D. Hindrance of Well-planned Developments

Several commenters opposed to the limitations placed on NWP 26 stated that the new limits will discourage developers from proposing well-planned developments. They believe that, in order to qualify for an NWP under the lower limits, developers will present a larger number of smaller projects as ''single and complete'' rather than a more genuine, larger, single and complete project such as could be done with allowance for up to 10 acres of fill. Others indicated that developers would make less effort to ''avoid and minimize'' at the outset. Once they determined they would have to apply for an individual permit anyway, they would start out by requesting as much wetland fill as they might wish. Both of these scenarios are possible with the previous or current limits of NWP 26. The Corps doesn't believe that this would encourage developers to design projects this way. It is incumbent on the Corps to evaluate if a project is truly ''single and complete'' or is, rather, the first of several components of a larger single and complete project. In the same way, the Corps must determine if appropriate avoidance and minimization has been conducted and that the adverse effects are minimal. The Corps is considering this in more detail in the NWPs proposed to replace NWP 26.

E. Need for an Upper Limit

Several commenters opposed to the changes stated that an upper limit should not be necessary since a PCN is required any time more than one NWP 12 through 40 is applied to a single and complete project. Some of the same commenters suggested that there be provisions allowing for 3 acres to be exceeded for the most-often-used combinations of NWPs. As stated above, based on current knowledge of wetland science and of the types of projects proposed nationwide, the Corps believes that to ensure that adverse effects are minimal we, usually, need to maintain an upper acreage limit of 3 acres to projects authorized under one or more NWPs. However, a limit of 10 acres has been proposed for master planned developments in the activity-specific NWPs proposed to replace NWP 26 (63 FR 36040–36078).

V. Conclusion

Based on our review of the comments we have concluded that the 3 modifications:(1) the expiration of NWP 26 on December 13, 1998; (2) the prohibition against filling or excavating more than 500 linear feet of stream bed under NWP 26; and (3) the prohibition against using other NWPs with NWP 26 to authorize the loss of more than 3 acres of waters of the United States, we made regarding NWP 26 are appropriate and should not be changed, with one exception. We have proposed to extend the expiration date of NWP 26 to March 28,1999, to ensure that there is adequate time to effectively involve other agencies and the public in the development of regional conditions for the new and modified, activity-specific, NWPs and to ensure that those NWPs are in place at the time NWP 26 expires.

Dated: July 17, 1998.

Charles M. Hess,

Chief, Operations Division, Directorate of Civil Works.

[FR Doc. 98–19495 Filed 7–21–98; 8:45 am]

BILLING CODE 3710–92–P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Privacy Act; Systems of Records

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: New system of records.

SUMMARY: Each Federal agency is required by the Privacy Act of 1974, 5 U.S.C. 552a, as amended, to publish a description of the systems of records it maintains containing personal information. In this notice the Board announces a new system of records.

FOR FURTHER INFORMATION CONTACT: Robert M. Andersen, General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004–2901, (202) 208–6387.

SUPPLEMENTARY INFORMATION: The new system of records, designated DNFSB–7, is described below.

DNFSB–7

SYSTEM NAME:

Supervisor Files.

SECURITY CLASSIFICATION:

Unclassified materials.

SYSTEM LOCATION:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Washington, DC 20004–2901.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Members of the Board's technical, legal, and administrative staff.

CATEGORIES OF RECORDS IN THE SYSTEM:

Files maintained by supervisors, indexed by employee name, containing positive or negative information used primarily to write annual or mid-year performance appraisals or to propose awards and honors. The files may contain written correspondence, examples of an employee's work, printed versions of electronic communications, private notes by the supervisor, and other records bearing on the individual's performance.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Defense Authorization Act, Fiscal Year 1989 (amended the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) by adding new Chapter 21—Defense Nuclear Facilities Safety Board).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

Records are used by supervisors to write annual or mid-year performance appraisals for their employees or to propose awards and honors. Records may also be used in connection with disciplinary and adverse actions. These records are not disclosed outside DNFSB and will not be accessed by persons other than the supervisor maintaining the record and administrative staff personnel assigned to file or retrieve records, except as required by law consistent with the Privacy Act.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records and computer files.

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Access is limited to the individual supervisor keeping the records and administrative personnel who may file or retrieve records. Records are stored in locked file cabinets or in locked desk drawers.

RETENTION AND DISPOSAL:

Records retention and disposal authorities are contained in the ''General Records Schedules'' published by National Archives and Records Administration, Washington, DC. Most files in DNFSB–7 are purged once per year following completion of appraisals. Records are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

SYSTEM MANAGER(S) AND ADDRESS:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004–2901. Attention: Andrew Thibadeau.

NOTIFICATION PROCEDURE:

Request by an individual to determine if DNFSB–7 contains information about him/her should be directed to the Privacy Act Officer, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004–2901. Required identifying information: Complete name, social security number, and date of birth.

RECORD ACCESS PROCEDURE:

Same as Notification procedure above, except individual must show official photo identification, such as driver's license, passport, or government identification before viewing records.

CONTESTING RECORD PROCEDURE:

Same as Record Access procedure.

RECORD SOURCE CATEGORIES:

Subject individuals.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Dated: July 16, 1998.

John T. Conway,

Chairman.

[FR Doc. 98–19461 Filed 7–21–98; 8:45 am]

BILLING CODE 3670–01–M

DEPARTMENT OF EDUCATION

[CFDA No.: 84.282A]

Public Charter Schools Program (PCSP); Notice Inviting Applications for New Awards for Fiscal Year (FY) 1998

Purpose of Program: A major purpose of the Public Charter Schools grant program is to increase understanding of the charter schools model by providing financial assistance for the design and initial implementation of charter schools.

Who May Apply: (a) State educational agencies (SEAs) in States with laws authorizing the establishment of charter schools. The Secretary awards grants to SEAs to enable them to conduct charter schools programs in their States. SEAs use their PCSP funds to award subgrants to ''eligible applicants,'' as defined in this notice, for planning, program design, and initial implementation of a charter school.

(b) Under certain circumstances, an authorized public chartering agency participating in a partnership with a charter school developer. Such a partnership is eligible to receive funding directly from the U.S. Department of Education if—

(1) The SEA in its State elects not to participate in this program; or

(2) The SEA in its State does not have an application approved under this program.

If an SEA's application is approved in this competition, applications received from non-SEA eligible applicants in that State will be returned to the applicants. In such a case, the eligible applicant should contact the SEA for information related to its subgrant competition.

Note: The following States currently have approved applications under this program: Alaska, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, North Carolina, Oregon, Pennsylvania, Puerto Rico, South Carolina, Texas, and Wisconsin. In these States, only the SEA is eligible to receive an award under this competition. Eligible applicants in these States should contact their respective SEAs for information about participation in the State's charter school subgrant program.

Deadline for Transmittal of Applications: August 20, 1998.

Deadline for Intergovernmental review: September 21, 1998.

Applications Available: July 22, 1998.

Available Funds: $55,000,000.

Estimated Range of Awards:

State educational agencies: $250,000–$5,000,000 per year.

Other eligible applicants: $25,000–$150,000 per year.

Estimated Average Size of Awards:

State educational agencies: $3,000,000 per year.

Other eligible applicants: $75,000 per year.

Estimated Number of Awards:

State educational agencies: 10–15.

Other eligible applicants: 5–10.

Note: These estimates are projections for the guidance of potential applicants. The Department is not bound by any estimates in this notice.

Project Period: State educational agencies: Up to 36 months. Other eligible applicants: Up to 36 months.

Note: Grants awarded by the Secretary directly to non-SEA eligible applicants or subgrants awarded by SEAs to eligible applicants will be awarded for a period of up to 36 months, of which the eligible applicant may use—

(a) Not more than 18 months for planning and program design; and

(b) Not more than two years for the initial implementation of a charter school.

Applicable Regulations and Statute: The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75 (except § 75.210), 77, 79, 80, 81, 82, 85, and 86. Title X, Part C, Elementary and Secondary Education Act of 1965, *as amended*, 20 U.S.C. § 8061–8067.

Priority: Under 34 CFR 75.105(c)(1) the Secretary is particularly interested in applications that meet the following invitational priority. However, an application that meets this invitational priority does not receive absolute or competitive preference over applications that do not meet the priority:

Invitational Priority—Empowerment Zones and Enterprise Communities

Projects that address linkages between charter school initiatives and comprehensive educational improvement strategies undertaken in Empowerment Zones and Enterprise Communities designated by the Departments of Agriculture or Housing and Urban Development.

SUPPLEMENTARY INFORMATION: As part of wider education reform efforts to strengthen teaching and learning, charter schools can be an innovative approach to improving public education and expanding public school choice. While there is no one model, public charter schools are exempted from most statutory and regulatory requirements in exchange for performance-based accountability. They are intended to stimulate the creativity and commitment of teachers, parents, students, and citizens and contribute to better student academic achievement.

Information regarding the required contents of applications, diversity of projects, and waivers are provided in the application package for this program.

The following definitions, selection criteria, and allowable activities are taken from the Public Charter Schools statute, in Title X, Part C, of the Elementary and Secondary Education Act of 1965, *as amended*. They are being repeated in this application notice for the convenience of the applicant.

Definitions

The following definitions apply to this program:

(a) *Charter school* means a public school that—

(1) In accordance with an enabling State statute, is exempted from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;

(2) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(3) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to