

401.53(a)(1)(1990)) provide that funds reserved for the handicapped and disadvantaged may only be used for the Federal share of the costs of providing "supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for [handicapped and disadvantaged] individuals to participate in vocational education." Under section 201(h)(1) of the Perkins Act (20 U.S.C. 2331(h)(1)) and the implementing regulations (34 CFR 401.58(a)(1)(1990)), these excess costs may include basic skills instruction for handicapped and disadvantaged individuals who are enrolled in vocational education programs.

During the course of the audit, the auditors found that Washington had approved applications from community colleges for unallowable activities under section 201, and that the colleges had improperly charged the costs of these activities to the handicapped and disadvantaged setasides under the Vocational Education Opportunities Program implemented at 34 CFR 401.51-401.58 (1990). The auditors found that the colleges used funds from the setasides to support the costs of services, activities and equipment for handicapped and disadvantaged students not enrolled in vocational education programs, including the provision of basic skills instruction to students not enrolled in vocational education programs. In addition, the auditors found that the colleges used setaside funds to support the costs of activities for students who were not handicapped or disadvantaged.

On March 31, 1993, the U.S. Department of Education's Assistant Secretary for Vocational and Adult Education (Assistant Secretary) issued a program determination letter (PDL) sustaining the auditors' findings and requiring Washington to repay \$135,248 in disallowed costs to the Department.

The State filed a timely request for review of the Assistant Secretary's determination with the OALJ. Thereafter, the Administrative Law Judge assigned to the appeal granted the parties' joint motion for a stay of this proceeding for purposes of mediation.

The Department proposes to compromise the \$135,248 claim for \$50,000. In mediation sessions before the Federal Mediation and Conciliation Service, Washington provided additional information and documentation concerning the numbers of handicapped and disadvantaged vocational education students being served and the types of services, activities and equipment involved.

Washington also submitted documentary evidence concerning the necessity of the services, activities and equipment to the participation of the handicapped and disadvantaged students in vocational education, and the non-availability of these services and activities for non-handicapped and non-disadvantaged vocational students.

Given the amount that would be repaid by Washington under the settlement agreement, the additional documentation submitted during mediation, and the litigation risks and costs of proceeding through the appeal process, the Department has determined that it would not be practical or in the public interest to continue this proceeding. Rather, under the authority provided in 20 U.S.C. 1234a(j)(1), the Department has determined that a compromise of this claim for \$50,000 would be appropriate.

The public is invited to comment on the Department's intent to compromise this claim. Additional information may be obtained by writing to Kathleen Ryan at the address given at the beginning of this notice.

**Program Authority:** 20 U.S.C. 1234a(j).

Dated: February 22, 1995.

**Donald R. Wurtz,**

*Chief Financial Officer.*

[FR Doc. 95-5039 Filed 2-28-95; 8:45 am]

BILLING CODE 4000-01-P

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## DEPARTMENT OF ENERGY

### Environmental Management Site Specific Advisory Board, Fernald Site

**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: Environmental Management Site Specific Advisory Board (EM SSAB), Fernald Site.

**DATE AND TIME:** Saturday, March 11, 1995: 8:30 a.m.-12:30 p.m. (public comment session, 11:45 p.m.-12:00 p.m.).

**ADDRESSES:** The Joint Information Center, 6025 Dixie Highway, Route 4, Fairfield, Ohio.

**FOR FURTHER INFORMATION CONTACT:** John S. Applegate, Chair of the Fernald Site, P.O. Box 544, Ross, Ohio 45061, or call the Fernald Site message line (513) 648-6478.

**SUPPLEMENTARY INFORMATION:** Purpose of the Board: The purpose of the Board is to make recommendations to DOE and

its regulators in the areas of future use, cleanup levels, waste disposition and cleanup priorities at the Fernald site.

**Tentative Agenda:**  
 8:30 a.m. Task Force Administration (Call to order Approval of Minutes Chair's Remarks)  
 8:50 a.m. Review of New Information, Budget Discussion  
 10:00 a.m. Break  
 10:15 a.m. Discussion and Draft Resolutions  
 11:45 p.m. Public Comment  
 12:00 p.m. Vote on Resolutions  
 12:15 p.m. Wrap Up  
 12:30 p.m. Adjourn

A final agenda will be available at the meeting, Saturday, March 11, 1995.

**Public Participation:** The meeting is open to the public. Written statements may be filed with the Task Force chair either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact the Task Force chair at the address or telephone number listed above. The Designated Federal Official, Kenneth Morgan, Public Affairs Officer, Ohio Field Office, U.S. Department of Energy, is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments. Due to programmatic issues that had to be resolved, the **Federal Register** notice is being published less than fifteen days before the date of the meeting.

**Minutes:** The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 a.m. and 4:00 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to John S. Applegate, Chair, the Fernald Site, P.O. Box 544, Ross, Ohio 45061 or by calling the Task Force message line at (513) 648-6478.

Issued at Washington, DC on February 24, 1995.

**Rachel Murphy Samuel,**

*Acting Deputy Advisory Committee Management Officer.*

[FR Doc. 95-5063 Filed 2-28-95; 8:45 am]

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### Environmental Management Site Specific Advisory Board, Hanford Site

**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