validate system design and operational effectiveness.

The Final EIS addresses the potential environmental impacts that would result from test site modifications, launch preparation requirements, missile flights along the proposed flight paths, and intercepts of targets over existing ranges or open sea areas. It also identifies mitigation measures that would lessen the impacts. Environmental resource topics evaluated include: health and safety, air quality, airspace, noise, geology and soils, water resources, socieconomics, hazardous materials and waste, land use, infrastructure and transportation, and biological and cultural resource stewardship.

EIS LEAD AGENCY: U.S. Army Space and Strategic Defense Command.

COOPERATING AGENCIES: Ballistic Missile Defense Organization, United States Air Force, United States Navy, and Federal Aviation Administration.

PROPOSED ACTION: The action is to conduct defensive missile tests and associated sensor tests at one or more of four extended test ranges. The tests involve target missile launches and defensive missile launches from existing test ranges and from off-range locations. Potential off-range launch locations included land areas and sea-based platforms. Missile-to-missile intercepts will occur over existing test range areas or over open sea areas. Up to approximately 100 flight tests could occur during the period 1995 to 2000, from more than one off-range location, and potentially from more than one test range area. These test may continue well beyond 2000.

Alternatives for conducting these missile flight tests and intercepts, evaluated in the TMD Extended Test Range EIS, are:

1. White Sands Missile Range (WSMR), NM. This alternative includes defensive missile launches and associated sensor testing at WSMR and Fort Bliss, TX, with off-range target missile launches from Fort Wingate Depot Activity, NM, and the Green River Launch Complex, UT.

2. Eglin Air Force Base (AFB), FL. This alternative includes defensive missile launches and associated sensor testing at Eglin AFB on Santa Rosa Island and at Cape San Blas, with off-range target missile launches from a sea-based platform in the Gulf of Mexico.

3. The Western Range, CA. This alternative includes defensive missile launches and associated sensor testing at Vandenberg AFB, San Nicholas Island, and San Clemente Island, with off-range target missile launches from a sea-based platform in the Pacific Ocean.

4. Kwajalein Missile Range (KMR), U.S. Army Kwajalein Atoll, Republic of the Marshall Islands. This alternative includes defensive missile launches and associated sensor testing at KMR and Wake Island with off-range target missile launches from a sea-based platform in the Pacific Ocean.

FOR FURTHER INFORMATION CONTACT: Major Thomas LaRock, OATSD/PA, Washington, DC 20301–1400, (703) 697–5131.

Dated: January 9, 1995.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95–842 Filed 1–11–95; 8:45 am]

BILLING CODE 5000–04–M

Department of the Army

Corps of Engineers

Availability of Guidance on Design-Build for Military Construction

AGENCY: Army Corps of Engineers, DOD.

ACTION: Notice.

SUMMARY: Interested individuals may obtain copies of the Design-Build Instructions (DBI) For Military Construction, dated 29 October 1994. The purpose of the DBI is to serve as a practical guide for U.S. Army Corps of Engineers offices to consistently and efficiently plan, develop, and execute design-build contracts.

ADDRESSES: Copies of the DBI may be obtained from two sources; printed copies (as quantities last) from the Huntsville Division Engineer Office (CEHND–ED–ES), P.O. Box 1600, Huntsville, AL 35807–4301; or automated copies on the compact disk (CD–ROM), January 1995 issue of the Construction Criteria Base (CCB), from the National Institute of Building Sciences (NIBS), 1201 L Street, N.W. Suite 400, Washington, D.C. 20005–4024, (202) 289–7800, FAX (202) 289–1092. Written suggestions for improving the DBI may be submitted before 30 June 1995 to HQUSACE, ATTN: CEMP–EA, 20 Massachusetts Avenue NW., Washington, D.C. 20314–1000.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel W. Duncan, Architectural and Planning Branch, Directorate of Military Programs, (202) 272–0437.

Kenneth L. Denton,

Army Federal Register Liaison Officer.

[FR Doc. 95–772 Filed 1–11–95; 8:45 am]

BILLING CODE 3710–92–M

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Resolution of Potential Conflict of Interest

The Defense Nuclear Facilities Safety Board (Board) has identified and resolved a potential conflict of interest situation related to its contractor, Dr. Sol Pearlstein. This Notice satisfies the requirements of 10 CFR Part 1706.8(e) with respect to publication in the **Federal Register**. Under the Board's Organizational and Consultant Conflicts of Interests Regulations, 10 CFR Part 1706 (OCI Regulations), an organizational or consultant conflict of interest (OCI) means that because of other past, present, or future planned activities or relationships, a contractor or consultant is unable, or potentially unable, to render impartial assistance or advice to the Board, or the objectivity of such offeror or contractor in performing work for the Board is or might be otherwise impaired, or such offeror or contractor has or would have an unfair competitive advantage. While the OCI Regulations provide that contracts shall generally not be awarded to an organization where the Board has determined that an actual or potential OCI exists and cannot be avoided, the Board may waive this requirement in certain circumstances.

The Board's mission is to provide advice and recommendations to the Department of Energy (DOE) regarding public health and safety matters related to DOE's defense nuclear facilities. This includes the review and evacuation of the content and implementation of health and safety standards including DOE orders, rules, and other safety requirements, relating to the design, construction, operation, and decommissioning of DOE defense nuclear facilities.

In the Fall of 1992, the Board recognized an urgent need for technical expertise in evaluating nuclear physics data, particularly in the area of nuclear applications. While the Board had been engaged in extensive recruiting efforts, it had been unsuccessful in identifying an individual with the required expertise, experience, and knowledge to satisfy this need. Consequently, the Board offered Dr. Sol Pearlstein, an employee of Brookhaven National Laboratory (BNL) a full-time two year appointment as Physicist on its staff. Following BNL's agreement to grant Dr. Pearlstein a twenty-four month unpaid leave of absence, he accepted the Board's offer and began work on October 1, 1992. Additionally, recognizing that a potential conflict of

interest existed with this employment arrangement, the Chairman of the Board approved a waiver of this potential conflict and published a Notice in the **Federal Register**. Upon the expiration of the two year appointment on September 30, 1994, Dr. Pearlstein returned to BNL and entered a gradual retirement program which allows employees to work on a part-time basis until they decide to end their association with the Laboratory completely.

Based on a continued need for his unique expertise, the Board has decided to establish a contract directly with Dr. Pearlstein. Specifically, Dr. Pearlstein will be asked to provide technical assistance in criticality safety and other related fields including nuclear and reactor physics, and accelerator production of tritium. The proposed effort, which will require his support on an intermittent basis, will include his participation in the review of safety analysis reports, DOE facility visits, presentation of lectures on criticality and related technical subjects to the staff, the development of specialized nuclear information or data bases for Board applications, and assisting the staff in monitoring DOE performance on specific issues or Board Recommendations. The Board has also recognized that the proposed contractual relationship with Dr. Pearlstein will result in a potential conflict of interest situation due to his simultaneous relationship with BNL, a DOE National Laboratory, and the Board. However, while the Board avoids these situations wherever possible, it believes that the need for Dr. Pearlstein's services coupled with the low probability that a direct conflict of interest or biased work product will result from this engagement, justifies this proposed acquisition and waiver based on the following.

First, Dr. Pearlstein possesses outstanding credentials in this technical area and has extensive direct experience through his numerous years at BNL. There is presently no one else on the Board's technical staff who has a broad and extensive background in evaluating nuclear physics data, particularly in the area of nuclear applications as Dr. Pearlstein possesses. He has extensive experience with examining physics data and evaluating its integrity, and has the ability to synthesize scientific data from multiple sources to find solutions to complex and novel problems. Dr. Pearlstein's expertise is important in facilitating the accomplishment of the Board's mission, particularly in the area of nuclear physics. Additionally, during his two year appointment with the Board, Dr. Pearlstein developed a unique and intimate understanding of the Board's mission, internal operations, and the major technical issues being addressed by the staff. Consequently, while there are other individuals with similar technical backgrounds, Dr. Pearstein's blend of experience gained through his long association with BNL, and most recent work as a member of the Board's staff, makes him a unique source of technical support to the Board. Through this combination of experience, Dr. Pearlstein can provide immediate support to the Board on a variety of complex technical issues which require prompt resolution, without the need for the extensive and time consuming preparatory efforts others would require.

Second, the Board does not believe that a direct conflict between Dr. Pearlstein's technical work for the Board and BNL will develop for the following reasons. BNL is a multi-program, DOE Laboratory whose missions include scientific and medical research, energy technology development, and associated support functions. These activities are mostly related to DOE's non-defense mission and have little relationship with the defense nuclear facilities or oversight responsibilities of the Board. Further, Dr. Pearlstein has advised the Board that he will be assigned to BNL's Engineering Research and Applications Division in the Department of Advanced Technology which is involved in work ranging from structural analysis to radiological engineering. Therefore, based on the significant differences in technical efforts and missions between the Board and BNL, no direct conflict with the proposed effort is anticipated or with Dr. Pearlstein's ability to provide the Board with impartial, objective work products.

Finally, as the Board is required under its OCI Regulations, where reasonably possible, to initiate measures which attempt to mitigate an OCI, the Board will stay abreast of Dr. Pearlstein's technical work at BNL to insure no problems arise during contract performance. Also, the efforts of Dr. Pearlstein will be overseen by experienced technical staff of the Board to ensure that all of his resultant work products are impartial and contain full support for any findings and recommendations issued thereunder.

Accordingly, on the basis of the determination described above and pursuant to the applicable provisions of 10 CFR 1706, the Chairman of the Board granted a waiver of any conflicts of interests (and the pertinent provisions of the OCI Regulations) with the Board's contract with Dr. Sol Pearlstein that might arise out of his existing relationship with BNL.

Dated: January 9, 1995.

Kenneth M. Pusateri,

General Manager.

[FR Doc. 95–804 Filed 1–11–95; 8:45 am]

BILLING CODE 6820–KD–M

Privacy Act; Systems of Records

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Annual notice of systems of records.

SUMMARY: Each Federal agency is required by the Privacy Act of 1974, 5 U.S.C. 552a, to publish annually a description of the systems of records it maintains containing personal information. In this notice the Board provides the required information on five previously-noticed systems of records.

FOR FURTHER INFORMATION CONTACT: Robert M. Andersen, General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004–2901, (202) 208–6387.

SUPPLEMENTARY INFORMATION: The Board currently maintains five systems of records under the Privacy Act. Each system is described below.

DNFSG–1

SYSTEM NAME:

Personnel Security Files.

SECURITY CLASSIFICATION:

Unclassified materials.

SYSTEM LOCATION:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Washington, DC 20004–2901.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and applicants for employment with DNFSB and DNFSB contractors; consultants; other individuals requiring access to classified materials and facilities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel security folders and requests for security clearances, Forms SF 86, 86A, 87, 312, and DOE Forms 5631.18, 5631.29, 5631.20, and 5631.21. In addition, records containing the following information:

(1) Security clearance request information;

(2) Records of security education and foreign travel lectures;

(3) Records of any security infractions;