

Director, Legal Division, Office of Compliance, U.S. Consumer Product Safety Commission.

Dennis C. Kacoyanis,  
Trial Attorney, Legal Division, Office of Compliance, Washington, DC.

### Order

Upon consideration of the Consent Order Agreement entered into between Respondent TGH International Trading, Inc., and the staff of the Consumer Product Safety Commission; and the Commission having jurisdiction over the subject matter and Respondent; and it appearing that the Consent Order Agreement is in the public interest, *it is ordered*, that the Consent Agreement be and hereby is accepted and it is *further ordered*, that Respondent is prohibited from introducing or causing the introduction into interstate commerce; and receiving in interstate commerce and delivering or proffering delivery thereof for pay or otherwise

(a) Any toy or other article intended for use by children under three years of age that presents a choking, aspiration, or ingestion hazard because of small parts as defined in 16 CFR part 1501 when tested in accordance with the standards published in 16 CFR 1501.4, 1500.51, and 1500.52;

(b) Any rattle that presents a choking hazard because the rattle penetrates the full depth of the cavity of the test fixture as published in 16 CFR 1510.4;

(c) Any toy or other article intended for use by children who are at least three years old but less than six years old that fails to comply with the Labeling Requirements for Certain Toys and Games under section 24 of the FHSA, 15 U.S.C. 1278 and 16 CFR 1500.19; and

(d) Any other products that do not comply with the requirements of the FHSA and the underlying regulations and it is

*Further ordered* that a violation of this Order shall subject Respondent to legal action for all violations listed in section II of this Agreement and for all violations occurring after the effective date of this Agreement and it is

*Further ordered* that a violation of this Order shall subject Respondent to a penalty in the amount of five (5) times the retail value of the banned or misbranded hazardous substance and to additional legal action under the Federal Hazardous Substances Act and the Consumer Product Safety Act.

Provisionally accepted and Provisional Order issued on the 28th day of May, 2003.

By order of the Commission.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 03-13747 Filed 6-2-03; 8:45 am]

BILLING CODE 6355-01-M

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Availability of Government-Owned Invention; Available for Licensing

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

**SUMMARY:** The invention listed below is assigned to the United States Government as represented by the Secretary of the Navy and is available for licensing by the Department of the Navy. U.S. Patent No. 6,496,301 entitled "Helica Fiber Amplifier," Navy Case No. 79,001.

**ADDRESSES:** Requests for copies of the patent cited should be directed to the Naval Research Laboratory, Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, and must include the Navy Case number.

**FOR FURTHER INFORMATION CONTACT:** Catherine M. Cotell, Ph.D., Head, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone (202) 767-7230. Due to temporary U.S. Postal Service delays, please fax (202) 404-7920, e-Mail: [cotell@nrl.navy.mil](mailto:cotell@nrl.navy.mil) or use courier delivery to expedite response.

(Authority: 35 U.S.C. 207, 37 CFR part 404)

E.F. McDonnell,

Major, U.S. Marine Corps, Federal Register Liaison Officer.

[FR Doc. 03-13790 Filed 6-2-03; 8:45 am]

BILLING CODE 3810-FF-P

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Meeting of the Ocean Research Advisory Panel

AGENCY: Department of the Navy, DOD.

ACTION: Notice of open meeting.

**SUMMARY:** The Ocean Research Advisory Panel (ORAP) will meet to discuss National Oceanographic Partnership Program (NOPP) activities. All sessions of the meeting will remain open to the public.

**DATES:** The meetings will be held on Monday, June 2, 2003, from 1 p.m. to 5 p.m. and Tuesday, June 3, 2003, from

8:30 a.m. to 1 p.m. In order to maintain the meeting time schedule, members of the public will be limited in their time to speak to the Panel. Members of the public should submit their comments one week in advance of the meeting to the meeting point of contact.

**ADDRESSES:** The meeting will be held at The New Orleans Marriott, 55 Canal St, New Orleans, LA.

**FOR FURTHER INFORMATION CONTACT:** Dr. Melbourne G. Briscoe, Office of Naval Research, 800 North Quincy St., Arlington, VA 22217-5660, telephone number (703) 696-4120.

**SUPPLEMENTARY INFORMATION:** This notice of meeting is provided in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2). The purpose of this meeting is to discuss NOPP activities. The meeting will include discussions on ocean observations, current and future NOPP activities, and other current issues in the ocean sciences community.

Dated: May 29, 2003.

E.F. McDonnell,

Major, U.S. Marine Corps, Federal Register Liaison Officer.

[FR Doc. 03-13961 Filed 5-30-03; 10:32 am]

BILLING CODE 3810-FF-P

## DEPARTMENT OF EDUCATION

### [CFDA No. 84.255A]

#### Office of Safe and Drug Free Schools—Life Skills for State and Local Prisoners Program; Notice Inviting Applications for New Awards Using Fiscal Year (FY) 2002 Funds

*Purpose of Program:* The Life Skills for State and Local Prisoners Program provides financial assistance for establishing and operating programs designed to reduce recidivism through the development and improvement of life skills necessary for reintegration of adult prisoners into society.

*Eligible Applicants:* State or local correctional agencies and State or local correctional education agencies.

*Applications Available:* June 3, 2003.

*Deadline for Transmittal of Applications:* July 14, 2003.

*Deadline for Intergovernmental Review:* August 13, 2003.

*Estimated Available Funds:*

\$4,750,000.

*Estimated Range of Awards:*

\$315,000-\$475,000

*Estimated Average Size of Awards:*

\$395,000.

*Estimated Number of Awards:* 12.

**Note:** Estimates are based on FY 2002

appropriated funds only, for the first budget

period of each grant. The Department plans to use FY 2003 funds appropriated for this program to make continuation awards for the second budget period of these projects to grantees that demonstrate they are making substantial progress toward achieving the goals and objectives for their projects. The Department is not bound by any estimates in this notice.

*Project Period:* Up to 36 months.

*Applicable Regulations:* The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75, 77, 79, 80, 81, 82, 85, 97, 98, and 99.

*Definitions:* For purposes of this competition, terms used in this notice have the following meanings as found in 34 CFR 490.4:

*Life skills* includes self-development, communication skills, job and financial skills development, education, interpersonal and family relationship development, and stress and anger management.

*Local correctional agency* means any agency of local government that provides corrections services to incarcerated adults.

*Local correctional education agency* means any agency of local government, other than a local correctional agency, that provides educational services to incarcerated adults.

*State correctional agency* means any agency of State government that provides corrections services to incarcerated adults.

*State correctional education agency* means any agency of State government, other than a State correctional agency, that provides educational services to incarcerated adults.

*Additional Awards:* Contingent upon the availability of FY 2003 and FY 2004 funds, we may make additional awards under these appropriations from the rank-ordered list of unfunded applications from this competition.

*Absolute Priority:* Under 34 CFR 75.105(c)(3), we will consider only applications that meet the following absolute priority: Grants for projects that assist State or local correctional agencies and State or local correctional education agencies in establishing and operating programs designed to reduce recidivism through the development and improvement of life skills necessary for reintegration of adult prisoners into society.

*Invitational Priorities:* Within the absolute priority, we are particularly interested in applications that meet one or more of the following invitational priorities.

*Invitational Priority 1.* Projects that integrate life skills instruction and services under a comprehensive reentry

plan with the State Serious and Violent Offender Reentry Initiative project funded by the U.S. Department of Justice.

*Invitational Priority 2.* Projects that emphasize cognitive and interpersonal skills such as goal setting, developing strong family relationships, strengthening values, and enhancing social skills.

Under 34 CFR 75.105(c)(1) we do not give an application that meets the invitational priorities a competitive or absolute preference over other applications.

*Performance Measures:* The Secretary has established the following key performance measure for assessing the effectiveness of the Life Skills for State and Local Prisoners Program: the number of prisoners who attain measurable gains in one or more of the life skill domains (e.g., self-development, communication skills, job and financial skills development, education, interpersonal and family relationship development, stress and anger management or others) taught under these Life Skills projects. The Secretary has set an overall performance target that calls for the number of prisoners acquiring enhanced life skills from the cohort of Life Skills grant program projects initiated under this competition to increase by five percent annually.

In applying the selection criteria that follow for "Quality of project services" and "Quality of the project evaluation", the Secretary will take into consideration the extent to which the applicant demonstrates a strong capacity (1) to help achieve this target, and (2) to provide reliable data to the Department on the project's impact as measured by number of prisoners participating in Life Skills grants acquiring enhanced life skills.

*Selection Criteria:* We use the following selection criteria from 34 CFR 75.210 to evaluate applications for new grants under this competition. The maximum score for all of these criteria is 100 points. The maximum score for each criterion or factor under that criterion is indicated in parentheses.

(1) *Significance.* (20 points)—In determining the significance of the proposed project, the following factors are considered:

(a) The likelihood that the proposed project will result in system change or improvement.

(b) The potential contribution of the proposed project to the development and advancement of theory, knowledge, and practices in the field of study.

(c) The extent to which the proposed project is likely to build local capacity

to provide, improve, or expand services that address the needs of the target population.

(d) The extent to which the proposed project is likely to yield findings that may be utilized by other appropriate agencies and organizations.

(2) *Quality of the project design.* (25 points)—In determining the quality of the design of the proposed project, the following factors are considered:

(a) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(b) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.

(c) The extent to which the proposed project represents an exceptional approach for meeting statutory purposes and requirements.

(d) The extent to which the design for implementing and evaluating the proposed project will result in information to guide possible replication activities or strategies, including information about the effectiveness of the approach or strategies employed by the project.

(e) The extent to which the proposed project will establish linkages with other appropriate agencies and organizations providing services to the target population.

(3) *Quality of project services.* (25 points)—In determining the quality of the services to be provided by the proposed project, the following factors are considered:

(a) The quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(b) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice.

(c) The extent to which the training or professional development services to be provided by the proposed project are of sufficient quality, intensity, and duration to lead to improvements in practice among the recipients of those services.

(d) The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services.

(4) *Quality of the management plan.* (10 points)—In determining the quality of the management plan for the

proposed project, the following factor is considered:

(a) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(5) *Quality of the project evaluation.* (20 points)—In determining the quality of the evaluation, the following factors are considered:

(a) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(b) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

(c) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(d) The extent to which the evaluation will provide guidance about effective strategies suitable for replication or testing in other settings.

*For Applications Contact:* Education Publications Center (ED Pubs), P.O. Box 1398, Jessup, MD 20794-1398. Telephone (toll free): 1-877-433-7827. Fax: (301) 470-1244. If you use a telecommunications device for the deaf, you may call 1-877-576-7734.

You may also contact ED Pubs at its Web site: <http://www.ed.gov/pubs/edpubs/html>. Or you may contact ED Pubs at its e-mail address: [edpubs@inet.ed.gov](mailto:edpubs@inet.ed.gov).

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA number 84.255A.

**Note:** Some of the procedures in these instructions for transmitting applications differ from those in EDGAR (34 CFR 75.102). Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed regulations. However, these amendments make procedural changes only and do not establish new substantive policy. Therefore, under 5 U.S.C. 553(b)(A), the Secretary has determined that proposed rulemaking is not required.

### Pilot Project for Electronic Submission of Applications

In FY 2003, the U.S. Department of Education is continuing to expand its pilot project of electronic submission of applications to include additional formula grant programs, as well as

discretionary grant competitions. The Life Skills for State and Local Prisoners Program is one of the programs included in the pilot project. If you are an applicant under this grant competition, you may submit your application to us in either electronic or paper format.

The pilot project involves the use of the Electronic Grant Application System (e-Application, formerly e-GAPS) portion of the Grant Administration and Payment System (GAPS). We invite your participation in this pilot project. We will continue to evaluate its success and solicit suggestions for improvement.

If you participate in this e-APPLICATION pilot, please note the following:

- Your participation is voluntary.
- You will not receive any additional point value or penalty because you submit a grant application in electronic or paper format.
- You can submit all documents electronically, including the

Application for Federal Assistance (ED Form 424), Budget Information—Non-Construction Programs, (ED Form 524), and all necessary assurances and certifications.

- Within three working days of submitting your electronic application, fax a signed copy of the Application for Federal Assistance (ED Form 424) to the Application Control Center following these steps:

1. Print ED Form 424 from the e-Application system.
2. Make sure that the applicant's Authorizing Representative signs this form.
3. Before faxing this form, submit your electronic application via the e-Application system. You will receive an automatic acknowledgement, which will include a PR/Award number an identifying number unique to your application).

4. Place the PR/Award number in the upper right corner of ED Form 424.

5. Fax ED Form 424 to the Application Control Center within three business days of submitting your electronic application at (202) 260-1349.

6. We may request that you give us original signatures on all other forms at a later date.

7. *Closing Date Extension in the Case of System Unavailability:* If you elect to participate in the e-Application pilot for the Life Skills for State and Local Prisoners Program and you are prevented from submitting your application on the closing date because the e-Application system is unavailable, we will grant you an extension of one business day in order to transmit your application via e-Application, by mail,

or by hand delivery. For us to grant this extension:

- (1) You must be a registered user of e-Applications, and have initiated an e-Application for this competition; and

- (2) (a) The e-Application system must be unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m. (ET), on the deadline date; or

- (b) The e-Application system must be unavailable for any period of time during the last hour of operation (that is, for any period of time between 3:30 p.m. and 4:30 p.m. Eastern time on the deadline date.

The Department must acknowledge and confirm the period of unavailability before you will be granted an extension. To request this extension you must contact Carlette Huntley by e-mail at [Carlette.Huntley@ed.gov](mailto:Carlette.Huntley@ed.gov) or by telephone at (202) 260-7274 or the e-Grants help desk at (888) 336-8930.

You may access the electronic grant application for the Life Skills for State and Local Prisoners Program at: <http://e-grants.ed.gov>.

We have included additional information on the e-Application pilot project (see Parity Guidelines between paper and Electronic Applications) in the application package.

If you want to apply for a grant and be considered for funding, you must meet the deadline requirements included in this notice.

#### FOR FURTHER INFORMATION CONTACT:

Carlette Huntley, U. S. Department of Education, 330 C Street, SW., Washington, DC 20202-7274. Telephone: (202) 260-7272 or via Internet: [Carlette.Huntley@ed.gov](mailto:Carlette.Huntley@ed.gov).

Individuals with disabilities may obtain this document, or an application package, in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed at the beginning of this section. However, the Department is not able to reproduce in an alternative format the standard forms included in the application package.

#### Electronic Access To This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/legislation/FedRegister>.

**Program Authority:** 20 U.S.C. 1211-2 (1991).

Dated: May 27, 2003.

**Judge Eric Andell,**

*Deputy Under Secretary for Safe and Drug-Free Schools.*

[FR Doc. 03-13836 Filed 6-2-03; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Notice of Intent To Prepare an Environmental Impact Statement for the Western Greenbrier Co-Production Demonstration Project, Rainelle, WV and Notice of Floodplain/Wetlands Involvement

**AGENCY:** Department of Energy.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement and Notice of Floodplain/Wetlands Involvement.

**SUMMARY:** The U.S. Department of Energy (DOE) announces its intent to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR Parts 1500-1508), and the DOE NEPA regulations (10 CFR Part 1021), to assess the potential environmental impacts of a proposed project by Western Greenbrier Co-Gen LLC (WGC) to design, construct, and operate, in Rainelle, Greenbrier County, West Virginia, a demonstration facility that would use an innovative atmospheric-pressure circulating fluidized-bed (ACFB) boiler as the source of heat for the co-production of electricity, steam and structural brick. The proposed project, selected under the Clean Coal Power Initiative competitive solicitation, would be the first demonstration in the United States of a compact inverted cyclone configuration for the boiler design. This design has a 40 percent smaller footprint than a conventional boiler system of similar capacity.

The proposed power station would produce 85 MW (megawatts) of net electrical power plus 10,000-30,000 pounds per hour of steam and hot water. Steam and hot water from the proposed facility would serve an industrial park, which the host municipality has planned for land adjoining the power plant. Fuel for the power plant would be coal wastes from waste piles within the surrounding area. When necessary to raise the BTU content of the fuel, quality coal would be blended with the waste coal. The proposed project would also be a first demonstration of the utilization of coal combustion ash and wood wastes for the manufacture of

molded building blocks, known as Woodbrik™, to supply the regional construction materials market. All ash that is not used in by-product manufacture would be returned to the coal waste source sites to be used in the mitigation of acid leachate.

The EIS will evaluate the proposed project and reasonable alternatives. Because the proposed project would affect a floodplain and may affect wetlands, the EIS will include a floodplain assessment and wetlands assessment and DOE will prepare a floodplain statement of findings in accordance with DOE regulations for compliance with floodplain/wetlands environmental review requirements (10 CFR part 1022).

The EIS will help DOE decide whether to provide 50 percent (approximately \$107.5 million) of the total estimated funding of \$215 million for the proposed project. The purpose of this Notice of Intent is to inform the public about the proposed project; announce plans for a public scoping meeting; invite public participation in the EIS process; and solicit public comments for consideration in establishing the proposed scope and content of the EIS.

**DATES:** To ensure that all of the issues related to this proposal are addressed, DOE invites comments on the proposed scope and content of the EIS from all interested parties. Comments must be received by July 3, 2003, to ensure consideration. Late comments will be considered to the extent practicable. In addition to receiving comments in writing and by telephone [See **ADDRESSES** below], DOE will conduct a public scoping meeting in which agencies, organizations, and the general public are invited to present oral comments or suggestions with regard to the range of actions, alternatives, and impacts to be considered in the EIS. The scoping meeting will be held at Greenbrier West High School in Charmco, West Virginia on June 19, 2003, beginning at 7 p.m. (See Public Scoping Process). Greenbrier West High School is located on U.S. Route 60 approximately 10.3 miles west of I-64 Exit 156 at Sam Black Church. The public is invited to an informal session at this location beginning at 4 p.m. to learn more about the proposed action. Displays and other forms of information about the proposed agency action and the demonstration plant will be available, and DOE personnel will be present at the informal session to discuss the proposed project and the EIS process.

**ADDRESSES:** Written comments on the proposed EIS scope and requests to participate in the public scoping meeting should be addressed to the NEPA Document Manager for the Western Greenbrier Co-Production Demonstration Project: Mr. Mark L. McKoy, National Energy Technology Laboratory, U.S. Department of Energy, P.O. Box 880, Morgantown, WV 26507-0880.

People who want to participate in the public scoping process also may contact Mr. Mark L. McKoy directly at telephone 304-285-4426; toll free number 1-800-432-8330 (extension 4426); fax 304-285-4403; or e-mail [mmckoy@netl.doe.gov](mailto:mmckoy@netl.doe.gov).

**FOR FURTHER INFORMATION CONTACT:** To obtain additional information about this project or to receive a copy of the draft EIS for review when it is issued, contact Mr. Mark L. McKoy at the address provided above. For general information on the DOE NEPA process, please contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (EH-42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0119, Telephone: 202-586-4600, facsimile: 202-586-7031, or leave a toll-free message at 1-800-472-2756.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background and Need for Proposed Agency Action**

Since the early 1970s, DOE and its predecessor agencies have pursued research and development programs that contain long-term, high-risk activities that support the development of innovative concepts for a wide variety of coal technologies through the proof-of-concept stage. However, the availability of a technology at the proof-of-concept stage is not sufficient to ensure its continued development and subsequent commercialization. Before any technology can be considered seriously for commercialization, it must be demonstrated. The financial risk associated with technology demonstration is, in general, too high for the private sector to assume in the absence of strong incentives. The Clean Coal Power Initiative (CCPI) was established in 2002 as a government/industry partnership to implement the President's National Energy Policy recommendation to increase investment in clean coal technology. This recommendation addresses a national challenge of ensuring the reliability of electricity supply while simultaneously protecting the environment. The goal of the CCPI program is to accelerate commercial deployment of advanced