

administers, and, to the extent feasible, to select priorities for action at least 30 days before the beginning of each fiscal year. Section 4(j) of the CPSA provides further that before establishing its agenda and priorities, the Commission shall conduct a public hearing and provide an opportunity for the submission of comments. In addition, section 306(d) of the Government Performance and Results Act (GPRA) (5 U.S.C. 306(d)) requires the Commission to seek comments from interested parties on the agency's proposed strategic plan. The strategic plan is a GPRA requirement. The plan will provide an overall guide to the formulation of future agency actions and budget requests. A final strategic plan is required to be submitted to the Office of Management and Budget and Congress not later than September 30, 1997. (5 U.S.C. 306(a)).

The Office of Management and Budget requires all Federal agencies to submit their budget requests 13 months before the beginning of each fiscal year. The Commission is formulating its budget request for fiscal year 1999, which begins on October 1, 1998. This budget request must reflect the contents of the agency's strategic plan developed under GPRA.

The Commission is charged by Congress with protecting the public from unreasonable risks of injury associated with consumer products. The Commission enforces and administers the Consumer Product Safety Act (15 U.S.C. 2051 *et seq.*); the Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq.*); the Flammable Fabrics Act (15 U.S.C. 1191 *et seq.*); the Poison Prevention Packaging Act (15 U.S.C. 1471 *et seq.*); and the Refrigerator Safety Act (15 U.S.C. 1211 *et seq.*). Standards and regulations issued under provisions of those statutes are codified in the Code of Federal Regulations, title 16, chapter II.

#### Purpose of the Public Hearing

The Commission will conduct a public hearing on May 13, 1997 to receive comments from the public concerning its draft GPRA strategic plan, and agenda and priorities for fiscal year 1999. The Commissioners desire to obtain the views of a wide range of interested persons including consumers; manufacturers, importers, distributors, and retailers of consumer products; members of the academic community; consumer advocates; and health and safety officers of state and local governments.

While the Commission has broad jurisdiction over products used by consumers, its staff and budget are

limited. Section 4(j) of the CPSA expresses Congressional direction to the Commission to establish an agenda for action each fiscal year and, if feasible, to select from that agenda some of those projects for priority attention. These priorities are reflected in the draft strategic plan developed under GPRA.

#### Participation in the Hearing

Persons who desire to make oral presentations at the hearing on May 13, 1997, should call or write Rockelle Hammond, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (301) 504-0800, telefax (301) 504-0127, not later than April 29, 1997. Persons who desire a copy of the draft strategic plan (available April 1, 1997) may call or write Rockelle Hammond, office of the Secretary CPSC, Washington DC 20207, telephone (301) 504-0800, (301) 504-0127.

Presentations should be limited to approximately ten minutes. Persons desiring to make presentations must submit the written text of their presentations to the Office of the Secretary not later than May 6, 1997. The Commission reserves the right to impose further time limitations on all presentations and further restrictions to avoid duplication of presentations. The hearing will begin at 10 a.m. on May 13, 1997 and will conclude the same day.

#### Written Comments

Written comments on the Commission's draft strategic plan, and agenda and priorities for fiscal year 1999, should be received in the Office of the Secretary not later than April 29, 1997.

Dated: March 7, 1997.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Corps of Engineers

#### Intent To Prepare a Draft Supplemental Environmental Impact Statement for the Limited Reevaluation Study for the Deeping of the Arthur Kill/Howland Hook Navigation Channel

AGENCY: Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: In response to a House of Representatives, Committee on Public

Works and Transportation Resolution dated May 9, 1979 to alleviate current and future navigation restrictions associated with the Arthur Kill/Howland Hook navigation channel, The U.S. Army Corps of Engineers, New York District, prepared a feasibility report and a final environmental impact statement in October 1995 that recommended a six foot deepening (from -35 to -41 feet) for a distance of approximately 2.1 miles and a five foot deepening (-35 to -40 feet) along another 1.0 mile section of the channel

The New York District suspended work on the project in 1991. The Final Environmental Impact Statement (FEIS) however was completed. The New York District has now initiated a Limited Reevaluation study to reaffirm the recommended plan. Upon re-evaluation of the status of a FEIS which was filed on July 11, 1986, the New York District has determined that it is appropriate to prepare a supplemental environmental impact statement. This notice of intent supersedes the earlier notice to prepare a new environmental impact statement published in the Federal Register on September 30, 1996.

**FOR FURTHER INFORMATION CONTACT:** For more information regarding this notice, please contact Mr. Mark Burlas, ATTN: CENAN-PL-EA, U.S. Army Corps of Engineers, New York District, 26 Federal Plaza, New York, NY 10278-0090, or phone (212) 264-4663.

**SUPPLEMENTARY INFORMATION:** The Arthur Kill navigation channel is a component of the New York Harbor Estuarine System connecting Raritan Bay and Newark Bay. The channel is situated between New Jersey and Staten Island, New York. The Arthur Kill/Howland Hook navigation channel's northern limit is the confluence of the Kill van Kull and Newark Bay channels. The project area extends south for approximately 3.1 miles.

Currently, navigation in the project area is severely constrained. The existing depth of the Arthur Kill/Howland Hook channel section is not sufficient to allow the safe and efficient passage of fully loaded container and liquid bulk (tankers) vessels calling on terminals in the channel. The current mode of operation calls for tankers to lighter-off in anchorages and enter the Arthur Kill/Howland Hook section of channel during high tides. Containerships calling on terminals must be loaded to less than their design

capacities at their home ports and sail without a full load.

Gregory D. Showalter,

*Army Federal Register Liaison Officer.*

[FR Doc. 97-6155 Filed 3-11-97; 8:45 am]

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## Corps of Engineers

### Availability of the Environmental Assessment for the Limited Reevaluation Study for Deepening of the Kill Van Kull and Newark Bay Navigation Channels

**AGENCY:** Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** A Final Environmental Impact Statement (FEIS) for the Kill Van Kull and Newark Bay Channel Deepening Project was prepared and the project was authorized in the Supplemental Appropriations Act of 1985. A decision was made to deepen the channels in two phases and a Supplemental EIS was prepared to address disposal and sediment contamination issues and finalized in 1987. Phase I, the deepening to -40 feet mean low water (MLW) has been completed. The U.S. Army Corps of Engineers, New York District has prepared an Environmental Assessment (EA) for the Phase II deepening of the channels to their authorized depth of -45 feet MLW. The proposed project extends from the confluence of the Kill Van Kull and Anchorage Channels to Station 139+20N, the northern edge of the Port Elizabeth reach, approximately eight miles. The non-federal sponsor prefers to defer portions of the original project including the Port Newark Channel, and a portion of the Newark Bay Channel north of Station 139+20N. This segment was included in the economic, engineering, and environmental analyses, but is not being recommended for construction at this time. The New York District has initiated a Limited Reevaluation Study to reaffirm the recommended plan. An EA is being prepared to update the NEPA process.

**FOR FURTHER INFORMATION CONTACT:** For more information regarding this notice, please contact Ms. Mary M. Browning, ATTN: CENAN-PL-EA, U.S. Army Corps of Engineers, New York District, 26 Federal Plaza, New York, NY 10278-0090, or phone (212) 264-2198.

**SUPPLEMENTARY INFORMATION:** The Kill Van Kull and Newark Bay is a component of the Hudson-Raritan Estuarine System which lies below the confluence of the Hackensack and

Passaic Rivers. The channel is situated between New Jersey and Staten Island, New York, and is northwest of the Upper Bay of New York Harbor.

Currently, navigation in the project area is severely constrained. The existing depth of the Kill Van Kull and Newark Bay Channels are not sufficient to allow the safe and efficient passage of fully loaded container and liquid bulk (tankers) vessels still willing to call on terminals in the channel. The current mode of operation calls for tankers to lighter-off in anchorages and enter the Kill Van Kull and Newark Bay Channels during high tides. Container ships calling on terminals must be loaded to less than their design capacities at their home ports and sail without a full load. This is inefficient, costly, and results in unnecessary navigational and environmental risks. Deepening the channels to their authorized depth of -45 feet MLW will provide for more economically efficient and safe utilization of these channels by vessels with drafts greater than 40 feet.

Gregory D. Showalter,

*Army Federal Register Liaison Officer.*

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## DEPARTMENT OF ENERGY

[Docket No. ETEC-023]

### Certification of the Radiological Condition of Building 023 at the Energy Technology Engineering Center Near Chatsworth, CA

**AGENCY:** Office of Environmental Restoration, DOE.

**ACTION:** Notice of certification.

**SUMMARY:** The Department of Energy (DOE) has completed radiological surveys and taken remedial action to decontaminate Building 023 located at the Energy Technology Engineering Center (ETEC) near Chatsworth, California. This property previously was found to contain radioactive materials from activities carried out for the Atomic Energy Commission and the Energy Research and Development Administration (AEC/ERDA), predecessor agencies to DOE. Although DOE owns the majority of the buildings and equipment, a subsidiary of Rockwell International, Rocketdyne, owned the land. Rocketdyne has recently been sold to Boeing North American Incorporated.

**FOR FURTHER INFORMATION CONTACT:** Don Williams, Program Manager, Office of Northwestern Area Programs, Office of Environmental Restoration (EM-44),

U.S. Department of Energy, Washington, D.C. 20585.

**SUPPLEMENTARY INFORMATION:** DOE has implemented environmental restoration projects at ETEC (Ventura County, Map Book 3, Page 7, Miscellaneous Records) as part of DOE's Environmental Restoration Program. One objective of the program is to identify and clean up or otherwise control facilities where residual radioactive contamination remains from activities carried out under contract to AEC/ERDA during the early years of the Nation's atomic energy program.

ETEC is comprised of a number of facilities and structures located within Administrative Area IV of the Santa Susana Field Laboratory. The work performed for DOE at ETEC consisted primarily of testing of equipment, materials, and components for nuclear and energy related programs. These nuclear energy research and development programs conducted by Atomics International under contract to AEC/ERDA began in 1946. Several buildings and land areas became radiologically contaminated as a result of facility operations and site activities. An ETEC area that has been designated for cleanup under the DOE Environmental Restoration Program is Building 023. Other areas undergoing decontamination will be released as they are completed and verified to meet established cleanup criteria and standards for release without radiological restrictions as established in DOE Order 5400.5.

Building 023 is located within the central portion of ETEC and is situated on B Street near 12th Street among several adjacent buildings on paved ground. It is approximately 20 feet below the general grade of 12th Street. The facility consists of galvanized steel walls and roof on a concrete slab floor with various types of internal walls and partitions. It is a single floor structure which was constructed in two phases: the first section (circa 1962), "023", has been used for the storage and operation of a small sodium loop for studies of radioactive contamination transport; the second section (circa 1976), "023A", consists of a storage and setup room and a well-equipped analytical chemistry laboratory.

The first Radiological User Permit for Building 023, Authorization No. 105, was issued by AEC in November 1976. This authorization related to the use of a small section (or sections) of activated stainless steel Experimental Boiler Reactor fuel cladding to be used in a small sodium test loop. The purpose of this test was to gather data on the