

The range of alternatives being considered in the EIS will not change. Thus, the EIS does not need to go through another scoping process as a result of only covering naval spent nuclear fuel. The six container system alternatives being considered are:

(1) No-Action Alternative—Use of existing technology to handle, store, and subsequently transport naval spent nuclear fuel to a geologic repository using the M-140 transportation cask. Prior to shipment to a repository, naval spent nuclear fuel would be stored at INEL in water pools or dry containers, then loaded into M-140 transportation casks. At the repository, the naval spent fuel would be unloaded from the M-140 transportation casks and placed in a geologic repository's surface facilities for loading into disposal containers. Following unloading, the M-140 transportation casks would be returned to INEL for reuse.

(2) Multi-Purpose Canister Alternative—Use of 125-ton multi-purpose canisters currently being designed under a DOE contract for storage, transportation, and disposal of naval spent nuclear fuel, without repackaging or further handling of bare spent nuclear fuel. In addition to the sealed metal canisters, specialized casks or overpacks would be required for different stages of the process, such as intra-site transfer, dry storage, inter-site transportation, and disposal.

(3) Current Technology/Supplemented by High Capacity Rail Alternative—Use of existing M-140 transportation casks, but with redesigned internal structures to accommodate a larger amount of naval spent nuclear fuel per cask, thus reducing the total number of shipments required.

(4) Transportable Storage Cask Alternative—Use of existing, commercially available casks for storage at INEL and shipment of naval spent nuclear fuel to a geologic repository. At the repository, the naval spent fuel would be unloaded from the casks and placed in a geologic repository's surface facilities for loading into disposal containers. The unloaded transportable storage casks could be returned to INEL for further storage and transport.

(5) Dual-Purpose Canister Alternative—Use of an existing, commercially available canister and overpack system for storage at INEL and shipment of naval spent nuclear fuel to a geologic repository. At the repository, the naval spent fuel would be unloaded from the canisters and placed in a geologic repository's surface facilities for loading into disposal containers.

(6) Small Multi-Purpose Canister Alternative—Use of smaller, 75-ton, multi-purpose canisters currently being designed under a DOE contract rather than the 125-ton multi-purpose canisters.

The Draft EIS will not contain a preferred alternative. Instead, the Navy will use public comments on the Draft EIS to help identify a preferred alternative for the Final EIS. Consistent with this approach, the subject EIS is being renamed as "The Department of the Navy Environmental Impact Statement for a Container System for the Management of Naval Spent Nuclear Fuel."

DATES: The Navy plans to issue the Draft EIS by about April 30, 1996. Issuance of the Draft EIS will be announced in the Federal Register. A 45 day comment period will be provided following issuance of the Draft EIS. Public hearings will be held during the 45 day comment period. The locations and dates of these public hearings will be announced in the Federal Register when the Draft EIS is issued. The Navy plans to issue the final EIS by November 30, 1996, and plans to issue a Record of Decision by December 31, 1996.

ADDRESSES: To receive a copy of the Draft EIS, please provide your address to: Argonne National Laboratory, EAD, Building 900, Mail Stop 1, 9700 South Cass Avenue, Argonne, IL 60439, ATTN: Naval Spent Fuel Container System EIS. **FOR FURTHER INFORMATION CONTACT:** For further information on this EIS please contact: Mr. William Knoll of the Naval Nuclear Propulsion Program at Department of the Navy, Code NAVSEA 08U, 2531 Jefferson Davis Highway, Arlington, VA 22242-5160, Telephone: 703-602-8229.

Dated: December 1, 1995.

B. DeMars,

Admiral, USN, Director, Naval Nuclear Propulsion Program.

[FR Doc. 95-29862 Filed 12-6-95; 8:45 am]

BILLING CODE 3810-FF-P

Notice of Availability of Inventions for Licensing; Government Owned Inventions

SUMMARY: The inventions listed below are assigned to the United States Government as represented by the Secretary of the Navy and are available for licensing by the Department of the Navy. Requests for copies of the patent applications cited should be directed to the Office of Naval Research, ONR OCCC, Ballston Tower One, 800 North Quincy Street, Arlington, Virginia 22217-5660 and must include the

application serial number or Navy case Number.

FOR FURTHER INFORMATION CONTACT: Mr. R.J. Erickson, Staff Patent Attorney, Office of Naval Research, ONR, OCCC, 800 North Quincy Street, Arlington, Virginia 22217-5660, telephone (703) 696-4001.

Patent Application Serial No. 08/342,451: MOBILE SAFETY STRUCTURE FOR CONTAINMENT AND HANDLING OF HAZARDOUS MATERIALS; filed November 14, 1994;

Patent Application Serial No. 08/514/888: AMMUNITION CARTRIDGE WITH REDUCED PROPELLANT CHARGE; filed August 14, 1995;

Patent Application Serial No. 08/514/570: COMBINATION PIN FOR ATTACHING TRIGGER ASSEMBLY AND SAFING SMALL ARM; filed August 14, 1995;

Patent Application Serial No. 08/514,576: SINGLE SPRING BOLT LOCK AND CARTRIDGE EJECTOR; filed August 14, 1995;

Patent Application Serial No. 08/514,573: SPOTTING ROUND BORE ALIGNMENT MECHANISM FOR ROCKET LAUNCHER; filed August 14, 1995;

Patent Application Serial No. 08/514,883: SINGLE TRIGGER DUAL FIRING MECHANISM; filed August 14, 1995;

Patent Application Serial No. 08/514,884: BREECH BOLT AND LOCK ASSEMBLY; filed August 14, 1995;

Patent Application Serial No. 08/514,885: COMBINATION OPTICAL AND IRON SIGHT SYSTEM FOR ROCKET LAUNCHER; filed August 14, 1995;

Design Patent Application Serial No. 29/042,682: IMPROVED SHOULDER-FIRED WEAPON; filed August 14, 1995;

Patent Application Serial No. 08/514,575: SHOULDER-LAUNCHED MULTIPLE-PURPOSE ASSAULT WEAPON; filed August 14, 1995;

Patent Application Serial No. 08/375,997: LIQUID CRYSTAL COMPOSITION AND ALIGNMENT LAYER; filed January 20, 1995; and

Patent Application entitled: QUANTITATIVE MOBILITY SPECTRUM ANALYSIS OF MAGNETIC FIELD-DEPENDENT HALL AND RESISTIVITY DATA; filed October 4, 1995, Navy Case No. 77,263.

Dated: November 27, 1995.

M. A. Waters,

LCDR, JAGC, USN, Federal Register Liaison Officer.

[FR Doc. 95-29863 Filed 12-6-95; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF EDUCATION**Privacy Act of 1974; System of Records**

AGENCY: Department of Education.

ACTION: Notice of an altered system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended, the Department of Education publishes this notice of an altered system of records (18-11-0026) for Debarment and Suspension Proceedings under Executive Order 12549 and the Drug-Free Workplace Act and the Federal Acquisition Regulation (FAR), 48 CFR part 9, subpart 9.4. The purpose of this notice is to notify the public of an expansion in scope of the system of records managed by the Grants and Contracts Service (GCS) to include procurement, as well as nonprocurement and Drug-Free Workplace Act actions. Currently, the Grants and Contracts Service maintains records regarding debarment and suspension proceedings against individuals who are involved in nonprocurement transactions related to programs administered by the Department. This notice also makes technical changes regarding the addition of a third system manager and system location, and also regarding the change of a system manager.

DATES: Comments on the routine uses in this system of records, as applied to individuals debarred and suspended under the Federal Acquisition Regulation, 48 CFR part 9, subpart 9.4, must be submitted by January 8, 1996. The Department filed a report on the altered system of records with the Chairman of the House Committee on Government Reform and Oversight, the Chairman of the Senate Committee on Governmental Affairs, and the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB) on December 4, 1995. This change will become effective after the 30 day period for OMB review which expires on January 3, 1996, unless OMB gives specific notice within the 30 days that the system is not approved for implementation or requests an additional 10 days for OMB review. The Department will publish any changes to the routine uses that result from the comments.

FOR FURTHER INFORMATION CONTACT: Cathy Girouard, Grants and Contracts Service, Office of the Chief Financial Officer, U.S. Department of Education, 600 Independence Avenue, SW (Room 3636, GSA Regional Office Building 3,

7th & D Streets, SW) Washington, DC 20202-5341. Telephone: (202) 708-8529. Individuals who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: On November 28, 1988, the Department of Education published in the Federal Register (53 FR 47855) a notice of a new system of records for Debarment and Suspension Proceedings Under Executive Order (E.O.) 12549. That notice was amended on January 22, 1990, to add an additional system manager (55 FR 2131); and amended again on March 7, 1990, to expand its scope to cover debarment and suspension proceedings under the Drug-Free Workplace Act (55 FR 8168).

The Privacy Act of 1974 requires the Department to publish in the Federal Register a notice of an altered system of records (See 5 U.S.C. 552a(e)(4)). This notice of an altered system of records notifies the public that the Department is expanding the scope of the system of records to include procurement, as well as nonprocurement and Drug-Free Workplace Act actions.

This notice also adds a third official authorized to maintain records regarding debarment and suspension proceedings against individuals and makes other technical changes.

The Office of Inspector General (OIG) is now responsible for proposing debarments and issuing suspensions if the action is against a certified public accountant (CPA) or CPA firm that audits, or is likely to audit, an educational institution receiving funds under a program administered by the Department of Education. As a result, the official in the Office of Inspector General who is responsible for issuing these notices is now responsible for maintaining records regarding these actions.

The Office of Postsecondary Education (OPE) continues to be responsible for initiating all debarment and suspension actions against institutions of higher education, lenders, and guarantee agencies and their principals. The OPE official responsible for maintaining records regarding OPE initiated actions (the system manager) is changed from the Assistant Secretary for Postsecondary Education to the Director, Compliance and Enforcement Division, Student Financial Assistance Programs, Office of Postsecondary Education.

The Grants and Contracts Service continues to be responsible under E.O.

12549 for initiating debarment/suspension actions against individuals who are involved in nonprocurement transactions related to programs administered by the Department and individuals who violate the Drug-Free Workplace Act. Grants and Contracts Service will also be responsible for maintaining records regarding actions under the Federal Acquisition Regulation (FAR), 48 CFR subpart 9.4—Debarment, Suspension, and Ineligibility.

Direct access to this system of records is restricted to authorized agency staff in the performance of their official duties.

The Chief Financial Officer has updated the routine uses for this system of records and seeks comments on the revised routine uses. However, to ensure clarity of purpose and as a service to the reader, this notice is being published in its entirety.

Dated: December 4, 1995.

Donald R. Wurtz,
Chief Financial Officer.

The Chief Financial Officer revises the system of records notice to read as follows:

18-11-0026**SYSTEM NAME:**

Debarment and Suspension Proceedings under Executive Order (E.O.) 12549, the Drug-Free Workplace Act, and the Federal Acquisition Regulation

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

For records regarding actions under E.O. 12549 against individuals who are involved in nonprocurement transactions related to Department of Education programs, actions under the Drug-Free Workplace Act, and actions under the FAR 9.4: Grants and Contracts Service, Office of the Chief Financial Officer, U.S. Department of Education, 600 Independence Avenue, SW, (Room 3636, GSA Regional Office Building 3, 7th & D Streets, SW) Washington, DC 20202-4700.

For records regarding actions under E.O. 12549 against an individual certified public accountant or principals of a CPA firm: Planning, Analysis, and Management Services, Office of Inspector General, U.S. Department of Education, 600 Independence Avenue, SW, (Room 4022, Switzer Building, 330 C Street, SW) Washington, DC 20202-1510.

For records regarding actions under E.O. 12549 against principals of institutions of higher education,

principals of lenders, or principals of guarantee agencies: Compliance and Enforcement Division, Student Financial Assistance Programs, Office of Postsecondary Education, U.S. Department of Education, 600 Independence Avenue, SW, (Room 3916, GSA Regional Office Building 3, 7th & D Streets, SW) Washington, DC 20202-5341.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Principals undergoing debarment or suspension proceedings and principals that have been debarred or suspended. Principals are officers, directors, owners, partners, key employees, or other persons who have a critical influence on or substantive control over a covered transaction, whether or not employed by a participant. A participant is any person who submits a proposal for, enters into, or reasonably may be expected to enter into a covered transaction. A covered transaction is described in the Department's regulations at 34 CFR 85.110(a)(1).

Individuals receiving grants subject to requirements under the Drug-Free Workplace Act.

Individual contractors undergoing debarment or suspension proceedings and contractors that have been debarred or suspended. Contractors covered by this system of records are individuals that directly or indirectly submit offers for or are awarded, or may reasonably be expected to submit offers for or be awarded, a government contract, or who conduct business, or may reasonably be expected to conduct business with the Department as an agent or representative of another contractor.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains documents including written referrals, communications between the Department and the respondent, intra-agency and inter-agency communications regarding proposed or completed debarments or suspensions, and a record of any findings from debarment or suspension proceedings against individuals under E.O. 12549, the Drug-Free Workplace Act, and the FAR 9.4.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 12549, Debarment and Suspension; Sections 5151-5160 of the Drug-Free Workplace Act; and the Federal Acquisition Regulation, 48 CFR part 9, subpart 9.4, Debarment, Suspension, and Ineligibility; Public Law 103-355, sec. 2455.

PURPOSE(S):

Information contained in this system of records is used to protect the Federal

Government from the actions prohibited under the Department of Education (ED) debarment and suspension regulations, Drug-Free Workplace regulations, and the FAR; make decisions regarding debarments and suspensions; and ensure that other Federal agencies give effect to debarment or suspension decisions rendered by ED.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The Department may disclose a record for the following purposes:

(a) *Litigation Disclosure.*

(1) In the event that one of the parties listed below is involved in litigation, or has an interest in litigation, ED may disclose certain records to the parties described in paragraphs (2), (3), and (4) of this routine use under the conditions specified in those paragraphs:

- (i) ED, or any component of the Department; or
- (ii) Any ED employee in his or her official capacity; or
- (iii) Any employee of ED in his or her individual capacity where the Department of Justice has agreed to provide or arrange for representation for the employee; or
- (iv) Any employee of ED in his or her individual capacity where the agency has agreed to represent the employee; or
- (v) The United States where ED determines that the litigation is likely to affect the Department or any of its components.

(2) *Disclosure to the Department of Justice.* If ED determines that disclosure of certain records to the Department of Justice or attorneys engaged by the Department of Justice is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, ED may disclose those records as a routine use to the Department of Justice.

(3) *Administrative Disclosures.* If ED determines that disclosure of certain records to an adjudicative body before which ED is authorized to appear, individual or entity designated by ED or otherwise empowered to resolve disputes is relevant and necessary to the administrative litigation and is compatible with the purposes for which the records were collected, ED may disclose those records as a routine use to the adjudicative body, individual or entity.

(4) *Opposing counsels, representatives and witnesses.* If ED determines that disclosure of certain records to an opposing counsel, representative or witness in an administrative proceeding is relevant and necessary to the litigation and is compatible with the

purpose for which the records were collected, ED may disclose those records as a routine use to the counsel, representative or witness.

(b) *Disclosure to the General Services Administration.* The Department makes information contained in this system of records available to the General Services Administration for inclusion in the *Lists of Parties Excluded from Federal Procurement or Nonprocurement Programs.*

(c) *Disclosure to the Public.* The Department provides information to persons inquiring about individuals who have been debarred or suspended by ED as necessary to enforce debarment and suspension actions.

(d) *Enforcement Disclosure.* In the event that information in this system of records indicates, either on its face or in connection with other information, a violation or potential violation of any applicable statute, regulation, or order of a competent authority, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether foreign, Federal, State, tribal, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or executive order or rule, regulation, or order issued pursuant thereto.

(e) *FOIA Advice Disclosure.* In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(f) *Contract Disclosure.* If ED contracts with an entity for the purpose of performing any function that requires disclosure of records in this system to employees of the contractor, ED may disclose the records as a routine use to those employees. Before entering such a contract, ED shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

(g) *Research Disclosure.* Where the appropriate official of ED determines that an individual or organization is qualified to carry out specific research, that official may disclose information from this system of records to that researcher solely for the purpose of carrying out that research. The researcher shall be required to maintain Privacy Act safeguards with respect to such records.

(h) *Congressional Member Disclosure.* ED may disclose information from this system of records to a congressional office from the record of an individual

in response to an inquiry from the Congressional office made at the written request of that individual; the Member's right to the information is no greater than the right of the individual who requested it.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are kept in file folders in locked file cabinets.

RETRIEVABILITY:

The records are indexed by the names of the individuals.

SAFEGUARDS:

All physical access to the site where this system of records is maintained is controlled and monitored by security personnel who check each individual entering the building for his or her employee badge. Files are kept in locked file cabinets. Immediate access to these records is restricted to authorized staff.

RETENTION AND DISPOSAL:

Pending disposal, Debarment and Suspension records are retained at the system location. The Department will retain and dispose of the records in accordance with General Records Schedule 22, item 2, which states that the cut-off date for Debarment and Suspension records is the end of the fiscal year in which the case is closed. The records are destroyed eight years after the cut-off date.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Grants and Contracts Service, U.S. Department of Education, 600 Independence Avenue, SW, (Room 3600, GSA Regional Office Building 3, SW), Washington, DC 20202-0498.

Assistant Inspector General for Planning, Analysis, and Management Services, Office of Inspector General, U.S. Department of Education, 600 Independence Avenue, SW, (Room 4022, Switzer Building, 330 C Street, SW), Washington, DC 20202-1510.

Director, Compliance and Enforcement Division, Student Financial Assistance Programs, Office of Postsecondary Education, U.S. Department of Education, 600 Independence Avenue, SW (Room 3919, GSA Regional Office Building 3, SW), Washington, DC 20202-0498.

NOTIFICATION PROCEDURE:

If an individual wishes to determine whether a record exists regarding him or her in this system of records, the individual must provide the system manager his or her name, date of birth and social security number. Requests for

notification about an individual record must meet the requirements of the Department of Education's Privacy Act regulations at 34 CFR 5b.5.

RECORD ACCESS PROCEDURES:

If an individual wishes to gain access to a record in this system, he or she must contact the system manager and provide information as described in the notification procedure. Requests for access to an individual's record must meet the requirements of the Department of Education's Privacy Act regulations at 34 CFR 5b.5. Consistent with 5 U.S.C. 552a(e)(5), ED retains the discretion not to disclose records to an individual during the course of a debarment or suspension proceeding against the individual.

CONTESTING RECORD PROCEDURES:

If an individual wishes to change the content of a record in the system of records, he or she must contact the system manager with the information described in the notification procedure, identify the specific item(s) to be changed, and provide a written justification for the change, including any supporting documentation. Requests to amend a record must meet the requirements of the Department of Education Privacy Act regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Department employees involved in the management of grants and contracts, and other organizations or persons that may have relevant information regarding participants and their principals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 95-29856 Filed 12-7-95; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Case No. F-079]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Furnace Test Procedure to Carrier Corporation

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and Order.

SUMMARY: Notice is given of the Decision and Order (Case No. F-079)

granting a Waiver to Carrier Corporation (Carrier) from the existing Department of Energy (DOE) test procedure for furnaces. The Department is granting Carrier's Petition for Waiver regarding blower time delay in calculation of Annual Fuel Utilization Efficiency (AFUE) for its 58UXT/330JAV, 58UHV/333BAV, 58UXV/333JAV, 58DXT/331JAV, and 58DNU/334BAV lines of induced draft furnaces.

FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-9138.

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-9507.

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(g), notice is hereby given of the issuance of the Decision and Order as set out below. In the Decision and Order, Carrier has been granted a Waiver for its 58UXT/330JAV, 58UHV/333BAV, 58UXV/333JAV, 58DXT/331JAV, and 58DNU/334BAV lines of induced draft furnaces, permitting the company to use an alternate test method in determining AFUE.

Issued in Washington, DC, on November 29, 1995.

Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.

Background

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act (EPCA), Public Law 94-163, 89 Stat. 917, as amended by the National Energy Conservation Policy Act (NECPA), Public Law 95-619, 92 Stat. 3266, the National Appliance Energy Conservation Act of 1987 (NAECA), Public Law 100-12, the National Appliance Energy Conservation Amendments of 1988 (NAECA 1988), Public Law 100-357, and the Energy Policy Act of 1992 (EPAAct), Public Law 102-486, 106 Stat. 2776, which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These