont Department of Education under a grantback arrangement. The grantback award would be in the amount of \$7,500, which is 75 percent—the maximum percentage authorized by the statute—of the principal recovered to date by the Department as a result of the audit determination and the settlement in this matter.

#### F. Terms and Conditions Under Which Payment Under a Grantback Arrangement Would Be Made

Vermont agrees to comply with the following terms and conditions under which payment under a grantback arrangement would be made:

(1) Vermont will expend the funds awarded under the grantback in accordance with—

(a) All applicable statutory and regulatory requirements;

(b) The plan that was submitted and any amendments in that plan that are approved in advance of the grantback by the Secretary; and

(c) The budget that was submitted with the plan and any amendments to the budget that are approved in advance by the Secretary.

(2) All funds received under the grantback arrangement must be obligated by September 30, 1997, in accordance with section 459(c) of GEPA and Vermont's plan.

(3) Vermont will, no later than January 1, 1998, submit a report to the Secretary which—

(a) Indicates that the funds awarded under the grantback have been spent in accordance with the proposed plan and approved budget, and

(b) Describes the results and effectiveness of the project for which the funds were spent.

(4) Separate accounting records must be maintained documenting the expenditures of funds awarded under the grantback arrangement.

(Catalog of Federal Domestic Assistance Number 84.048, Basic State Grants for Vocational Education)

Dated: September 24, 1996.

Patricia W. McNeil,

*Assistant Secretary for Vocational and Adult Education.*

[FR Doc. 96-24910 Filed 9-27-96; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF ENERGY

### Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

**AGENCY:** Department of Energy.

**ACTION:** Subsequent arrangement.

**SUMMARY:** Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy between the United States of America and the European Atomic Energy Community (EURATOM) and the Agreement for Cooperation between the Government of the United States of America and the Government of Japan concerning Peaceful Uses of Nuclear Energy.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following: RTD/JA(EU)-79, for the transfer of 0.043 grams of uranium containing 0.042 grams of the isotope U-233 (98 percent enrichment); and 0.0022 grams of plutonium-242 (99.9 percent enrichment); and 0.010 grams of uranium containing 0.0033 grams of the isotope U-233 (33 percent enrichment) and 0.0033 grams of the isotope U-235 (33 percent enrichment) from EURATOM to Japan for use as reference material for mass spectrometer calibration.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days

after the date of publication of this notice.

Dated: September 24, 1996.

For the Department of Energy.

Edward T. Fei,

*Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.*

[FR Doc. 96-24975 Filed 9-27-96; 8:45 am]

BILLING CODE 6450-01-P

### Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

**AGENCY:** Department of Energy.

**ACTION:** Subsequent arrangement.

**SUMMARY:** Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy between the United States of America and the European Atomic Energy Community (EURATOM) and the Agreement for Cooperation between the Government of the United States of America and the Government of Japan concerning Peaceful Uses of Nuclear Energy.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following: RTD/JA(EU)-78, for the transfer of 6.5 grams of enriched uranium containing 1.26 grams of the isotope U-235 (19.4 percent enrichment) and 0.26 grams of isotope plutonium-239 (97.14 percent enrichment) from EURATOM to Japan for use as reference material for mass spectrometer calibration.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: September 24, 1996.

For the Department of Energy.

Edward T. Fei,

*Deputy Director, International Policy and Analysis Division.*

[FR Doc. 96-24976 Filed 9-27-96; 8:45 am]

BILLING CODE 6450-01-P

[Docket No. EA-124]

### Application to Export Electric Energy; Public Service Company of New Mexico

**AGENCY:** Office of Fossil Energy, DOE.

**AGENCY:** Notice of application.

**SUMMARY:** Public Service Company of New Mexico (PNM), a regulated public utility, has submitted an application to export electric energy to Mexico pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before October 14, 1996.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Electricity (FE-52), Office of Fuels Programs, Office of Fossil Energy, Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Ellen Russell (Program Office) 202-586-9624 or Michael Skinker (Program Attorney) 202-586-6667.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. § 824a(e)).

On September 24, 1996, PNM filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for authorization to export electric energy to the Comision Federal de Electricidad (CFE), the Mexican national electric utility, pursuant to section 202(e) of the FPA. Specifically, PNM has proposed to engage in open-ended transactions to transmit and exchange wholesale electric energy under terms and contracts to be negotiated in the future.

PNM asserts that a series of State regulatory actions have left the utility with 170 megawatts (MW) of generating capacity that could be dedicated for the sale in the wholesale market. PNM further asserts that it will schedule all power consistent with the reliability criteria, standards, and guides of the North American Electric Reliability Council and the Western Systems Coordinating Council.

The electric energy PNM proposes to sell to CFE would be delivered to Mexico using El Paso Electric Company's (EPE) 115-kilovolt (kV) line at Ascarate, Texas, and EPE's 115-kV line at Diablo, New Mexico. The construction and operation of these international transmission lines was