Barbara A. Carmichael,

Alternate Air Force Federal Register Liaison Officer.

[FR Doc. 97–29919 Filed 11–13–97; 8:45 am]

BILLING CODE 3910–01–P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Proposed collection; comment request.

SUMMARY: The Deputy Chief Information Officer, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before January 13, 1998.

ADDRESSES: Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202–4651.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Deputy Chief Information Officer, Office of the Chief Information Officer, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department, (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate, (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: November 7, 1997.

Gloria Parker,

Deputy Chief Information Officer, Office of the Chief Information Officer.

Office of Educational Research and Improvement

Type of Review: New.
Title: 1998 National Assessment of Educational Progress (NAEP), Writing Special Study.
Frequency: One Time.
Affected Public: Individuals or households.
Reporting Burden and Recordkeeping:
Responses: 6,200
Burden Hours: 2,200

Abstract: The 1998 NAEP writing special study is designed to bolster the understanding of study NAEP writing achievement with information on student's best writing assignments, and the writing process. In addition, the study will collect information about teachers' emphasis on writing curriculum and instructional approaches. The study will be conducted with a sample of 6000 (4th and 8th grade) students and 200 teachers. The study will use a structured protocol to obtain more detailed and valid information about classroom instructional practices than a standard background questionnaire. Students will be asked to select three examples of their best writing and to fill out a brief questionnaire describing the samples of writing that they submit.

Office of the Under Secretary

Type of Review: New.
Title: Targeting and Resource Allocation Study.
Frequency: One time.
Affected Public: State education agencies, school districts and schools.
Reporting and Recordkeeping Hour Burden:
Responses: 6,097
Burden Hours: 6,000

Abstract: This study will examine targeting and resource allocation in major federal education programs, including Title I, Title II (Eisenhower Professional Development), Title IV (Safe and Drug-Free Schools and Communities), Title VI, and Goals 2000. The study will examine how resources are allocated among various strategies for improving student achievement, how the use of resources varies across schools and districts (e.g., by school poverty levels and size of allocation), and changes in the targeting of funds since the reauthorization of the Elementary and Secondary Education Act (ESEA) in 1994. The study will examine the extent to which funds are being used for strategies highlighted in Goals 2000 and the reauthorized Elementary and Secondary Education Act, including professional development, extended time, parent involvement, coordinated services, and schoolwide approaches. The study will obtain information on the kinds of expenditures, staff, and activities typically associated with different strategies; and how resource allocation decisions are made. The study will also examine the amount of federal funds retained at the state and district levels for administrative and other purposes, how those funds are used, and how much of the funds reach the school level.

[FR Doc. 97–29959 Filed 11–13–97; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Savannah River Operations Office

Interim Management of Nuclear Materials at the Savannah River Site

AGENCY: Department of Energy.

ACTION: Supplemental record of decision.

SUMMARY: The U.S. Department of Energy (DOE) prepared a final environmental impact statement (EIS), ''Interim Management of Nuclear Materials'' (DOE/EIS–0220, October 20, 1995), to assess the potential environmental impacts of actions necessary to manage certain nuclear materials at the Savannah River Site (SRS), Aiken, South Carolina, until decisions on their future use or ultimate disposition are made and implemented. Some of the particular materials considered in the EIS could present

environment, safety and health vulnerabilities in their current storage condition.

On December 12, 1995, DOE issued a Record of Decision (ROD) and Notice of Preferred Alternatives, 60 FR 65300 (December 19, 1995), on the interim management of several categories of nuclear materials at the SRS. That ROD announced DOE's decision to stabilize plutonium and uranium stored in vaults using a combination of four methods that were fully analyzed in the Final EIS: (1) Improving Storage, (2) Processing to Metal, (3) Processing to Oxide, and (4) Vitrification (F-Canyon). DOE also announced a narrowing of alternatives under consideration for the stabilization of plutonium-239 and neptunium-237 solutions in H-Canyon, and obsolete neptunium targets in K-Reactor.

On September 6, 1996, DOE issued a Supplemental ROD (61 FR 48474, September 13, 1996) to stabilize the H–Canyon plutonium-239 solutions to metal using the F–Canyon and FB-Line facilities, and to stabilize the H-Canyon neptunium-237 solution and obsolete neptunium targets (stored in K-Reactor) to glass using the F–Canyon vitrification capability.

Now, after further review of the plutonium and uranium materials stored in vaults, and considering DOE's recent adoption of a phased canyon strategy for current and potential nuclear material management missions, DOE has decided to: (1) add an additional method, Processing and Storage for Vitrification in the Defense Waste Processing Facility (DWPF), to those being implemented for the management of plutonium and uranium stored in vaults; and (2) amend its September 6, 1996, ROD to stabilize the plutonium-239 and neptunium-237 solutions stored in H-Canyon and obsolete neptunium-237 targets stored in K-Reactor to oxide forms using the H-Canyon facilities. These management methods were fully analyzed in the Final EIS.

FOR FURTHER INFORMATION CONTACT: This is the fourth ROD to be issued to supplement the initial ROD for the interim management of nuclear materials at the SRS. (See 61 FR 6633 (February 21, 1996); 61 FR 48474 (September 13, 1996); 62 FR 17790 (April 11, 1997).) For further information on the interim management of nuclear materials at the SRS or to receive a copy of the Final EIS, the initial ROD and Notice, or the supplemental RODs contact: Andrew R. Grainger, NEPA Compliance Officer, U.S. Department of Energy, Savannah River Operations Office, Building 773–42A, Room 212, Aiken, South Carolina 29802, (800) 881–7292, Internet: drew.grainger@srs.gov.

For further information on the DOE National Environmental Policy Act (NEPA) process, contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance, EH–42, U.S. Department of Energy 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–4600, or leave a message at (800) 472–2756.

SUPPLEMENTARY INFORMATION:

Background

The U.S. Department of Energy (DOE) prepared the final environmental impact statement (EIS), ''Interim Management of Nuclear Materials'' (DOE/EIS–0220, October 20, 1995), to assess the potential environmental impacts of actions necessary to manage certain nuclear materials at the Savannah River Site (SRS), Aiken, South Carolina, until decisions on their future use or ultimate disposition are made and implemented. Some of the particular materials considered in the EIS could present environment, safety and health vulnerabilities in their current storage condition.

The Final EIS identified Improving Storage, Processing to Metal, Processing to Oxide, and Vitrification (F-Canyon) using a combination of the F-Canyon, FB-Line, H-Canyon, HB-Line, and the to-be-constructed Actinide Packaging and Storage Facility (APSF) as the preferred alternative for managing the plutonium and uranium stored in vaults. The Final EIS identified Processing to Oxide, in conjunction with using the APSF, as the preferred alternative for managing the plutonium-239 and neptunium-237 solutions and obsolete neptunium targets.

On December 12, 1995, DOE issued a ROD and Notice of Preferred Alternatives (60 FR 65300) on the interim management of several categories of nuclear materials at the SRS. DOE decided to stabilize plutonium and uranium stored in vaults using a combination of four management methods: (1) Improving Storage, (2) Processing to Metal, (3) Processing to Oxide, and (4) Vitrification (F-Canyon). The amount of materials stabilized using each of the methods would be dependent upon: (a) the physical condition and chemical composition of the material (which DOE will determine upon opening each of the containers or packages inside a glove box in either FB-Line or HB-Line) and (b) the availability of the required facilities.

On February 8, 1996, DOE issued a supplemental ROD (61 FR 6633) for the stabilization of two of the remaining categories of nuclear materials (Mark-16 and Mark-22 fuels, and other aluminum-clad targets) analyzed in the Final EIS.

After considering a DOE staff study and recommendation on canyon facility utilization, DOE issued a second supplemental ROD on September 6, 1996 (61 FR 48474), for the stabilization of the neptunium-237 solution and obsolete neptunium targets, and plutonium-239 solutions.

On April 2, 1997, DOE issued a third supplemental ROD (62 FR 17790) for the stabilization of the remaining Taiwan Research Reactor (TRR) spent nuclear fuel (62 canisters, containing approximately 310 rods). These fuel rods were believed to be stable when the Final EIS and initial ROD were issued. However, given new evidence of apparent cladding failure from at least two canisters, and the fuel's storage, handling, and transportation history, DOE decided to stabilize in the F-Canyon and FB-Line facilities the remaining TRR fuel in the same manner as the original failed TRR fuel.

On July 17, 1997, the Secretary of Energy approved the adoption of a new phased canyon strategy on the use of the SRS canyon facilities, and DOE is now modifying the September 6, 1996 decision for the reasons explained below.

Interim Management of Nuclear Materials EIS

The Interim Management of Nuclear Materials (IMNM) Final EIS considered the interim management of certain nuclear materials at the SRS. These materials included approximately 3,000 containers of plutonium and uranium materials stored in vaults at the SRS, approximately 34,000 liters (9,000 gallons) of plutonium-239 solutions stored in the H-Canyon, approximately 6,100 liters (1,600 gallons) of neptunium-237 solution stored in H-Canyon, and nine (9) obsolete neptunium-237 targets for the production of plutonium-238 stored in K-Reactor. A small fraction of the vault containers, about five percent or 120 containers, contain a substantial fraction of the plutonium-238 isotope. Plutonium-238 is generally used as a heat source, and has been used to provide energy for deep space exploratory missions.

The plutonium and uranium vault materials contain potentially reactive compounds, plastics that can degrade and decompose, and unknown constituents that make them unsuitable for interim to long-term storage. The

plutonium and neptunium solutions are unsuitable for extended storage because of the greater potential for abnormal events (e.g., criticality, leaks, spills) that could result in releases of radioactive materials to the environment and exposure to workers and the public. The continued storage of the obsolete neptunium targets leads to increased worker radiation exposure that could be reduced if DOE consolidated neptunium storage, thereby advancing DOE's radiation protection policy of reducing radiation exposure to as low as reasonably achievable levels.

The IMNM Final EIS evaluated the potential environmental impacts of several alternatives for stabilizing SRS nuclear materials. For the plutonium and uranium stored in vaults, these alternatives included processing the materials to either a metal or an oxide form, processing to a glass form in a new vitrification capability to be installed in the F-Canyon facility, processing the material for vitrification (conversion to glass) in the Defense Waste Processing Facility (DWPF), and improving storage through heat treating, sorting, and repackaging. For the plutonium-239 and neptunium-237 solutions and obsolete neptunium targets, the alternatives included processing the materials to an oxide form, processing to a glass form in the new vitrification capability to be installed in the F-Canyon facility, and processing the material for vitrification in the DWPF. Processing to metal, using the F-Canyon/FB-Line facilities, was also evaluated for the plutonium-239 solutions. DOE also considered continued storage of the materials, i.e., the ''No Action'' alternative. The IMNM Final EIS identified Processing to Metal, Processing to Oxide, Vitrification (F-Canyon), and Improving Storage as the preferred alternatives for managing the plutonium and uranium vault materials, and Processing to Oxide as the preferred alternative for managing the plutonium-239 and neptunium-237 solutions, and obsolete neptunium targets.

Environmental Impacts of Alternatives

DOE performed evaluations of the potential impacts of managing all SRS nuclear materials for each of the alternatives identified in the IMNM Final EIS. For each alternative, the evaluations assumed all the materials in each category (e.g., plutonium and uranium materials stored in vaults [approximately 3,000 containers], H-Canyon plutonium-239 solutions [approximately 34,000 liters], and neptunium-237 solution [approximately 6,100 liters] and 9 obsolete neptunium targets) would be managed using each alternative. Summaries of the potential impacts from the alternatives were presented in the IMNM Final EIS [Table 2–5 (page 2–51) for the neptunium solution and targets, Table 2–6 (page 2–52) for the plutonium-239 solutions, and Table 2–8 (page 2–54) for the plutonium and uranium stored in vaults].

DOE has concluded that there would be minimal environmental impact from the implementation of any of these alternatives in the areas of geologic resources, ecological resources (including threatened or endangered species), cultural resources, aesthetic and scenic resources, noise, and land use. Impacts in these areas would be limited because facility modifications or construction of new facilities would occur within existing buildings or industrialized portions of the SRS. DOE anticipates that the existing SRS workforce would support any construction projects and other activities required to implement any of the alternatives. As a result, DOE expects negligible socioeconomic impacts from implementing any of the alternatives.

Emissions of hazardous air pollutants and releases of hazardous liquid effluents for any of the alternatives would be within applicable federal standards and existing regulatory permits for the SRS facilities. Similarly, high-level liquid waste, transuranic waste, mixed hazardous waste and low-level solid waste generated by implementation of any of the alternatives would be handled by existing waste management facilities. All of the waste types and volumes are within the capability of the existing SRS waste management facilities for storage, treatment or disposal.

Environmentally Preferable Alternatives

As described in the IMNM Final EIS, certain management alternatives are expected to result in lower environmental impacts than others. However, a single alternative was rarely estimated to have lower impacts for all environmental factors. DOE reviewed the potential environmental impacts estimated for the alternatives evaluated for each material category at the SRS, and identified the following as the environmentally preferable alternatives:

Plutonium and Uranium Stored in Vaults

Improving storage for plutonium and uranium stored in vaults is estimated to result in the lowest radiological dose to the offsite public but a relatively higher dose to the SRS workers. This alternative would result in the lowest level of air emissions with comparable levels of water emissions; and would generate the least amount of high-level (zero) and mixed waste, with comparable amounts of transuranic and low-level waste as compared to the other alternatives. The improving storage alternative reduces the quantity of materials requiring chemical processing through the canyon facilities.

Plutonium-239 Solutions—Vitrification (F-Canyon)

Vitrification in F-Canyon of the H-Canyon plutonium-239 solutions is estimated to result in the lowest radiological doses to the offsite public and the SRS workers; result in comparable levels of hazardous pollutant emissions to the air and water; and generate the least amount of transuranic, mixed, and low-level waste, but comparable amounts of high-level waste as compared to the other alternatives.

Neptunium-237 Solution and Obsolete Targets—Vitrification (F-Canyon)

Vitrification in F-Canyon for stabilizing the solution and targets containing neptunium is estimated to result in slightly higher radiological doses to the SRS workers but result in the lowest radiological doses to the offsite public; result in higher airborne emissions of hazardous pollutants with comparable levels of liquid effluent emissions; and generate the least amount of high-level, transuranic and mixed wastes, but comparable amounts of low-level waste as compared to the other alternatives.

Decision

DOE has decided to supplement its previous decision for the management of plutonium and uranium stored in vaults (60 FR 65300), and amend its previous decision for the management of plutonium-239 solutions stored in H-Canyon, neptunium-237 solution stored in H-Canyon, and obsolete neptunium targets stored in K-Reactor (61 FR 48474).

Plutonium and Uranium Stored in Vaults

DOE has decided to implement Processing and Storage for Vitrification in the DWPF as an additional method for managing plutonium and uranium stored in vaults. This method is being implemented principally for a small quantity, approximately 10 kilograms, of plutonium-bearing materials containing plutonium-238. Plutonium-238 is an isotope of plutonium used generally as a heat source in National Aeronautics and Space Administration and other

national programs. Approximately five percent (120) of the 3,000 containers of plutonium and uranium stored in vaults are expected to be managed using this method. The plutonium-238 material is unsuitable for programmatic purposes without isotopic enrichment. The capability for plutonium-238 isotopic enrichment does not exist within the DOE complex and is not being developed. Other low-fissile content plutonium and uranium vault materials, upon inspection, may also be managed in this manner. The potential impacts from this action would be low and well within the potential impacts identified in the IMNM Final EIS. (The IMNM Final EIS considered the impacts of managing all of the plutonium and uranium stored in vaults with this management method.)

This decision permits the stabilization and ultimate disposition of scrap and residue material containing plutonium-238 in DWPF glass canisters. Some additional small fraction of low-fissile content plutonium and uranium vault materials may also, after inspection, be managed in this manner. The fissile content of these materials, diluted or poisoned as may be necessary, will not present criticality or waste disposal concerns within the waste management system. This management method involves minimal facility operations and can be initiated quickly to alleviate the vulnerabilities of continued vault storage. The remainder of the containers of plutonium and uranium stored in vaults will be stabilized using one of the four previously selected management methods (60 FR 65300, December 19, 1995).

The IMNM Final EIS (section 2.3.1, page 2–19) describes technical challenges that must be overcome to stabilize plutonium and uranium vault materials using the high-level waste system and the DWPF. The most significant is control of potential nuclear criticality. Plutonium-238 does not present a threat of inadvertent criticality because, unlike plutonium-239 and uranium-235 (the principal nuclear materials in the vault materials), very large quantities of plutonium-238 would have to be assembled to result in a criticality. Quantities of this magnitude would not occur in the high-level waste tanks. However, this management method will also entail the transfer of plutonium-239 mixed with the plutonium-238 (and potentially other vault materials containing low concentrations of plutonium-239 and uranium-235) to the high-level waste tanks. Therefore, dilution and/or neutron poisoning of the transferred materials as considered in the IMNM Final EIS may be required to ensure nuclear criticality safety requirements are met.

DOE has determined that adding this method for managing a small fraction of plutonium and uranium materials would be advantageous to the overall materials stabilization program. The facility, HB-Line, where plutonium-238 materials are processed, has completed plutonium-238 processing activities for programmatic purposes and DOE has now determined that HB-Line should be prepared for the stabilization of other materials in order to complete the SRS materials stabilization mission as soon as possible within existing resource and facility limitations. Eliminating the purification and resulting solution conversion processing of plutonium-238 at HB-Line enables this capability to be used for the stabilization of other materials.

This decision also eliminates a need to store plutonium-238, not expected to have any future programmatic use, in the new SRS storage vault, the APSF. This will allow DOE to save associated design, construction, and operating costs by eliminating the need for a cooled-storage array module in the APSF.

Plutonium-239 Solutions

DOE has decided to stabilize the H-Canyon plutonium-239 solutions by processing them to oxide in the H-Canyon and HB-Line facilities. The plutonium-239 solutions will undergo processing in H-Canyon as necessary to remove impurities that would interfere with the conversion-to-oxide process in HB-Line. The resulting stabilized plutonium oxide will be stored in an existing vault at the SRS until the new APSF is available. The stabilized plutonium will be stored until DOE implements disposition decisions on this surplus weapons-useable plutonium.

The SRS has an existing facility (HB-Line, Phase II) designed to purify and convert plutonium-239 (and neptunium) to an oxide, but it has never been operated. In the September 6, 1996 decision (61 FR 48474) for the stabilization of this plutonium-239, DOE had expected that by not starting up the Phase II facility, substantial costs associated with its future decontamination and decommissioning could be avoided. After further consideration, however, it has become clear that the facility, by virtue of its location within the H-Canyon structure and its inter-connection with other HB-Line processes, has been radioactively contaminated. The Department now believes that future decontamination and decommissioning will be required whether or not the HB-Line Phase II facility ever operates. Thus, operating the facility to purify and convert plutonium-239 (and neptunium) to an oxide will not add substantial costs to the facility's future decontamination and decommissioning.

Processing the plutonium-239 solutions in H-Canyon and HB-Line also will eliminate the need to transport 34,000 liters (9,000 gallons) of this material from H-Canyon to F-Canyon. This will eliminate the need to transport liquids containing fissile materials and associated transfer costs. HB-Line processing also will permit operation of the metal production part of the FB-Line, which was built in the early 1960's, to be terminated sooner.

The quantity of oxide produced (plus the metal to be produced as a result of decisions made in the December 12, 1995 (60 FR 65300) and April 2, 1997 (62 FR 17790) RODs) will constitute only a small fraction of DOE's existing inventory of weapons-useable plutonium. DOE believes that the addition of this small amount does not present new nuclear proliferation concerns. DOE already has made a commitment that plutonium from DOE's stabilization actions will not be used for nuclear explosive purposes.

Neptunium-237 Solution and Obsolete Neptunium Targets

DOE has decided to stabilize the neptunium-237 solution and obsolete neptunium targets to oxide in the H-Canyon and HB-Line facilities. The nine obsolete targets will be transported from K-Reactor to H-Canyon. At H-Canyon, the targets will be dissolved and processed to separate the neptunium from other materials (principally aluminum). These other materials will be sent to the high-level waste tanks for eventual treatment through the Saltstone and DWPF facilities. The existing neptunium solution and those generated from the obsolete targets will be converted to an oxide in the HB-Line facilities after purification in H-Canyon. In addition, neptunium separated from the stabilization of the Mark-16 and Mark-22 fuels (as announced in the February 8, 1996 supplemental ROD (61 FR 6633) will be stabilized along with the neptunium solution and targets. The resulting canisters containing the neptunium oxide will be stored in either the H- or F-Canyon facility or the new APSF, when constructed, until DOE implements programmatic decisions on the future use of the neptunium.

DOE has selected processing to oxide in H-Canyon/HB-Line for several reasons. The SRS has an existing facility

(HB-Line, Phase II) designed to purify and convert neptunium (and plutonium-239) to an oxide. For the reasons discussed above regarding the stabilization of plutonium-239 solutions, not operating the Phase II line for neptunium stabilization would not save significant decontamination and decommissioning costs. In addition, DOE could use the HB-Line Phase III line, an operational facility, to allow neptunium stabilization activities to begin sooner than previously scheduled. HB-Line Phase III, however, has limited processing capacity. Relying solely on HB-Line Phase III for neptunium conversion would extend stabilization completion several years. Processing the neptunium-237 solution in H-Canyon and HB-Line, however, will eliminate the need to transport 6,100 liters (1,600 gallons) of this material from H-Canyon to F-Canyon. Furthermore, recent difficulties encountered in the development program for vitrification of the americium and curium solution indicate that the schedule and cost for vitrification of the neptunium in F-Canyon were significantly underestimated.

To maintain the neptunium in a concentrated physical form, thus preserving the potential for future use, DOE evaluated alternatives for converting the neptunium to either an oxide or glass. Either form was originally determined acceptable to support future use of the material, if required. DOE has now determined that to best preserve the neptunium for potential programmatic use (and to minimize associated future waste generation) it should be converted to a stable oxide. Neptunium oxide is the traditional form produced at the SRS and is the form used for programmatic purposes (i.e., plutonium-238 production).

Issued at Washington, DC, October 31, 1997.

Alvin L. Alm,

Assistant Secretary for Environmental Management.

[FR Doc. 97–30005 Filed 11–13–97; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Caliper Technologies, Inc.

AGENCY: Office of the General Counsel, Department of Energy.

ACTION: Notice of Intent to Grant Exclusive or Partially Exclusive Patent License.

SUMMARY: Notice is hereby given of an intent to grant to Caliper Technologies, Inc., of Palo Alto, California, an exclusive or partially exclusive license to practice the invention described in Israel Patent Application S.N. 119,342, entitled ''Method for Priming and DNA Sequencing,'' and corresponding Patent Applications in the U.S.A., Japan, certain European countries, and possible other countries. The invention is owned by the United States of America, as represented by the Department of Energy (DOE). The proposed license may be exclusive, or partially exclusive, but will be subject to a license and other rights retained by the U.S. Government, and other terms and conditions to be negotiated. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. § 209(c), unless within 60 days of this notice the Assistant General Counsel for Technology Transfer and Intellectual Property, Department of Energy, Washington, D.C. 20585, receives in writing any of the following, together with supporting documents:

(i) A statement from any person setting forth reasons why it would not be in the best interests of the United States to grant the proposed license; or

(ii) An application for a nonexclusive license to the invention, in which applicant states that he already has brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

DATES: Written comments or nonexclusive license applications are to be received at the address listed below no later than January 13, 1998.

ADDRESSES: Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

FOR FURTHER INFORMATION CONTACT: Robert J. Marchick, Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, Forrestal Building, Room 6F–067, 1000 Independence Avenue, S.W., Washington, D.C. 20585; Telephone (202) 586–4792.

SUPPLEMENTARY INFORMATION: 35 U.S.C. 209(c) provides the Department with authority to grant exclusive or partially exclusive licenses in Department-owned inventions, where a determination can be made, among other things, that the desired practical application of the invention has not been achieved, or is not likely expeditiously to be achieved, under a nonexclusive license. The statute and implementing regulations (37 CFR Part 404) require that the necessary determinations be made after public notice and opportunity for filing written objections.

Caliper Technologies, Inc., of Palo Alto, California, has applied for an exclusive license to practice the subject invention and has a plan for commercialization of the invention.

The proposed license is expected to be exclusive or partially exclusive, subject to a license and other rights retained by the U.S. Government, and subject to a negotiated royalty and other fees. The Department will review all timely written responses to this notice, and will grant the license if, after expiration of the 60-day notice period, and after consideration of written responses to this notice, a determination is made, in accordance with 35 U.S.C. 209(c), that the license grant is in the public interest.

Issued in Washington, D.C., on November 7, 1997.

Paul A. Gottlieb,

Assistant General Counsel, for Technology Transfer and Intellectual Property.

[FR Doc. 97–30003 Filed 11–13–97; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER97–886–001]

Brooklyn Navy Yard Cogeneration Partners, L.P.; Notice of Filing

November 7, 1997.

Take notice that on October 30, 1997, Brooklyn Navy Yard Cogeneration Partners, L.P. tendered for filing its compliance filing in the above-referenced docket.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington D.C. 20426, in accordance with Rules 211 and 214 of the, Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before November 21, 1997. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the