(SFM), a private company to act as a teaming partner with the licensed blind vendor selected to operate the FLETC cafeteria.

In mid 1999, complainant responded to the SLA's bid announcement to manage the FLETC cafeteria. In July 1999, complainant was selected as the licensed manager for the FLETC cafeteria and began work in February 2000. In the beginning, complainant felt that there were several problems, i.e., his office was not completed, he was unable to access certain computer documents, and he was not provided training.

Additionally, complainant alleged that he had no involvement in the selection of SFM and that the terms of the teaming agreement required that he receive a fixed salary with no right to share in the profits. Further the complainant alleged that the teaming agreement negotiated between the SLA and SFM left him with no staff support to carry out his duties as the cafeteria contract manager. On October 11, 2002, complainant filed a grievance against the SLA on this matter. A fair hearing on the grievance was held on January 16, 2003, and complainant's grievance was denied. On May 15, 2003, complainant filed an appeal. On September 18, 2003, the Administrative Law Judge (ALJ) issued an order denying the appeal and any relief to the complainant. The SLA adopted the ALJ's decision as final agency action. Complainant sought review by a Federal arbitration panel of that decision.

Arbitration Panel Decision

The issue heard by the panel was whether the actions taken by the Georgia Department of Labor, Division of Rehabilitation Services violated the Act, 20 U.S.C. 107 *et seq.*, the implementing regulations in 34 CFR part 395, and its own rules and regulations concerning the administration of a cafeteria contract at FLETC and the selection of complainant to manage this facility.

After reviewing all of the records and hearing testimony of witnesses, the majority of the panel ruled that the SLA followed the provisions of the Act, and implementing regulations in the administration of the FLETC cafeteria contract. Therefore, the panel denied complainant's grievance. One panel member dissented.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

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Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: June 14, 2007.

John H. Hager,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. E7–12143 Filed 6–21–07; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Arbitration Panel Decision Under the Randolph-Sheppard Act

AGENCY: Department of Education.

ACTION: Notice of arbitration panel decision under the Randolph-Sheppard Act.

SUMMARY: The Department of Education (Department) gives notice that on August 21, 2006, an arbitration panel rendered a decision in the matter of *David Stewart* v. *Alabama Department of Rehabilitation Services (Case No. R–S/04–1).* This panel was convened by the Department, under 20 U.S.C. 107d–1(a), after the Department received a complaint filed by the petitioner, David Stewart.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the full text of the arbitration panel decision from Suzette E. Haynes, U.S. Department of Education, 400 Maryland Avenue, SW., room 5022, Potomac Center Plaza, Washington, DC 20202–2800. Telephone: (202) 245–7374. If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service at 1–800–877–8339.

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

SUPPLEMENTARY INFORMATION: Under section 6(c) of the Randolph-Sheppard Act (the Act), 20 U.S.C. 107d–2(c), the Secretary publishes in the **Federal Register** a synopsis of each arbitration panel decision affecting the administration of vending facilities on Federal and other property.

Background

This dispute concerned alleged violations of the Act, the implementing regulations in 34 CFR part 395, and State rules and regulations by the Alabama Department of Rehabilitation Services, the State licensing agency (SLA), regarding David Stewart's (complainant) termination as manager of the military dining facility at the Redstone Arsenal in Huntsville, Alabama.

Summary

On November 13, 2002, the SLA issued a bid announcement for the military dining hall facility at Redstone Arsenal. Among other details in the announcement, the SLA specifically indicated that the contract was a joint venture and that the licensed blind vendor selected would be required to team with an outside military dining hall contractor known as KCA, Inc.

On January 7, 2003, the SLA informed complainant that he had been selected as the licensed manager for the military dining hall at Redstone Arsenal and complainant accepted on January 8, 2003.

On February 4, 2003, the complainant met with SLA staff members, KCA, Inc. staff and other interested parties. At the meeting, complainant explained that his wife would not be able to assume the administrative roles, i.e., payroll assistant, driving, and other duties as the previous blind vendor's wife. Therefore, complainant proposed that one-half of the general and administrative costs normally passed on to KCA, Inc. be allocated to him since complainant would have to hire additional staff to perform those duties.

Subsequently, complainant alleged that a member of KCA, Inc. informed him that a proposed joint venture agreement would be sent to complainant to consider. On February 13, 2003, the SLA wrote the complainant stating that he must execute a joint venture and operating agreement by February 21, 2003 or the military dining hall facility at Redstone Arsenal would be awarded to the next highest-scoring blind vendor.

Previously, complainant had hired an attorney to assist him in reviewing the joint venture agreement. Upon receipt of the February 13, 2003 letter from the SLA, complainant's attorney and the

SLA staff exchanged a number of letters regarding this matter. Complainant also alleged that his attorney received information that KCA, Inc. was unwilling to enter into a joint venture agreement with him.

On February 19, 2003, SLA staff wrote to complainant's attorney reiterating its position that complainant and KCA, Inc. must enter into a joint venture agreement and execute a signed document by February 21, 2003. On February 26, 2003, SLA staff wrote complainant's attorney explaining that the SLA had to award the military dining hall facility at Redstone Arsenal to another vendor because complainant failed to execute the joint venture agreement with KCA, Inc.

On April 2, 2003, complainant requested a hearing. A fair hearing on this matter was held on August 5, 2003. On September 5, 2003, the hearing officer issued an order denying complainant's grievance. Subsequently, the SLA adopted the hearing officer's decision as final agency action. Complainant sought review by a Federal arbitration panel of that decision.

Arbitration Panel Decision

The issue heard by the panel was whether the Alabama Department of Rehabilitation Services violated the Act, 20 U.S.C. 107 *et seq.*, the implementing regulations in 34 CFR part 395, and its own rules and regulations in the alleged improper termination of complainant from managing the military dining facility at Redstone Arsenal.

After reviewing all of the records and hearing testimony of witnesses, the majority of the panel ruled that the SLA acted properly and in full and fair compliance with the Act, implementing regulations, and State rules and regulations. Therefore, the panel denied complainant's grievance. One panel member dissented.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

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Dated: June 14, 2007.

John H. Hager,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. E7–12146 Filed 6–21–07; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Oak Ridge Reservation

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Oak Ridge Reservation. The Federal Advisory Committee Act (Pub. L. No. 92–463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Wednesday, July 11, 2007, 6 p.m.

ADDRESSES: DOE Information Center, 475 Oak Ridge Turnpike, Oak Ridge, Tennessee.

FOR FURTHER INFORMATION CONTACT: Pat Halsey, Federal Coordinator, Department of Energy Oak Ridge Operations Office, P.O. Box 2001, EM–90, Oak Ridge, TN 37831. Phone (865) 576–4025; Fax (865) 576–5333 or e-mail: *halseypj@oro.doe.gov* or check the Web site at *http://www.oakridge.doe.gov/em/ssab.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda: The main meeting topic is ''The Federal Facility Agreement, Appendixes E and J.''

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Individuals who wish to make oral statements pertaining to the agenda item should contact Pat Halsey at the address or telephone number listed above. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comment will be provided a maximum of five minutes to present their comments.

Minutes: Minutes of this meeting will be available for public review and copying at the Department of Energy's Information Center at 475 Oak Ridge Turnpike, Oak Ridge, TN between 8 a.m. and 5 p.m., Monday through Friday, or by writing to Pat Halsey, Department of Energy Oak Ridge Operations Office, P.O. Box 2001, EM–90, Oak Ridge, TN 37831, or by calling her at (865) 576–4025.

Issued at Washington, DC on June 18, 2007.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. E7–12094 Filed 6–21–07; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8330–3]

Proposed Settlement Agreement, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement agreement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended (''Act''), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, to address a lawsuit filed by Environmental Defense, Natural Resources Defense Council, and Sierra Club (hereinafter ''Petitioners''): *Environmental Defense et al.* v. *Environmental Protection Agency*, No. 06–1164 (DC Cir.). On or about May 9, 2006, Petitioners filed a complaint challenging EPA's Transportation Conformity Hot-Spot Final Rule, alleging that the rule failed to satisfy the Clean Air Act's transportation conformity criteria, that it permitted EPA to issue particulate matter (PM) hot-spot guidance without following required procedures, and that it withdrew a motor vehicle emissions factor model for use in PM hot-spot analysis without following required procedures. Under the terms of the proposed settlement agreement, Petitioners agree to dismiss the claim relating to issuance of PM hot-spot guidance once EPA provides public notice of and an opportunity to comment on such guidance.