the employment of the vendor's spouse. The ALJ ruled that the monthly lease-purchase payments assigned to facility No. 1–350 were in direct violation of the Act, Federal regulations, and the SLA's own policy manual, all of which require the SLA to provide equipment to blind vendors. The ALJ, therefore, directed that the SLA reimburse Mr. Wilson for all equipment charges improperly assessed. The ALJ also ruled that the SLA's proposal to establish a cafeteria facility at the same location as Mr. Wilson's was within the discretion of the SLA.

On April 1, 1992, Mr. Wilson appealed three portions of the ALJ's decision to the Secretary of the U.S. Department of Education. The issues appealed were: (1) The ruling on the proposed new cafeteria facility. (2) The failure of the ALJ to award interest on the reimbursement payments by the SLA to Mr. Wilson for the lease-purchase of equipment. (3) The failure of the ALJ to award attorney's fees.

These issues were pending before a Federal arbitration panel when the SLA imposed a three-day suspension without pay on complainant as the result of alleged actions taken by Mr. Wilson that impaired the assistant manager's ability to perform his duties at facility No. 1–350. Mr. Wilson appealed the SLA's action in a State fair hearing proceeding before an ALJ. The ALJ denied Mr. Wilson's claim, and, subsequently, the complainant filed a grievance with respect to this matter with the Secretary of the U.S. Department of Education. The Secretary consolidated this grievance along with the earlier complaint.

An arbitration hearing was held on this matter on June 29 and 30, 1994. The issues before the panel were: (1) What remedy, if any, is appropriate for the three-day suspension? (2) Did the State agency improperly award the cafeteria contract to the detriment of Mr. Wilson, and, if so, what is the appropriate remedy? (3) Can the arbitration panel award attorney's fees to Mr. Wilson, and, if so, is such an award justified? Prior to the hearing, the parties resolved the issue concerning interest on the leased equipment payments that Mr. Wilson made to the SLA.

Arbitration Panel Decision

The arbitration panel ruled that the SLA did not or would not violate the Randolph-Sheppard Act or any regulations promulgated under the Act by assigning the license to operate the cafeteria facility to a vendor other than Mr. Wilson. The panel's majority concluded, with one dissent, that the conflict between the agency's duty to protect and maximize the earnings of existing vendors and its duty to maximize the number of vendors operating viable facilities is a matter committed to the SLA's discretion. Among other considerations, even if Mr. Wilson's vending facility revenues were to be reduced as he projected, his facility would remain one of the most highly remunerative in the entire State.

The panel also ruled that the complainant failed to show that the refusal to award attorney's fees in the State fair hearing violated any State or Federal statute or regulations.

Finally, the panel ruled that the appropriate remedy for the concededly improper suspension of the complainant was the sum withheld for his three-day suspension plus interest at the Federal funds rate together with costs, including reasonable attorney's fees, incurred by Mr. Wilson in contesting the matter in the State fair hearing proceedings and in the arbitration proceedings. The panel majority concluded, with one dissent, that an award of attorney's fees was appropriate and not barred by the Eleventh Amendment to the United States Constitution.

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

Dated: August 27, 1996.

Judith E. Heumann,

Assistant Secretary Special Education and Rehabilitative Services.

[FR Doc. 96–22217 Filed 8–27–96; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

AGENCY: Department of Energy.

ACTION: Subsequent arrangement.

SUMMARY: Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed ''subsequent arrangement'' to be carried out in Canada under the Agreement for Cooperation Concerning Civil Uses of Atomic Energy between the Government of the United States of America and the Government of Canada, signed June 15, 1955, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreement involves approval of the alteration in form or content of irradiated fuel rods from the H.B. Robinson Nuclear Power Station to produce elements for irradiation in a research reactor, using a dry proliferation-resistant fabrication process in accordance with the plan contained in the document AECL/KAERI/US DOS Joint Development Program for the Direct Use of Spent PWR Fuel in CANDU (DUPIC), dated November 1995.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: August 26, 1996.

For the Department of Energy.

Edward T. Fei,

Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.

[FR Doc. 96–22188 Filed 8–29–96; 8:45 am]

BILLING CODE 6450–01–P

Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

AGENCY: Department of Energy.

ACTION: Subsequent arrangement.

SUMMARY: Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed ''subsequent arrangement'' under the Agreement for Cooperation for Civil Uses of Atomic Power between the United States and the Republic of Argentina, and the Agreement for Cooperation for Civil Uses of Atomic Power between the United States and Brazil.

The subsequent arrangement to be carried out under the above-mentioned agreements involves the conclusion of protocols concerning the suspension of the application of safeguards by the International Atomic Energy Agency (IAEA) under the Safeguards Transfer Agreement between the Republic of Argentina, the United States of America and the IAEA, signed June 13, 1969; and the Safeguards Transfer Agreement between the Federative Republic of Brazil, the United States of America and the IAEA, signed March 10, 1967, and amended July 27, 1972. These agreements will be replaced by a Quadripartite Agreement between Argentina, Brazil, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, the IAEA, and by the Safeguards Agreement referred to as the Voluntary Offer Agreement between the United States

and the IAEA that entered into force on December 9, 1980.

The application of safeguards in Argentina and Brazil pursuant to the Safeguards Transfer Agreements will be suspended while the Quadripartite Agreement is in force and safeguards specified therein are being applied by the IAEA. The application of safeguards in the United States pursuant to the Safeguards Transfer Agreement is suspended while the Voluntary Offer Agreement between the IAEA and the United States, and the protocol thereto, is in force and safeguards specified therein are being applied by the IAEA. These protocols shall enter into force on the date on which the IAEA receives from Argentina, Brazil and the United States written notification of the fulfillment of their respective internal procedures.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: August 26, 1996.

For the Department of Energy.

Edward T. Fei,

Deputy Director International Policy and Analysis Division, Office of Arms Control and Nonproliferation.

[FR Doc. 96–22189 Filed 8–29–96; 8:45 am]

BILLING CODE 6450–01–P

Final Environmental Impact Statement (EIS) for the Hanford Site Tank Waste Remediation System, Richland, WA

AGENCY: Department of Energy and Washington State Department of Ecology.

ACTION: Notice of availability.

SUMMARY: The U.S. Department of Energy (DOE) and the Washington State Department of Ecology (Ecology) announce the availability of a Final EIS entitled ''Tank Waste Remediation System at the Hanford Site, Richland, Washington'' (DOE/EIS–0189). DOE and Ecology co-prepared the EIS. DOE and Ecology revised the information in the Draft EIS in response to public comments and to reflect new environmental information that became available after the Draft EIS was issued in April 1996.

The EIS evaluates the potential environmental impacts of DOE's proposed action as well as reasonable alternatives for management and disposal of mixed, radioactive, and hazardous waste currently or projected to be stored in 177 underground storage tanks and in approximately 60 active and inactive miscellaneous underground storage tanks that were associated with Hanford's tank farm operations. In addition, the EIS evaluates the management and potential disposal of approximately 1,930 cesium and strontium capsules currently on loan or stored at the Hanford Site.

ADDRESSES: Requests for copies of the Final EIS and for further information on the Final EIS should be directed to Ms. Carolyn Haass, DOE TWRS EIS NEPA Document Manager, U.S. Department of Energy, Richland Operations Office, P.O. Box 1249, Richland, WA 99352. Requests for copies of the Draft EIS also can be made via the Internet at TWRSEIS@ken01.JACOBS.com or by calling Ecology's Hanford Information Line at 1–800–321–2008. Addresses of locations where the Final EIS will be available for public review are listed in this notice under ''DOE Reading Rooms and Information Repositories.'' The Final EIS is also available for review on the Internet at www.hanford.gov.

General information on the DOE National Environmental Policy Act (NEPA) process may be requested from Ms. Carol Borgstrom, Director, Office of NEPA Policy and Assistance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585. Ms. Borgstrom may be contacted by telephone at (202) 586–4600 or by leaving a message at 1–800–472–2756.

SUPPLEMENTARY INFORMATION:

Background

DOE and Ecology issued a Draft EIS for public comment and published a Notice of Availability in the Federal Register on April 15, 1996 (61 FR 16471). EPA published a Notice of Availability in the Federal Register on April 12, 1996 (61 FR 16248). Public hearings on the Draft EIS were held in Pasco, Washington on May 2, 1996; Portland, Oregon on May 9, 1996; Arlington, Virginia on May 7, 1996; Spokane, Washington on May 15, 1996; and Seattle, Washington on May 22, 1996. All written and oral comments on the Draft EIS received during the 45 day public comment period were assessed and considered by DOE and Ecology both individually and collectively. Comment letters, transcripts of oral comments, and transcripts of public hearings and meetings are available for review at locations listed in this notice under ''DOE Reading Rooms and Information Repositories.''

DOE requested the National Academy of Science to review and comment on the TWRS Draft EIS. DOE will carefully consider all comments provided by the National Academy of Science and the public in the Record of Decision.

DOE and Ecology revised the information in the Draft EIS in response to public comments and to reflect new environmental information that became available after the Draft EIS was issued. Appendix L contains oral and written comments and DOE and Ecology's responses to the comments. Responses to comments included appropriate revisions of the EIS, answers to questions, explanations of technical issues, references to information in other DOE environmental impact statements, references to information provided in the Draft EIS, explanations of the relationship of this EIS to other related DOE NEPA documents, statements of government policy, or indications that the comment was outside the scope of this EIS.

The Final EIS has been filed with the Environmental Protection Agency (EPA) and has also been distributed to Federal, State, and local officials, Tribal Nations, as well as agencies, organizations, and individuals who may be interested or affected. The Final EIS and supporting technical reports also are available for public review in DOE reading rooms and designated information repository locations identified in this notice. DOE plans to issue a Record of Decision on the EIS no sooner than 30 days after publication of EPA's notice of availability of the Final EIS in the Federal Register (i.e., no sooner than September 30, 1996).

Alternatives Considered

The Final EIS evaluates ten tank waste alternatives in detail:

- No Action—perform minimum activities required for safe and secure management of Hanford's tank wastes with the current tank farm configuration;
- Long-Term Management—perform minimum activities required for safe and secure management of Hanford's tank waste including upgrades to tank farms with the current single-shell tank farm configuration and the replacement of the double-shell tanks twice during a 100-year period;
- In Situ Fill and Cap—retrieve and evaporate liquid waste from the double-shell tanks, then fill all tanks with gravel and cover the tank farms with an earthen surface barrier, disposing of all tank waste onsite;
- In Situ Vitrification—retrieve and evaporate liquid waste from the double-shell tanks, then vitrify all of the tank