

6-hour design precipitation event. It is also suspended insofar as it requires separate principal and emergency spillways where one will safely pass the 100-year 6-hour storm event.

§ 816.89 [Amended]

39. Paragraph (d) of § 816.89 is suspended.

§ 816.116 [Amended]

40. Paragraph (b)(3)(ii) of § 816.116 is suspended insofar as it permits the counting of trees and shrubs which have been in place less than the applicable period of responsibility in determining revegetation success.

41. Paragraph (c)(2) of § 816.116 is suspended insofar as it permits revegetation success to be measured over less than the growing seasons of the last two years of the responsibility period.

42. Paragraph (c)(4) of § 816.116 is suspended insofar as it permits the repair of rills and gullies without restarting the period of responsibility.

§ 816.133 [Amended]

43. Paragraph (d) of § 816.133 is suspended insofar as it authorizes any variance from approximate original contour for surface coal mining operations in any area which is not a steep slope area.

PART 817—PERMANENT PROGRAM PERFORMANCE STANDARDS—UNDERGROUND MINING ACTIVITIES

44. The Authority citation for Part 817 continues as follows:

Authority: Pub. L. 95-87, 91 Stat. 445 (30 U.S.C. 1201 *et seq.*) and sec. 115, Pub. L. 98-146, 97 Stat. 938 (30 U.S.C. 1257), unless otherwise noted.

§ 817.46 [Amended]

45. Paragraph (b)(2) of § 817.46 is suspended.

§ 817.49 [Amended]

46. Paragraphs (a)(3) and (a)(5)(i) of § 817.49 are suspended insofar as they apply to sedimentation ponds in which no embankment is at least twenty feet in height as measured from the upstream toe of the embankment to the crest of the emergency spillway and which have a storage volume of less than 20 acre feet.

47. Paragraph (a)(8) of § 817.49 is suspended insofar as it requires separate principal and emergency spillways where one spillway may safely pass the design storm event.

48. Paragraph (a)(9) of § 817.49 is suspended insofar as it permits the retention of highwalls in permanent impoundments.

§ 817.81 [Amended]

49. Paragraph (a) of § 817.81 is suspended insofar as it allows end dumping or side dumping of coal mine waste.

50. Paragraph (c)(2) of § 817.81 is suspended insofar as it allows coal waste refuse piles to be constructed or modified with compaction which does not attain 90 percent of the maximum dry density determined in accordance with the standard Proctor method.

§ 817.83 [Amended]

51. Section 817.83 is suspended insofar as it permits the construction of coal waste refuse piles using lifts of greater than 2 feet thickness.

§ 817.84 [Amended]

52. Paragraph (b)(2) of § 816.84 is suspended insofar as it permits any impounding structure which is constructed of coal mine waste or intended to impound coal mine waste to have spillways, the combined capacity of which do not safely pass the 100-year 6-hour design precipitation event. It is also suspended insofar as it requires separate principal and emergency spillways where one will safely pass the 100-year 6-hour storm event.

§ 816.89 [Amended]

53. Paragraph (d) of § 817.89 is suspended.

§ 817.116 [Amended]

54. Paragraph (b)(3)(ii) of § 817.116 is suspended insofar as it permits the counting of trees and shrubs which have been in place less than the applicable period of responsibility in determining revegetation success.

55. Paragraph (c)(2) of § 817.116 is suspended insofar as it permits revegetation success to be measured over less than the growing seasons of the last two years of the responsibility period.

56. Paragraph (c)(4) of § 817.116 is suspended to the extent that it permits the repair of rills and gullies without restarting the period of responsibility.

§ 817.133 [Amended]

57. Paragraph (d) of § 817.133 is suspended insofar as it authorizes any variance from approximate original contour for surface coal mining operations in any area which is not a steep slope area.

[FR Doc. 86-26178 Filed 11-19-86; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 289

Availability of DoD Directives, DoD Instructions, DoD Publications, and Changes

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This rule updates DoD procedures on the availability of DoD Directives, DoD Instructions, DoD publications, and changes. It covers revisions on the availability of DoD Directives and Instructions, and publications to the public and U.S. Government Agencies other than the Department of Defense and the increase in subscription cost.

EFFECTIVE DATE: September 30, 1986.

FOR FURTHER INFORMATION CONTACT: Ms. Linda M. Lawson, Directives Division, Correspondence and Directives Directorate, Washington Headquarters Services, Washington, DC 20301-1155, telephone (202) 697-4111.

SUPPLEMENTARY INFORMATION: On August 16, 1967, there was published in the Federal Register (32 FR 117600) a final rule adoption, effective September 1, 1967, that announced a subscription service for DoD issuances. The following six amendments were published: December 27, 1968 (33 FR 19815), November 25, 1970 (35 FR 18047), September 21, 1977 (42 FR 47555), September 26, 1977 (42 FR 48885), April 19, 1978 (43 FR 16478), and July 6, 1983 (48 FR 31019). This revision amends the ordering and subscription services rendered by the Navy Publications and Printing Services and the availability of DoD publications.

List of Subjects in 32 CFR Part 289

DoD Directives System issuances, Availability to the public, Freedom of information.

Accordingly, Part 289 of Title 32 is revised to read as follows:

PART 289—AVAILABILITY OF DOD DIRECTIVES, DOD INSTRUCTIONS, DOD PUBLICATIONS, AND CHANGES

- Sec.
289.1 Subscription services for DoD Directives and Instructions.
289.2 Ordering individual copies of DoD Directives and Instructions.
289.3 Ordering complete sets of DoD Directives and Instructions.
289.4 Ordering individual copies of DoD publications.

Authority: 10 U.S.C. 133, 31 U.S.C. 483a.

§ 289.1 Subscription services for DoD directives and instructions.

(a) DoD Directives, Instructions, and changes published in the Number Index section of DoD 5025.1-I, DoD Directives System Quarterly Index (except those issuances identified as classified) are available to the public and U.S. Government Agencies on a subscription basis for \$16.00 a year. DoD Components must obtain DoD Directives and Instructions from their own publications channels.

(b) An annual subscription consists of one copy of each newly released and revised DoD Directive and Instruction published under the subject groups that are specified in a given subscription. Subscriptions are accepted for one or more subject groups. The subject groups are as follows:

- 1000 Manpower, Reserve Affairs, and Personnel
- 2000 International Programs and Security Assistance
- 3000 Planning, Research and Development, Intelligence, and Computer Technology
- 4000 Logistics, Acquisition, and Resources Management
- 5000 General Administration
- 5025.1-I DoD Directives System Quarterly Index
- 6000 Safety, Health, and Medical
- 7000 Comptrollership

(c) Subscription orders may be placed with the Director, Navy Publications and Printing Service, Building 4, Section D, 700 Robbins Avenue, Philadelphia, Pennsylvania 19111. Orders must be in writing, accompanied by a certified check or money order for \$16.00 payable to the Navy Publications and Printing Service.

§ 289.2 Ordering individual copies of DoD Directives and Instructions.

(a) DoD Directives, Instructions, and changes published in the Number Index section of DoD 5025.1-I, DoD Directives System Quarterly Index (except those issuances identified as classified) are available to the public and U.S. Government Agencies without charge. DoD Components must obtain DoD Directives and Instructions from their own publications channels.

(b) Orders for individual copies are limited to five copies per line item.

(1) Written requests for individual copies should be submitted to the Commanding Officer, ATTN: Code 301, Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, Pennsylvania 19120-5099. Urgent requests may be submitted by TELEX

and telegraph. The TELEX number is 834295 and the Western Union telegraph number is 710-670-1685. The commercial telephone number is (215) 697-3321 or -2179. All requests must include personal or organization name and complete mailing address (street address or P.O. Box number, city, state, zip code, and country, if applicable).

§ 289.3 Ordering complete sets of DoD Directives and Instructions.

(a) A complete set of DoD Directives and Instructions listed in the Number Index section of DoD 5025.1-I, DoD Directives System Quarterly Index (except those issuances identified as classified) are available to the public and U.S. Government Agencies for \$70.00. Those orders are filled on an "as available" basis. DoD Components must obtain DoD Directives and Instructions from their own publications channels.

(b) Orders for a complete set of DoD Directives and Instructions should be submitted to the Director, Navy Publications and Printing Service, Building 4, Section D, 700 Robbins Avenue, Philadelphia, Pennsylvania 19111. Orders must be in writing, accompanied by a certified check or money order for \$70.00 payable to the Navy Publications and Printing Service.

§ 289.4 Ordering individual copies of DoD Publications.

(a) Requests for DoD publications and changes listed in the Number Index section of DoD 5025.1-I (except those publications identified as classified) should be forwarded to the various sources that are identified in the Availability Column of the DoD Publications subsection of DoD 5025.1-I. A fee will be charged for DoD Publications ordered from the National Technical Information Service, Springfield, Virginia.

(b) DoD 5025.1-I, DoD Directives System Quarterly Index, is available at cost from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161. This publication also may be ordered from the Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120-5099.

Patricia H. Means,
OSD Federal Register Liaison Officer,
Department of Defense.

November 14, 1986.

[FR Doc. 86-26167 Filed 11-19-86; 8:45 am]

BILLING CODE 3810-01-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[A-1-FRL-3114-4]

Approval and Promulgation of Implementation Plans; Connecticut; Reasonably Available Control Technology for Connecticut Charcoal Co.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan revision submitted by the State of Connecticut. This revision establishes and requires the use of reasonably available control technology (RACT) to control volatile organic compound (VOC) emissions from Connecticut Charcoal Co. (Connecticut Charcoal) in Union, Connecticut. The required RACT control methods center on incineration of VOC emissions and recordkeeping. The intended effect of this action is to approve a source-specific RACT determination submitted by the State in accordance with commitments made in its Ozone Attainment Plan which was approved by EPA on March 21, 1984 (49 FR 10542). This action is being taken under section 110 of the Clean Air Act.

EFFECTIVE DATE: December 22, 1986.

ADDRESSES: Copies of the submittal are available for public inspection at Room 2313, JFK Federal Building, Boston, MA 02203; Public Information Reference Unit, EPA Library, 401 M Street SW., Washington, DC 20460; Office of the Federal Register, 1100 L Street NW., Room 8301, Washington, DC; and Air Compliance Unit, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

FOR FURTHER INFORMATION CONTACT: David Conroy, (617) 565-3244; FTS 835-3244 or Lynne Naroian, (617) 565-3246; FTS 835-3246.

SUPPLEMENTARY INFORMATION: On July 14, 1986 (51 FR 25371), EPA published a Notice of Proposed Rulemaking (NPR) for the State of Connecticut. The NPR proposed to approve State Order No. 943 as a revision to the Connecticut SIP. The provisions of Connecticut's State Order define and impose RACT for Connecticut Charcoal as required by section 22a-174-20, subsection (ee) of the Connecticut Ozone Attainment Plan.

A description of the revision and EPA's rationale for approving it were provided in the NPR and will not be

restated here. No public comments were received on the NPR.

Final Action

EPA is approving Connecticut State Order No. 943 as a revision to the Connecticut SIP. The Order was issued to Connecticut Charcoal on April 23, 1986, and it requires RACT on that facility to control VOCs.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by January 20, 1987. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations, and Reporting and recordkeeping requirements.

Note.—Incorporation by reference of the State Implementation Plan for the State of Connecticut was approved by the Director of the Federal Register on July 1, 1982.

Dated: November 7, 1986.

Lee M. Thomas,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart H—Connecticut

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.370, is revised by adding paragraph (c)(36) as follows:

§ 52.370 Identification of plan.

* * *

(c) * * *

(36) Revision to the State Implementation Plan submitted on April 18, 1986, by the Commissioner of the Department of Environmental Protection.

(i) Incorporated by Reference:

(A) State Order No. 943 for Connecticut Charcoal Co., effective April 18, 1986, establishing and requiring reasonably available control technology for the control of volatile organic compounds from this facility.

[FR Doc. 86-26175 Filed 11-19-86; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

48 CFR Parts 1401, 1405, 1406, 1414, 1415, 1419, 1420, 1428, 1437, 1452, and 1453

Acquisition Regulation; Miscellaneous Amendments

AGENCY: Department of the Interior.

ACTION: Final rule.

SUMMARY: This rule amends the Department of the Interior Acquisition Regulation (DIAR) to implement the Competition in Contracting Act of 1984 (Pub. L. 98-369) and corresponding Federal Acquisition Circulars. The rule also makes changes to internal procedures regarding the Department's small and disadvantaged business program and labor surplus area program; revisions to procedures for acquiring appraisal services; changes in contract insurance requirements; and procedures for calculating profit and fee objectives. A proposed rule and request for comments was published on April 1, 1986 (51 FR 11075-11081).

EFFECTIVE DATE: December 22, 1986.

FOR FURTHER INFORMATION CONTACT:

Mr. William Opdyke, Chief, Branch of Policy and Regulations, Office of Acquisition and Property Management, Department of the Interior, Washington, DC 20240, telephone (202) 343-3433.

SUPPLEMENTARY INFORMATION: This rule primarily concerns agency procedures that are required for the implementation of Pub. L. 98-369 and corresponding changes to the Federal Acquisition Regulation (FAR) made by Federal Acquisition Circulars. Minor revisions have been made to internal procedures for accomplishing the Department's small and disadvantaged business program in response to recommendations received from the House Subcommittee on SBA and SBIC Authority, Minority Enterprise, and General Small Business Problems to amplify current regulatory provisions relating to subcontracting plans submitted by a small number of contractors. Procedures for internal establishment of labor surplus area goals have been revised. Changes have been made to procedures used by the Department for acquiring real property appraisal services to clarify required coordination with the appropriate Office of the Solicitor and the assigned Assistant U.S. Attorney. The Department's Indemnification clause has been revised to impose insurance requirements only. Procedural requirements for calculating profit or fee prenegotiation objectives have been

revised to clarify use of facilities capital cost of money.

Public Comment

Comments were requested by May 1, 1986. Three responses were received, two after the deadline date. All comments, however, were considered in adopting the final rule. One comment recommended that DIAR 1405.207 be revised to reference actions under FAR Subpart 6.3 and include supplies as well as services. This suggestion was adopted. Another comment suggested that clarifying revisions be made to the class justifications contained in Appendices A and B of the proposed rule. Coverage on class justifications for other than full and open competition has been removed from the final rule since subsection 961(a) of Pub. L. 99-145 exempts from the justification and approval requirements of Pub. L. 98-369 noncompetitive purchases where a statute expressly requires that the procurement be made from a specified source. A comment was made suggesting an editorial change in the coverage on acquisition of real property appraisals. This recommendation was adopted. Another comment suggested that several DIAR revisions first be proposed for inclusion in the FAR. Due to the nature of these revisions, this suggestion was not adopted. However, it has been brought to the attention of the FAR Secretariat for further consideration. Minor editorial changes have also been made in the final rule.

Primary Author

The primary author of this rule is Mr. William Opdyke, Office of Acquisition and Property Management, telephone (202) 343-3433.

Executive Order 12291, Paperwork Reduction Act, and Regulatory Flexibility Act

The Department has determined that this rule is not a major rule under Executive Order economic effect on a substantial number of small entities since no new requirements are being imposed on small entities or other parties eligible to contract with the Department. The information collection requirements referred to in this rule are prescribed by FAR 19.704(a) and are the responsibility of the FAR Secretariat, General Services Administration. This rule does not contain any new information collection requirements.

List of Subjects in 48 CFR Parts 1401, 1405, 1406, 1414, 1415, 1419, 1420, 1428, 1437, 1452, and 1453

Government procurement.