

availability of additional alternative information, a new DEIS will be released to assure major issues have been identified.

SUPPLEMENTARY INFORMATION:

1. *Proposed Action:* The project proposed by the applicant is a 12 mile long, 4-lane limited access perimeter highway. It is to be built on a new alignment located primarily east of Nashua forming a semi-circle around the city. Various alternative alignments begin in the vicinity of Exit 2 of the F.E. Everett Turnpike in south Nashua circling east, north, and then west through Hudson and Litchfield, recrossing the Merrimack River and returning to the Everett Turnpike in Merrimack or North Nashua.

2. *Alternatives:* Various alignment alternatives are being considered to reduce traffic to the area's primary highway, the F.E. Everett Turnpike. In addition to these capital improvement alignments, a No Action and Transportation System Management (TSM) Alternative are also being considered. The New Hampshire DOT conducted engineering studies that separate the highway into a Southern and Northern Segment.

The Southern Segment—One Southern Segment alternative would require construction on 379 acres in Nashua and Hudson, including 44.4 acres of wetlands. An analysis of this and other alignments for the southern corridor will be included as alternatives in the DEIS.

The Northern Segment—Alternative corridors are being evaluated for the Northern Segment. All corridor alternatives impact lands in Hudson, Litchfield and Merrimack. Additional alternatives may be proposed for analysis in the DEIS by the scoping process.

No Action Alternative—Under the No Action Alternative, traffic will continue to use the existing street and highway network.

The TSM Alternative—The purpose of the TSM Alternative is to encourage maximum utilization and energy efficiency of the existing transportation system by increasing its passenger capacity, without implementing capital-intensive construction projects.

3. *Scoping Process:* Public meetings were conducted by the U.S. Department of Transportation, Federal Highway Administration and the State of New Hampshire Department of Transportation to introduce the project and solicit comments, during the period March 1987 to September 1988. The Corps of Engineers has held a preliminary coordination meeting with

Federal and State agencies to identify issues of concern.

The Environmental Protection Agency has indicated it will accept Cooperating Agency status for this study. Additional requests will be sent to the following agencies to accept Cooperating Agency status for this study:

U.S. Department of Interior—Fish and Wildlife Service

U.S. Department of Agriculture—Soil Conservation Service

U.S. Department of Transportation—Federal Highway Administration

The DEIS will analyze the potential social, economic, and environmental impacts to the region resulting from the proposed project such as impacts to wetlands, water quality, wildlife, increased residential and commercial development and historic and archaeological resources. Construction and operational phase impacts will be considered, as well as cumulative and secondary impacts.

4. *Scoping Meeting:* The Corps plans to hold an EIS Scoping Meeting on the evening of June 28, 1990 at the Nashua City Hall Auditorium. All interested agencies, organizations and publics are invited to attend this meeting. Sufficient local notification will be provided.

5. *Availability:* It is anticipated that the DEIS would be made available for review in November, 1990. The FEIS on this permit action is anticipated in the spring of 1991.

Address: Questions about the proposed action and DEIS can be answered by Mr. Richard Roach, Senior Project Manager, New England Division, Corps of Engineers, 424 Trapelo Road, Waltham, MA 02254-9149. Phone: 617-647-8211.

Dated: May 11, 1990.

Vyto L. Andreliunas,
Director of Operations.

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BILLING CODE 3710-24-M

DEPARTMENT OF EDUCATION

DEPARTMENT OF STATE

DEPARTMENT OF JUSTICE

Nondiscrimination in Federally-Assisted Programs; Enforcement Coordination Agreements Between State and Justice Departments

ACTION: Agreement between the Department of State and the Department of Education to delegate certain civil rights compliance responsibilities for educational institutions.

A. Purpose

Section 1-207 of Executive Order 12250 authorizes the Attorney General to initiate cooperative programs among Federal agencies responsible for enforcing title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, as amended, section 504 of the Rehabilitation Act of 1973, as amended, and similar provisions of Federal law prohibiting discrimination on the basis of race, color, national origin, sex, handicap, or religion in programs or activities receiving Federal financial assistance.

This agreement will promote consistent and coordinated enforcement of covered nondiscrimination provisions, as required in the Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs (28 CFR §§ 42.401-42.415), increase the efficiency of compliance activity, and reduce burdens on recipients, beneficiaries, and Federal agencies by consolidating compliance responsibilities, by eliminating duplication in civil rights reviews and data requirements, and by promoting consistent application of enforcement standards.

B. Delegation

By this agreement the Department of State designates the Department of Education as the agency responsible for specific civil rights compliance duties, as enumerated below, with respect to educational institutions. Responsibility for the following covered nondiscrimination provisions is delegated:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d to 2000d-4); and
2. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794).

This agreement specifies the duties to be performed by each agency. It does not alter the requirements of the joint Department of Justice/Equal Employment Opportunity Commission (EEOC) regulation concerning procedures for handling complaints of employment discrimination filed against recipients of Federal financial assistance. 28 CFR §§ 42.601-42.613, 29 CFR 1691.1-1-1697.13, 48 Federal Register 3570 (January 25, 1983). Complaints covered by that regulation filed with a delegating agency against a recipient of Federal financial assistance solely alleging employment discrimination against an individual are to be referred directly to the EEOC by the delegating agency.

C. Duties of the Department of Education

The Department of State assigns the following compliance duties to the Department of Education with respect to educational institutions. Specifically, the Department of Education shall:

1. Maintain current files on all activities undertaken pursuant to this agreement and on the compliance status of applicants and recipients with respect to their programs or activities receiving Federal financial assistance resulting from preapproval and postapproval reviews, complaint investigations, and actions to resolve noncompliance. A summary of these activities and the compliance status of applicants and recipients shall be reported at least at the end of every fiscal year to the Department of State.

2. Develop and use information for the routine, periodic monitoring of compliance by educational institutions with respect to their programs or activities receiving Federal financial assistance subject to this agreement.

3. Perform, upon request by the Department of State, preapproval reviews for which supplemental information or field reviews are necessary to determine compliance.

4. Conduct an effective program of postapproval reviews of recipients with respect to their programs or activities receiving Federal financial assistance subject to this agreement.

5. Receive complaints alleging that recipients subject to this agreement have discriminated in violation of covered nondiscrimination provisions in their programs or activities receiving Federal financial assistance, attempt to obtain information necessary to make complaints complete, and investigate complete complaints.

6. Issue written letters of findings of compliance or of noncompliance that (a) Advise the recipient and, where appropriate, the complainant of the results of the disapproval review or complaint investigation; (b) provide recommendations, where appropriate, for achieving voluntary compliance; and (c) offer, where appropriate, the opportunity to engage in negotiations for achieving voluntary compliance. The governor of the state in which the applicant or recipient is located will be notified, if the letter of findings of noncompliance is made pursuant to a statute requiring that the governor be given an opportunity to secure compliance by voluntary means. The Department of Education shall promptly provide copies of its letters of findings to the Department of State and to the

Assistant Attorney General for Civil Rights.

7. Conduct, after a letter of findings of noncompliance, negotiations seeking voluntary compliance with the requirements of covered nondiscrimination provisions.

8. If compliance cannot be voluntarily achieved and the Department of Education does not fund the applicant or recipient, refer the matter to the Department of State for its own independent activity and notify the Assistant Attorney General for Civil Rights of the referral. If compliance cannot be achieved and both the Department of Education and the Department of State fund the applicant or recipient, initiate formal enforcement action. When the Department of Education initiates formal enforcement action by providing the applicant or recipient with an opportunity for an administrative hearing, provide the Department of State with an opportunity to participate as a party in a joint administrative hearing. When the Department of Education initiates formal enforcement action by referring the matter to the Department of Justice for appropriate judicial action, notify the Department of State of the referral.

9. Notify the Department of State and the Assistant Attorney General for Civil Rights of the outcome of the hearing, including the reasons for finding the applicant or recipient in noncompliance, and of any action taken against the applicant or recipient.

D. Duties of the Department of State

The Department of State shall:

1. Issue and provide to the Department of Education all regulations, guidelines, reports, orders, policies, and other documents that are needed for recipients to comply with covered nondiscrimination provisions and for the Department of Education to administer its responsibilities under this agreement.

2. Provide the Department of Education with information, technical assistance and training necessary for it to perform the duties delegated under this agreement. This information shall include, but is not limited to, a list of recipients receiving Federal financial assistance from the Department of State, the types of assistance provided, compliance information solely in the Department of State's possession or control, and data on program eligibility and/or actual participants in assisted programs or activities.

3. Perform preapproval reviews of applicants for assistance, as required by 28 CFR 42.407(b), that do not require supplemental information or field reviews. The reviews may require

information to be supplied by the Department of Education. If the Department of State requests the Department of Education to undertake an on-site review because it has shown it has reason to believe discrimination is occurring in a program or activity that is either receiving Federal financial assistance or that is the subject of an application, the Department of State shall supply information necessary for the Department of Education to undertake such a review.

4. Refer all complaints alleging discrimination under covered nondiscrimination provisions filed with the Department of State against a recipient subject to this delegation and determine, if possible, whether the program involved receives Federal financial assistance from the delegating agency.

5. Where the Department of Education has notified the applicant or recipient in writing that compliance cannot be achieved by voluntary means and the Department of Education has referred the matter to the Department of State, make the final compliance determination and:

(a) If the Department of State wishes to initiate formal enforcement action by providing the applicant or recipient with an opportunity for an administrative hearing, notify the Department of Education if the Department of State will either join as a party in the administrative hearing conducted by the Department of Education or will conduct its own administrative hearing.

(b) When the Department of State initiates formal enforcement action by referring the matter to the Department of Justice for appropriate judicial action, notify the Department of Education of the referral.

(c) If the Department of State conducts its own hearing, notify the Department of Education and the Assistant Attorney General for Civil Rights of the outcome of the hearing, including the reasons for finding the applicant or recipient in noncompliance, and of any action taken against the applicant or recipient. The Department of State may request the Department of Education to act as counsel in its administrative hearing.

(d) If the Department of State neither initiates steps to deny or terminate Federal financial assistance nor refers the matter to the Department of Justice, notify the Department of Education and the Assistant Attorney General for Civil Rights in writing, within 15 days after notification from the Department of Education, that voluntary compliance cannot be achieved.

E. Redelegation

Duties delegated herein to the Department of Education may be redelegated. The Department of Education shall notify the Department of State of any such redelegation prior to its effective date.

F. Effect on Prior Delegation

This agreement supersedes and replaces the delegation agreement effective July 23, 1966, between the U.S. Department of Health, Education, and Welfare and the Department of State.

G. Approval

This agreement shall be signed by the Assistant Attorney General for Civil Rights. It shall be signed by both parties and become effective 30 days from publication in the Federal Register.

H. Termination

This agreement may be terminated by either agency 60 days after notice to the other agency and to the Assistant Attorney General for Civil Rights.

Dated: January 16, 1990.

Ivan Selin,
Under Secretary for Management,
Department of State.

Dated: March 30, 1990.

Lauro F. Cavazos,
Secretary, Department of Education.

Dated: April 19, 1990.

John R. Dunne,
Assistant Attorney General for Civil Rights
Division, Department of Justice.

[FR Doc. 90-11901 Filed 5-22-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY**Financial Assistance Award; a Grant to State of Illinois**

AGENCY: Department of Energy.

ACTION: Notice of an noncompetitive financial assistance (Grant) award.

SUMMARY: The Department of Energy (DOE), announces that pursuant to 10 CFR 600.7(b), it is intending to award a grant on a noncompetitive basis to the State of Illinois Department of Energy and Natural Resources (ENR) for the "Support of High-Sulfur Coal Research."

SCOPE: The objective of this project is to stimulate the utilization of high-sulfur coal, the predominant generic coal type found in the Illinois Basin as well as in other important bituminous coal producing regions in the United States, while meeting NSPS and pending environmental standards through coal preparation and advanced combustion technologies. The intended research will

1) Develop improved coal cleaning technology and investigate the distribution and basic nature of noxious elements, especially sulfur, contained in coal, 2) develop advanced combustion technologies that will not only meet stringent emission regulations but also maintain or increase thermal efficiency and combustor performance, and 3) transfer the technological information developed to industry through publications and regularly held conferences and workshops. The State of Illinois will make available to this project the personnel, material and other facilities necessary for carrying out a research program dedicated to solving problems inherent in the use of high-sulfur coal.

In accordance with the criteria presented under 10 CFR 600.7(b)(2)(i)(B) and (D), the State of Illinois has been selected as the grant recipient. This activity would be conducted by the State of Illinois using its own resources; however, DOE support of the activity would enhance the public benefits to be derived by cosponsoring work in areas for which there is insufficient funding available, and by preventing duplication of effort in parallel DOE/State of Illinois R&D. Additionally, by pursuing its own research and development program since 1982, the State of Illinois has become a unique repository of the extensive data and information relating to the high-sulfur coals endemic to the Illinois Basin.

The term of the grant is for a one-year period and with an estimated value of \$1,500,000. This funding level will be equally shared between DOE and the State of Illinois.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Energy, Pittsburgh Energy Technology Center, Attn: Keith R. Miles, P.O. Box 10940, Pittsburgh, PA 15236. Telephone: AC (412) 892-5984.

Dated: May 10, 1990.

Carroll A. Lambton,
Deputy Director, Acquisition and Assistance
Division, Pittsburgh Energy Technology
Center.

[FR Doc. 90-11991 Filed 5-22-90; 8:45 am]

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Defense Nuclear Facilities Safety Board Recommendation 90-3; Future Monitoring Programs at the Department of Energy's Hanford Site, Washington; Request for and Approval of Extension of Time

AGENCY: Department of Energy, Office of Nuclear Safety.

ACTION: Notice of Extension of Time to Respond to Defense Nuclear Facilities Safety Board Recommendations.

SUMMARY: On March 27, 1990, the Defense Nuclear Facilities Safety Board (Defense Board), in accordance with Section 312(5) of Public Law 100-456, approved a number of recommendations regarding Future Monitoring Programs at the Department of Energy's Hanford Reservation, located near Richland, Washington. Those recommendations were published in the Federal Register on March 30, 1990 at pp. 11994-11995.

The DOE's response to the Defense Board's recommendations are printed below.

FOR FURTHER INFORMATION CONTACT: Steven M. Blush, Director, Office of Nuclear Safety, U.S. Department of Energy, Washington, DC 20585. Phone (202) 586-2407.

Issued in Washington, DC on May 16, 1990.

Steven M. Blush,
Director, Office of Nuclear Safety.
May 16, 1990

The Honorable John T. Conway,
Chairman, Defense Nuclear Facilities Safety
Board, 600 E Street NW., Suite 675,
Washington, DC.

Dear Mr. Chairman: I have received your letter of March 27, 1990, which identified four recommendations concerning the safety of the single-shell tanks located at the Hanford Site. These recommendations were discussed with the Defense Nuclear Facilities Safety Board (DNFSB) members and consultants on April 10, 1990. I agree with and accept your recommendations. The Office of Environmental Restoration and Waste Management is in the process of developing specific implementation plans.

Regarding a related matter, the Department of Energy Headquarters (DOE-HQ) has performed a number of investigations into the gas generation issue raised during your March 20-21, 1990, visit to Hanford. In early April, an investigation team consisting of technical experts was sent to Hanford, to evaluate hydrogen gas generation. The team examined a hydrogen explosion below the waste crust and estimated that the probability of combustion was low; however, if such an explosion were to occur, the primary tank might sustain damage. The preliminary analysis of this scenario indicated that the secondary containment unit, an underground, steel-lined, reinforced-concrete vault would not be likely to sustain damage. We are further assessing the chemical makeup of the tank to determine if there might be any further synergistic effects from a hydrogen explosion.

In addition, the Office of Nuclear Safety (NS) and the Office of the Assistant Secretary for Environment, Safety, and Health (ESH) have conducted an extensive independent review. The DOE Richland Operations Office (DOE-RL) has prepared a Safety Improvement Plan for the double-shell and single-shell tanks. This plan addresses safety