

Transportation and Travel*Policy No. TR-12*

Subject: Fuel-Related Rate Adjustment Policy

a. *Policy*: Written provision will be made in Military Traffic Management Command (MTMC) regulations and solicited tender agreements for fuel related rate adjustments. The following Fuel-Related Rate Adjustment policy provides the transportation industry, including individual carriers, economic adjustment and reasonable relief from increases in diesel fuel prices. Carriers are urged to consider changes in fuel prices when submitting or supplementing rates during rate filing and/or bid submission periods. See Sections I and J for specific program applications and exceptions.

b. *Issue Date*: The issue date is January 2, 2001.

c. *Effective Date*: The effective date is April 1, 2001.

d. *Expiration Date*: The expiration date is April 1, 2002 and is subject to reauthorization on an annual basis at the sole discretion of HQ MTMC. The MTMC Fuel Board will periodically meet to consider changes and modifications to this policy.

e. *Application*: The policy will apply to MTMC Personal Property and Domestic Freight Programs.

f. *Policy and Guidance*: 1. *Application*: Applicability of the Fuel-Related Adjustment is based on guidance contained in the solicitation or other procurement request for transportation services. Application of a Fuel-Related Rate Adjustment will be determined the first Monday of the month and based on the National Average diesel fuel price as determined by the Department of Energy, Energy Information Administration (EIA). If the first Monday is a holiday the fuel price will be determined based on the price on the next business day.

2. *Determination of Adjustment*: (a) Only the National Average diesel fuel price as published by the DOE, EIA on the first Monday of the month (or the first working day after a Monday if the Monday falls on a Federal Holiday) may be used as a basis for determining the applicability of a Fuel-Related Rate Adjustment. The fuel adjustment will automatically apply to shipments picked up on or after the 15th day of the month through the 14th day of the following month. The diesel fuel prices published by the EIA may be found via the following sources:

(1) EIA Web site: <http://www.eia.doe.gov/>.

(2) EIA Weekly Petroleum Status Report.

(3) EIA Hotline: (202) 586-6966.

(b) It is the responsibility of the carrier to monitor diesel fuel prices via one of the sources identified above. The National Average diesel fuel price determined by the DOE, EIA on the first Monday of the month will serve as the basis for determining the entitlement to a Fuel-Related Adjustment, until the first Monday of the following month when the National Average diesel fuel price is published. The National Average fuel price and the actual pickup date of the shipment will determine if there is an entitlement to an adjustment and the amount of the adjustment. An adjustment is not applicable to any portion of transportation in which a surcharge or any other additional payment for fuel is already in existence. For example, portions of transportation to which the Bunker Fuel Surcharge is applicable.

3. *Amount of Adjustment*: a. The table below will be used to determine the fuel related adjustment factor. No fuel adjustment will be granted when prices are within the neutral range ("0"). When the DOE, EIA fuel price exceeds the neutral range amount, the carrier will be entitled to the specific fuel rate adjustment percentage based on the applicable fuel cost per gallon as indicated in the table. The increase applies to line haul transportation charges only unless otherwise identified in the solicitation. The following rates adjustments are provided in the following table:

TABLE

Cost per gallon (in cents)	Rate adjustment (percent)
130.0 and below	0
130.1-140.0	1
140.1-150.0	2
150.1-160.0	3
160.1-170.0	4
170.1-180.0	5
180.1-190.0	6
190.1-200.0	7
200.1-210.0	8
210.1-220.0	9

b. For example, if the reported DOE, EIA National Average diesel fuel price is \$1.52 the carrier would be entitled to a fuel-related surcharge of 3% for shipments picked up on or after the 15th of the month. For each 10 cents per gallon above 220.0 add 1%.

4. *Readjustments*: The surcharge is automatically recalculated monthly and adjusted upward or downward depending on the DOE EIA National Average price on the 1st Monday of the month. In no case will the adjustment

lower the original price offered in the carriers' initial filing or response to a solicitation.

g. *Billing Procedures*: Carriers will clearly show fuel price adjustments on all paper and electronic commercial freight bills and Government Bills of Lading and invoices. The amount of any diesel fuel rate surcharge must be shown as a separate item on the carriers' invoice.

h. The policy supersedes Policy No. 55-4 Fuel Related Carrier Rate Changes.

i. *Personal Property Program*: Specific program applications and exceptions are listed below:

1. Applications: (CONUS segment, including Alaska and Hawaii).

(a) Line haul portion of domestic interstate and intrastate movements.

(b) Domestic line haul portion of international personal property movements.

(c) Transportation charges applicable on domestic and international storage-in-transit shipments when such shipments are delivered or removed from the domestic storage-in-transit warehouse.

2. Exceptions: None.

j. *Domestic Freight Program*: Specific program applications are listed below:

1. Applications: a. Applies only to the domestic line haul portion of the carrier rate.

2. Exceptions: None.
(end of change)

Regulatory Flexibility Act

The change is not considered rule making within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601-612.

Paperwork Reduction Act

The Paperwork Reduction Act, 44 U.S.C. 3051 et seq., does not apply because no information collection requirement or recordkeeping responsibilities are imposed on offerors, contractors, or members of the public.

Francis A. Galluzzo,

Director, Distribution Analysis Center.

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DEPARTMENT OF DEFENSE**Defense Logistics Agency****Management of Excess Mercury; Expressions of Interest; Alternative Locations for the Long Term Storage of Mercury**

AGENCY: Defense National Stockpile Center (DNSC), Defense.

ACTION: Notice of request for expression of interest.

SUMMARY: The Defense National Stockpile Center (DNSC), part of the Defense Logistics Agency (DLA) within the Department of Defense (DoD), is preparing an environmental impact statement (EIS) to assess several alternatives for the long term management or use of mercury that has been declared excess to national defense needs. As part of the EIS assessment, DNSC is requesting Expressions of Interest from interested federal agencies for potential locations for the long term (greater than 40 years) consolidated storage of the excess mercury. For the purposes of this EIS, the term "long term management" shall include any potential action to sell, treat, store, or dispose of such material. The DNSC inventory of approximately 4,890 tons of excess mercury is currently stored in warehouses at four locations. Suggested sites that are submitted for DNSC consideration would be evaluated to determine their reasonableness for inclusion as an alternative in the EIS. More detailed information on the EIS can be found in the February 5, 2001 **Federal Register** (66 FR 8947). Information on the EIS may also be found at the Mercury Management EIS website at www.mercuryeis.com. Department of Energy (DOE) is a cooperating agency for the preparation of this EIS because some of DoD's excess mercury is currently stored at the DOE Y-12 National Security Complex in Oak Ridge, Tennessee.

DATES: Agencies wishing to make an Expression of Interest should do so in writing by April 30, 2001, to ensure their consideration.

ADDRESSES: Please submit Expressions of Interest to: Project Manager, Mercury Management EIS; DNSC-E; Defense Logistics Agency; Defense National Stockpile Center, 8725 John J. Kingman Road, Suite 4616, Fort Belvoir, VA 22060-6223.

SUPPLEMENTARY INFORMATION:

Background.

DNSC is a mandatory source of supply for raw materials for all Federal agencies as required by the Federal acquisition Regulation, Part 8.002—Use of Other Government Supply Sources. The mercury in DLA's Stockpile has been declared excess to national defense needs and DNSC must decide on long term management of the excess mercury.

The DNSC inventory of approximately 4,890 tons of excess mercury is currently stored in warehouses at four

locations: Somerville, NJ; New Haven, IN; Oak Ridge, TN; and Warren, OH. Most of the excess inventory, about 2,882 tons (75,980 flasks) is stored at the Somerville Depot in Somerville, NJ. Approximately 770 tons (20,276 flasks) is stored at the U.S. Department of Energy (DOE) Y-12 National Security Complex in Oak Ridge, TN; and 621 tons (16,355 flasks) is stored at the Warren Depot in Warren, OH. The remainder, approximately 614 tons (16,151 flasks), is stored at the Casad Depot, located approximately 3 miles (4.8 kilometers) east of New Haven, IN. Mercury is a dense, naturally occurring, silver-colored metallic element that is liquid at room temperature. Sometimes called 'quicksilver', liquid mercury has been used extensively in manufacturing because it readily conducts electricity, reacts to temperature changes, and alloys with other metals. Mercury is designated as a hazardous substance under Section 307(a) of the Clean Water Act, Section 112 of the Clean Air Act, and Section 3001 of the Resource Conservation and Recovery Act.

The DNSC mercury is between 99.5 and 99.9 percent pure. The material is currently stored in 3 liter, carbon steel flasks with each flask containing about 76 pounds (34.5 kilograms) of mercury. The flasks are stored in wooden box pallets equipped with drip pans, with 50 to 60 flasks to a pallet. Some of the flasks were manufactured and date from the 1940's and 1950's, although the mercury at the Y-12 National Security Complex was transferred into new flasks in 1975.

DNSC, as custodian of the excess inventory of mercury, must decide on an approach for long term management or use of the material. As required by Council on Environmental Quality (CEQ) and DLA National Environmental Policy Act (NEPA) regulations, this decision must include consideration of a range of reasonable management alternatives and the environmental and socioeconomic impacts of those alternatives. Therefore, as announced in the Notice of Intent to prepare an environmental impact statement published in the **Federal Register** on February 5, 2001 (66 FR 8947), DNSC is evaluating a range of reasonable alternatives in the EIS. These alternatives include no action, and are likely to include consolidated long term storage, processing, disposal, and sales alternatives. Consolidated long term storage could occur at existing storage locations or at other locations. The purpose of this Notice is to determine if there is interest on the part of other federal agencies in hosting a consolidated storage facility.

Consideration of any particular consolidation site in the EIS is not a guarantee of its selection. DNSC would likely hold public outreach (e.g., an EIS scoping meeting) in cooperation with the host agency to judge reaction to the proposal and would probably request that agency to be a cooperating agency under NEPA for the EIS.

Request for Expression of Interest: DNSC requests Expressions of Interest from federal agencies on locations for storage of approximately 4,890 tons (128,762, 76-lb flasks) of mercury. This request for expression of interest published, in today's **Federal Register**, is the first step in the process to consider alternative sites for consolidated long term storage of the mercury. This request will help to ensure that the resulting long term management options will consider all reasonable alternatives. Because DNSC expects that each Agency's submission and site would have unique characteristics associated with its proposal, terms and conditions of use of any site would be negotiated to the mutual satisfaction of both agencies.

DNSC will evaluate each submission to determine if it should be included as a reasonable alternative in the EIS, which will assess the environmental impacts of the various alternative management strategies. DNSC estimates that approximately 100,000 to 150,000 square feet of space would be required depending on the storage configuration to store the entire mercury stockpile with sufficient space between pallets to conduct routine inspections. DNSC requires that the space be in compliance with all current building codes and construction standards, and have a fire suppression system. In addition the temperature of the storage area must not exceed 70 degrees F; temperature can be limited by natural means or climate control. Since the mercury is an industrial commodity and the storage period to begin in 2003 and, for planning purposes, continue for 40 or more years.

DNSC requires the following information for each proposed storage location:

1. A map showing the location of the storage building on the site, nearby (within 10 miles) political boundaries, communities (especially minority, low income or Native American), roads, railroads, airports, water bodies, parkland, or other environmentally sensitive areas;

2. A description of the site, including ownership, current activities, access control system, hazardous materials handling experience, mercury handling experience, current tenants, previous

regulatory compliance problems, and existing environmental contamination;

3. A description of the storage building, if pre-existing, including date and type of construction including any special features which provide protection against leaks and external environmental hazards, fire suppression system, access control system, current activities and materials in storage, current tenants, and existing environmental contamination;

4. Equipment, materials, and labor required to upgrade or construct the facility to accept long term mercury storage;

5. Environmental and health and safety approvals required;

6. Estimated cost, including construction, operations, and decontamination. Include a description of the basis for the estimate, and any assumptions; and

7. Proposed schedule for providing a consolidation facility meeting the above requirements.

Expression of Interest Format: The length of the Expression of Interest should be no more than 30 pages using 12-point font. While the responder may determine how best to use the 30 pages, we recommend the following format: SECTION I—Summary; SECTION 2—Description of Location with specific reference to the items requested by DNSC above; SECTION 3—Qualifications and experience of respondents in mercury storage operations or operations of similar complexity. When describing similar work that has been performed, include the name of the organization, contract number if applicable, and name and telephone number of the organization's point of contact and contracting officer.

Proprietary Information: If the Expression of Interest contains information that is privileged or confidential and which the respondent does not want disclosed to the public or used by the Federal Government for any purpose other than this Notice, the respondent should place the following notice on the Expression of Interest. "Notice: Data contained in these pages of this Expression of Interest have been submitted in confidence and contain trade secrets or commercial or financial information that is confidential or privileged, and such data should be used or disclosed only for purposes of consideration of this Expression of Interest. This restriction does not limit the Government's right to use or disclose data obtained without restriction from any source, including the respondent." The respondent should mark the pages that are considered "Proprietary Information".

Submission: Agencies wishing to make an Expression of Interest should do so in writing by April 30, 2001, to ensure their consideration. Each submittal should consist of an original and three photocopies, and be mailed to Project Manager, Mercury Management EIS; DNSC-E; Defense Logistics Agency; Defense National Stockpile Center, 8725 John J. Kingman Road, Suite 4616, Fort Belvoir, VA 22060-6223. DNSC will not consider attachments or appendices. Respondents may submit questions within 20 business days of this notice being published. Questions may be submitted by e-mail to dennis_lynch@hq.dla.mil or by fax to (703) 767-5411. Responses to questions will be posted on the Mercury Management EIS web site at www.mercuryeis.com. DNSC is under no obligation to pay for any costs associated with the preparation or submission of Expressions of Interest in response to this Notice. DNSC reserves the right to respond or not respond to any portion, all, or none of the Expressions of Interest submitted in response to this Notice.

Issued in Fort Belvoir, VA., on this 21st day of February, 2001.

Richard Connelly,

Administrator, Defense National Stockpile Center.

[FR Doc. 01-5171 Filed 3-2-01; 8:45 am]

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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sunshine Act Meeting

Pursuant to the provision of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given of the Defense Nuclear Facilities Safety Board's (Board) meeting described below.

TIME AND DATE OF MEETING: 9:00 a.m., March 28, 2001.

PLACE: The Defense Nuclear Facilities Safety Board, Public Hearing Room, 625 Indiana Avenue, NW, Suite 300, Washington, DC 20004.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Department of Energy (DOE) requires contractors at defense nuclear facilities to develop and implement quality assurance programs to ensure the requisite quality of operations, products, and services. Activities required to be conducted under established quality assurance programs extend from scientific studies, to the design of new facilities, operations of facilities, and deactivation of defense nuclear facilities

and directly affect safety-related systems and operations. Notwithstanding contract and rule requirements concerning quality assurance, there is evidence that quality assurance programs at defense nuclear facilities are not consistently achieving their quality objectives.

The Defense Nuclear Facilities Safety Board (Board) intends to hold a series of open meetings on the topic of quality assurance within the DOE nuclear defense activities. Board inquiries will address (1) the current framework of DOE quality assurance programs relative to industry standards, and (2) results of DOE assessments of contractor implementation of quality assurance requirements.

CONTACT PERSON FOR MORE INFORMATION:

Richard A. Azzaro, General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004, (800) 788-4016. This is a toll-free number.

SUPPLEMENTARY INFORMATION: The Defense Nuclear Facilities Safety Board reserves its right to further schedule and otherwise regulate the course of this meeting, to recess, reconvene, postpone or adjourn the meeting, and otherwise exercise its authority under the Atomic Energy Act of 1954, as amended.

Dated: March 1, 2001.

John T. Conway,
Chairman.

[FR Doc. 01-5403 Filed 3-1-01; 12:51 pm]

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DEPARTMENT OF EDUCATION

[CFDA Nos.: 84.141A and 84.149A]

Notice Inviting Applications for New Awards for Fiscal year (FY) 2001 for the High School Equivalency Program (HEP) and the Colleges Assistance Migrant Program (CAMP)—Correction.

AGENCY: Department of Education.

ACTION: Notice inviting applications for new awards for fiscal year (FY) 2001 for the high school equivalency program (HEP) and the college assistance migrant program (CAMP)—Correction.

SUMMARY: On January 25, 2001 a notice inviting applications for new awards for fiscal year (FY) 2001 for the High School Equivalency Program (HEP) and the College Assistance Migrant Program (CAMP) was published in the **Federal Register** (66 FR 7748). This document corrects the *Deadline for Transmittal of Applications* and also corrects the *Deadline for Intergovernmental Review*. The new dates are shown below: