

If you send us an e-mail, you should know that e-mail is not necessarily secure against interception before it reaches the Board's e-mail system. Therefore, you may prefer instead to deliver or mail your Section 515 request to the following address: Chief Information Officer, C/O Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004.

Whichever method you use, your request should specifically:

- Identify the information you believe does not comply with the OMB or Board Data Quality Guidelines;
- Explain why you believe the information should be corrected. If possible, provide specific recommendations for how the information should be corrected; and
- Describe how you are affected by the alleged information error.

Requests for correction that are specific and provide evidence to support the need for correction will enable a timely response.

Requesters should be aware that they bear the "burden of proof" with respect to the necessity for correction as well as with respect to the type of correction sought.

To learn how we may disclose any information that you provide, please read our Privacy Policy at www.dnfsb.gov/privacy.htm.

To submit a correction request through this process, you must be an "affected person" (*i.e.*, someone who may benefit from or be harmed by the disseminated information) and your request must relate to "information" that is "disseminated" by the Board within the meaning of the Board Guidelines.

You may not use these procedures to request correction of matters which are not "dissemination" of information as outlined in Section I.B. of the Board's Guidelines.

How We Will Handle Your Section 515 Request?

Processing Your Initial Request

Once the appropriate Board staff member has received your request, the Board will provide an initial response to your request within 60 days, excluding weekends and Federal holidays. If the Board is unable to provide an initial response within the 60-day period, the Board will notify you of the estimated date for an initial response.

Delay in the Board's response may be required if you modify your original request, if we need to clarify your request, or if we need to consult with other offices or agencies that may have an interest in the matter, although the Board shall be solely responsible for determining how to respond to your request.

Initial Board Response

The Board's initial response will either grant or deny your request, in whole or part, and make appropriate corrections, if any. If your request relates to information in which there is an opportunity for public comment (*e.g.*, Recommendations), you may be required to seek correction of the information through public comment, and your request will be referred to the responsible Board staff for consideration and incorporation into the record of the relevant proceeding. When

appropriate, in lieu of an individualized response to your request, the Board may issue or provide you a form letter, press release, or mass mailing that corrects a widely disseminated error or that addresses a frequently raised complaint. Responses may also be posted on the Board's Web site.

In all cases, the correction process shall serve to address the genuine and valid needs of the Board and its constituents without disrupting Board processes. The Board may reject claims that are made in bad faith, without justification, unlikely to have substantial future impact (*e.g.*, harmless error), frivolous, or speculative. The Board shall undertake only the degree of correction that the Board concludes is appropriate for the nature of the information involved. In making this determination, the Board will consider such factors as the significance of the error on the use of the information, the magnitude of the error, and the cost of undertaking a correction. The Board will also consider the error's relationship to Board priorities. The Board is not required to change, or in any way alter, the content or status of information simply based on the receipt of a request for correction. The Board need not respond substantively to frivolous or repetitive requests for correction. Furthermore, the Board may not respond to requests that concern information not covered by the Guidelines or from a person whom the information does not affect.

Seeking Reconsideration of the Initial Response

If you disagree with the Board's initial response, you will have 30 days, excluding weekends and Federal holidays, to appeal (*i.e.*, file for reconsideration within the agency). The Board will provide a response to your request for reconsideration within 60 days, excluding weekends and Federal holidays, unless it notifies you of a later date and explains the reason(s) for the delay. The official conducting the second level of review shall not be the same official that responded to the initial request for correction or that prepared the subject information.

If the Board agrees with the appeal, it will also take steps to notify the public of its decision.

Certain disseminations of information include a comprehensive public comment process (*e.g.*, Recommendations, notices of proposed rulemaking, regulatory analyses, and requests for comment on an information collection subject to the Paperwork Reduction Act). The administrative correction mechanism described in these Guidelines does not apply to dissemination of such a document. Persons questioning information disseminated in such a document must submit comments as directed in that document.

When engaged in rulemaking, the Board will utilize the notice and comment process required by the Administrative Procedure Act. This process will satisfy the Section 515 administrative correction mechanism requirement. Affected persons must address any correction requests through the rulemaking comment process. Correction requests made through the Section 515 mechanism will not be considered.

Information or studies relied upon and cited in rulemaking will be addressed through the rulemaking notice and comment process.

If there is an existing process for reconsideration of a particular sort of information dissemination by the DNFSB, DNFSB will make use of that process.

The Guidelines are not intended to and do not provide any right to judicial review.

Availability of Section 515 Reports

No later than each January 1, beginning in 2004, the agency is required to submit an annual fiscal year report to the OMB Director on the number and nature of Section 515 correction requests received by the Board and how the agency resolved those requests. Copies of these reports will be made publicly available through the Board's Web page.

John T. Conway,
Chairman.

[FR Doc. 02-23609 Filed 9-16-02; 8:45 am]

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DEPARTMENT OF EDUCATION

Local Flexibility Demonstration Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice extending application deadline.

SUMMARY: Under the Local Flexibility Demonstration Program ("Local-Flex" program), the Secretary will competitively select up to 80 local educational agencies (LEAs) with which to enter into Local-Flex agreements. The agreements will provide participating LEAs the flexibility to consolidate certain Federal formula grant funds in order to assist them in meeting the State's definition of adequate yearly progress and the LEA's specific measurable goals for improving student achievement and narrowing achievement gaps. In this notice, we are extending the deadline for eligible LEAs to apply to participate in the Local-Flex program.

APPLICATION DEADLINE: December 6, 2002.

Eligible Applicants

LEAs in the following States are eligible to apply for Local-Flex: Alaska, Arkansas, California, Connecticut, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington,

West Virginia, Wisconsin, and Wyoming.

By statute, the Secretary may enter into Local-Flex agreements with no more than three LEAs in a State. Therefore, any consortium that seeks a Local-Flex agreement may include no more than three LEAs. Furthermore, only LEAs that receive formula grant funds from their State educational agency (SEA) under the Federal programs subject to consolidation may seek Local-Flex authority.

LEAs in the following States may *not* apply at this time because their SEA indicated, by May 8, 2002, an intent to apply for State-Flex authority: Alabama, Arizona, Colorado, Delaware, Florida, Illinois, Massachusetts, Nebraska, Pennsylvania, Tennessee, and Texas. In addition, the District of Columbia, Hawaii, Puerto Rico, and the outlying areas are not eligible to apply for Local-Flex because, for purposes of this program, the legislation considers a state-wide LEA to be an SEA.

Under the legislation, a State generally cannot receive State-Flex authority if one of its LEAs has entered into a Local-Flex agreement with the Secretary. If an LEA enters into a Local-Flex agreement with the Secretary, its SEA may subsequently seek State-Flex authority only if that LEA agrees to be part of the SEA's State-Flex proposal.

SUPPLEMENTARY INFORMATION: On July 19, 2002, we published in the **Federal Register** (67 FR 47528-47529) a notice establishing a September 17, 2002 deadline for the initial Local-Flex competition. In that notice, the Secretary indicated that he would select up to forty LEAs for participation in Local-Flex in the initial competition, and that he would select the remaining LEAs in a subsequent competition.

The Department now believes that many LEAs need additional time to prepare a Local-Flex application, especially given that new requirements in the programs affected by Local-Flex just recently became effective. With additional time, many more interested LEAs should be able to prepare a Local-Flex proposal that fully addresses the statutory requirements and that will assist them in meeting their State definition of adequate yearly progress and in attaining specific, measurable goals for improving student achievement and narrowing achievement gaps.

An LEA that submitted an application by the previously established deadline does not have to re-apply for Local-Flex, but may submit a revised application by the deadline established in this notice if it wishes to do so. The Department

intends to hold one or more subsequent Local-Flex competitions until the statutory maximum of 80 LEAs are participating in the program.

Notification of Intent To Apply for Local-Flex

We will be able to develop a more efficient process for reviewing Local-Flex applications if we have a better understanding of the number of LEAs that intend to seek participation in the program. Therefore, we strongly encourage each potential applicant to send, by November 8, 2002, a notification of its intent to apply for participation in the Local-Flex program to the following address:
LocalFlex@ed.gov.

The notification of intent to apply for participation in Local-Flex is *optional* and should not include information regarding the potential applicant's Local-Flex proposal. LEAs that fail to provide the notification may still submit an application by the application deadline.

FOR FURTHER INFORMATION CONTACT: Ms. Milagros Lanauze. Telephone: (202) 401-0039 or via Internet: *LocalFlex@ed.gov*.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339. Individuals with disabilities may obtain this notice in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the contact person listed above.

APPLICATIONS: You may obtain a copy of the application on the Department's web site at: <http://www.ed.gov/flexibility/prog>.

You may also obtain a copy of the application from the contact person identified under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document

You may view this document, as well as other Department of Education documents published in the **Federal Register** in text or Adobe Portable Document Format (PDF) on the Internet at the following site: www.ed.gov/legislation/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 version of the **Federal Register** and the Code

of Federal Regulations is available on GPO access at: www.access.gpo.gov/nara/index.html.

Program Authority: Sections 6151 through 6156 of the ESEA, as amended by the No Child Left Behind Act of 2001 (Pub.L. 107-110).

Dated: September 13, 2002.

Susan B. Neuman,

Assistant Secretary for Elementary and Secondary Education.

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DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Rocky Flats

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Rocky Flats. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Thursday, October 3, 2002, 6 p.m. to 9:30 p.m.

ADDRESSES: Jefferson County Airport Terminal Building, Mount Evans Room, 11755 Airport Way, Broomfield, CO.

FOR FURTHER INFORMATION CONTACT: Ken Korkia, Board/Staff Coordinator, Rocky Flats Citizens Advisory Board, 9035 North Wadsworth Parkway, Suite 2250, Westminster, CO, 80021; telephone (303) 420-7855; fax (303) 420-7579.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda:

1. Meeting with new site manager, Eugene Schmitt.
2. Update on natural resource management issues.
3. Finalize and approve 2003 work plan and budget.
4. End-state discussion regarding subsurface soil remediation.
5. Other Board business may be conducted as necessary.

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Ken Korkia at the address or telephone number listed above.