

a full evidentiary hearing. Complainant had a statutory right to a full evidentiary hearing. The Department directed the SLA to schedule a full evidentiary and informed Complainant's representative if, after the full evidentiary had been conducted Complainant was still dissatisfied with the results, he could resubmit his request for Federal arbitration.

On September 3, 2008, the SLA provided Complainant a full evidentiary hearing conducted before an Administrative Law Judge (ALJ). On October 30, 2008, the ALJ issued her decision finding that Complainant was in compliance with the 2007 probationary agreement and also finding that his failure to pay the health license fee did not constitute a violation. As a remedy, the ALJ recommended that the SLA reinstate Complainant's operating license and that he be assigned a suitable vending location as soon as possible. In noting that Complainant had significant difficulties in the operation of the Pontiac vending route, the ALJ also recommended, without assigning any fault to Complainant or the SLA, that Complainant be assigned a better established and less demanding vending route.

On December 12, 2008, the SLA reviewed the ALJ's decision. The SLA adopted in part and rejected in part the ALJ's recommendations as final agency action. Specifically, the SLA accepted the recommendation to reinstate Complainant's operating license but rejected the ALJ's recommendation to assign Complainant to a suitable site that was a better established or less demanding route. Instead, the SLA required that Complainant bid on a vending location in accordance with existing SLA transfer and promotion rules and regulations.

On February 17, 2009, Complainant's representative again filed a request for Federal arbitration, alleging that the final agency action by the SLA did not provide an adequate remedy for the harm Complainant had incurred from the revocation of his operating license. On April 29, 2010, a Federal arbitration hearing was held.

#### Arbitration Panel Decision

After reviewing all of the evidence and testimony, the panel unanimously ruled that Complainant was entitled to receive a priority bid. Thus, the panel directed the SLA to waive the existing conditions governing the award of vending facilities and to consider Complainant the successful bidder on any vending facility or vending route for which he would be qualified and certified for a period of 12 months

commencing with the date of the panel's decision. This ruling was considered "an extraordinary remedy" by the panel, based upon the specific circumstances of Complainant's case in which he lost his previous vending route as a result of the erroneous license revocation. The panel clearly indicated, however, that this case should not serve as a precedent for future cases because of these unique circumstances. Also, the panel denied the remedies requested by Complainant with respect to compensatory damages, punitive or exemplary damages, and restoration of Complainant's retirement benefits to his program pension plan.

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

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Dated: July 18, 2011.

**Alexa Posny,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

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#### DEPARTMENT OF EDUCATION

[CFDA No. 84.116K]

#### Funding Down Slate; Training for Real-Time Writers (TRTW) Program

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice of intent to fund down the grant slate from fiscal year (FY) 2010.

**SUMMARY:** The Secretary intends to use the grant slate developed in FY 2010 for the TRTW Program authorized by Section 872 of the Higher Education Act of 1965, as amended (HEA), 20 U.S.C.

1161s, to make new grant awards in FY 2011. The Secretary takes this action because a significant number of high-quality applications remain on the FY 2010 grant slate and limited funding is available for new grant awards in FY 2011. Specifically, we expect to use an estimated \$998,000 for new awards in FY 2011.

**FOR FURTHER INFORMATION CONTACT:** Erin McDermott, U.S. Department of Education, 1990 K Street, NW., Room 6161, Washington, DC 20006-8524. *Telephone:* (202) 502-7607 or via *Internet:* [Erin.McDermott@ed.gov](mailto:Erin.McDermott@ed.gov).

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 2, 2010, we published a notice in the **Federal Register** (75 FR 38510) inviting applications for FY 2010 for new awards under the TRTW Program (FY 2010 NIA).

In response to the FY 2010 NIA, we received a significant number of high-quality applications for grants under the TRTW Program and made four grant awards. Because such a large number of high-quality applications were received, many applications that received high scores by peer reviewers did not receive funding.

To conserve funding that would be required for a peer review of new grant applications submitted under this program and to instead use those funds to support grant activities, we will select grantees in FY 2011 from the existing slate of applicants developed during the FY 2010 competition using the priority, selection criteria, and application requirements referenced in the **Federal Register** notice published on July 2, 2010.

**Program Authority:** 20 U.S.C. 1161s.

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you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at <http://www.federalregister.gov>. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: July 18, 2011.

**Eduardo M. Ochoa,**

*Assistant Secretary for Postsecondary Education.*

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## DEPARTMENT OF ENERGY

### Notice of Public Scoping Meetings and Extension of Scoping Period for the U.S. Department of Energy Uranium Leasing Program Programmatic Environmental Impact Statement

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice of public scoping meetings and extension of scoping period.

**SUMMARY:** DOE will host public scoping meetings in western Colorado to receive comments on the scope of the DOE Uranium Leasing Program (ULP) Programmatic Environmental Impact Statement (hereinafter referred to as the ULP PEIS). The PEIS will analyze the reasonably foreseeable environmental impacts, including the site-specific impacts, of the range of reasonable alternatives for the management of DOE's ULP.

On June 21, 2011, DOE announced in the **Federal Register** (76 FR 36097) its intention to prepare the PEIS and opened a scoping period which would have closed August 22, 2011. The scoping period has been extended and will now close on September 9, 2011. DOE invites the public to submit written comments by any of the means listed in the **ADDRESSES** section. Oral as well as written comments may also be provided at the public scoping meetings to be held as listed under **SUPPLEMENTARY INFORMATION**.

**DATES:** DOE invites comments on the proposed scope of the PEIS from all interested parties. The public scoping period began on June 21, 2011, and will close on September 9, 2011. Comments on the scope of the PEIS should be submitted by September 9, 2011. Comments e-mailed or postmarked after that date will be considered to the extent practicable. DOE also invites all

interested parties to participate in public scoping meetings. Dates and locations of the public scoping meetings are listed under **SUPPLEMENTARY INFORMATION** below. Requests to speak at any of the public scoping meetings can be submitted via the ULP PEIS Web site indicated in the **ADDRESSES** section and may also be made at the scoping meetings; however, requests received via the Web site before the scoping meetings will be given priority in the speaking order. For interested parties wishing to speak with a DOE representative, see the **FOR FURTHER INFORMATION CONTACT** section of this announcement.

**ADDRESSES:** Requests to speak at the public scoping meetings on the proposed scope of the PEIS may be submitted via the ULP PEIS Web site at <http://ulpeis.anl.gov> and at the public scoping meetings. Written comments may be submitted by any of the following means:

- By submitting electronic comments on the PEIS Web site at <http://ulpeis.anl.gov>.
- By e-mail to [ulpeis@anl.gov](mailto:ulpeis@anl.gov).
- By mail to Laura Kilpatrick, Esq., DOE ULP Program Manager, Office of Legacy Management, U.S. Department of Energy, 11025 Dover Street, Suite 1000, Westminster, CO 80021.

**FOR FURTHER INFORMATION CONTACT:** For information on DOE's proposed action, contact Laura Kilpatrick, Esq., DOE ULP Program Manager, at the address listed above.

For general information on the DOE National Environmental Policy Act (NEPA) process, contact Carol Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; telephone (202-586-4600); fax (202-586-7031); or leave a toll-free message (1-800-472-2756).

**SUPPLEMENTARY INFORMATION:** On June 21, 2011, DOE published a notice in the **Federal Register** (76 FR 36097) announcing its intention to prepare the ULP PEIS and opening a scoping period that would have closed August 22, 2011. The PEIS will be prepared pursuant to NEPA (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR Parts 1500-1508), and DOE's NEPA implementing procedures (10 CFR Part 1021). The PEIS will analyze the reasonably foreseeable environmental impacts, including site-specific impacts, of alternatives for the management of DOE's ULP, under which DOE administers tracts of land for the exploration, development, and

extraction of uranium and vanadium ores. The ULP includes tracts of land located in Mesa, Montrose, and San Miguel counties in western Colorado that cover a cumulative acreage of approximately 25,000 acres. In the June 21, 2011, notice, DOE stated that it would hold public scoping meetings and announce the dates, times, and locations of these meetings in a subsequent **Federal Register** notice, as well as in local news media. DOE now announces the public scoping meetings to be held at the dates, times, and locations listed below. DOE is also extending the public scoping period to September 9, 2011.

Four public scoping meetings will be held as follows:

- August 8, 2011—Montrose Pavilion, 1800 Pavilion Dr., Montrose, CO 81401, from 6:30 to 9 p.m.
- August 9, 2011—Sheridan Opera House, 110 North Oak St., Telluride, CO 81435, from 6:30 to 9 p.m.
- August 10, 2011—Naturita Community Building, 411 W. 2nd St., Naturita, CO 81422, from 6:30 to 9 p.m.
- August 11, 2011—San Juan County Courthouse, Commission Chambers, 117 South Main St., Monticello, UT 84535, from 6:30 to 9 p.m.

At each of the public scoping meetings, registration to speak will be held starting at 6:30 pm. The formal commenting session will begin at 7 p.m. with a DOE presentation providing an overview of the DOE ULP, the proposed action for the ULP PEIS, and a description of the NEPA process for the ULP PEIS. Public comments will be received starting at 7:15 p.m. until the end of each meeting. The formal commenting session will be transcribed by a court stenographer. The presiding officer will establish the order of the speakers and procedures to ensure that everyone who wishes to speak has an opportunity to do so. Depending on the number of speakers, the presiding officer may limit all speakers to a set amount of time initially and provide additional opportunities to speak as time permits. Individuals may also provide written materials in lieu of, or supplemental to, their presentations, and such additional information may be submitted in writing by the date listed in the **DATES** section. Both oral and written comments will be considered and given equal weight by DOE.

Issued in Washington, DC, on July 15, 2011.

**Thomas C. Pauling,**  
*Acting Director, Office of Legacy Management.*

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