

DEPARTMENT OF COMMERCE**Patent and Trademark Office****Performance Review Board**

AGENCY: Department of Commerce, Patent and Trademark Office.

ACTION: Announcement of Membership of the Patent and Trademark Office Performance Review Board.

SUMMARY: In conformance with the Civil Service Reform Act of 1978, 5 U.S.C. 4314(c)(4), the Patent and Trademark Office announces the appointment of persons to serve as members of its Performance Review Board.

ADDRESSES: Comments should be addressed to Director, Office of Human Resources, Patent and Trademark Office, One Crystal Park, Suite 707, Washington, DC 20231.

FOR FURTHER INFORMATION CONTACT:

Alethea Long-Green at the above address or telephone (703) 305-8062.

SUPPLEMENTARY INFORMATION: The new membership of the Patent and Trademark Office Performance Review Board is as follows:

Gloria Gutiérrez, Chairman, Acting Deputy Associate Commissioner for Administration and Quality Services, Patent and Trademark Office, Washington, DC 20231, Term—expires September 30, 1999

Mary C. Lee, Deputy Director, Patent Examining Group, Patent and Trademark Office, Washington, DC 20231, Term—expires September 30, 1999

Jin F. Ng, Deputy Director, Patent Examining Group, Patent and Trademark Office, Washington, DC 20231, Term—expires September 30, 1998

Barbara S. Fredericks, Assistant General Counsel, Department of Commerce, Washington, DC 20230, Term—expires September 30, 1999

Robert M. Anderson, Deputy Assistant Commissioner for Trademarks, Patent and Trademark Office, Washington, DC 20231, Term—expires September 30, 1999

Gerald R. Lucas, Director, Eastern Administrative Support Center, Department of Commerce, Norfolk, VA 23510, Term—expires September 30, 1999

Robert F. Kugelman, Director of Administration, Bureau of Export Administration, Department of Commerce, Washington, DC 20230, Term—expires September 30, 1999

E. Melodee Stith, Director, Office for Equal Opportunity, Department of the Interior, Washington, DC 20240, Term—expires September 30, 1999.

Dated: September 10, 1997.

Bruce A. Lehman,

Assistant Secretary of Commerce and Commissioner of Patents and Trademarks.
[FR Doc. 97-24698 Filed 9-16-97; 8:45 am]

BILLING CODE 3510-16-M

DEPARTMENT OF DEFENSE**Department of the Army****Final Programmatic Environmental Assessment (FPEA) and Finding of No Significant Impact (FNSI) for the Joint Vaccine Acquisition Program (JVAP)**

AGENCY: Department of the Army, DoD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army announces the availability for public review and comment of an FPEA and FNSI for the JVAP. The primary objective of the JVAP is to develop, produce, store, test, and field sufficient quantities of U.S. Food and Drug Administration (FDA) licensed vaccines to implement U.S. government policy for protecting its armed forces against biological warfare agents. Because of the current threat of biological warfare and its continuing proliferation, there is an urgent need to protect our fighting men and women who go in harm's way. The JVAP is implemented by the Department of Defense through the Joint Program Office for Biological Defense for which the Army is the lead agency. The JVAP FPEA characterizes and assesses the possible and probable environmental consequences associated with the JVAP as proposed and the alternatives considered. The FPEA concludes that the proposed JVAP activities and the alternatives analyzed are not likely to have significant adverse effects upon the quality of the environment.

Alternatives:

a. Implement and operate the JVAP through which the Army proposes to develop, produce, store, test, and field vaccines for biological defense which are otherwise unavailable (Preferred Alternative).

b. No action (cessation of all JVAP activities now and in the future).

c. Conduct current and currently planned JVAP activities in a consolidated government facility.

d. Conduct current and currently planned JVAP activities at a consolidated contractor facility.

Comments: The JVAP FPEA/FNSI is available for public review and comment. Mr. Bruce G. Kay is the Department of the Army clearinghouse for requests for the JVAP FPEA and documentation from previous environmental analyses referenced in the FPEA. The JVAP FPEA documentation with supporting reports is available through the internet at <http://www.armymedicine.army.mil/jvap-fpea>. Written comments regarding the FPEA/FNSI should be submitted to the address provided below.

DATES: Comments must be submitted on or before October 17, 1997.

ADDRESSES: Mail comments or document copy requests to: Joint Vaccine Acquisition Project Management Office, ATTN: Mr. Bruce Kay, 568 Doughten Drive, Suite 100, Fort Detrick, Maryland 21702-5040; phone at (301) 619-2016; or fax at (301) 619-7230; e-mail: bruce_g_kay@ftdetrick-cmail.army.mil.

Dated: September 11, 1997.

James P. Huber,

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

[FR Doc. 97-24647 Filed 9-16-97; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE**Department of the Army****Notice of Availability of Composite Material Properties Data From Exclusive, Partially Exclusive or Non-exclusive Licenses**

AGENCY: U.S. Army Research Laboratory, DoD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army announces the general availability of exclusive, partially exclusive or non-exclusive licenses relative to composite materials properties data produced by the U.S. Army Research Laboratory. Licenses shall comply with 35 U.S.C. 209 and 37 CFR 404.

FOR FURTHER INFORMATION CONTACT:

Michael D. Rausa, U.S. Army Research Laboratory, Office of Research and Technology Applications, ATTN: AMSRL-CS-TT/Bldg 434, Aberdeen Proving Ground, Maryland 21005-5425, Telephone: (410) 278-5028.

SUPPLEMENTARY INFORMATION: None.

Mary V. Yonts,

Alternate Army Federal Register Liaison Officer.

[FR Doc. 97-24587 Filed 9-16-97; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE**Department of the Navy****Notice of Availability of an Environmental Assessment and Finding of No Significant Impact for the Disposal of U.S. Navy Submarine Solid Waste**

SUMMARY: Pursuant to section 102(2) of the National Environmental Policy Act

(NEPA) of 1969, the Council on Environmental Quality regulations implementing NEPA procedures (40 CFR Parts 1500–1508), and Executive Order (EO) 12114 “Environmental Effects Abroad of Major Federal Actions,” the Department of the Navy gives notice that an Environmental Assessment (EA) has been prepared and an Environmental Impact Statement is not required for the disposal of non-hazardous biodegradable solid waste (paper, cardboard and food), and non-hazardous non-biodegradable solid wastes (metal and glass) from U.S. Navy submarines.

The provisions of NEPA apply to federal actions that occur in the United States and within the contiguous territorial sea. The provisions of EO 12114 apply to major federal actions that occur beyond the territorial seas of the United States, in the global commons, or within the jurisdiction of a foreign government.

Background

The Navy is developing a Submarine Solid Waste Management Plan in response to the National Defense Authorization Act for Fiscal Year 1994 which required the Secretary of the Navy to submit to Congress, no later than November 30, 1996, a plan for compliance by Navy ships with Regulation 5 of Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL), which pertains to disposal of shipboard solid waste in “special areas.” The Navy submitted a Special Areas Compliance Report for Surface Ships by the November 30, 1996 deadline. That report, however, did not address submarine solid waste management in detail, because, at that time, the Navy was still evaluating options for addressing submarine solid waste.

The MARPOL Convention, formulated in 1973 and amended in 1978, contains five annexes, each dealing with a particular type of discharge. Solid waste is addressed in Annex V, “Regulations for the Prevention of Pollution by Garbage from Ships.” MARPOL prohibits some discharges altogether, restricts some discharges to particular distances from land, and establishes “special areas” within which additional discharge limitations apply, based on the oceanographic characteristics and ecological significance of those areas.

Eight “special areas” have been designated by Annex V: the Baltic Sea, portions of the North Sea, the Antarctic Area, the Red Sea, the Black Sea, the Gulf area (including the Persian Gulf and the Gulf of Aden), the wider

Caribbean (including the Gulf of Mexico), and the Mediterranean Sea. To date, only the first three are “in effect” based on an assessment of the waste management capabilities of each area’s littoral countries.

The MARPOL Convention limitations on ocean discharges do not expressly apply to warships or naval auxiliaries. It does require, however, that signature countries ensure their warships and auxiliaries operate consistent with the Convention so far as is “reasonable and practicable.”

The United States became a signatory to MARPOL Annex V in 1987 and enacted implementing laws by amending the Act to Prevent Pollution from Ships (APPS). In the 1987 amendment (known as the Marine Plastic Pollution Research and Control Act), Congress did not adopt the Convention’s “reasonable and practicable” requirement for U.S. warships, but instead affirmatively required full compliance by U.S. Navy vessels with all Annex V requirements by 1994. In 1993, the National Defense Authorization Act for Fiscal Year 1994 (DAA 94) allowed the Navy to petition Congress for relief from the legislatively imposed requirements of Annex V, if the Navy demonstrated that full compliance for U.S. warships and auxiliaries may not be technologically feasible while maintaining the necessary level of operational capability.

The DAA 94 also provided that, if the plan demonstrates that compliance by certain ships (submarines included) under certain conditions is not technologically feasible, Congress may modify the applicability of the special area requirements for Navy warships and auxiliaries.

The development of a management plan for the disposal of submarine solid waste must incorporate the unique nature of warships, a fact recognized by MARPOL. Submarine characteristics and operations are significantly different from surface ships, necessitating a different approach to solid waste management. As space in submarines is highly constrained, historic emphasis on solid waste management for the submarine fleet has been on source reduction. Crews work hard to conserve limited storage space by minimizing the amount of plastic and paper material brought on-board, a practice which in turn, minimizes the amount of waste generated at sea.

Submarine design characteristics including critical space, weight, shock, acoustic and atmospheric control constraints, and operations are significantly different from surface ships, so much so that operational and

technological opportunities for submarine solid waste management are far fewer than for surface ships. Factors in developing a submarine solid waste management strategy include the operation and deployment of the submarine fleet, storage space aboard ship, the totally self-contained atmosphere of the vessel while submerged, waste generation rates and characteristics, and current Navy solid waste management policies and practices.

Proposed Action and Alternatives

After careful analysis of several alternatives and their associated impacts, the proposed action for solid waste management for U.S. Navy submarines involves a three-pronged approach: (1) for food wastes, garbage grinders would be installed on submarines to grind food waste for disposal (to virtually eliminate the need for discharging plastic wet bags, so called because “wet” food wastes are placed in disposal bags), while non-grindable food wastes would be discharged via the Trash Disposal Unit (TDU) in non-plastic wet bags or containers; (2) the discharge of all plastics from submarines will be eliminated by December 31, 2008 through source reduction, use of new non-plastic wet bags (currently under development), and compaction technology to facilitate ease of on-board storage using the very limited space available for that purpose; and (3) the discharge of all other non-hazardous components of the submarine solid waste stream (paper, cardboard, metal and glass) via the TDU. Discharge of solid waste from submarines would occur world-wide under the proposed action, but would be limited by “distance from shore” criteria, e.g., greater than 25 nm from shore or between 12 nm and 25 nm only when water depths are 6,000 feet or greater.

Implementation of this proposed action will benefit the environment by retaining all plastic waste for shore disposal and grinding food waste, which will reduce the requirement for discharging wet bags and associated iron weights, and results in submarine operational, environment and quality of life improvements.

Alternatives Considered and Rejected

No At-Sea Discharge in Special Areas Alternative

This alternative was rejected because submarines are not designed to accommodate solid waste storage, do not utilize underway transfers or replenishments, and cannot be modified

to provide adequate waste storage space. Routinely storing waste on-board would adversely impact mission accomplishment, ability to recover from emergencies, and crew's health, welfare, and quality of life.

Pulp and Shred Alternative

This alternative would involve the installation of pulpers to process cardboard and paper into a non-floating slurry and shredders to process (shred) metal and glass. The paper and cardboard slurry would be discharged into the submarine's sanitary tank for subsequent release to the ocean, while the shredded metal and glass would be discharged via the TDU. This alternative was rejected because equipment installation would use space for mission-essential equipment and crew berthing. This would adversely impact mission accomplishment, with no offsetting increase in environmental benefit.

Use of Extended-Life TDU Cans

This alternative would involve the use of TDU cans made of less corrodible material (than in current use) allowing the TDU can to remain intact and be silted over on the ocean floor. This alternative was rejected because use of alternative materials for extended life TDU cans would represent a significant increase in cost to the Navy without producing an increase in environmental benefit.

On-Board Destruction

This alternative focused on technologies that would result in the destruction of wastes aboard the submarine. On-board destruction was rejected because of the limited and confined space on submarines to install this equipment and the inability to exhaust resultant fumes and gases while submerged.

No Action Alternative

The current waste management practices for submarines (assumed as the no action alternative) adhere to stipulated minimum distances where solid waste may be discharged from land, and the forms in which various types of solid waste may be discharged within those defined distances. Compacted solid waste is currently discharged from submarines in cans utilizing the TDU. The Navy has implemented plastics waste discharge management measures which include limiting discharges to the minimum amount practicable and retaining plastics on-board while the submarine is less than 50 nautical miles (nm) from shore. The continuation of current

practices was rejected because it lacks the environmental benefits of retaining plastic material for shore disposal, and does not take advantage of the operational, environmental, and quality of life benefits resulting from the grinding of food waste.

Impacts of the Proposed Action

Under the proposed action, cardboard, paper, metal and glass would continue to be discharged utilizing the TDU; plastics would be stored on-board for disposal/recycling on shore; and food wastes would be processed through a garbage grinder and discharged.

The discharge of these wastes in MARPOL Special Areas and/or the oceans of the world will not significantly impact the plants, animals, or environment of these areas. With regard to plastic wastes, the proposed action would have a positive impact globally because all plastics will be retained for shore disposal. Further, plastics retention would reduce the weight of solid wastes discharged by approximately 15 percent.

The proposed action similarly would not have a significant impact on the submarine environment. Management of cardboard, paper, metal and glass solid waste by discharge through the TDU is a continuation of waste management practices that are inherent in the way submarines were designed to manage these solid waste streams; as such, the proposed action (which includes the retention onboard of plastic waste) represents a minor change in the waste management practices aboard submarines and would not impact the submarine environment. However, there would be some limited impact on stowage space aboard the submarine and crew quality of life because of the retention of all plastics. The addition of garbage grinders, on submarines not currently equipped with them, will provide submarines with a more efficient means of disposing of food waste, virtually eliminating the use of wet bags and the associated TDU weights, and enhance the quality of life of the crew.

Implementation of the proposed action will have some minor shoreside impacts with respect to on-shore waste disposal capacity and costs because of the need to manage additional plastic wastes retained on submarines for shore disposal.

The discharge of non-hazardous, non-plastic, negatively buoyant compacted solid waste via the TDU will have no associated cumulative impacts to the marine environment. From a basin-wide perspective, the discharge of submarine

solid waste should have no adverse environmental impact.

It is not expected that the proposed action will have any adverse effects on threatened and endangered species. The distance that waste is discharged from shore, extremely low spatial density of the TDU cans on the sea floor, the short time span in the water column (TDU cans sink rapidly to the bottom), and the tendency of the threatened or endangered species to congregate in shallow water near coastlines, will minimize exposure of the TDU cans and their contents to these species.

It is not expected that the proposed action will have any adverse impacts on coral reefs. Submarines usually operate in the vicinity of coral reefs only when transiting into or out of port. By Navy policy, submarines discharge TDU cans beyond 25 nm from land, or between 12 nm and 25 nm only when the depth of water is 6,000 feet or greater, where coral reefs are unlikely to be found.

The proposed action does not comply with the Special Area discharge provisions of APPS, and an amendment would be necessary to implement the proposed action.

EO 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations) directs that all federal departments and agencies make achieving environmental justice part of their mission. The proposed action will not cause disproportionate adverse environmental or health impacts specific to any group or individual from minority or low-income populations.

Based on information gathered during the preparation of the EA, the Navy finds that implementation of the proposed action will not result in significant adverse impacts to the environment.

FOR FURTHER INFORMATION: The EA addressing this action may be obtained from: Commanding Officer, Northern Division, Naval Facilities Engineering Command, 10 Industrial Highway, MS 82, Lester, PA 19113-2090 (Attn: Mr. Robert Ostermueller, Code 202, telephone 610-595-0759). A limited number of copies of the EA are available to fill single copy requests.

Dated: September 9, 1997.

Thomas J. Peeling,

Special Assistant for Environmental Planning, Environmental Protection, Safety, and Occupational Health Division, Deputy Chief of Naval Operations (Logistics).

[FR Doc. 97-24719 Filed 9-16-97; 8:45 am]

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