

Office for Civil Rights and Office of Special Education and Rehabilitative Services, and the U.S. Department of Justice's Civil Rights Division, explaining the interplay between requirements in Part B of the IDEA governing the provision of a free appropriate public education and the requirements in Title II of the Americans with Disabilities Act governing effective communication with students with hearing, vision, or speech disabilities in public elementary and secondary schools.

○ Dear Colleague Letter dated December 5, 2014, regarding the requirements in Part B of the IDEA that apply to the education of students with disabilities in correctional facilities.

Topic Addressed: Methods of Ensuring Services

○ Letter dated February 10, 2014,<sup>1</sup> to Connecticut Department of Social Services official Jennifer Pardus, regarding the requirements in Part B of the IDEA that public agencies must follow prior to accessing a child's or parent's public benefits or insurance for the first time.

Topic Addressed: State Educational Agency General Supervisory Authority

○ Letter dated November 3, 2014, to Maine Disability Rights Center staff attorney Atlee Reilly, clarifying that there is no requirement to assign burden of proof under the State complaint procedures in Part B of the IDEA.

Topic Addressed: Maintenance of State Financial Support

○ Letter dated December 17, 2014, to Illinois State Board of Education State Superintendent of Education Christopher Koch, regarding the requirements in Part B of the IDEA relating to maintenance of State financial support for special education and related services.

*Section 614—Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements*

Topic Addressed: Reevaluations

○ Letter dated November 12, 2014, to educator Tracy Blodgett, regarding whether a child whose hearing loss was medically or surgically corrected could still meet the eligibility criteria as a "child with a disability" under Part B of the IDEA.

<sup>1</sup> This February 10, 2014, letter was inadvertently omitted from the first quarter List of Correspondence covering January 1, 2014, through March 31, 2014.

*Other Letters That Do Not Interpret Idea but May Be of Interest to Readers*

○ Dear Colleague Letter dated November 12, 2014, issued jointly by the Department's Office for Civil Rights and the U.S. Department of Justice Civil Rights Division, regarding the application of Federal civil rights requirements to the education of students in juvenile justice residential facilities.

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Dated: June 16, 2016.

**Sue Swenson,**

*Acting Assistant Secretary for Special Education and Rehabilitative Services.*

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## DEPARTMENT OF EDUCATION

[Docket No.: ED-2016-ICCD-0045]

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Direct Loan, FFEL, Perkins and TEACH Grant Total and Permanent Disability Discharge Application and Related Forms

**AGENCY:** Federal Student Aid (FSA), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

**DATES:** Interested persons are invited to submit comments on or before July 22, 2016.

**ADDRESSES:** To access and review all the documents related to the information

collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2016-ICCD-0045. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 2E-347, Washington, DC 20202-4537. **FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Jon Utz, 202-377-4040.

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. 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. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Direct Loan, FFEL, Perkins and TEACH Grant Total and Permanent Disability Discharge Application and Related Forms.

*OMB Control Number:* 1845-0065.

*Type of Review:* A revision of an existing information collection.

*Respondents/Affected Public:*  
Individuals or Households.

*Total Estimated Number of Annual Responses:* 254,800.

*Total Estimated Number of Annual Burden Hours:* 127,400.

**Abstract:** The Discharge Application: Total and Permanent Disability serves as the means by which an individual who is totally and permanently disabled, as defined in section 437(a) of the Higher Education Act of 1965, as amended, applies for discharge of his or her Direct Loan, FFEL, or Perkins loan program loans, or TEACH Grant service obligation. The form collects the information that is needed by the U.S. Department of Education (the Department) to determine the individual's eligibility for discharge based on total and permanent disability. The Total and Permanent Disability Discharge: Post-Discharge Monitoring form serves as the means by which an individual who has received a total and permanent disability discharge provides the Department with information about his or her annual earnings from employment during the 3-year post-discharge monitoring period that begins on the date of discharge. The Total and Permanent Disability Discharge: Applicant Representative Designation form serves as the means by which an applicant for a total and permanent disability discharge may (1) designate a representative to act on his or her behalf in connection with the applicant's discharge request, (2) change a previously designated representative, or (3) revoke a previous designation of a representative.

Dated: June 17, 2016.

**Kate Mullan,**

*Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.*

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## DEPARTMENT OF ENERGY

### Production of Tritium in Commercial Light Water Reactors

**AGENCY:** National Nuclear Security Administration, Department of Energy.

**ACTION:** Record of Decision.

**SUMMARY:** The National Nuclear Security Administration (NNSA), a separately organized agency within the Department of Energy (DOE), is issuing this Record of Decision (ROD) for the *Final Supplemental Environmental Impact Statement for the Production of Tritium in a Commercial Light Water*

*Reactor* (CLWR SEIS) (DOE/EIS-0288-S1) issued on March 4, 2016.

NNSA prepared the CLWR SEIS to update the environmental analyses in the 1999 Final Environmental Impact Statement for the Production of Tritium in a Commercial Light Water Reactor (DOE/EIS-0288; the 1999 EIS). The CLWR SEIS provides analysis of the potential environmental impacts from Tritium Producing Burnable Absorber Rod (TPBAR) irradiation based on a conservative estimate of the tritium permeation rate through the TPBAR cladding, NNSA's revised estimate of the maximum number of TPBARs necessary to support the current and projected future tritium supply requirements, and a maximum production scenario of irradiating no more than a total of 5,000 TPBARs every 18 months.

NNSA has decided to implement the Preferred Alternative, Alternative 6, which allows for the irradiation of up to a total of 5,000 TPBARs every 18 months using Tennessee Valley Authority (TVA) reactors at both the Watts Bar and Sequoyah sites. Although near-term tritium requirements could likely be met with the irradiation of 2,500 TPBARs every 18 months, this decision provides the greatest flexibility to meet potential future needs that could arise from various plausible but unexpected events. The exact number of TPBARs to be irradiated during each/any 18-month reactor core cycle will be determined by both national security requirements and TVA reactor availability.

The CLWR SEIS analyses indicate that there would not be any significant increase in radiation exposure associated with TPBAR irradiation for facility workers or the public. For all analyzed alternatives, estimated radiation exposures would remain well below regulatory limits. The calculated estimated exposures for normal reactor operations with even the maximum number of TPBARs are comparable to those for normal reactor operation without TPBARs.

**FOR FURTHER INFORMATION CONTACT:** For further information on the CLWR SEIS, or this ROD, or to receive a copy of the CLWR SEIS, contact: Mr. Curtis Chambellan, CLWR SEIS Document Manager, P.O. Box 5400, Albuquerque, New Mexico 87185-5400; 505-845-5073; [tritium.readiness.seis@NNSA.DOE.GOV](mailto:tritium.readiness.seis@NNSA.DOE.GOV).

For information on the DOE National Environmental Policy Act (NEPA) process, contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S.

Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585; (202) 586-4600, or leave a message at (800) 472-2756. This ROD, the CLWR SEIS, and related NEPA documents are available on the DOE NEPA Web site at [www.energy.gov/nepa](http://www.energy.gov/nepa) and on NNSA's NEPA Web site at <http://nnsa.energy.gov/aboutus/ouoperations/generalcounsel/nepaoverview/nepa/tritiumseis>.

#### SUPPLEMENTARY INFORMATION:

##### Background

NNSA is the lead Federal agency responsible for maintaining and enhancing the safety, security, reliability, and performance of the United States (U.S.) nuclear weapons stockpile. Tritium, a radioactive isotope of hydrogen, is an essential component of every weapon in the U.S. nuclear weapons stockpile and must be replenished periodically due to its short half-life.

In March 1999, DOE published the 1999 EIS, which addressed the production of tritium in the TVA's Watts Bar and Sequoyah nuclear reactors using TPBARs. The 1999 EIS assessed the potential environmental impacts of irradiating up to 3,400 TPBARs per reactor per fuel cycle (a fuel cycle lasts about 18 months). On May 14, 1999, DOE published the ROD for the 1999 EIS (64 FR 26369) in which it announced its decision to enter into an agreement with TVA to produce tritium in the Watts Bar Unit 1 reactor (Watts Bar 1) in Rhea County, Tennessee, near Spring City; and Sequoyah Units 1 and 2 reactors (Sequoyah 1 and 2) in Hamilton County, Tennessee, near Saddy-Daisy. In 2002, TVA received license amendments from the U.S. Nuclear Regulatory Commission (NRC) to produce tritium in those reactors. Since 2003, TVA has been producing tritium for NNSA by irradiating TPBARs only in Watts Bar 1. After irradiation, NNSA transports the TPBARs to the Tritium Extraction Facility at the DOE Savannah River Site in South Carolina. NNSA's Interagency Agreement with TVA to irradiate TPBARs is in effect until November 30, 2035.

During irradiation of TPBARs in a reactor, a small amount of tritium diffuses through the TPBAR cladding into the reactor coolant; this is called permeation. The 1999 EIS estimated that the permeation rate of tritium through the TPBAR cladding into the reactor coolant system would be less than or equal to 1 curie per TPBAR per year. Based on tritium production experience at Watts Bar 1, NNSA has determined that tritium permeation through the