

Leary, with his extensive background and experience, augments the overall level of expertise available to the Board with its efforts in this highly sensitive and critical area of health and safety.

Additionally, the Board believes that a waiver of this potential OCI is proper as the possibilities of a direct conflict, or biased work product from Dr. Leary is remote based on the significant differences between his work for the Board and LANL. Specifically, Dr. Leary's technical efforts for the Board are related to unique problems or issues which exist at various facilities within DOE's nuclear weapons complex. He has provided technical assistance to the Board with its review of Savannah River Site (SRS) F-Canyon, HB-Line, and FB-Line chemical process startup activities and plutonium storage safety issues. Other examples of his work for the Board include an evaluation of the waste characterization program for the Hanford Waste Tanks, plutonium storage matters at Rocky Flats Site (RFS) and Pantex, and alternative decontamination processes at the Idaho Chemical Processing Plant, Idaho National Engineering Laboratory. Conversely, his consulting work at LANL includes the provision of a strategic overview of nuclear materials technology and management issues across a broad scope on an ad hoc basis, and not on specific programs or projects. Further, he has an association with LANL as a member of the Power Systems Subpanel (PSSP) which is a subpanel of the Interagency Nuclear Safety Review Panel. This group, which is comprised of individuals from the Department of Defense, DOE, and National Aeronautics and Space Administration, prepares the final safety evaluations for space flight using spacecraft powered by Radioisotope Thermoelectric Generators which contain significant amounts of plutonium-238. Dr. Leary serves as the nuclear materials expert on this panel which is funded through the Probabilistic Risk and Hazard Analysis Group at LANL. However, as this effort has no connection with the Board's work, and his other work at LANL does not overlap with Board projects, the changes of a OCI are unlikely.

Further, the Board examined Dr. Leary's current financial relationship with LANL, which includes a vested pension program and the consulting work described above, and considered the potential effect it may have on his objectivity in performing the Board's work. Based on this review, the Board determined that these relationships should not interfere with his work for the Board since the pension, and any

future increases, is calculated according to fixed formulas and prior contributions and his consulting work for LANL accounts for approximately twenty percent of his total yearly income. Therefore, as the pension is fixed and not subject to adjustment by LANL, and the value of the other work does not constitute a major portion of his income, the Board believes these should not have a negative impact on Dr. Leary's ability to be objective in his work for the Board.

The Board has also recognized that it is unlikely that the work being performed by Dr. Leary could be satisfactorily performed by anyone else whose experience and affiliations would not give rise to a potential conflict of interest question. This is due to the unique problems and technical challenges which exist within the weapons complex related to the processing and handling of nuclear materials. Consequently, those most familiar with these operations, and potentially best able to assist the Board, are those that gained this expertise through previous or current employment or consulting relationships with one or more of the DOE weapons facilities within the Board's oversight authority. The pertinent experience of other qualified individuals would therefore likely raise similar questions and concerns.

Finally, as the Board is required under its OCI Regulations, where reasonably possible, to initiate measures which attempt to mitigate an OCI, Dr. Leary and the Board agreed to the following during contract performance. The Board will not task Dr. Leary with any work which would conflict with his efforts at LANL. Dr. Leary has agreed to promptly notify the Board of and changes with his efforts at LANL which would give rise to a direct OCI with his work for the Board. Additionally, the efforts and products of Dr. Leary will be overseen by experienced technical staff of the Board who are able 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. Joseph A. Leary that might arise out of his existing relationship with LANL.

Dated: January 12, 1995.

**Kenneth M. Pusateri,**  
General Manager.

[FR Doc. 95-1360 Filed 1-19-95; 8:45 am]

BILLING CODE 3670-01-M

---

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Corps of Engineers

#### **Intent to Prepare a Draft Supplemental Environmental Impact Statement (DSEIS) for the Proposed Southern Branch 40-foot Navigation Improvements in the Vicinity of Norfolk Harbor, Hampton Roads, Virginia**

**AGENCY:** U.S. Corps of Engineers, Norfolk District, DOD.

**ACTION:** Notice of Intent.

---

**SUMMARY:** The U.S. Army Corps of Engineers, Norfolk District, prepared a feasibility report and final Environmental Impact Statement in 1980 titled "Norfolk Harbor and Channels, Virginia, Deepening and Disposal", which recommended further investigations leading to improvements to the Southern Branch portion of the project.

The recommended improvements consist of increasing the depth of the Southern Branch of the Elizabeth River between Norfolk and Western Railway Bridge at Mile 15 and U.S. Routes 460 and 13 highway crossing at Mile 17.5 from 35 feet to 40 feet over its existing 250- to 500-foot width and providing a new 800-foot turning basin at the terminus of the channel improvement.

**ADDRESSES:** U.S. Army Corps of Engineers, Norfolk District, 803 Front Street, Norfolk, Virginia 23510.

**FOR FURTHER INFORMATION CONTACT:** Comments and questions concerning the proposed action should be addressed to Mr. Richard Klein (804) 441-7125; questions regarding the DSEIS should be addressed to Mr. Terrence Getchell (804) 441-7617.

**SUPPLEMENTARY INFORMATION:**

1. The DEIS will be prepared in connection with a General Design Memorandum that will document the engineering and design investigations required to complete pans and specifications and actual construction. Authority for the work is provided by Section 201(a) of Public Law 99-662, enacted 17 November 1986. The feasibility report, published as House Document No. 99-85 dated 18 July 1985, recommended the improvements that are the subject of the DSEIS.

2. Deepening the channels, constructing the turning basin and widening the channel between Mile 15 and Mile 17.5 will be considered. Allowing the channels to remain in the present condition will also be considered. Dredged material placement options under consideration include use of the Craney Island Rehandling Basin, placement within the Craney Island Dredged Material Management Area, ocean placement, and other upland locations along the channel.

3. Further input from key federal and state agencies will be solicited both by letter and during scheduled coordination meetings held by the Civil Programs Branch, Norfolk District U.S. Fish and Wildlife Service has agreed to perform work under the Fish and Wildlife Coordination Act. Environmental consultation and review will be conducted in accordance with the National Environmental Policy Act and other applicable laws and regulation, including those pertaining to endangered species and cultural resources.

#### Schedule

The DEIS is anticipated to be available for public review the fall of 1998.

#### Kenneth L. Denton,

*Army Federal Register Liaison Officer.*

[FR Doc. 95-1467 Filed 1-19-95; 8:45 am]

BILLING CODE 3710-EN-M

## DEPARTMENT OF ENERGY

### Coal Policy Committee of the National Coal Council; Meeting

**AGENCY:** U.S. Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of the following Coal Policy Committee of the National Coal Council (NCC) Meeting:

**Date and time:** Tuesday, February 21, 1995, 10:00 am.

**Place:** Omni Mandalay Hotel, 221 East Las Colinas Blvd., Irving, TX 75039.

**Contact:** Margie D. Biggerstaff, U.S. Department of Energy, Office of Fossil Energy (FE-5), Washington, D.C. 20585 Telephone: 202/586-3867.

**PURPOSE:** The purpose of the Coal Policy Committee of the National Coal Council is to provide advice, information, and recommendations to the Secretary of Energy on matters relating to coal and coal industry issues. The purpose of this meeting is to report on the status of the

coal utilization study and report on and discuss responses to questions submitted to the Council by the Secretary and Assistant Secretary for Fossil Energy at their November 1994 meeting.

#### Tentative Agenda

- Opening remarks by Clifford Miercort, Chairman of the Coal Policy Committee.
- Approval of the final agenda.
- Remarks by Department of Energy representative (The Honorable Patricia Fry Godley, Assistant Secretary for Fossil Energy invited).
- Report of the Coal Technology Subcommittee on the coal utilization study.
- Report on and discuss the development of responses to the questions submitted to the Council by the Secretary and Assistant Secretary for Fossil Energy at their November 1994 meeting.
- Discussion of any other business to be properly brought before the Committee.
- Public comment—10-minute rule.
- Adjournment.

**Public Participation:** The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Ms. Margie D. Biggerstaff at the address or telephone number listed above. Requests must be received at least five days prior to the meeting and reasonable provisions will be made to include the presentation on the agenda.

**Transcript:** Available for public review and copying at the Public Reading Room, Room 1E-190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between 9:00 am and 4:00 pm, Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on January 17, 1995.

#### Rachel Murphy Samuel,

*Acting Deputy Advisory Committee, Management Officer.*

[FR Doc. 95-1529 Filed 1-19-95; 8:45 am]

BILLING CODE 6450-01-P

### Secretary of Energy Advisory Board; Notice of Open Meeting

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), notice is hereby given of the following advisory committee meeting:

**Name:** Secretary of Energy Advisory Board

**Date and time:** Wednesday, February 1, 1995, 8:30 am-4:00 pm

**Place:** JW Marriott Hotel, 1331 Pennsylvania Avenue, SW, Salon Ballroom, Washington, D.C. 20004

**FOR FURTHER INFORMATION CONTACT:** Peter F. Didisheim, Executive Director, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-7092.

**SUPPLEMENTARY INFORMATION:** Purpose of the Committee: The Secretary of Energy Advisory Board was established to serve as the Secretary of Energy's primary mechanism for long-range planning and analysis of major issues facing the Department of Energy. The Board will advise the Secretary on the research, development, energy and national defense responsibilities, activities, and operations of the Department and provide expert guidance in these areas to the Department.

#### Tentative Agenda

8:30 am—Opening Remarks

9:00 am—DOE's Strategic Realignment

10:00 am—Report of the Task Force on Alternative Futures of the DOE National Laboratories

11:00 am—Break

11:15 am—Public Comment Period

12:15 pm—Break for Lunch

1:30 pm—Discussion of the Strategic Energy Research and Development Task Force

2:15 pm—Other Business

3:00 pm—Adjourn

A final agenda will be available at the meeting.

**Public Participation:** The Chairman of the Board is empowered to conduct the meeting in a fashion that will, in the Chairman's judgment, facilitate the orderly conduct of business. Due to the limited time available to discuss Board Activities, the Board requests that all comments be submitted in writing to the Executive Director, Secretary of Energy of Advisory Board, AB-1, 1000 Independence Avenue, SW, Washington, DC 20585. In order to insure that Board members have the opportunity to review written comments prior to the meeting, comments should be received by Tuesday, January 31, 1995. Due to difficulty in locating a meeting space to accommodate approximately 250 people, this notice will be published less than fifteen days prior to the date of the meeting.

**Minutes:** Minutes and a transcript of the meeting will be available for public