related to environment, safety and health objectives is incorporated into contractual terms.

Principles that should guide the structure and use of safety management, the framework for conduct of operations appropriate to different cases, the basis for grading of safety management and conduct of operations, and the application to the important defense nuclear laboratories of the Department of Energy, are outlined in another document in the DNFSB/TECH sequence.[2] The points laid out in DNFSB/TECH–6 are consistent with those in DNFSB/TECH–5. Although the concepts and processes discussed in these documents are couched in terms of radiological hazards, they are more general, and apply as well to hazards of other kinds. In addition, they offer an appropriate match to requirements established elsewhere for safety in decommissioning of facilities, and would serve as a bridge to such operations.

The Board agrees with the view adopted by DOE in certain pilot tests presently under way, that the contractor for a site, facility, or activity should originate the drafting of the Safety Management Plan and the S/RID with assistance and input as appropriate by DOE. DOE has the responsibility for determining that the proposed S/RID will ensure an adequate level of safety, and finally approving it when it is found to be satisfactory. In the Board's view, an S/RID should be the central component of the Authorization Agreement which should have contractual status as part of the agreement with the contractor relevant to performance of the work authorized for the site, facility, or activity.

In accordance with its statutory directive to review DOE's safety standards and their implementation, the Board plans to track selected S/RIDs and the associated Safety Management Programs as they are developed. The Board will formally review them after their completion and will provide its comments to DOE in letters to the Secretary or in the statutory form of recommendations. The Board would normally expect DOE to have performed its own review with documentation of the results before being formally provided with the Board's comments.

We recognize that the various DOE organizational units which may be delegated review and approval authority for S/RIDs and associated Safety Management Programs may not have enough individuals with qualifications in the technical specialties required to carry out effectively the streamlined process being recommended. This means that technical assistance may need to be retained from elsewhere to compensate for such personnel deficiencies where they exist. It also means that DOE may need to augment its own technical expertise so as not to be obliged to continue indefinitely to rely on technical assistance from outside DOE.

The Board renews its request that it be informed on a timely basis of changes in planned use of defense nuclear facilities. In addition, the Board now wishes to replace Recommendations 90–2 and 92–5. The schedule agreed to by DOE and the Board for S/RID development and implementation pursuant to Recommendation 90–2 will be revised and carried forward as a part of Recommendation 94–5, which is not being otherwise modified at this time.

Therefore, the Board recommends, that DOE:

1. Institutionalize the process of incorporating into the planning and execution of every major defense nuclear activity involving hazardous materials those controls necessary to ensure that environment, safety and health objectives are achieved.

2. Require the conduct of all operations and activities within the defense nuclear complex or the former defense nuclear complex that involve radioactive and other substantially hazardous materials to be subject to Safety Management Plans that are graded according to the risk associated with the activity. The Safety Management Plans and the operations should be structured on the lines discussed in the referenced documents DNFSB/TECH–5 and DNFSB/TECH–6.

3. Establish a new list of facilities and activities prioritized on lines of hazard and importance to defense and cleanup programs, to focus the transition from implementation programs related to 90–2 and 92–5 to this revised development of S/RIDs and associated Safety Management Plans, following the process of Section I of DNFSB/TECH–6.

4. Promulgate requirements and associated instructions (Orders/standards) which provide direction and guidance for this process including responsibilities for carrying it out. The manner of establishing responsibilities and authorities as currently set forth in DOE Order 5480.31 (425.1) for Operational Readiness Reviews should serve as a model for preparing, reviewing, and approving the Safety Management Programs. The requirement for conformance should be made a contract term.

5. Take such measures as are required to ensure that DOE itself has or acquires the technical expertise to effectively implement the streamlined process recommended.

John T. Conway,

Chairman.

October 11, 1995

The Honorable Hazel R. O'Leary,
Secretary of Energy, Washington, DC 20585

Dear Secretary O'Leary: On October 11, 1995, the Defense Nuclear Facilities Safety Board, in accordance with 42 U.S.C. § 2286a(a)(5), unanimously approved Recommendation 95–2 which is enclosed for your consideration. Recommendation 95–2 deals with Safety Management.

42 U.S.C. § 2286d(a) requires the Board, after receipt by you, to promptly make this recommendation available to the public in the Department of Energy's regional public reading rooms. The Board believes the recommendation contains no information which is classified or otherwise restricted. To the extent this recommendation does not include information restricted by DOE under the Atomic Energy Act of 1954, 42 U.S.C. §§ 2161–68, as amended, please arrange to have this recommendation promptly placed on file in your regional public reading rooms.

The Board will publish this recommendation in the Federal Register.

Sincerely,

John T. Conway,

Chairman.

Enclosure
c: Mark Whitaker, EH–9

[FR Doc. 95–25946 Filed 10–18–95; 8:45 am]

BILLING CODE 3670–01–M

[2] Safety Management and Conduct of Operations at the Department of Energy's Defense Nuclear Facilities, DNFSB/TECH–6.

DELAWARE RIVER BASIN COMMISSION

Notice of Commission Meeting and Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, October 25, 1995. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1:30 p.m. in the University of Delaware's Wilcastle Center Ballroom, 2600–2800 Pennsylvania Avenue, Wilmington, Delaware.

An informal conference among the Commissioners and staff will be held at 10 a.m. at the same location and will include discussion of the Delaware Estuary Program implementation phase organizational structure; Delaware Riverkeeper request for Commission consideration of cumulative impacts of proposed Pennsylvania wetland fill

regulation and water quality considerations of Blue Marsh Reservoir.

The subjects of the hearing will be as follows:

Current Expense and Capital Budgets. A proposed current expense budget for the fiscal year beginning July 1, 1996, in the aggregate amount of $3,294,500 and a capital budget for the same period in the amount of $2,147,500 in revenue and $1,500,500 in expenditures. Copies of the current expense and capital budget are available from the Commission on request by contacting Richard C. Gore.

A Proposal to Adopt the 1995–1996 Water Resources Program. A proposal that the 1995–1996 Water Resources Program and the activities, programs, initiatives, concerns, projections and proposals identified and set forth therein be accepted and adopted, in accordance with the requirements of Section 13.2 of the Delaware River Basin Compact.

Applications for Approval of the Following Projects Pursuant to Article 10.3, Article 11 and/or Section 3.8 of the Compact:

1. *Holdover Project: C S Water & Sewer Associates D–76–21 (Revised).* An application to revise DRBC Docket No. D–76–21 to approve an existing discharge from a 0.1 million gallons per day (mgd) sewage treatment plant (STP) to an unnamed tributary of the Delaware River; the applicant also proposes to modify the plant by adding an equalization tank. The STP was originally approved predicated upon a discharge directly to the Delaware River. The project STP is located in Lackawaxen Township, Pike County, Pennsylvania. The STP will continue to serve the Masthope Mountain Community residential/resort development. This hearing continues that of September 27, 1995.

2. *Holdover Project: Borough of Dublin D–95–25 CP.* An application for approval of a ground water withdrawal project to supply water to the applicant's distribution system from existing Well Nos. 1, 2 and 3 and new Well No. 5, and to retain the existing withdrawal limit from all wells to 4.36 million gallons (mg)/30 days. Well No. 5 is being developed as an alternate public water supply in accordance with the U.S. Environmental Protection Agency record of decision for the Dublin TCE Superfund site. The project is located in the Borough of Dublin, Bucks County, Pennsylvania in the Southeastern Pennsylvania Ground Water Protected Area. This hearing continues that of September 27, 1995.

3. *U.S. Department of Justice D–94–11 CP.* An application to expand the applicant's Otisville Federal Correctional Institute STP from 0.2 mgd to 0.5 mgd. The expanded STP will provide a new advanced secondary biological treatment system and continue to provide tertiary filtration and ultraviolet disinfection prior to discharge to an unnamed intermittent stream of Basher Kill, a Neversink River tributary. The project is located approximately 1.5 miles north of Otisville in the Town of Mount Hope, Orange County, New York.

4. *Beacon Hill at Upper Freehold D–94–64 CP.* An application for approval of a ground water withdrawal project to supply up to 5.2 mg/30 days of water to the applicant's proposed residential development from new Wells Nos. 1 and 2B, and to limit the withdrawal from all wells to 5.2 mg/30 days. The project is located in Upper Freehold Township, Monmouth County, New Jersey.

5. *Buckingham Township D–95–43 CP.* A project to expand the applicant's Fieldstone STP from 0.022 mgd to 0.061 mgd. The expanded STP will serve growth in the existing residential development of Fieldstone and the proposed residential development of Sylvan Glen, both located in Buckingham Township, Bucks County, Pennsylvania. The STP will continue to provide secondary biological treatment utilizing extended aeration lagoons and, after disinfection, will discharge the increased flow to new spray irrigation fields located at the intersection of Cold Spring Creamery Road and Church School Lane in Buckingham Township. The Fieldstone spray fields, located near the existing STP on the east side of Church School Lane, will be expanded and redesigned to include a new treatment lagoon. The proposed Sylvan Glen spray fields will be in the Pine Run watershed.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact George C. Elias concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

Dated: October 10, 1995.

Susan M. Weisman,

Secretary.

[FR Doc. 95–25883 Filed 10–18–95; 8:45 am]

BILLING CODE 6360–01–P

DEPARTMENT OF ENERGY

Environmental Assessment and Finding of No Significant Impact for the Proposed Interim Storage of Enriched Uranium at the Y–12 Plant, Oak Ridge, TN

AGENCY: Department of Energy.

ACTION: Notice of availability—Finding of No Significant Impact.

SUMMARY: The Department of Energy (DOE) announces the availability of the Finding of No Significant Impact (FONSI) for the Environmental Assessment (EA), ''Proposed Interim Storage of Enriched Uranium Above the Maximum Historical Storage Level at the Y–12 Plant Oak Ridge, Tennessee'' (DOE/EA–0929), as modified in September 1995. After careful consideration of all comments received, and after consideration of the impact of transporting only three metric tons of low enriched uranium (LEU) as analyzed in the modification to the EA, the Department has determined that the receipt, prestorage processing, and interim storage at the Y–12 Plant of up to 506 metric tons of enriched uranium, including storage of up to 500 metric tons of highly enriched uranium (HEU) and 6 metric tons of LEU (3 metric tons more than is currently stored at the Y–12 Plant), does not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of the National Environmental Policy Act (NEPA) of 1969. Therefore, an Environmental Impact Statement (EIS) is not required and the Department has issued a FONSI.

DATES: The EA (DOE/EA–0929), as modified, and FONSI were approved by DOE on September 14, 1995.

ADDRESSES: Questions regarding the EA and FONSI should be addressed to: Mr. William R. Lynch, U.S. Department of Energy, DP–24, 19901 Germantown Road, Germantown, MD 20585, (301) 903–3011.

Copies of the EA and FONSI are available for public review at the following Department of Energy reading rooms:

U.S. Department of Energy, Freedom of Information Reading Room, Forrestal Building, Room 1E–190, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 586–6020

U.S. Department of Energy, Oak Ridge Public Reading Room, 55 Jefferson Avenue, Oak Ridge, Tennessee 37830, (615) 241–4780

FOR FURTHER INFORMATION CONTACT: For general information on the Y–12 project,