

processing the application are significantly in excess of \$250,000, the applicant is required to submit the additional payment before issuance of the license. If the costs incurred by NOAA in reviewing and processing the application are significantly less than \$250,000, NOAA will refund the difference to the applicant.

(d) *Effect of withdrawal or termination of an application.* If the application is withdrawn or terminated by the Administrator or the applicant prior to a decision on the license application, the applicant is entitled to a refund of the application fee minus those costs incurred by NOAA in reviewing and processing the application up to the date of withdrawal or termination of the application. If the costs are significantly in excess of the amount submitted by the applicant based on the payment schedule in § 981.130(b), then the applicant is required to submit the additional payment to NOAA.

5. In § 981.155, paragraph (b) is revised to read as follows:

§ 981.155 Compliance with Paperwork Reduction Act.

(b) Compliance with specific recordkeeping and reporting requirements are subject to the requirements of the Paperwork Reduction Act Chapter 35 of Title 44 U.S.C. including 44 U.S.C. 3507 under OMB Approval #0648-0144.

6. In § 981.470 paragraph (a)(7) is revised to read as follows:

§ 981.470 Criteria for approval or denial.

(a) * * *
(7) The proposed OTEC facility or plantship will be documented under the laws of a foreign nation.

7. In § 981.520 paragraph (g)(1) is revised to read as follows:

§ 981.520 Terms and conditions of a license.

(g) *Monitoring of licensee's activities.* Each license will contain terms or conditions requiring the licensee:

(1) To allow the Administrator to place appropriate Federal officers or employees in or aboard the OTEC facility or plantship to which the license applies at such times and to such extent as the Administrator deems reasonable and necessary to assess compliance with any terms, conditions, or regulations applicable to the license, and to report to the Administrator

whenever such officers or employees have reason to believe there is a failure to comply.

8. In § 981.550, paragraph (c) is revised to read as follows:

§ 981.550 Suspension, revocation, termination, relinquishment or surrender of a license.

(c) *Emergency orders.* The Administrator may order the licensee to cease or alter construction or operation activities pending the completion of a judicial proceeding pursuant to paragraph (a) of this section if the Administrator determines that immediate suspension of such activities is necessary to protect public health and safety or to eliminate any imminent and substantial danger to the environment.

[FR Doc. 86-12906 Filed 6-9-86; 8:45 am]
BILLING CODE 3510-12-M

DELAWARE RIVER BASIN COMMISSION

18 CFR Part 410

Amendment of Comprehensive Plan, Water Code of the Delaware River Basin and Administrative Manual—Part III Water Quality Regulations

AGENCY: Delaware River Basin Commission.

ACTION: Final rule.

SUMMARY: At its May 28, 1986 business meeting the Delaware River Basin Commission amended its Comprehensive Plan and subsection 3.10.4B of the Water Code and Administrative Manual—Part III Water Quality Regulations in relation to disinfection. Subsection 4.30.9B.1 of Administrative Manual—Part III Water Quality Regulations was also amended with respect to disinfection. The amendments delete the Commission's requirement for year-round disinfection of treated sewage discharged to intrastate waters of the Basin and substitute a requirement that wastewater be effectively disinfected only as needed to meet applicable Commission or State water quality standards. Year-round disinfection would still be required on discharges to interstate streams.

EFFECTIVE DATE: May 28, 1986.

ADDRESS: Copies of the Commission's Water Code and Administrative Manual—Part III Water Quality Regulations are available from the Delaware River Basin Commission, P.O.

Box 7360, West Trenton, New Jersey 08628.

FOR FURTHER INFORMATION CONTACT: Susan M. Weisman, Commission Secretary, Delaware River Basin Commission: Telephone (609) 883-9500.

SUPPLEMENTARY INFORMATION: The Commission held a public hearing on February 26, 1986, as noticed in the January 28, 1986 Federal Register, Vol. 51, No. 18, on proposed amendments calling for disinfection by dischargers to intrastate waters only as needed to meet applicable Commission or State water quality standards. Based upon the testimony received and further deliberation, the Commission has amended its Comprehensive Plan, Water Code and Administrative Manual—Part III Water Quality Regulations.

1. The Commission's Comprehensive Plan and subsection 3.10.4B of the Water Code and Administrative Manual—Part III Water Quality Regulations, which are referenced in 18 CFR Part 410, are amended to read as follows:

B. *Disinfection.* Wastes (exclusive of stormwater bypass) containing human excreta or disease-producing organisms shall be effectively disinfected before being discharged into surface bodies of water as needed to meet applicable Commission or State water quality standards.

2. Subsection 4.30.9B.1 of Administrative Manual—Part III Water Quality Regulations is amended to read as follows:

1. a. Waste treatment operations, except disinfection, shall not be curtailed at any time of the year.
b. The capability to resume disinfection, upon reasonable notice not to exceed 15 days, shall be maintained.

List of Subjects in 18 CFR Part 410

Water pollution control.

The authority citation for 18 CFR Part 410 continues to read as follows:

Authority: Delaware River Basin Compact (75 Stat. 688).

3. Reflecting the final action on the rules and regulations of the Delaware River Basin Commission, public notice of which is set forth herein, 18 CFR Part 410 is revised as follows:

PART 410—BASIN REGULATIONS; WATER CODE AND ADMINISTRATIVE MANUAL—PART III WATER QUALITY REGULATIONS

§ 410.1 Basin regulations—Water Code and Administrative Manual—Part III Water Quality Regulations.

(a) The Water Code of the Delaware River Basin is a codification of

regulations of the Delaware River Basin Commission concerning the policies and standards applicable to public and private water projects and programs within the Delaware River Basin. Article I of the water code sets forth general policies of the Commission. Article II concerns the conservation, development and utilization of Delaware River Basin water resources. Article III sets forth the water quality standards and guidelines for the Delaware River Basin. The Commission's Administrative Manual—Part III, Water Quality Regulations, apply to all waste dischargers, public and private, using the waters of the Delaware River Basin. The regulations contained within the Water Code and within the Administrative Manual—Part III Water Quality Regulations of the Delaware River Basin Commission are hereby incorporated in and made a part of this Part 410 and include all amendments to the Water Code and the Administrative Manual—Part III Water Quality Regulations adopted through May 28, 1986.

(b) The Water Code and the Administrative Manual—Part III and the regulations contained therein and information about them may be obtained from the Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628.

(c) The regulations may be amended from time to time by the Commission after due notice and public hearing. An official file of changes will be kept for public inspection in the offices of the Commission.

(Delaware River Basin Compact, 75 Stat. 688)

Susan M. Weisman,

Secretary.

June 3, 1986.

[FR Doc. 86-12994 Filed 6-9-86; 8:45 am]

BILLING CODE 6360-01-M

UNITED STATES INFORMATION AGENCY

22 CFR Part 510

Service of Process

AGENCY: United States Information Agency.

ACTION: Final rule.

SUMMARY: In order to further agency organization, this rule creates procedures for the acceptance of legal process in claims or other lawsuits brought against the agency. As a result, either the General Counsel or other officials designated by him must be served in order to effect valid process. The rule vests this authority in the General Counsel, since he is responsible

for legal proceedings involving the agency.

EFFECTIVE DATE: June 1, 1986.

FOR FURTHER INFORMATION CONTACT: C. Normand Poirier, Deputy General Counsel, United States Information Agency, Room 700, 301 Fourth Street, SW., Washington, DC 20547, telephone (202) 485-7976.

SUPPLEMENTARY INFORMATION:

E.O. 12291—Federal Regulations

The United States Information Agency has determined that this is not a major rule for the purpose of E.O. 12291, because it will not result in:

(1) An annual effect on the economy of \$100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States based enterprises to compete with foreign-based enterprises in domestic or export markets.

In addition, the United States Information Agency has determined that notice and comment are necessary under 5 U.S.C. 553(b)(3)(A) since this final rule pertains to agency organization and procedure.

List of Subjects in 22 CFR Part 510

Administrative practice and procedure, Courts, Judicial documents.

Title 22 of the Code of Federal Regulations will be amended to add a new Part 510 to read as follows:

PART 510—SERVICE OF PROCESS

Sec.

510.1 Service of process.

Authority: 5 U.S.C. 552(a)(1)(A).

§ 510.1 Service of process.

(a) The General Counsel of the United States Information Agency or any of his designees shall act as agent for the receipt of legal process against the United States Information Agency, as well as against employees of the agency to the extent that the process relates to the official functions of the employees.

(b) When accepting service of process for an employee in his official capacity, the General Counsel or his designee shall endorse on the server's return of process form, registered mail receipt, certified mail receipt, or express mail receipt: "Service accepted in official capacity only."

(c) Process shall be delivered to:

Mailing address: General Counsel and Congressional Liaison, United States Information Agency, 301 Fourth Street, SW., Washington, DC 20547.

Location: Office of the General Counsel and Congressional Liaison, United States Information Agency, 301 Fourth Street, SW., Room 700, Washington, DC 20547.

Dated: June 3, 1986.

Charles Z. Wick,

Director.

[FR Doc. 86-12956 Filed 6-9-86; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF THE INTERIOR

Geological Survey

30 CFR Part 402

Water-Resources Research Program and the Water-Resources Technology Development Program, Administrative Procedures

AGENCY: Geological Survey, Interior.

ACTION: Final rule.

SUMMARY: The purpose of this action is to establish procedures that will enable the Department of the Interior to meet its responsibilities in administering the Water-Resources Research Program and the Water-Resources Technology Development Program authorized by the Water Resources Research Act of 1984, sections 105 and 106 (Pub. L. 98-242, 42 U.S.C. 10304 and 10305). The issuance of this rule establishes the location of the administrative responsibility within the Department of the Interior; matching requirements and evaluation processes required by the Act; and application and reporting procedures. The rulemaking action is intended to provide clear and consistent administrative direction in conducting the program.

EFFECTIVE DATE: October 1, 1986.

FOR FURTHER INFORMATION CONTACT: Dr. Francis H. Coley, Chief, Branch of Research Grants and Contracts, U.S. Geological Survey, WRD, 426 National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092, (703) 648-6805.

SUPPLEMENTARY INFORMATION:

Background

The Water Resources Research Act of 1984 (Pub. L. 98-242) authorized the Water-Resources Research Program and the Water-Resources Technology Development Program and repealed the Water Research and Development Act of 1978 (Pub. L. 95-467). The 1978 Act was administered by the Office of

Water Research and Technology (OWRT) until it was abolished in 1982. OWRT functions relating to the water research and development, saline-water research and development, and technology-transfer activities authorized under the 1978 Act were transferred at that time to the Bureau of Reclamation. With the passage of the 1984 Act, Congress authorized the Water-Resources Research Program and the Water-Resources Technology Development Program and included specific language calling for rules and regulations to be promulgated pursuant to the new legislation. Secretarial Order 3106 designated the Director, U.S. Geological Survey (USGS), as the administrator of the Water Resources Research Act of 1984 and transferred from the Bureau of Reclamation to the USGS the past water-research and development activities authorized by Pub. L. 95-467 for closeout. This action confirms the Department of the Interior's intention to maintain administrative continuity for the program within the USGS. The new rule governing the Water-Resources Research Program and the Water-Resources Technology Development Program is placed in Chapter IV of Title 30 of the Code of Federal Regulations (CFR), for consistency with placement of all regulations relating to programs of the USGS.

Required Analyses

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291, and, therefore, a regulatory impact analysis is not required. Enactment of new regulations to administer the Water-Resources Research Program and the Water-Resources Technology Development Program will have an estimated economic impact of significantly less than \$100 million. Additionally, this action is not expected to increase costs or prices of goods and services in the private sector or have any other adverse economic impacts which require a regulatory impact analysis under the provisions of the Executive Order.

The majority of participants in the Water-Resources Research Program and the Water-Resources Technology Development Program would be from nonprofit educational institutions. Therefore, it has been determined that the regulations do not have a significant economic impact on a substantial number of small entities, and a regulatory flexibility analysis is not required.

The administrative procedures in this action have no potential for significant

environmental impact and are categorically excluded from the requirements for compliance with the National Environmental Policy Act of 1969, as amended (Pub. L. 91-190, 83 Stat. 852).

Paperwork Reduction Act of 1980

Information-collection requirements contained in §§ 402.10, 402.11, and 402.15 have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). They have been assigned number 1028-0046 and approved for use through September 30, 1988.

Response to Public Comment

Three letters of comment were received in response to the proposed rule as published in the *Federal Register* (50 FR 42188) on October 18, 1985. A discussion of each comment follows:

Comment: Subpart B § 402.6a—Water Resources Research Program. The words "... and agencies of local or State governments ..." to be in the national interest," could as stated in the comment "be interpreted to exclude summarily any research proposed by us which demonstrates valid research need stemming from a treatment of the multistate alluvial valley as a unit." The comment also suggested the addition of the words "privately and publicly owned," before educational institutions and "other than educational," before local or State governments, and the addition of the following sentence, "Proposed research which otherwise meets the criteria in this section and which relates to large multistate geological/hydrological regions can be interpreted by the USGS as being in the national interest."

Response: The words "educational institutions" in the rule means all educational institutions and the recommended addition of "privately and publicly," and "other than educational" is not needed. The term "national interest" relates to research topics of study and not to geographical areas. The addition of the proposed statement concerning "national interest" places emphasis on geographical areas which is not the intent. The term "educational institutions" has been included in Subpart A § 402.3—Definitions.

Comment: Conducting research without a formal program of information dissemination and the communication of research results is not beneficial to society. The universities can serve a useful role in the program. It is recommended that the following two topics be added to Subpart B § 402.6(b), types of research to be undertaken.

1. Scientific information-dissemination activities, including identifying, assembling, and interpreting the results of scientific and engineering research on water-resources problems.

2. Providing means for improved communications of research results, having due regard for the varying conditions and needs for the respective States and regions.

Response: The two types of research on dissemination and communications have been added to Subpart B § 402.6(b).

Comment: Subpart B § 402.6(b) enumerates types of research for which grants may be awarded under the Water-Resources Research Program and the Water-Resources Technology Development Program. This list does not and should not connote priority with regard to research topics. Clarifying language should be added to make this clear.

Response: Wording of Subpart B § 402.6(b) has been modified to reflect this suggestion.

Comment: Subpart B § 402.6 and 402.7 suggest that both the Water-Resources Research Program and the Water-Resources Technology Development Program will provide funds for research to "educational institutions, private foundations, private firms, individuals, and agencies of local or State governments." It is believed that a more explicit statement of the applicants' eligibility is required. As currently drafted, there are no apparent limitations on what kinds of agencies, organizations, or individuals are considered eligible to receive funding. At the very least it is urged that the rule specifically preclude the award of research grants to Federal agencies.

Response: The list of applicants in the rule is mandated by Pub. L. 98-242. The USGS is interested in supporting needed research and development; placing limitations on kinds of agencies, organizations, or individuals that may submit proposals is not in the best interest of the program. Although it was not necessary, because Federal agencies were not included in the list of eligibles, wording has been added to exclude Federal agencies to avoid any possible confusion.

Comment: Subpart C § 402.10(b) provides for identification of priorities in the USGS program announcements. In order to assure the broadest perspective, the process of setting research priorities should involve, in addition to the USGS, all Federal agencies with water-resource responsibilities and should include the National Science Foundation in an advisory capacity.

Response: Pub. L. 98-242 does not mandate the involvement of other Federal agencies, and, therefore, such a mandate cannot be placed into this rule and made a legal requirement. Coordinating efforts are being conducted by the USGS with other Federal water-resources agencies to minimize duplication, maintain awareness of related efforts, and identify potential priority issues.

Comment: Subpart B § 402.6 and 402.7 address the administration of both the Water-Resources Research Program and Water-Resources Technology Development Program. These two programs, in addition to the State Water Research Institute Program, were authorized in Title I of the Water Resources Research Act of 1984. Yet the proposed rule contains no language addressing the relationship among these three research program. It is believed there must be a clearly articulated strategy for coordinating limited research dollars. Indeed, section 103 of the Water Resources Research Act of 1984 states that one of the purposes of the Act is to "coordinate more effectively the Nation's water-resources research program." The USGS is encouraged to include in the rule an explanation of the relationship among the three water-research programs authorized in Title I of Pub. L. 98-242 including coordination of annual funding, grant applications, and research priorities.

Response: To coordinate the State Water Research Institute, Water-Resources Research, and Water-Resources Technology Development Programs, the USGS has organizationally placed the administration of these three programs under the Water Resources Division, Office of External Research. These three programs address different issues. The State Water Research Institute Program provides support to State or regional Institutes to resolve State and regional water and related land problems. The Water-Resources Research Program provides support for research problems in the national interest. The Water-Resources Technology Development Program provides support for technology development of water-related problems. The USGS feels that it is not necessary to explain the relationship between these programs because the different program descriptions, application, evaluation, and management procedures for each program have been identified in 30 CFR Part 401, State Water Research Institute Program, and this rule. Also, the funding for these programs is provided separately by Congress, and

the USGS does not have the authority to change program funding.

Catalog of Federal Domestic Assistance

Programs to be affected in the Catalog of Federal Domestic Assistance are No. 15.806 for the Water-Resources Research Program and No. 15.807 (reserved) for the Water-Resources Technology Development Program.

List of Subjects in 30 CFR Part 402

Water resources, Research grant programs—natural resources, Government contracts, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, Chapter IV of Title 30 of the CFR is amended by adding Part 402 to read as follows:

PART 402—WATER-RESOURCES RESEARCH PROGRAM AND THE WATER-RESOURCES TECHNOLOGY DEVELOPMENT PROGRAM

Subpart A—General

Sec.

- 402.1 Purpose.
- 402.2 Delegation of authority.
- 402.3 Definitions.
- 402.4 Information collection.
- 402.5 [Reserved]

Subpart B—Description of Water-Resources Programs

- 402.6 Water-Resources Research Program.
- 402.7 Water-Resources Technology Development Program.
- 402.8–402.9 [Reserved]

Subpart C—Application, Evaluation, and Management Procedures

- 402.10 Research project applications.
- 402.11 Technology-development project applications.
- 402.12 Evaluation of applications for grants and contracts.
- 402.13 Program management.
- 402.14 [Reserved]

Subpart D—Reporting

- 402.15 Reporting procedures.
- 402.16–402.20 [Reserved]

Authority: Sec. 105 and 106, Pub. L. 98-242, 98 Stat. 97 (42 U.S.C. 10304 and 10305).

Subpart A—General

§ 402.1 Purpose.

The regulations in this part are issued pursuant to Title I of the Water Resources Research Act of 1984 (Pub. L. 98-242, 98 Stat. 97), which authorizes appropriations to, and confers authority upon, the Secretary of the Interior to promote national programs of water-resources research and technology development.

§ 402.2 Delegation of authority.

The Water-Resources Research Program and the Water-Resources Technology Development Program, as authorized by sections 105 and 106 of the Act (42 U.S.C. 10304 and 10305), have been established as components of the USGS. The Secretary of the Interior has delegated to the Director of the USGS authority to take actions and make the determinations that, under the Act, are the responsibility of the Secretary.

§ 402.3 Definitions.

(a) "Grant" is used in these rules as a generic term for a Federal assistance award, including project grants and cooperative agreements.

(b) "Act" means the Water Resources Research Act of 1984 (Pub. L. 98-242, 98 Stat. 97).

(c) "Educational institution" means any educational institution—privately and/or publicly owned.

(d) "Dollar-for-dollar matching grant" means for each Federal dollar provided to support the projects, a non-Federal dollar also must be provided to the project.

§ 402.4 Information collection.

The information-collection requirements contained in sections 402.10, 402.11, and 402.15 have been approved by the OMB under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1028-0046. The application proposals being collected will contain technical information that will be used by the USGS as a basis for selection and award of grants. The progress reports being collected will contain a description of all work accomplished and results achieved on each funded project and will enable the USGS to carry out its oversight responsibilities and provide dissemination of technical information.

§ 402.5 [Reserved]

Subpart B—Description of Water-Resources Programs

§ 402.6 Water-Resources Research Program.

(a) Subject to the availability of appropriated funds, the Water-Resources Research Program will provide support, in the form of a dollar-for-dollar matching grant, to educational institutions, private foundations, private firms, individuals, and agencies of local or State governments for research concerning any aspect of a water-resource related problem deemed to be in the national interest. Federal agencies are excluded from receiving matching

grants. Grants may be awarded on other than a dollar-for-dollar matching basis in cases where the USGS determines that research on a high-priority subject is of a basic nature that otherwise would not be undertaken.

(b) The types of research to be undertaken under this program are listed below, without indication of priority:

- (1) Aspects of the hydrologic cycle;
- (2) Supply and demand for water;
- (3) Demineralization of saline and other impaired waters;
- (4) Conservation and best use of available supplies of water and methods of increasing such supplies;
- (5) Water reuse;
- (6) Depletion and degradation of groundwater supplies;
- (7) Improvements in the productivity of water when used for agricultural, municipal, and commercial purposes; and
- (8) The economic, legal, engineering, social, recreational, biological, geographic, ecological, and other aspects of water problems.
- (9) Scientific information-dissemination activities, including identifying, assembling, and interpreting the results of scientific and engineering research on water-resources problems.
- (10) Providing means for improved communications of research results, having due regard for the varying conditions and needs for the respective States and regions.

§ 402.7 Water-Resources Technology Development Program.

(a) Subject to the availability of appropriated funds, the Water-Resources Technology Development Program will provide funds in the form of grants or contracts to educational institutions, private firms, private foundations, individuals, and agencies of local or State governments for technology development concerning any aspect of water-related technology deemed to be of State, regional, and national importance, including technology associated with improvement of waters of impaired quality and the operation of test facilities. Federal agencies are excluded from receiving grants or contracts. The types of technology-development to be undertaken under this program shall include items 1 through 10 of § 402.6(b).

(b) The USGS may establish any condition for the matching of funds by the recipient of any grant or cost-sharing under a contract under the technology-development program which the USGS considers to be in the best interest of the Nation.

§§ 402.8-402.9 [Reserved]

Subpart C—Application, Evaluation, and Management Procedures

§ 402.10 Research-project applications.

(a) Only those applications for grants that are in response to and meet the guidelines of specific USGS announcements will be considered for funding appropriated for this program.

(b) The USGS program announcements will identify priorities, matching requirements, particular areas of interest, criteria for evaluation, OMB regulations as appropriate, assurances, closing date, and proposal submittal instructions. Program announcements may also include criteria for high-priority subjects of a basic nature that may be funded on other than a dollar-for-dollar basis. Program announcements will be distributed to names on the current USGS mailing list for the Water-Resources Research Program announcements, including new requests received in response to published notices of upcoming program announcements.

(c) Notification of the availability of the program announcement will be published in the Commerce Business Daily and/or Federal Register.

(d) The application for funds must be signed by an individual or official authorized to commit the applicant and it must contain:

(1) A Standard Form 424 "Federal Assistance," Sections I and II completed by applicant, used as the cover sheet for each proposal.

(2) A project summary of no more than one typed, single-spaced page providing the following specific information:

(i) Identification of the water or water-related problems and the problem-solution approach;

(ii) Identification of the proposed scientific contribution of the problem solution;

(iii) Concise statement of the specific objectives of the project;

(iv) Identification of the approach to be used to accomplish the work; and

(v) Identification of potential users of the proposed work.

(3) Narrative information, as specified in the published program announcement, such as project title, project objectives, background information, research tasks, methodology to conduct the research task, the relevancy of the proposed project to water-resources problems, qualifications of the principal investigators and their organizations, and proposed budget with supporting information sufficient to allow evaluation of costs.

§ 402.11 Technology-development project applications.

(a) Grant awards will be used to support those portions of the program for which the principal purpose is other than as described in § 402.11(b). Program announcements and applications will be governed by the same procedures provided in § 402.10.

(b) If it is determined that the principal purpose of a planned award (or awards) is to acquire goods or services for the direct benefit or use of the Government, the action must be regarded as a procurement contract. A competitive solicitation prepared in accordance with applicable acquisition regulations will be issued to interested parties. Notification of the availability of any contract solicitation will be published in the Commerce Business Daily, unless waived in accordance with § 5.202 of the Federal Acquisition Regulation (FAR). Contracts may be awarded without full and open competition only if justified in accordance with FAR Subpart 6.3.

§ 402.12 Evaluation of applications for grants and contracts.

(a) *Grants.* (1) Each grant application will receive technical evaluations from Government and/or non-Government scientific or engineering personnel. Utilizing the criteria for evaluation identified in the applicable announcement, each reviewer will assign a technical score.

(2) Grant applications with low technical ratings will be screened out, and the remaining grant applications will be rank-ordered by review panels.

(3) USGS program officials will compile a single, consolidated rank-ordered list of the grant applications based on technical scoring, program needs and published priorities, and the available Federal funds.

(b) *Contracts.* Proposals for contract awards will be evaluated by a USGS panel. Contracts will be awarded according to procedures contained in the FAR, the Department of the Interior Acquisition Regulation, and in acquisition policy releases issued by the Department and by the USGS.

§ 402.13 Program management.

(a) After the conclusion of negotiations, the USGS will transmit a grant or contract-award document, as appropriate, setting forth the terms of the award.

(b) *Grants.* Recipients will be required to execute funded projects in accordance with OMB Circulars governing cost principles, administrative requirements, and audit, as applicable to

their organization type. In addition, OMB Circular A-67, Coordination of Federal Activities in the Acquisition of Certain Water Data, is applicable to awards under these programs.

(c) *Contracts.* Administrative requirements for performance of research contracts will be established in the contract clauses in conformance with applicable procurement regulations and other interior or USGS acquisition policy documents. OMB Circular A-67 will also apply to some contract awards under this program.

§ 402.14 [Reserved]

Subpart D—Reporting

§ 402.15 Reporting procedures.

(a) Grantees or contractors will be required to submit the following technical reports to the USGS address identified under the terms and conditions of each award.

(1) Quarterly Technical Progress Report. This report shall include a description of all work accomplished, results achieved, and any changes that affect the project's scope of work, time schedule, and personnel assignments.

(2) Draft Technical Completion Report. The draft report will be required for review prior to submission of the final technical completion report.

(3) Final Technical Completion Report. The final report and a camera-ready copy shall be submitted to the USGS within 90 days after the expiration date of the award and shall include a summary of all work accomplished, results achieved, conclusions, and recommendations. The camera-ready copy shall be prepared in a manner suitable for reproduction by a photographic process. Format will be specified in the terms and conditions of the award.

(4) Final Report Abstract. A complete Water-Resources Scientific Information Center Abstract Form 102 and National Technical Information Service Form 79 shall be submitted with the final report.

(b) Grantees or contractors will be required to submit financial, administrative, and closeout reports as identified under the terms of each award. Reporting requirements will conform to the procedures described in the Departmental Manual of the Department of the Interior at 505 DM 1-5.

(c) Contracts for technology-development projects may also require delivery of hardware items produced and/or specifications, drawings, test results, or other data describing the funded technology.

§§ 402.16-402.20 [Reserved]

Dated: May 6, 1986.

Wayne W. Marchant,

Assistant Secretary for Water and Science.

[FR Doc. 86-13010 Filed 6-9-86; 8:45 am]

BILLING CODE 4310-31-M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 944

Approval of Amendments to the Utah Permanent Program Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Final rule.

SUMMARY: OSMRE is announcing the approval of amendments to the Utah Permanent Regulatory Program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). On January 21, 1985, Utah submitted proposed program amendments for OSMRE's approval pertaining to the definitions of "adjacent area", "disturbed area", "mine plan area," and "permit area" and to the enforcement and penalty requirements applicable to surface mining operations. The public was invited to comment on these provisions for 30 days (50 FR 8148, February 28, 1985). In a letter to the State dated May 6, 1985, OSMRE requested additional information regarding certain of the amendment provisions submitted. On November 19, 1985, Utah submitted additional materials to address the concerns of OSMRE. The public was invited to comment on these additional materials for 15 days (51 FR 1519, January 14, 1986).

After providing opportunity for public comment and conducting a thorough review of the program amendments as submitted January 21, 1985, and revised November 19, 1985, the Director has determined that with one exception the amendments meet the requirements of SMCRA and the Federal regulations and is approving them.

This final rule is being made effective immediately in order to expedite the State program amendment process and to encourage the State to conform its program to the Federal standards without undue delay; consistency of the State and Federal standards is required by SMCRA.

EFFECTIVE DATE: June 10, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. Arthur W. Abbs, Chief, Division of

State Program Assistance, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW., Washington, DC 20240; Telephone: (202) 343-5351.

SUPPLEMENTARY INFORMATION:

I. Background on Program Approval

On January 21, 1981, the Secretary of the Interior conditionally approved the Utah program under SMCRA for the regulation of the surface coal mining operations in the State (46 FR 5899-5915).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Utah program can be found in the January 21, 1981 *Federal Register* (46 FR 5899-5915). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 944.11, 30 CFR 944.12, 30 CFR 944.15 and 30 CFR 944.16.

II. Background on Proposed Amendments

On January 21, 1985, the Utah Division of Oil, Gas and Mining (DOGM) submitted proposed program amendments for OSMRE's approval (Administrative Record No. UT-351). The amendments included changes pertaining to the definitions of "adjacent area", "disturbed area", "mine plan area", and "permit area" and to the enforcement and penalty requirements applicable to surface mining operations.

On February 28, 1985, OSMRE sought public comment on whether the proposed modifications to the Utah permanent program listed above satisfied the criteria for approval of State program amendments set forth at 30 CFR 732.15 and 732.17 (50 FR 8148). In a letter to the State dated May 6, 1985, OSMRE informed the State of its concerns relating to certain of the proposed program amendments (Administrative Record No. UT-399). On November 19, 1985, Utah submitted additional material to respond to the concerns raised by OSMRE in its May 6, 1985 letter (Administrative Record No. UT 389).

On January 14, 1986, OSMRE reopened the comment period for 15 days on these revised provisions (51 FR 1519).

III. Director's Findings

The Director finds, in accordance with SMCRA and 30 CFR 732.17 and 732.15, with one exception that the program