

**DEPARTMENT OF EDUCATION****Office of Postsecondary Education;  
Overview Information: Erma Byrd  
Scholarship Program; Notice Inviting  
Applications for New Awards for Fiscal  
Year (FY) 2009**

*Catalog of Federal Domestic Assistance  
(CFDA) Number:* 84.116E.

*Dates:*

*Applications Available:* July 1, 2009.

*Deadline for Transmittal of*

*Applications:* July 31, 2009.

**Full Text of Announcement****I. Funding Opportunity Description**

*Purpose of Program:* The Erma Byrd Scholarship Program provides scholarships to individuals pursuing a course of study that will lead to a career in industrial health and safety occupations, including mine safety. This program is designed to increase the skilled workforce in these fields at both the fundamental skills level and the advanced skills level. The program has a service obligation component, which requires recipients of the scholarship to begin employment in a career position related to industrial health and safety no later than six months after completion of the degree program, and to continue to work in a career position related to industrial health and safety, including mine safety, for a period of one year.

The scholarships are available to students in the following eligible areas of study related to industrial health and safety: Mining and mineral engineering, industrial engineering, occupational safety and health technology/technician, quality control technology/technician, industrial safety technology/technician, hazardous materials information systems technology/technician, mining technology/technician, and occupational health and industrial hygiene.

*Program Authority:* The Erma Byrd Scholarship Program is established by Title III of the Omnibus Appropriations Act, 2009, Public Law 111-8.

*Applicable Regulations:* The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

**II. Award Information**

*Type of Award:* Discretionary grant.

*Estimated Available Funds:*

\$1,000,000.

*Estimated Average Size of Awards:*

\$2,500 (associate's degree student);

\$5,000 (bachelor's degree student);

\$10,000 (graduate student).

*Estimated Number of Awards:* 110.

The number of scholarships awarded

will be allocated between undergraduate students and graduate students in the same proportion as the number of fundable applications received from those groups of students, taking into account the size of the awards to be made to students in those groups.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* Up to 24 months.

**III. Eligibility Information and Program Requirements**

1. *Eligible Applicants:* Individuals who at the time of application: (1) Are enrolled in an associate's degree program, or are enrolled in a bachelor's degree program or a graduate program and are within two years of completing a degree at the bachelor's or graduate level; (2) are eligible to receive a Federal grant, loan, or work assistance pursuant to section 484 of the Higher Education Act of 1965, as amended (HEA); and (3) are pursuing an associate's, bachelor's or graduate degree in an eligible field of study under the Erma Byrd Scholarship Program, at an accredited institution of higher education in the United States. In addition, to receive an Erma Byrd Scholarship, an individual must be a citizen, national, or permanent resident of the United States.

2. *Program Requirements:*

(a) *Satisfactory academic progress.* Scholarship recipients must maintain satisfactory academic progress in accordance with 34 CFR 668.34 throughout the period of funding and must submit a Student Activities Report to the Secretary at the end of each year of funding with a certification from an authorized representative of the institution that the student is maintaining satisfactory academic progress. If an Erma Byrd Scholarship recipient does not maintain satisfactory academic progress throughout the period of funding or does not submit a Student Activities Report to the Secretary at the end of each year of funding, the recipient is not eligible for any additional funding and must repay the scholarship amount as a Direct Unsubsidized Student Loan with all the associated repayment conditions, including interest payments and fees as provided under title IV, part D of the HEA.

(b) *Service obligation.* The program has a service obligation component. Scholarship recipients must be employed in a career position related to industrial health and safety, including mine safety, for a period of one year following the completion of their degree program. Scholarship recipients must begin such employment no more than

six months after the completion of their degree program. Scholarship recipients must submit a verification of employment report to the Secretary no more than six months immediately after completion of his or her degree program, reporting on post-graduation activities, including changes in their permanent address, e-mail, phone number, and employment status. Additionally, scholarship recipients must submit a final employment report to the Secretary at the end of the one year service obligation period.

If an Erma Byrd Scholarship recipient does not fulfill the complete service obligation within eighteen months after completion of his or her degree program, the scholarship amount must be repaid as a Direct Unsubsidized Student Loan with all the associated repayment conditions, including interest payments and fees as provided under Title I, Part D of the HEA.

3. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

4. *Applicability of Rulemaking Requirements.* Under the Administrative Procedure Act (5 U.S.C. 553) and section 437 of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1), the Department generally offers interested parties the opportunity to comment on proposed eligibility and other program requirements. Title III of the Omnibus Appropriations Act, 2009, Public Law 111-8, provides, however, that the provisions of section 553 of the APA and section 437 of GEPA do not apply to this program.

**IV. Application and Submission Information**

1. *Address to Request Application Package:* You can obtain an application package via the Internet or from the Department. To obtain a copy via the Internet, use the following address for the Erma Byrd Scholarship Program Web site: <http://www.ed.gov/programs/ermabyrd/index.html>

To obtain a copy from the Department, write, fax, or call the following: Lauren Kennedy, Erma Byrd Scholarship Program, U.S. Department of Education, Teacher and Student Development Programs Service, 1990 K St., NW., Room 6121, Washington, DC 20006-8524. *Telephone:* (202) 502-7630; *Fax:* (202) 502-7852; or, by *e-mail:* [ermabyrdprogram@ed.gov](mailto:ermabyrdprogram@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 a copy of the application package

in an accessible format (e.g. Braille, large print, audiotape, or computer diskette) by contacting the person listed in this section.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this program.

3. *Submission Dates and Times:*

*Applications Available:* July 1, 2009.

*Deadline for Transmittal of Applications:* July 31, 2009.

4. *Intergovernmental Review:* This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* All applications must be submitted electronically by e-mailing the application in the form of a Microsoft Word (.DOC) document to [ermabyrdprogram@ed.gov](mailto:ermabyrdprogram@ed.gov).

If you are unable to submit your application by e-mail and wish to submit your application by mail, you must submit a request for permission to submit it by mail 10 days prior to the application deadline date to Lauren Kennedy at [ermabyrdprogram@ed.gov](mailto:ermabyrdprogram@ed.gov). In your request, you must include the reason why you are unable to submit the application electronically. Please note that electronic applications will not be accepted if the application is presented in a format other than Microsoft Word.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under *For Further Information Contact* in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

## V. Application Review Information

1. *Selection Criteria:*

All applicants are required to complete and submit the Erma Byrd Scholarship Program Applicant Information Form, which will be used to determine the applicant's eligibility for the scholarship.

2. *Review and Selection Process:*

(a) *Undergraduate applicants:* In selecting undergraduate students to receive a scholarship, the Secretary will award scholarships to students in the order that the applications are received.

Priority will be given first to students who have demonstrated financial need and are eligible to receive a Federal Pell Grant.

Qualified undergraduate applicants who wish to have their Federal Pell Grant eligibility considered as part of their application must demonstrate financial need by submitting a Free Application for Federal Student Aid (FAFSA), which may be obtained at [www.fafsa.ed.gov](http://www.fafsa.ed.gov) or from their institution's financial aid office, and by submitting their Social Security Number using the Pell Grant Eligibility Certification Sheet contained in the Erma Byrd Scholarship Program Application Information Form. Applicants who have already submitted their FAFSA for the 2009–2010 award year do not need to resubmit the FAFSA.

The Secretary will award scholarships to applicants who are eligible for Federal Pell Grants and who are enrolled in eligible fields of study in the order that the applications are received.

If additional funds are available after awards are made to undergraduate students who are eligible for a Federal Pell Grant, scholarships will be awarded to qualified undergraduate students who are not eligible for a Federal Pell Grant in the order that their applications are received.

(b) *Graduate applicants.* In selecting graduate students to receive a scholarship, the Secretary will award scholarships to qualified students in the order that the applications are received.

## VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify you and your U.S. Representative and U.S. Senators and send a Grant Award Notification (GAN) directly to the institution you will be attending. The institution will disburse funds to scholarship recipients in accordance with its regular payment schedule.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* Scholarship recipients must submit a Student Activities Report to the Secretary at the end of each year of funding, which includes a certification from an authorized representative of the institution that the student is maintaining satisfactory academic progress. In addition, scholarship recipients must submit a verification of employment report to the Secretary no more than six months immediately after completion of his or her degree program, reporting on post-graduation activities, including changes in their permanent address, e-mail, phone number, and employment status. Finally, scholarship recipients must submit a final employment report to the Secretary at the end of the service obligation period.

At the request of the student, an institution of higher education in which a scholarship recipient is enrolled must provide the student with a written certification from an authorized representative of the institution that the student is maintaining satisfactory academic progress.

4. *Performance Measures:* The effectiveness of the Erma Byrd Scholarship Program will be measured by graduation completion rates, time-to-degree completion rates, and the percentage of students fulfilling the one-year service obligation within eighteen months of graduation. The Department will use the verification of employment and final employment reports to assess the program's success in assisting scholarship recipients in completing their course of study and receiving their degree, and entering the specified fields.

## VII. Agency Contacts

### FOR FURTHER INFORMATION CONTACT:

Lauren Kennedy, Erma Byrd Scholarship Program, U.S. Department of Education, Teacher and Student Development Programs Service, 1990 K St., NW., Room 6121, Washington, DC 20006–8524. *Telephone:* (202) 502–7630 or *e-mail:* [ermabyrdprogram@ed.gov](mailto:ermabyrdprogram@ed.gov).

If you use a TDD, call the FRS, toll free, at 1–800–877–8339.

## VIII. Other Information

*Accessible Format:* Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g. braille, large print, audiotape, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

*Electronic Access to This Document:* You can view this document, as well as all other documents of this Department published in the **Federal Register**, in

text or Adobe Portable Document Format (PDF), on the Internet at the following site: [www.ed.gov/news/fedregister](http://www.ed.gov/news/fedregister).

To use PDF, you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: [www.gpoaccess.gov/nara/index.html](http://www.gpoaccess.gov/nara/index.html).

**Delegation of Authority:** The Secretary of Education has delegated authority to Daniel T. Madzellan, Director, Forecasting and Policy Analysis for the Office of Postsecondary Education, to perform the functions of the Assistant Secretary for Postsecondary Education.

Dated: June 26, 2009.

**Daniel T. Madzellan,**

*Director, Forecasting and Policy Analysis.*

[FR Doc. E9-15567 Filed 6-30-09; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Finding of No Significant Impact: Disposition of DOE Excess Depleted Uranium, Natural Uranium, and Low-Enriched Uranium

**AGENCY:** Department of Energy.

**ACTION:** Finding of No Significant Impact.

**SUMMARY:** The U.S. Department of Energy (DOE, the Department) has completed an *Environmental Assessment (EA) for the Disposition of DOE Excess Depleted Uranium (DU), Natural Uranium (NU), and Low-Enriched Uranium (LEU)* (DOE/EA-1607). Based on the analysis in the EA, the Department has determined that the proposed action, DOE dispositioning its excess uranium inventory using one or a combination of two methods—(1) enrichment to either NU or LEU product and subsequent storage or sale of the resultant NU or LEU product (Enrichment Alternative), and (2) direct sale to appropriately licensed entities (Direct Sale Alternative)—does not constitute a major Federal action significantly affecting the quality of the human environment within the context of the National Environmental Policy Act of 1969 (NEPA). Therefore, the preparation of an Environmental Impact Statement (EIS) is not required and the

Department is issuing this Finding of No Significant Impact (FONSI).

**ADDRESSES:** Single copies of the EA and FONSI may be obtained from:

Mr. Ronald Hagen, NEPA Document Manager, NE-6, Forrestal Building, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585-0113, *Phone:* (202) 586-1381, *Facsimile:* (202) 287-3701, *Electronic mail:* [Ronald.Hagen@nuclear.energy.gov](mailto:Ronald.Hagen@nuclear.energy.gov).

**FOR FURTHER INFORMATION CONTACT:**

Mr. Ronald Hagen, *Phone:* (202) 586-1381, *Electronic mail:*

[Ronald.Hagen@nuclear.energy.gov](mailto:Ronald.Hagen@nuclear.energy.gov).

For information on DOE's NEPA

process:

Ms. Carol Borgstrom, Director, NEPA Policy and Compliance, GC-20, Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0113, *Phone:* (202) 586-4600, *Facsimile:* (202) 586-7031.

**SUPPLEMENTARY INFORMATION:**

**Background:** DOE owns and manages an inventory of excess DU, NU, and LEU.

This inventory is currently stored in large cylinders as depleted uranium hexafluoride (DUF<sub>6</sub>), natural uranium hexafluoride (NUF<sub>6</sub>), and low-enriched uranium hexafluoride (LEUF<sub>6</sub>) at the DOE Paducah site in western Kentucky (DOE Paducah) and the DOE Portsmouth site near Piketon in south-central Ohio (DOE Portsmouth). This inventory exceeds DOE's current and projected energy and defense program needs. The Secretary of Energy policy statement on the management of DOE excess uranium inventory issued on March 11, 2008, commits DOE to managing all of its excess uranium inventory in a manner that (1) is consistent with all applicable legal requirements; (2) maintains sufficient uranium inventory at all times to meet the current and reasonably foreseeable needs of Departmental missions; (3) undertakes transactions involving non-U.S. Government entities in a transparent and competitive manner, unless the Secretary determines in writing that overriding Departmental mission needs dictate otherwise; and (4) is consistent with and supportive of the maintenance of a strong domestic nuclear industry.

In conformance with the requirements of the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508) and the DOE NEPA Implementing Procedures (10 CFR Part 1021), the Department prepared a draft EA which was issued for public review on December 24, 2008.

Comments were received from potentially affected states, the Nuclear Regulatory Commission, and uranium industry organizations. The draft EA was revised in response to the comments, as appropriate.

**Alternatives and Environmental Impacts:** The potential environmental impacts associated with the proposed disposition of excess uranium inventory were analyzed for the following alternatives:

**No Action Alternative:** DOE would continue with existing plans to convert DU to a more stable chemical form at the two new conversion facilities and would not enrich or sell any of its excess DU inventory as proposed in this EA. DOE would also continue to store excess NU and LEU in their current configurations at Portsmouth and Paducah.

**Alternative 1—Enrichment:** DOE would contract for enrichment of excess DU, NU, and LEU and subsequent storage or sale of the resultant NU or LEU product. DOE would ship by commercial carriers (truck, rail, barge, and/or ship) excess DU, NU, and LEU to one or more of four enrichment facilities (three domestic and one foreign). LEU product could be stored at up to three U.S. commercial nuclear fuel fabrication facilities in North Carolina, South Carolina, and/or Washington State, and/or at DOE's Portsmouth or Paducah sites. NU product could be stored at enrichment facilities in Kentucky, New Mexico, and/or Ohio, and/or at DOE's Portsmouth or Paducah sites. DOE would contract with the enrichment facility to store and/or dispose of the DU tails or, in the case of domestic enrichment facilities, to ship the DU tails to DOE Paducah and/or DOE Portsmouth for storage.

**Alternative 2—Direct Sale:** DOE would introduce excess DU, NU, and LEU into the commercial market through direct sales to appropriately licensed entities. The licensed purchasers would take delivery, transport and enrich the excess inventory, and transport and store the NU or LEU product in essentially the same manner and using essentially the same facilities as would DOE under the Enrichment Alternative.

The potential environmental impacts of all aspects of enrichment operations and the conversion of DU tails have been previously analyzed in existing NEPA documents and have been summarized and incorporated by reference in the EA. In addition, the EA analyzed (1) previously unanalyzed impacts on health and safety from transportation of the excess inventory, LEU product, NU, and DU tails, (2)