

D. Environmental changes—investigating changes in biospheric environment by determining oxygen and carbon isotopic compositions in planktonic foraminifera shells.

E. Fundamental properties in geochemistry—numerous laboratory experiments conducted to determine distributions of trace elements between minerals and melts, rates of diffusion of elements in melts and minerals, and rates of mantle/melt reactions.

Application Accepted by Commissioner of Customs: March 16, 1995.

Docket Number: 95-020. *Applicant:* Masonic Medical Research Lab., 2150 Bleecker Street, Utica, NY 13501-1787. *Instrument:* Xenon Flashlamp System, Model XF-10. *Manufacturer:* Hi-Tech Scientific, United Kingdom. *Intended Use:* The instrument will be used for the study of the ionic basis of currents that contribute to arrhythmias in the heart. *Application Accepted by Commissioner of Customs:* March 17, 1995.

Frank W. Creel,

Director, Statutory Import Programs Staff.
[FR Doc. 95-9694 Filed 4-18-95; 8:45 am]
BILLING CODE 3510-DS-F

San Diego University, Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 94-123. *Applicant:* San Diego University, San Diego, CA 92182. *Instrument:* MicroVolume Stopped-Flow Analyser, Model SX-17MV. *Manufacturer:* Applied Photophysics, United Kingdom.

Intended Use: See notice at 59 FR 54437, October 31, 1994.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States.

Reasons: The foreign instrument provides: (1) A vertical drive system providing increased optical sensitivity and high signal/noise, (2) stop syringe operation and (3) non-simultaneous mixing of tri-component systems prior to spectral detection. The National Institutes of Health advises in its

memorandum dated February 16, 1995 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

Director, Statutory Import Programs Staff.
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National Oceanic and Atmospheric Administration

[Docket No. 950410097-5097-01; I.D. 112294C]

Atlantic Sturgeon, Bluefish, and Weakfish; Interstate Fishery Management Plans

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of determination of compliance; cancellation of moratoria.

SUMMARY: In accordance with the Atlantic Coastal Fisheries Cooperative Management Act of 1993 (Act), the Secretary of Commerce (Secretary) announces the cancellation of the planned Federal moratoria on Atlantic sturgeon, bluefish, and weakfish in the coastal waters of New Jersey that would have become effective on April 15, 1995. The intent to impose the moratoria was cancelled upon a notification to the Secretary from the Atlantic States Marine Fisheries Commission (Commission) that New Jersey was in compliance with the provisions of the Commission's Interstate Fishery Management Plans (FMPs) for Atlantic sturgeon, bluefish, and weakfish, and after the Secretary determined that the State of New Jersey is now in compliance.

EFFECTIVE DATE: The determination to impose the moratoria is cancelled on April 14, 1995.

FOR FURTHER INFORMATION CONTACT: Richard H. Schaefer, Director, Office of Fisheries Conservation and Management, NMFS, 301-713-2334.

SUPPLEMENTARY INFORMATION:

Background

On December 8, 1994, the Secretary published a notice document in the **Federal Register** (59 FR 63326) that the

State of New Jersey was not in compliance with the Commission's FMPs for Atlantic sturgeon, bluefish, and weakfish. The notice document declared moratoria on fishing for these three species in the State waters of New Jersey, effective April 15, 1995, if the State of New Jersey was not in compliance by April 1, 1995. Details were provided in the December 8, 1994, notice, and are not repeated here.

The Act specifies that, if, after a moratorium is declared, the Secretary is notified by the Commission that it is withdrawing the determination of noncompliance, the Secretary shall immediately determine whether the State is in compliance with the applicable plan(s). If the State is in compliance, the moratorium shall be cancelled.

Activities Pursuant to the Act

On March 21, 1995, the Secretary received a letter (dated March 15, 1995) from the Commission prepared pursuant to the Act. The Commission's letter stated that the State of New Jersey had now implemented regulations on Atlantic sturgeon, bluefish, and weakfish to meet the provisions of the Commission's FMPs, and, therefore, the Commission was withdrawing its determination of noncompliance.

Cancellation of Moratoria

Based on the Commission's March 15, 1995, letter, and information received from the State of New Jersey and the U.S. Fish and Wildlife Service, Department of the Interior, the Secretary has determined that New Jersey is now in compliance with the Commission's FMPs for Atlantic sturgeon, bluefish, and weakfish. Consequently, the Secretary no longer intends to impose the moratoria on fishing for these species in the State waters of New Jersey, and, therefore, the determination to impose the moratoria on New Jersey is cancelled.

Dated: April 14, 1995.

Gary Matlock,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 95-9635 Filed 4-14-95; 11:04 am]

BILLING CODE 3510-22-F

DEPARTMENT OF DEFENSE

Office of the Secretary

Conference Meeting of the National Advisory Panel on the Education of Handicapped Dependents

AGENCY: Department of Defense, Dependents Schools.

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.

[FR Doc. 95-9647 Filed 4-18-95; 8:45 am]

BILLING CODE 5000-04-M

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