

**DEPARTMENT OF DEFENSE****Department of the Army****Notice of Availability (NOA) of the Draft environmental Impact Statement (DEIS) for the Disposal of Chemical Munitions at Blue Grass Army Depot (BGAD), Kentucky****AGENCY:** Department of the Army, DoD.**ACTION:** Notice of availability.

**SUMMARY:** This announces the availability of the DEIS that assesses the potential environmental impacts of the design, construction, operation and closure of a facility to destroy the chemical agents and munitions stored at BGAD. The DEIS examines the potential environmental impacts of the following destruction facility alternatives: (1) A baseline incineration facility used by the Army at Johnston Atoll Chemical Agent Disposal System on Johnston Island and currently in use at Desert Chemical Depot, (2) chemical neutralization followed by supercritical water oxidation (SCWO), (3) chemical neutralization followed by SCWO and gas phase chemical reduction, (4) electrochemical oxidation, and (5) no action (continued storage of chemical munitions at BGAD). Although the no action alternative is not viable under Public Law 99-145 (Department of Defense Authorization Act of 1986); it was analyzed to provide a baseline comparison to the proposed action.

**DATES:** The public comment period of the DEIS will end 45 days after publication of the NOA in the **Federal Register** by the U.S. Environmental Protection Agency.

**ADDRESSES:** To obtain copies of the DEIS or submit comments, contact the Program Manager for Chemical Demilitarization, Public Outreach and Information Office (ATTN: Mr. Greg Mahall), Building E-4585, Aberdeen Proving Ground, Maryland 21010-4005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gregory Mahall at (410) 436-1093, by fax at (410) 436-5122, by e-mail at [gregory.mahall@pmcd.apgea.army.mil](mailto:gregory.mahall@pmcd.apgea.army.mil) or by mail at the above listed address.

**SUPPLEMENTARY INFORMATION:** In its Record of Decision (ROD) (53 FR 5816, February 26, 1988) for the Final Programmatic Environmental Impact Statement on the Chemical Stockpile Disposal Program (CSDP), the Army selected on-site disposal by incineration at all eight chemical munition storage sites located within the continental United States as the method by which it would destroy its lethal chemical stockpile. The Notice of Intent was published in the **Federal Register** (65

FR 75677-75678, December 4, 2000) providing notice that, pursuant to the National Environmental Policy Act and its implementing regulations, a site-specific EIS for the Blue Grass Chemical Agent Disposal Facility was being prepared. Public scoping meetings were held in Richmond, KY on January 9, 2001. All public comments received during the scoping process have been considered in preparation of this DEIS.

This site-specific EIS continues the process that began when Congress established the Chemical Demilitarization program in Public Law 99-145 (1985). This law, as amended, requires the destruction of the chemical weapons stockpile by a stockpile elimination deadline. This requirement still exists, notwithstanding the establishment of the Assembled Chemical Weapons Assessment (ACWS) Program. The Chemical Demilitarization program published a Programmatic Environmental Impact Statement (PEIS) in January 1988. The ROD states that the stockpile of chemical agents and munitions should be destroyed in a safe and environmentally acceptable manner by on-site incineration. Site-specific EISs that tier off the PEIS have been prepared for Johnston Atoll Chemical Agent Disposal System, Tooele Chemical Agent Disposal Facility, Anniston Chemical Agent Disposal Facility, Umatilla Chemical Agent Disposal Facility, and for the Pine bluff Chemical Agent Disposal Facility.

The specific purpose of the current analysis is to determine the environmental impacts of the alternatives identified in this summary that could accomplish the destruction of the stockpile at BGAD by the required destruction date. In the course of the environmental impact analysis, it will be determined whether construction of a full-scale plant operated initially as a pilot facility and utilizing any of the technologies successfully demonstrated in the ACWA Program is capable of destroying the stockpile at BGAD by the required destruction date (or as soon thereafter as could be achieved by constructing a destruction facility using the baseline incineration technology) and as safely as use of the baseline incineration technology. The ROD (based on the 1988 PEIS) does not limit or predetermine the results of this consideration, and it does not dictate the decision to be made in the ROD following completion of the EIS for this action at BGAD.

The second document announcing the programmatic analysis for follow-on pilot testing of successful ACWA Program demonstration tests pursuant to the process established by Congress in

Public Laws 104-208 and 105-261 addresses a distinct but related purpose. That purpose is to determine which technologies can be pilot tested and, if so, at which site or sites. That PEIS can be distinguished from this site-specific EIS in that its emphasis will be on the feasibility of pilot testing one or more of the demonstrated and approved ACWA Program technologies considering the unique characteristics of the alternative sites to include BGAD. The PEIS will not consider the use of a full-scale facility operated initially as a pilot facility at BGAD. As discussed above, this alternative will be considered in the site-specific EIS for BGAD.

A decision on which of the alternatives will be implemented in carrying out the destruction of the chemical munitions at BGAD will be made by the Defense Acquisition Board through a process that will consider a wide range of factors. The factors include, but are not limited to, environmental considerations, laws and regulations, mission needs (at BGAD as well as from a national perspective), implications for compliance with the Chemical Weapons Convention, budget considerations, schedule and public concerns.

Dated: May 23, 2002.

**Raymond J. Fatz,**

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

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**BILLING CODE 3710-08-M**

**DEPARTMENT OF EDUCATION****Submission for OMB Review; Comment Request**

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before July 1, 2002.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, Acting Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address [Lauren\\_Wittenberg@omb.eop.gov](mailto:Lauren_Wittenberg@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, *e.g.* new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: May 23, 2002.

**John D. Tressler,**

*Leader, Regulatory Information Management,  
Office of the Chief Information Officer.*

#### **Office of Special Education and Rehabilitative Services**

*Type of Review:* Revision.

*Title:* Report of Randolph-Sheppard Vending Facility Program.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs; Individuals or household; Federal Government.

*Reporting and Recordkeeping Hour Burden:*

Responses: 52.

Burden Hours: 702.

*Abstract:* The information is needed to evaluate the effectiveness of the Program and to promote growth. The information is transmitted to State agencies to assist in the conduct and expansion of the Program at the State level. Respondents are the designated Vocational Rehabilitation Agencies.

Requests for copies of the submission for OMB review; comment request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 1982. When you access the information collection, click on "Download Attachments" to view. Written requests for information

should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651 or to the e-mail address [vivan.reese@ed.gov](mailto:vivan.reese@ed.gov). Requests may also be electronically mailed to the internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at (202) 708-6287 or via her internet address [Sheila.Carey@ed.gov](mailto:Sheila.Carey@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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**BILLING CODE 4000-01-P**

#### **DEPARTMENT OF EDUCATION**

**[CFDA No. 84.359]**

##### **Early Reading First Program**

**AGENCY:** Department of Education.

**ACTION:** Notice revising deadline requirement for State lists of eligible local educational agencies (LEAs) for the initial year's (fiscal year (FY) 2002) Early Reading First grant competition.

**SUMMARY:** The Secretary revises the requirement that State educational agencies (SEAs) submit lists of eligible LEAs so that the Department receives those lists by a certain deadline (April 30, 2002), to allow lists to be either received by the Department by that deadline or postmarked by that deadline. The Secretary takes this action to allow the Department to accept lists of eligible LEAs where receipt was delayed due to disruptions in normal mail delivery.

*Eligibility:* The change of deadline procedures affects you only if you are an SEA that submitted a list of eligible LEAs for the Early Reading First competition for FY 2002 that was not received by the Department by April 30, 2002, but that was postmarked by that date.

**DATES:** *State Data Submission Deadline:* The Department (1) must have received the submission by April 30, 2002; or (2) the SEA must have had its submission postmarked by April 30, 2002, and the Department must have received that submission by June 21, 2002.

**FOR FURTHER INFORMATION CONTACT:** Patricia McKee, Tracy Bethel, or

Jennifer Flood at 202-260-4555, or by e-mail at [ERF@ed.gov](mailto:ERF@ed.gov).

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339. If you are an individual with a disability, you may obtain a copy of this notice in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the contact person listed in this section.

#### **SUPPLEMENTARY INFORMATION:**

The Early Reading First Program is a direct competitive grant program that will support early education programs and teach preschool-age children to develop the early language and cognitive skills that they need to enter kindergarten ready to learn to read and succeed under State standards. Eligible entities are eligible LEAs, and public and private organizations in communities served by those LEAs.

The statute bases LEAs eligibility for the Early Reading First Program on the statutory criteria for LEA eligibility for Reading First State Grants Program subgrants. On April 10, 2002, the Secretary published a notice in the **Federal Register** (67 FR 17594) for the Early Reading First Program inviting SEAs, by April 30, 2002, to identify and provide to the Department, for the purposes of the Early Reading First grant competition for FY 2002, a list of eligible LEAs in the State under the Reading First statutory criteria. That notice indicated that if the Department did not receive a State's submission of a list of eligible LEAs by April 30, 2002, the Department would itself identify eligible LEAs in the State for the Early Reading First grants for FY 2001. However, the Department recently has experienced disruptions to normal mail delivery. For this reason, the Department did not receive some submissions that States mailed in sufficient time for the Department normally to have received them by April 30, 2002. The Secretary therefore changes the submission procedures to allow for those submissions of State lists of eligible LEAs that either (1) were received by the Department by the deadline; or (2) that were postmarked by that deadline so long as the Department receives the postmarked submission by June 21, 2002.

#### **Waiver of Proposed Rulemaking**

It is the Secretary's practice, in accordance with the Administrative Procedure Act (5 U.S.C. 553), to offer interested parties the opportunity to comment on proposed requirements that are not taken directly from statute. Ordinarily, this practice would have