

2002, Public Law 107-258. It is anticipated that the proposed non-structural alternatives for flood protection in Segment A and Segment N of the project will provide benefits to the environmental quality of the floodplain in the area and reduce adverse impacts of the project to forested wetland and upland habitat. Public comments on the EA will assist in the Corps' evaluation of the project modification and will be reflected in the final EA.

**DATES:** The draft EA will be available for public review from April 22, 2002 through May 22, 2002. Written comments must be received by May 22, 2002.

**FOR FURTHER INFORMATION CONTACT:** Ms. Megan Grubb, Project Biologist, Planning Division, Environmental Analysis Branch, U.S. Army Corps of Engineers, New York District, 26 Federal Plaza, Room 2146, New York, New York, 10278-0090, at (202) 264-5759 or at [megan.b.grubb@usace.army.mil](mailto:megan.b.grubb@usace.army.mil). Written comments are to be provided to Ms. Grubb.

**SUPPLEMENTARY INFORMATION:** The overall Green Brook basin encompasses sixty-five (65) square miles within the State of New Jersey in the counties of Somerset, Middlesex, and Union and incorporates the Green Brook sub-basin of the Raritan River Basin, a short reach of the Raritan River along the border of the Borough of Bound Brook and the Middle Brook tributary to the Raritan River. This EA addresses project changes for project Segment A and Prospect Place in project Segment N in the Borough of Middlesex, Middlesex County, along Green Brook and Ambrose Brook, due north of the confluence of these tributaries and the confluence with the Raritan River.

Public coordination and communications with the Borough of Middlesex, the Green Brook Flood Commission, and the State of New Jersey, since the time of release of the 1997 FSEIS and GFRR, have yielded a locally preferred plan for the Prospect Place area that differs slightly from the recommended plan identified in those documents. The Hurricane Floyd storm event, which occurred in 1999, caused significant destruction to the Green Brook sub-basin and raised concerns over the adequacy of flood protection provided by the National Economic Development (NED) plan for the area. The local sponsors determined that a locally preferred plan of buy-outs for up to twenty-two (22) properties along Prospect Place would be supported in substitution of other flood proofing

measures that would not prevent damages from a reoccurrence of a storm event similar to the 1999 Hurricane Floyd storm.

The local sponsors for the Green Brook Flood Control Project also requested that three commercial properties, along Raritan Avenue and Lincoln Boulevard, that were proposed to be protected by a proposed levee/floodwall as described in the Corps' 1997 recommended NED plan, be bought out as part of the project plan. Ten other properties along Raritan Avenue, that were proposed to be protected by the Segment A levee alignment on the east side of Ambrose Brook, were bought out by the Federal Emergency Management Agency and the State of New Jersey following the 1999 storm event. Expansion of the buy-out area to include the three properties at the south end of Raritan Avenue and the intersection with Lincoln Boulevard reduces the flood protection need for a levee and floodwall in Segment A. The elimination of the levee and floodwall alignment and a supporting pump station would yield a project cost savings, as well as reduce adverse environmental impacts of the project.

**Luz D. Ortiz,**

*Army Federal Liaison Officer.*

[FR Doc. 02-9644 Filed 4-18-02; 8:45 am]

**BILLING CODE 3710-06-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### **Cancellation of the Availability for a Draft Environmental Impact Statement To Consider Issuance of a Department of the Army Permit Pursuant to Section 404 of the Clean Water Act for Fills Associated With Hobet Mining, Inc.'s Proposed Surface Coal Mining Operation in Conjunction With Its Spruce No. 1 Surface Mine, Near Blair in Logan County, WV**

**AGENCY:** Department of the Army, Army Corps of Engineers, DoD.

**ACTION:** Notice; cancellation.

**SUMMARY:** This cancellation is necessitated in order to amend the Draft Environmental Impact Statement (DEIS) to include socioeconomic data that was erroneously omitted; reference notice published in the *Federal Register*, April 10, 2002 (67 FR 17418). A notice of availability for the DEIS will be published at a later date. In addition, the public hearing scheduled for April 24th at 6:30 p.m. at the Park Restaurant, Chief Logan State Park has been

postponed. The public will be notified of the forthcoming public hearing date, location and time, as well as the comment period expiration date. Any comments received in the meantime will be made a part of the administrative record and will be considered in the Final Environmental Impact Statement.

**FOR FURTHER INFORMATION CONTACT:**

Teresa (Hughes) Spagna, U.S. Army Corps of Engineers, Huntington District, Attn: Regulatory Branch-OR-FS, 502 8th Street, Huntington, West Virginia 25701, telephone (304) 529-5710 or electronic mail at [Teresa.D.Hughes@Lrh01.usace.army.mil](mailto:Teresa.D.Hughes@Lrh01.usace.army.mil).

**SUPPLEMENTARY INFORMATION:** None.

**Luz D. Ortiz,**

*Army Federal Register Liaison Office.*

[FR Doc. 02-9646 Filed 4-18-02; 8:45 am]

**BILLING CODE 3710-GM-M**

## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Correction notice.

**SUMMARY:** On April 16, 2002, a notice inviting comment from the public, was published for "National Longitudinal Transition Study—2 (NLTS2)" in the *Federal Register* (67 FR 18596). On page 18596, in the second column, 10th line from the bottom of the column, *Type of Review* should read, "Reinstatement". The Leader, Regulatory Information Management, Office of the Chief Information Officer, hereby issues a correction notice as required by the Paperwork Reduction Act of 1995.

Dated: April 16, 2002.

**John D. Tressler,**

*Leader, Regulatory Information Management Group, Office of the Chief Information Officer.*

[FR Doc. 02-9632 Filed 4-18-02; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Student Financial Assistance

**AGENCY:** Department of Education.

**ACTION:** Notice of "Ability-to-Benefit" Tests and Passing Scores.

**SUMMARY:** This notice extends the Secretary's approval of seven "ability-to-benefit" (ATB) tests for five years. Additionally, the Secretary, at the request of the test publisher is removing the Test of Adult Basic Education (TABE)—Forms 5 and 6, Level A, as an

approved ATB test. An institution may use the seven tests which have been extended, plus the American College Testing (ACT) Assessment and the Combined English Language Skills Assessment (CELSA) tests that were approved after October 25, 1996, to determine if a student who does not have a high school diploma or its recognized equivalent is eligible to receive funds under any title IV, HEA program. The title IV, HEA programs include the Federal Pell Grant, Federal Family Education Loan, William D. Ford Federal Direct Loan, Federal Perkins Loan, Federal Work-Study, Federal Supplemental Educational Opportunity Grant, and the Leveraging Educational Assistance Partnership (LEAP) programs.

**DATES:***Duration of Approval*

The Secretary approves each of these seven tests for five years from April 19, 2002, unless the Secretary withdraws this approval or the test publisher requests that approval of a test be withdrawn. In either case, the Secretary will publish a notice in the **Federal Register** indicating the change.

*Transition*

Institutions are allowed to continue to make ATB eligibility determinations using the tests and passing scores that were listed in the January 12, 2001 **Federal Register**, including the TABE—Forms 5 & 6, Level A until June 18, 2002. After that date only the passing scores included in this notice must be used. (The passing scores for the ACT Assessment and the CELSA remain unchanged.) In addition, after that date, an institution may not use the TABE—Forms 5 & 6, Level A as an approved ATB test.

**FOR FURTHER INFORMATION CONTACT:**

Lorraine Kennedy, U.S. Department of Education, 400 Maryland Avenue, SW., (830 Union Center Plaza), Washington, DC 20202-5345. Telephone: (202) 377-4050.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** On October 25, 1996, we published a notice in the **Federal Register** (61 FR 55542-55543) that provided a list of eight

“ability-to-benefit” tests. These tests were approved under section 484(d) of the HEA and the regulations that were promulgated to implement that section in 34 CFR part 668, subpart J. The notice also included approved passing scores for each of the approved tests.

In a notice published in the **Federal Register** on October 27, 1998, (63 FR 57540-57541), we added the American College Testing (ACT) Assessment to the list of approved ability-to-benefit tests.

In a notice published in the **Federal Register** on May 5, 1999, (64 FR 24246-24247), we indicated that the nine approved ATB tests could be used for testing students with disabilities if the tests are given in a manner that is consistent with the applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Additionally, on January 12, 2001 (66 FR 2892-2893), we approved the Combined English Language Skills Assessment (CELSA) test as an English as a Second Language (ESL) test under 34 CFR 668.153(a)(9) and (a)(4).

**LIST OF APPROVED TESTS AND PASSING SCORES:** The first seven ATB tests listed below have been extended for 5 years. For the convenience of all interested parties, we have listed the seven extended ATB tests and passing scores followed by the two previously approved ATB tests and passing scores.

1. *ASSET Program: Basic Skills Tests* (Reading, Writing, and Numerical)—Forms B2, C2, D2 and E2.

*Passing Scores:* The approved passing scores on this test are as follows:

Reading (35), Writing (35), and Numerical (33).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

American College Testing (ACT),  
Placement Assessment Programs,  
2201 North Dodge Street, P.O. Box  
168, Iowa City, Iowa 52243, Contact:  
Dr. John D. Roth, Telephone: (319)  
337-1030, Fax: (319) 337-1790.

2. *Career Programs Assessment (CPAT) Basic Skills Subtests*

(Language Usage, Reading and Numerical)—Forms B and C

*Passing Scores:* The approved passing scores on this test are as follows:

Language Usage (42), Reading (43), and Numerical (41).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

American College Testing (ACT),  
Placement Assessment Programs,  
2201 North Dodge Street, P.O. Box  
168, Iowa City, Iowa 52243, Contact:

Dr. John D. Roth, Telephone: (319)  
337-1030, Fax: (319) 337-1790.

3. *COMPASS Subtests: Prealgebra/Numerical Skills Placement, Reading Placement, and Writing Placement*

*Passing Scores:* The approved passing scores on this test are as follows: Prealgebra/Numerical (25), Reading (62), and Writing (32).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

American College Testing (ACT),  
Placement Assessment Programs 2201  
North Dodge Street, P.O. Box 168,  
Iowa City, Iowa 52243, Contact: Dr.  
John D. Roth, Telephone: (319) 337-  
1030, Fax: (319) 337-1790.

4. *Computerized Placement Tests (CPTs)/Accuplacer (Reading Comprehension, Sentence Skills, and Arithmetic)*

*Passing Scores:* The approved passing scores on this test are as follows:

Reading Comprehension (55),  
Sentence Skills (60), and Arithmetic  
(34).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

The College Board, 45 Columbus  
Avenue, New York, New York 10023-  
6992, Contact: Ms. Suzanne Murphy,  
Telephone: (405) 842-9891, Fax: (405)  
842-9894.

5. *Descriptive Tests: Descriptive Tests of Language Skills (DTLS) (Reading Comprehension, Sentence Structure and Conventions of Written English)—Forms M-K-3KDT and M-K-3LDT; and Descriptive Tests of Mathematical Skills (DTMS) (Arithmetic)—Forms M-K-3KDT and M-K-3LDT*

*Passing Scores:* The approved passing scores on this test are as follows:

Reading Comprehension (108),  
Sentence Structure (9), Conventions of  
Written English (309), and Arithmetic  
(506).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

The College Board, 45 Columbus  
Avenue, New York, New York 10023-  
6992, Contact: Ms. Suzanne Murphy,  
Telephone: (405) 842-9891, Fax: (405)  
842-9894.

6. *Test of Adult Basic Education (TABE): (Reading, Total Mathematics, Language)—Forms 7 and 8, Level A, Complete Battery and Survey Versions*

*Passing Scores:* The approved passing scores on this test are as follows:

Reading (559), Total Mathematics  
(562), Language (545).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

CTB/McGraw-Hill, 20 Ryan Ranch Road, Monterey, California 93940-5703, Contact: Ms. Veronika Henderson, Telephone: (831) 393-7363, Fax: (831) 393-7142.

7. *Wonderlic Basic Skills Test (WBST)—Verbal Forms VS-1 & VS-2, Quantitative Forms QS-1 & QS-2*

*Passing scores:* The approved passing scores on this test are as follows:

Verbal (200) and Quantitative (210).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

Wonderlic Personnel Test, Inc., 1509 N. Milwaukee Ave., Libertyville, IL 60048-1380, Contact: Mr. Victor S. Artese, Telephone: (800) 323-3742, Fax: (847) 680-9492.

8. *American College Testing (ACT) Assessment: (English and Math)*

*Passing Scores:* The approved passing scores on this test are as follows:

English (14) and Math (15).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

American College Testing (ACT), Placement Assessment Programs, 2201 North Dodge Street, P.O. Box 168, Iowa City, Iowa 52243, Contact: Dr. James Maxey, Telephone: (319) 337-1100, Fax: (319) 337-1790.

9. *Combined English Language Skills Assessment (CELSA), Forms 1 and 2*

*Passing Scores:* The approved passing scores on this test are as follows:

CELSA Form 1 (90) and CELSA Form 2 (90).

*Publisher:* The test publisher and the address, contact person, telephone, and fax number of the test publisher are:

Association of Classroom Teacher Testers (ACTT), 1187 Coast Village Road, PMB 378, Montecito, California 93108-2794, Contact: Pablo Buckelew, Telephone: (805) 569-0734, Fax: (805) 569-0004.

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<http://www.access.gpo.gov/nara/index.html>

**Program Authority:** 20 U.S.C. 1091(d).

Dated: April 16, 2002.

**John Reeves,**

*Acting Chief Operating Officer, Student Financial Assistance.*

[FR Doc. 02-9666 Filed 4-18-02; 8:45 am]

**BILLING CODE 4000-01-P**

**DEPARTMENT OF ENERGY**

**Surplus Plutonium Disposition Program**

**AGENCY:** Department of Energy, National Nuclear Security Administration.

**ACTION:** Amended Record of Decision.

**SUMMARY:** The U.S. Department of Energy's National Nuclear Security Administration (DOE/NNSA) is amending the Records of Decision (RODs) for the *Storage and Disposition of Weapons-Usable Fissile Materials Final Programmatic Environmental Impact Statement* (Storage and Disposition PEIS) and *Surplus Plutonium Disposition Environmental Impact Statement* (SPD EIS). Specifically, DOE/NNSA is announcing the following three revisions to the decisions contained in those RODs: (1) Cancellation of the immobilization portion of the disposition strategies announced in those RODs due to budgetary constraints, (2) selection of the alternative of immediate implementation of consolidated long-term storage at the Savannah River Site (SRS) of surplus non-pit plutonium now stored separately at the Rocky Flats Environmental Technology Site (RFETS) and SRS, and (3) adjustment in the manner in which surplus plutonium pits will be stored at the Pantex Plant (Pantex). Cancellation of the immobilization facility and selection of this storage alternative remove the basis for the contingency contained in previous RODs conditioning transport of non-pit surplus plutonium from RFETS to SRS for storage on the selection of SRS as the site for the immobilization facilities, and those RODs are so amended. DOE will notify the Congress and consult with the Governor of South Carolina before shipping plutonium to SRS, in accordance with The National

Defense Authorization Act for Fiscal Year 2002.

Under this amended ROD, DOE/NNSA will continue to store surplus plutonium pits at Pantex in the facility where they are currently located rather than transfer the pits to a different facility at the same site, as announced in the Storage and Disposition PEIS ROD.

In response to a statutory directive, DOE/NNSA has submitted to Congress a report on a strategy for the disposal of surplus plutonium currently located at, or to be shipped to SRS. That strategy involves converting this plutonium to a mixed-oxide (MOX) fuel and irradiating it in commercial power reactors. DOE/NNSA is currently evaluating the changes to the MOX fuel portion of the surplus plutonium disposition program necessitated by this strategy, including the need for additional environmental reviews pursuant to the National Environmental Policy Act (NEPA). No final decisions regarding the MOX portion of the program will be made until these reviews are completed.

**FOR FURTHER INFORMATION CONTACT:** For further information concerning the disposition of surplus plutonium or this amended ROD, contact Hitesh Nigam, Deputy NEPA Compliance Officer, Office of Fissile Materials Disposition, National Nuclear Security Administration, 1000 Independence Avenue, SW, Washington DC, 20585, 800-820-5134. Additional information regarding the DOE/NNSA Fissile Materials Disposition Program is available on the Internet at <http://www.doe-md.com> (when accessible).

For further information concerning DOE's NEPA process, contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Compliance (EH-42), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585. Telephone (202) 586-4600, or leave a message at 1-800-472-2756.

Additional information regarding the DOE NEPA process and activities is also available on the Internet through the NEPA home page at <http://tis.eh.doe.gov/nepa>.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

*A. Historical Context for the Decisions on the Plutonium Storage and Disposition Program Announced in This Amended ROD*

The end of the Cold War created a legacy of surplus weapons-usable fissile materials in both the United States and Russia. The United States and Russia have been working together to reduce