

ACTION: Notice.

SUMMARY: Notice is hereby given of a forthcoming meeting of the National Advisory Panel on the Education of Handicapped Dependents. This notice describes the functions of the Panel. Notice of this meeting is required under the Federal Advisory Committee Act.

DATES: June 5-7, 1995.

ADDRESSES: Bavarian Arms Hotel, Nuernberg, Germany.

FOR FURTHER INFORMATION CONTACT:

Dr. Rebecca Posante, Special Education Coordinator, ODE, (703) 696-4493, extension 147.

SUPPLEMENTARY INFORMATION: The National Advisory Panel on the Education of Handicapped Dependents is established under the Individuals with Disabilities Education Act, as amended, (20 U.S.C., 1400 *et seq.*); the Defense Dependents' Education Act of 1978, as amended (20 U.S.C. 927(c)); and DoD Instruction 1342.12, 32 CFR Part 57. The Panel: (1) Reviews information regarding improvements in services provided to students with disabilities in DoDDS; (2) receives and considers the views of various parents, students, individuals with disabilities, and professional groups; (3) review the finding of fact and decision of each impartial due process hearing; (4) assists in developing and reporting such information and evaluations as may aid DoDDS in the performance of its duties; (5) makes recommendations based on program and operational information for changes in the budget, organization, and general management of the special education program, and in policy and procedure; (6) comments publicly on rules or standards regarding the education of children with disabilities; (7) submits an annual report of its activities and suggestions to the Director, DoDDS, by July 31 of each year. The Panel will review the following areas: the DoDDS strategic plan, the comprehensive system of personnel development, and the organizational structure of the special education program. This meeting is open to the public; however, due to space constraints, anyone wishing to attend should contact the ODE special education coordinator, Dr. Rebecca Posante, no later than May 31.

Dated: April 14, 1995.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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Department of the Army

Corps of Engineers

Availability of a Draft Environmental Impact Statement for Kennecott Utah Copper Corporation's Proposed North Expansion Tailings Modernization Project in Salt Lake County, UT

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Notice of availability.

SUMMARY: The Sacramento District, Utah Field Office of the U.S. Army Corps of Engineers (Corps) has prepared a Draft Environmental Impact Statement (DEIS) for the Kennecott Utah Copper Corporation (Kennecott) proposed North Expansion Tailings Modernization Project (Project) in Salt Lake County, Utah. The proposed Project provides tailings storage capacity required for the next 25 to 30 years of Kennecott's operation. The DEIS is available for public review and comment at the Salt Lake City Library, Main Branch, 209 East 500 South and the Salt Lake County Library System, Magna Branch, 8339 West 3500 South. Copies for distribution are available from Mr. Michael A. Schwinn, Project Manager, U.S. Army Corps of Engineers, Sacramento District, Utah Field Office, 1403 South 600 West, Suite A, Bountiful, Utah 84010.

DATES: A public hearing will be held at 6:00 p.m. on May 31, 1995 at the Main Auditorium, Utah Department of Natural Resources, 1636 West North Temple Street, Salt Lake City, Utah for all interested parties to comment on the DEIS. The 60-day comment period ends June 27, 1995.

ADDRESSES: To obtain a copy of the DEIS or to submit written comments on the DEIS, contact Mr. Michael A. Schwinn, Project Manager, U.S. Army Corps of Engineers, Sacramento District, Utah Field Office, 1403 South 600 West, Suite A, Bountiful, Utah 84010.

FOR FURTHER INFORMATION CONTACT: Direct requests for a copy of the DEIS or questions to Mr. Michael A. Schwinn, Project Manager, (801) 295-8380.

SUPPLEMENTARY INFORMATION: Kennecott is proposing to expand its existing tailings impoundment by approximately 3500 acres. The proposed Project site of 4325 acres is directly to the north and northwest of the existing tailings impoundment. Kennecott has identified two primary needs for the proposed Project. First, as the existing tailings impoundment is nearing its operational capacity, Kennecott requires approximately 1.9 billion tons of storage capacity to support mining and

concentrating operations for the next 25 to 30 years. Since only approximately 0.3 to 0.4 billion tons of this material will be stored in the existing impoundment, additional capacity is required. The second need is for a seismic upgrade to the existing tailings impoundment. As more information has recently become available regarding the seismic nature of the Salt Lake Valley, Kennecott has identified a need to upgrade the existing facility.

Accordingly, the proposed action includes various engineering measures to upgrade the existing facility in the event of a large earthquake.

The proposed Project would provide approximately 3500 acres of additional tailings storage area. Approximately 1.6 billion tons of tailings would be stored in the proposed impoundment with an ultimate height of approximately 250 feet. Site preparation activities would include relocation of the Union Pacific Railroad mainline tracks, relocation of the C-7 Ditch, relocation of utility lines, the construction of a new bridge on Highway 202 over the relocated railroad lines, and modification of the Interstate 80 on and off ramps at the intersection with Highway 202.

Since the proposed action affects jurisdictional waters of the United States, Kennecott submitted a Clean Water Act Section 404 Permit Application to the Corps on June 10, 1994. The Corps determined that an EIS was required prior to making a permit decision.

The Corps published a notice of intent to prepare a DEIS for the proposed action on August 19, 1994 in the **Federal Register**. A public scoping meeting was held on September 19, 1994 and the written comment period remained open until November 7, 1994. Issues raised by interested agencies and parties are addressed in the DEIS. The Corps is coordinating the DEIS with the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and other Federal, state, and local agencies, as well as other interested parties.

Twelve alternatives are identified and analyzed in accordance with the U.S. Environmental Protection Agency section 404(b)(1) guidelines for their technical, logistic, and economic practicability in the DEIS. The North Expansion West, the North Expansion East, and the No Action alternatives are carried forward for complete analysis in the DEIS.

The DEIS has been prepared in compliance with the National Environmental Policy Act (NEPA), the Corps implementing procedures in 33 CFR 230, the Council for Environmental Quality regulations for implementing

NEPA in 40 CFR 1500, and U.S. Environmental Protection Agency (EPA) 404(b)(1) guidelines in 40 CFR 230.

The DEIS was filed with the U.S. Environmental Protection Agency for publication of its availability for public review and comment. Comments received on the DEIS will be considered in developing the Final Environmental Impact Statement (FEIS). The FEIS is anticipated to be available in August, 1995.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 95-9582 Filed 4-18-95; 8:45 am]

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DEPARTMENT OF ENERGY

[FE Docket No. EA-103]

Application to Export Electricity; North American Energy Conservation, Inc.

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: North American Energy Conservation, Inc. (NAEC) has requested

authorization to export electric energy to Canada. NAEC is a marketer of electric energy. It does not own or control any electric generation or transmission facilities.

DATES: Comments, protests, or requests to intervene must be submitted on or before June 5, 1995.

ADDRESSES: Comments, protests, or requests to intervene should be addressed as follows: Office of Coal & Electricity (FE-52), Office of Fuels Programs, Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Ellen Russell (Program Office), 202-586-9624 or Michael T. Skinker (Program Attorney), 202-586-6667.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act.

On March 20, 1995, NAEC filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for authorization to export

electric energy to Canada pursuant to section 202(e) of the Federal Power Act. NAEC neither owns nor controls any facilities for the transmission or distribution of electricity, nor does it have a franchised retail service area. Rather, NAEC is a power marketer authorized by the Federal Energy Regulatory Commission (FERC) to engage in the wholesale sale of electricity in interstate commerce at negotiated rates pursuant to its filed rate schedule.

The application asserts that NAEC's suppliers and/or customers have been utilities in the New England Power Pool, the New York Power Pool, the Pennsylvania New Jersey Interconnection, and utilities in the eastern provinces of Canada. NAEC claims that, although it holds title to the electricity it sells, actual power flows are coordinated by the operators of the utilities supplying, transmitting, and purchasing NAEC's power.

NAEC proposes to use the following cross border transmission facilities for which Presidential permits have been issued:

Presidential permit holder	Permit No.	Voltage	Location
Niagara Mohawk Power Corp	PP-31	230 kV	Devil's Hole, NY.
New York Power Authority	PP-30	230 kV	Devil's Hole, NY.
	PP-74	345 kV	Niagara Falls, NY.
	PP-56	765 kV	Fort Covington, NY.
	PP-25	230 kV	Massena, NY.
Long Sault	PP-24	115 kV	Massena, NY.
Joint Owners of Highgate	PP-82	345 kV	Highgate, VT.
Vermont Electric Trans. Co	PP-76	450 kV DC	Norton, VT.
		345 kV	Sandy Pond to Millbury #3.
		345 kV	Millbury #3 to West Medway.
Maine Electric Power Co	PP-43	345 kV	Houlton, ME.

NAEC requests that FE: (1) Authorize it to export electric energy to Canada utilizing the transmission facilities identified above, without limitation as to amount or timing of the electricity exported, for a period of time no less than the term of the transmission contracts under which NAEC purchases transmission services for such exports; (2) authorize it to commence exports of electric energy utilizing non-firm transmission services immediately upon providing copies of the FERC transmission tariffs under which NAEC purchases such transmission services; (3) authorize it to commence exports of electric energy utilizing firm transmission service within 30 days of providing copies of the FERC transmission tariffs under which NAEC purchases such transmission services; and (4) waive the following regulatory requirements:

(a) Section 205.301 that requires export applications be filed six months in advance of initiation of a proposed export;

(b) Section 205.302(f) that requires a description of the transmission facilities through which the electric energy will be delivered;

(c) Section 205.302(g) that requires a technical discussion of the proposed electricity export's reliability, fuel use, and system stability impact on the applicant's present and prospective electric power supply system;

(d) Section 205.303(a) that requires a copy of the transmission agreement;

(e) Section 205.303(c) that requires maps showing the applicant's overall electric system, as well as detailed maps;

(f) Section 205.303(f) that requires an explanation of the operating procedures to be used to inform neighboring electric utilities in the U.S. of the available

capacity and energy which may be in excess of the applicant's requirements before delivery of such capacity to the foreign purchaser, and

(g) Section 205.308 that requires an export authorization recipient to file, among other documentation, annual reports of international transactions in addition to the information it is required to file with the FERC.

Procedural Matters

Any person desiring to be heard or to protest this application should file a petition to intervene or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Rules of Practice and Procedure (18 CFR 385.211, 385.214).

Any such petitions and protests should be filed with the DOE on or before the date listed above. Additional copies of such petitions to intervene or protests also should be filed directly