Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 757-200 series airplanes of the same type design, this AD is being issued to prevent in-flight deployment of both thrust reverser sleeves on one engine, which could result in reduced controllability of the airplane. This AD requires replacement of a restrictor union with a standard union, on each engine strut, in the return port of both engine thrust reverser system directional control valves; and a functional test on the thrust reverser system. The actions are required to be accomplished in accordance with the service bulletin described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption "ADDRESSES." All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92-NM-77-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

92-10-08. Boeing: Amendment 39-8242. Docket 92-NM-77-AD.

Applicability: Boeing Model 757-200 series airplanes equipped with Rolls-Royce RB211-535 series engines; as listed in Boeing Alert Service Bulletin 757-78A0030, dated January 31, 1992; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent in-flight deployment of both thrust reverser sleeves on one engine, which could result in reduced controllability of the airplane, accomplish the following:

(a) Within 90 days after the effective date of this AD, replace the restrictor union with a standard union on each engine strut in the return port of the thrust reverser directional control valve; and perform a functional test of the thrust reverser system; in accordance with Boeing Alert Service Bulletin 757-78A0030, dated January 31, 1992.

(b) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. The request shall be forwarded through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Seattle ACO.

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The replacement and functional test shall be done in accordance with Boeing Alert Service Bulletin 757-78A0030, dated January 31, 1992. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

(e) This amendment becomes effective on June 8, 1992.

Issued in Renton, Washington, on April 20, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate Aircraft Certification Service.

[FR Doc. 92-12002 Filed 5-21-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 2, 35, 50, 131, 141, 292, 300, and 385

[Docket No. RM92-6-000]

Eliminating Unnecessary Regulation; Order No. 541, Final Rule and Policy Statement

Issued May 1, 1992

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule and policy statement.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is making minor clerical changes in its regulations and is deleting regulations that are obsolete or require information that the Commission either no longer needs or which is readily available from other sources.

The Commission is also issuing a policy statement designed to streamline the way the Commission manages its electric utility caseload. The policy statement provides clarity and certainty to the regulated industry and is designed to prevent needless litigation.

EFFECTIVE DATE: This final rule and policy statement is effective May 1, 1992.

FOR FURTHER INFORMATION CONTACT: Joseph C. Lynch, Federal Energy Regulatory Commission, Office of the General Counsel, 825 North Capitol Street, NE., Washington, DC 20426, (202) 208–2128.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in room 3308, at the Commission's Headquarters, 941 North Capitol Street, NE., Washington, DC 20426. The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208–1397. To access CIPS, set your communications software to use 300, 1200 or 2400 baud, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this final rule will be available on CIPS for 10 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in room 3308, 941 North Capitol Street, NE., Washington, DC 20426.

Before Commissioners: Martin L. Allday, Chairman; Charles A. Trabandt, Elizabeth Anne Moler, Jerry J. Langdon and Branko Terzic.

Deletions of Certain Outdated or Nonessential Regulations Pertaining to the Commission's Jurisdiction under Parts II and III of the Federal Power Act, the Public Utility Regulatory Policies Act of 1978, the Pacific Northwest Electric Power Planning and Conservation Act and Delegations from the Secretary of Energy; Final Rule and Policy Statement

[Docket No. RM92–6–000; Order No. 541]

Issued May 1, 1992.

I. Introduction

The Federal Energy Regulatory Commission (Commission) is making clerical changes in its regulations and is rescinding as unnecessary certain obsolete regulations. The data that those regulations seek either already have been collected, are obtainable from other sources or are no longer needed to process the Commission's public utility case load.

The Commission is also issuing a policy statement designed to streamline the way the Commission manages its public utility caseload. The policy statement provides clarity and certainty to the regulated industry and is designed to prevent needless litigation.

II. Public Reporting Burden

This rule eliminates electric filing regulations that are obsolete, that require data that the Commission no longer needs, or that require data that are readily obtainable elsewhere. Consequently, the Commission's filing regulations will more accurately identify currently required data. As a result, the public should be able to identify more efficiently the types of applications and related information that the Commission requires. In particular, the Commission estimates that this rule will reduce the public reporting burden for FERC–520, "Corporate Applications-interlocking Positions," as a result of the deletion of the requirement that applications to hold interlocking positions be verified. In addition, a significant decrease in the public reporting burden will result from the elimination of the Part 50 requirement that public utilities file a written statement of their procurement policies and practices.

Send comments regarding these burden estimates or any other aspect of the Commission's collection of information, including suggestions for reducing this burden, to the Federal Energy Regulatory Commission, 941 North Capitol Street, NE., Washington, DC 20426 [Attention: Michael Miller, Information Policy and Standards Branch (202) 208–1415], and to the Office of Information and Regulatory Affairs of the Office of Management and Budget [Attention: Desk Officer for Federal Energy Regulatory Commission].

III. Discussion

Based on its review, the Commission has determined that several regulations should be deleted in order to streamline the Commission's processing of its workload and reduce regulatory burdens on the electric utility industry. The deleted regulations are obsolete procedural rules.

The Commission is also revising parts 35 and 131 of its regulations to replace references to "Federal Power Commission" with references to "Federal Energy Regulatory Commission."

For the reasons discussed below, the Commission is deleting the following regulations:

1. Sections 2.1(a)(1)(ii) (B), (C), (E) and 2.1(a)(1)(ix)

It has been the Commission's policy to notice in the **Federal Register** applications for: (1) Interconnection and service under section 202(c) of the Federal Power Act; (2) interconnections for emergency use only, under section 202(d) of the Federal Power Act; (3) authority to export electric energy to a foreign country under section 202(e) of the Federal Power Act; and (4) Presidential electric permits.[1] These sections implement that policy. There is no longer any reason to retain these sections because applications under these authorities are no longer submitted to the Commission. These applications are now submitted to the Department of Energy and the regulations are now obsolete.[2]

2. Section 2.5

In the *Colton* case, *FPC* v. *Southern California Edison Company*,[3] the Supreme Court determined that the Commission's predecessor, the Federal Power Commission, had jurisdiction over all wholesale sales of electricity in interstate commerce, except those sales that Congress made explicitly subject to state regulation.[4] Immediately following *Colton*, the Commission received a number of inquiries from the electric utility industry regarding the filing of tariffs that had not previously been filed with the Commission. The Commission adopted the policy that so long as rate schedules were filed with the Commission by August 1, 1964, the

[1] The authority for these permits is Executive Order No. 10485 (3 CFR, 1949–54 Comp., p. 970).

[2] Department of Energy Organization Act, 42 U.S.C. 7151(b), 7172(a)(1)(B).

[3] 376 U.S. 205 (1964).

[4] *Id.* at 216.

Commission would not initiate, on its own motion, any inquiry into past failures to file such schedules. Because all necessary filings under this policy have been made, this regulation is now obsolete.

3. Sections 2.10 and 2.11

These sections set forth the Commission's policy regarding actions minimizing the consequences of bulk power supply interruptions or shortages and reliability and adequacy of electric service. Oversight of these functions has been transferred to the Department of Energy [5] and the regulations are now obsolete.

4. Section 35.20

This section requires persons authorized to transmit electric energy from the United States to a foreign country to file with the Commission all rate schedules, supplements, notices of succession in ownership or operation, notices of cancellation and certificates of concurrence. Oversight of these transactions has been transferred to the Department of Energy [6] and the regulation is now obsolete.

5. Section 35.27

In this section the Commission established an abbreviated filing procedure and formula to permit public utilities to make adjustments to their rates to reflect the decrease in the federal corporate income tax rate pursuant to the Tax Reform Act of 1986. The section requires that public utilities complete all filings by November 30, 1987. All required filings have already been made and the regulation is now obsolete.

6. Part 50

This Part, consisting of § 50.1, requires public utilities, licensees and permittees to reduce their procurement policies to writing, file them with the Commission, and make them available to the public. The Federal Power Commission added these regulations by Federal Power Commission Order No. 386.[7] Through their rates, the utilities generally pass directly on to the customer the cost of goods and services that utilities use in providing electric service. In its Order No 386, the Federal Power Commission concluded that the existence of written procurement policies and practices would facilitate the efficient acquisition of equipment, materials and services and help to ensure that utilities' rates would be just and reasonable.

Since that time, challenges to the effectiveness of corporate management systems and internal controls (particularly in prudence reviews before regulatory agencies), as well as increasing competition in the industry, have compelled utilities to improve their management structures and internal controls as a means of safeguarding resources and curbing costs. Written procurement policies are now an integral part of these internal controls systems.

In light of all these factors, the filing of written procurement policies and practices no longer serves a useful purpose. Assurance that an adequate system of internal controls exists and is functioning effectively can be achieved through the Commission's compliance audit program without requiring any additional filings.

7. Section 131.60

Section 45.7 requires that applications to hold interlocking positions must be verified. Section 131.60 sets forth the form for that verification. A signed application is sufficient, and that requirement is already contained in rule 2005 of the Commission's Rules of Practice and Procedure.[8] Section 131.60 is, therefore, no longer necessary.

8. Section 141.100

This section requires each public utility or licensee to report in its annual reports to shareholders and others the amount of investment tax credits that it has generated and used and a statement of the accounting method that the company uses to account for the tax credits. The Commission is eliminating this regulation because it has outlived its usefulness. Generally accepted accounting principles now require the disclosure of such information in annual reports to shareholders.

9. Section 292.203(c)(2)

This section states that certain small power production facilities are not qualifying facilities while the moratorium described in section 8(e) of the Electric Consumers Protection Act of 1986 (ECPA), Pub. L. No. 99–495, is in effect. The ECPA moratorium has expired and the regulation is now obsolete.[9]

10. Section 292.401

This section requires state regulatory authorities and non-regulated electric utilities to implement, within one year of when the Commission's PURPA regulations take effect, the arrangements between electric utilities and qualifying cogenerators and small power production facilities that are defined in Subpart C of the Commission's PURPA regulations. The Commission's PURPA regulations took effect in 1980, and the requirements were implemented by the end of 1981. Therefore, § 292.401 is now obsolete.

11. Sections 300.10(d)(2), (4) and Sections 300.10(f)(2)(i), (vi)

These sections require that applications for approval of Federal Power Marketing Administration rates contain statements of the character and conditions of service and the method of billing or a definition of the billing demand, as well as the procedural history of the filing and the names and addresses of certain customers and other persons. This information is no longer necessary to review Federal Power Marketing Administration rates. This information deals with rate design and Federal Power Marketing Administration public hearings, which are beyond the scope of the Commission's review.[10]

12. Section 385.602(c)(1)(iv)

This section requires that settlement submissions include a draft order approving the settlement. Because the Commission always fashions its own order approving settlements, this section is not necessary.

The Commission is also revising part 35 and part 131. The Commission is replacing all references to "Federal Power Commission" with "Federal Energy Regulatory Commission."

IV. Policy Statement for Electric Rate Filings

To provide clarity and certainty to the regulated community and to prevent needless litigation, the Commission intends, effective as of the date of issuance of this order, to rely increasingly on summary disposition to expedite case processing. Failure to tell parties that their claims contradict law and policy results in needless litigation and leads parties to believe that they

[5] Department of Energy Organization Act, 42 U.S.C. 7151(b), 7172(a)(1)(B).

[6] *Id.*

[7] Procurement-Competition, FPC Order No. 386, 34 FR 12825 (August 7, 1969), 42 FPC 287 (1969).

[8] 18 CFR 385.2005.

[9] The moratorium was scheduled to end at the expiration of the first full session of Congress following the session during which the Commission reported to Congress on the results of a study required by section 8(d) of ECPA. By order issued October 7, 1988, the Commission issued its report to Congress, recommending continuation of PURPA benefits to projects subject to the moratorium. *See Electric Consumers Protection Act, Section 8(d) Study*, 45 FERC ¶ 61,051 (1988). The moratorium thus expired on November 22, 1989. See H.R. Rep. No. 99–934, 99th Cong., 2d Sess. 32 (1986).

[10] See Aluminum Company of America v. Bonneville Power Administration, 903 F.2d 585 (9th Cir. 1990).

have taken valid positions that they would be unwise to compromise. By relying on summary disposition, where appropriate, the Commission will reduce unwarranted litigiousness and remove impediments to settlements among parties.

V. Environmental Statement

Commission regulations require that an environmental assessment or an environmental impact statement be prepared for any Commission action that may have a significant adverse effect on the human environment.[11] The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment.[12] No environmental consideration is necessary for the promulgation of a rule that is clarifying, corrective, or procedural or that does not substantially change the effect of legislation or regulations being amended.[13] This final rule is procedural in nature. It merely makes clerical changes and deletes reporting requirements and regulations that the Commission has decided are no longer necessary. Accordingly, no environmental consideration is necessary.

VI. Regulatory Flexibility Act

The Regulatory Flexibility Act [14] requires rulemakings to either contain a description and analysis of the impact the rule will have on small entities or to certify that the rule will not have a substantial economic impact on a substantial number of small entities. This final rule removes unnecessary and obsolete regulations; it does not establish any new reporting requirements. Further, the data that the Commission would no longer require to be filed are either no longer necessary or could, if necessary, still be obtained from other existing sources. Consequently, the Commission certifies that this rule will not have "a significant economic impact on a substantial number of small entities."

VII. Information Collection Statement

The Office of Managements and Budget's (OMB) regulations [15] require that OMB approve certain information collection requirements imposed by an agency. The information collection requirements in this final rule are contained in FERC-520 "Corporate Applications-Interlocking Positions" (1902-0083), and FERC 556 "Cogeneration and Small Power Production" (1902-0075).

The Commission used the data collected in these information requirements to carry out its regulatory responsibilities pursuant to the FPA, PURPA, the Pacific Northwest Electric Power Planning and Conservation Act and delegations to the Commission from the Secretary of Energy. The Commission's Office of Electric Power Regulation used the data in reviewing applications for interlocking positions and applications that encourage the use of small power production facilities. The Commission is deleting reporting requirements and regulations that the Commission no longer considers necessary.

The Commission is submitting to the Office of Management and Budget a notification that these collections of information are no longer required. Interested persons may obtain information on these reporting requirements by contacting the Federal Energy Regulatory Commission, 941 North Capitol Street NE., Washington, DC 20426 [Attention: Michael Miller, Information Policy and Standards Branch, (202) 208-1415]. Comments on the requirements of this rule can be sent to the Office of Information and Regulatory Affairs of OMB [Attention: Desk Officer for Federal Energy Regulatory Commission].

VIII. Administrative Findings and Effective Date

The Administrative Procedure Act (APA) [16] requires rulemakings to be published in the **Federal Register**. The APA also mandates that an opportunity for comment be provided when an agency promulgates regulations. Notice and comment are not required under the APA when the agency, for good cause, finds that notice and public comment are impracticable, unnecessary or contrary to the public interest.[17] The Commission finds that notice and comment are unnecessary for this rulemaking. The Commission is merely making clerical changes in its regulations, deleting obsolete regulations and removing reporting requirements for data that the Commission no longer requires or which may be obtained from other existing sources.

Because this final rule is merely procedural, the Commission finds good cause to make this rule effective immediately upon issuance. This final rule is effective May 1, 1992.

List of Subjects

18 CFR Part 2

Administrative practice and procedure, Electric power, Reporting and recordkeeping requirements.

18 CFR Part 35

Electric power rates, Electric utilities, Reporting and recordkeeping requirements.

18 CFR Part 50

Electric utilities.

18 CFR Part 131

Electric power.

18 USC Part 141

Electric power, Reporting and recordkeeping requirements.

18 CFR Part 292

Electric power plants, Electric utilities, Reporting and recordkeeping requirements.

18 CFR Part 300

Administrative practice and procedure, Electric power rates, Reporting and recordkeeping requirements.

18 CFR Part 385

Administrative practice and procedure, Electric power, Penalties, Pipelines, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Commission amends parts 2, 35, 50, 131, 141, 292, 300 and 385 chapter I, title 18, *Code of Federal Regulations* as set forth below.

By the Commission.

Lois D. Cashell,

Secretary.

PART 2—GENERAL POLICY AND INTERPRETATIONS

1. The authority citation for part 2 is revised to read as follows:

Authority: 15 U.S.C. 717-717w, 3301-3432; 16 U.S.C. 792-825r, 2601-2645; 42 U.S.C. 4321-4361, 7101-7352.

§ 2.1 [Amended]

2. In § 2.1, paragraphs (a)(1)(ii)(B), (a)(1)(ii)(C), (a)(1)(ii)(E), and (a)(1)(ix) are removed and reserved.

3. §§ 2.5, 2.10 and 2.11 are removed.

---

[11] Regulations Implementing National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987), FERC Stats. and Regs. ¶ 30,783 (1987).

[12] 18 CFR 380.4.

[13] 18 CFR 380.4(a)(2)(ii).

[14] 5 U.S.C. 601-612.

[15] 5 CFR 1320.12.

[16] 5 U.S.C. 551-559.

[17] 5 U.S.C. 553(b).

PART 35—FILING OF RATE SCHEDULES

4. The authority citation for part 35 is revised to read as follows:

Authority: 16 U.S.C. 791a–825r, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352.

5. In part 35, remove the words "Federal Power Commission" and add, in their place, the words "Federal Energy Regulatory Commission" in the following places:

§ 35.1 [Amended]

(a) Section 35.1 (d)(2) and (d)(3);

§ 35.7 [Amended]

(b) Section 35.7;

§ 35.8 [Amended]

(c) Section 35.8(a) in both the heading and the text of the form of notice; and

§ 35.18 [Amended]

(d) Section 35.18.

§§ 35.8 and 35.9 [Amended]

6. In §§ 35.8 and 35.9 remove the word "F.P.C." and add, in its place, the word "F.E.R.C.".

§§ 35.20 and 35.27 [Removed]

7. §§ 35.20 and 35.27 are removed.

PART 50—FILING OF COMPANY PROCUREMENT POLICIES AND PRACTICES

8. Part 50 is removed.

PART 131—FORMS

9. The authority citation for part 131 is revised to read as follows:

Authority: 16 U.S.C. 797, 825, 825g, 825h.

10. In part 131, remove the words "Federal Power Commission" and add, in their place, the words "Federal Energy Regulatory Commission" in the following places:

§ 131.20 [Amended]

(a) Section 131.20 in both the heading and the text of the third paragraph of the form of application;

§ 131.51 [Amended]

(b) Section 131.51; and

§ 131.53 [Amended]

(c) Section 131.53.

§ 131.51, 131.52 and 151.53 [Amended]

11. In §§ 131.51, 131.52 and 131.53 remove the word "F.P.C." and add, in its place, the word "F.E.R.C.".

§ 131.60 [Removed]

12. § 131.60 is removed.

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

13. The authority citation for part 141 continues to read as follows:

Authority 16 U.S.C. 791a–828c, 2601–2645; 42 U.S.C. 7102–7352.

§ 140.100 [Removed]

14. § 141.100 is removed.

§ 141.200 [Redesignated as § 141.100]

15. § 141.200 is redesignated § 141.100.

PART 292—REGULATIONS UNDER SECTIONS 201 AND 210 OF THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 WITH REGARD TO SMALL POWER PRODUCTION AND COGENERATION

16. The authority citation for part 292 is revised to read as follows:

Authority: 16 U.S.C. 791a–824r, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352.

§ 292.203 [Amended]

17. In § 292.203(c)(1), the phrase "except as provided in paragraph (c)(2) of this section" is removed.

18. In § 292.203, paragraph (c)(2) is removed.

§ 292.401 [Removed]

19. § 292.401 is removed.

§§ 292.402 and 292.403 [Redesignated as §§ 292.401 and 292.402]

20. §§ 292.402 and 292.403 are redesignated §§ 292.401 and 292.402, respectively.

PART 300—CONFIRMATION AND APPROVAL OF THE RATES OF FEDERAL POWER MARKETING ADMINISTRATIONS

21. The authority citation for part 300 is revised to read as follows:

Authority: 16 U.S.C. 825s, 832–8321, 838–838k, 839–839h; 42 U.S.C. 7101–7352; 43 U.S.C. 485–485k.

§ 300.10 [Amended]

22. In § 300.10, paragraph (d)(2) and (d)(4) are removed, paragraphs (d)(3), (d)(5) and (d)(6) are redesignated as paragraphs (d)(2), (d)(3) and (d)(4) respectively, paragraphs (f)(2)(i) and (f)(2)(vi) are removed, and paragraphs (f)(2)(ii), (f)(2)(iii), (f)(2)(iv) and (f)(2)(v) are redesignated as paragraphs (f)(2)(i), (f)(2)(ii), (f)(2)(iii) and (f)(2)(iv), respectively.

PART 385—RULES OF PRACTICE AND PROCEDURE

23. The authority citation for part 385 is revised to read as follows:

Authority: 5 U.S.C. 551–557; 15 U.S.C. 3301–3432; 16 U.S.C. 717–717w; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 1–27.

§ 385.602 [Amended]

24. In § 385.602, paragraph (c)(1)(iv) is removed.

[FR Doc. 92-11934 Filed 5-21-92; 8:45 am]

BILLING CODE 6717-01-M

---

18 CFR Parts 4, 8, 16, 24, 103, and 141

[Docket No. RM92-5-000; Order No. 540]

Modification of Hydropower Procedural Regulations, Including the Deletion of Certain Outdated or Non-Essential Regulations

Issued May 1, 1992.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission (Commission) has reviewed its hydropower procedural regulations in order to determine whether they contain any outdated requirements or impose any unnecessary burdens on persons subject to the Commission's jurisdiction. As a result of this review, the Commission has identified a number of regulatory requirements that are outdated or unnecessary. The modification of the regulations to remove these requirements will make it easier for persons to participate in hydropower proceedings and to hold licenses and exemptions to operate hydropower projects. The Commission is confident that these modifications would not in any way prejudice the rights of any participant in those proceedings or anyone interested in the Commission's hydropower program. Because these changes relate only to the Commission's procedures and relieve unnecessary regulatory burdens, notice and comment on the changes are inappropriate, and the changes are effective immediately on issuance.

EFFECTIVE DATE: May 1, 1992.

FOR FURTHER INFORMATION CONTACT: Merrill Hathaway, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, (202) 208-0825.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the Federal Register, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in room

3308 at the Commission's headquarters, 941 North Capitol Street NE., Washington, DC 20426.

The Commission's Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208–1397. To access CIPS, set your communications software to use 300, 1200, or 2400 baud, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this final rule will be available on CIPS for 30 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in room 3308, 941 North Capitol Street NE., Washington, DC 20426.

Before Commissioners: Martin L. Allday, Chairman; Charles A. Trabandt, Elizabeth Anne Moler, Jerry J. Langdon and Branko Terzic.

Modification of Hydropower Procedural Regulations, Including the Deletion of Certain Outdated or Non-Essential Regulations

[Docket No. RM92–5–000; Order No. 540]

Issued May 1, 1992.

I. Introduction

The Federal Energy Regulatory Commission (Commission) has reviewed its hydropower procedural regulations in order to determine whether they contain any outdated requirements or impose any unnecessary burdens on persons subject to the Commission's jurisdiction. As a result of this review, the Commission has identified a number of regulatory requirements that are outdated or unnecessary. The modification of the regulations to remove these requirements would make it easier for persons to participate in hydropower proceedings and to hold licenses or exemptions to operate hydropower projects. The Commission believes that these modifications would not in any way prejudice the rights of any participant in those proceedings or anyone interested in the Commission's hydropower program. Because these changes relate only to the Commission's procedures and relieve unnecessary regulatory burdens, notice and comment on the changes is not required, and the changes are effective immediately on issuance of this order.[1]

[1] Additional changes to the Commission's regulations affecting certain licenses may be found in the RM92–6–000 proceeding, a final rule and policy statement issued concurrently with this rule.

II. Public Reporting Burden

The Commission estimates the public reporting burden that will be reduced as a result of this rule to be an average of 2 hours per response for FERC–80 "Licensed Hydropower Development Recreation Report," 42 hours per response for FERC–500 "Application for License for Hydropower Projects Greater than 5 MW Capacity," 9 hours per response for FERC–505 "Application for License for Major and Minor Hydropower Projects, 5 MW or Less Capacity," 4 hours per response for FERC–512 "Preliminary Permit," and 4 hours per response for FERC–515 "Hydropower License—Declaration of Intention." The current annual reporting burdens associated with these forms are: 3 hours for FERC–80; 832 hours for FERC–500; 178 hours for FERC–505; 77 hours for FERC–512; and 80 hours for FERC–515. These estimates include the time for reviewing instructions, researching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding these burden estimates or any other aspect of these collections of information, including suggestions for reducing this burden, to the Federal Energy Regulatory Commission, 941 North Capitol Street, NE, Washington, DC 20426 [Attention: Michael Miller, Information Policy and Standards Branch, (202) 208–1415]; and to the Office of Information and Regulatory Affairs of OMB (Attention: Desk Officer for Federal Energy Regulatory Commission).

III. Discussion

A. Requirement To File an Original and 14 Copies

Section 385.2004 of the regulations requires that all filings with the Commission consist of an original and 14 copies, unless otherwise required by statute, rule, or order. The hydropower regulations reflect this requirement and require an original and 14 copies of an application for a preliminary permit, license or exemption.[2] No general provision is made in the regulations for filing less than an original and 14 copies of submissions during hydropower hearings.[3]

[2] Section 4.23(b). Section 24.1 also requires the filing of an original and 10 copies of a declaration of intention to construct hydropower facilities, pursuant to section 23(b) of the Federal Power Act (FPA). 16 U.S.C. 816.

[3] Section 4.34.

The Commission does not need this many copies of hydropower applications. The Commission also does not need this many copies of filings in hydropower hearings, unless they are conducted using trial-type procedures.[4] Accordingly, the Commission is revising its hydropower regulations to specify that only an original and 8 copies of any hydropower application, including applications for preliminary permit, license, exemption, transfer or surrender, need be filed.[5] The Commission is also revising its regulations to provide that, unless indicated otherwise by statute, rule or order, all filings in hydropower proceedings conducted by notice and comment should consist of an original and 8 copies.[6]

B. Requirement to File Full-Sized Drawings

Section 4.32(b) requires an applicant for preliminary permit, license, or exemption to file five sets of full-sized prints.

The Commission does not need full-sized prints in an application for preliminary permit, license, or exemption. Reduced-sized prints are usually sufficient for use by Commission staff. In particular cases, the Commission may request the submission of full-sized prints when required for complete analysis of an application. The Commission is revising its regulations accordingly.[7]

C. Requirement to File Five Copies of Design Reports

Sections 4.41(g)(4) and 4.51(g)(3) of the regulations require applicants for a license for a major unconstructed project, a major modified project, or a major project at an existing dam to file five copies of project design reports.

Two copies of project design reports are sufficient for the Commission's use. The regulations are revised to require only two copies of these reports to be filed.[8]

[4] Most hydropower hearings are conducted by notice and comment. Regulations Governing Submittal of Proposed Hydropower License Conditions and Other Matters, 55 FERC ¶ 61,193 (1991), 56 FR 23108 (May 20, 1991), *modified on rehearing*, 57 FERC ¶ 61,254 (1991), 56 FR 61137 (Dec. 2, 1991).

[5] Section 4.32(b). The Commission is also revising § 24.1 to require only an original and 8 copies of declarations of intention pursuant to section 23(b) of the FPA.

[6] Section 4.34(h). Participants are reminded that they are responsible for service of copies on all entities listed on the official service list in the proceeding or as required by Commission rule or order. Section 4.34(b).

[7] Section 4.32(b).

[8] Sections 4.41(g)(4) and 4.51(g)(3).

D. Form 80 Requirements

Section 8.11(a)(2) requires that licensees file Form 80, a report on use and development of recreational facilities, every four years. The form asks the licensee to report the number of visits to all recreation areas of the project and the annual recreational operation and maintenance costs. Under § 8.11(c), licensees may request an exemption from this requirement for any project that has no existing or potential recreational use.

The Commission does not need the information provided on this form every four years; submittal of the form every six years is sufficient to keep the Commission informed of patterns of use and development of recreational facilities by licensees. The Commission also concludes that the information provided on this form by licensees of projects with only a minor recreational use or potential is not useful. The Commission is therefore revising the regulations to provide that Form 80 need only be filed once every six years and that licensees of projects with a minor recreational use or potential may apply for an exemption from the requirement to file this form.[9]

E. Annual Conveyance Reports

By special license article, the Commission has required many licensees to submit an annual report, describing any conveyance of an easement, right-of-way, or lease of project lands that may have occurred.

This report is superfluous if no conveyance has actually occurred in the previous year. Accordingly, the Commission is adding a new regulation providing that, notwithstanding the literal language of any special license article, annual conveyance reports need be filed only if a designated conveyance of project lands has taken place in the previous year.[10]

F. Regulations on Investments in Road and Equipment

In part 103, the Commission's regulations set forth the 1914 regulations of the Interstate Commerce Commission (ICC) on steam road investments in road and equipment. These regulations occupy approximately 30 pages in the Code of Federal Regulations.

The Commission has included regulations of the ICC in the Commission's own regulations in order to determine the "net investment" in a hydropower project. FPA section 3(13) states in part:[11]

> [N]et investment" in a project means the actual legitimate original cost thereof as defined and interpreted in the "classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission * * *.

In the hydropower program the Commission uses the term "net investment" only to determine amortization reserves under FPA section 10(d), takeover price under FPA section 14, and compensation to certain municipalities that filed competing applications for nine named projects under section 10 of the Electric Consumers Protection Act of 1986.[12]

It is unnecessary for these regulations to appear in the Code of Federal Regulations in order to refer to them to determine "net investment" for purposes of the Commission's hydropower regulations. Accordingly, part 103 is hereby deleted from the Code of Federal Regulation.[13]

IV. Environmental Analysis

Commission regulations describe the circumstances where preparation of an environmental assessment or an environmental impact statement will be required. [14] The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment.[15] No environmental consideration is necessary for the promulgation of a rule that is clarifying, corrective, or procedural.[16]

This final rule is procedural in nature, as it merely reduces certain filing requirements. Thus, no environmental assessment or environmental impact statement is necessary for the regulations implemented in the rule.

V. Regulatory Flexibility Certification

The Regulatory Flexibility Act of 1980 (RFA) [17] generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. Pursuant to section 605(b) of the RFA, the Commission hereby certifies that the final rule will not have a significant economic impact on a substantial number of small entities, and that, even if the rule were to have such an impact, it would be to their benefit. The Commission believes that most of the entities affected by the rule do not fall within RFA's definition of "small entity." Even if the rule would have a significant effect on a substantial number of small entities, however, the reduced filing requirements provided by the rule will benefit those entities.

VI. Information Collection Requirements

The Office of Management and Budget's (OMB) regulations require that OMB approve certain information and recordkeeping requirements imposed by an agency.[18] The information collection requirements in this final rule are contained in FERC–80 "Licensed Hydropower Development Recreation Report" (1902–0106), FERC–500 "Application for License for Hydropower Projects Greater Than 5 MW Capacity" (1902–0058), FERC–505 "Application for License for Major and Minor Hydropower Projects, 5 MW or less Capacity (1902–0115), FERC–512 "Preliminary Permit" (1902–0073), and FERC–515 "Hydropower License Declaration of Intention."

The Commission uses the data collected in these information requirements to carry out its regulatory responsibilities pursuant to the FPA and related statutes and delegations to the Commission from the Secretary of Energy. The Commission uses the data for reviewing hydropower applications and determining compliance of licensees with the Commission's regulations and policies. The Commission has deleted reporting requirements and regulations that it no longer considers necessary.

The Commission is submitting to the OMB a notification that these collections of information are no longer required. Interested persons may obtain information on these reporting requirements by contacting the Federal Energy Regulatory Commission, 941 North Capitol Street, NE., Washington, DC 20426 [Attention: Michael Miller, Information Policy and Standards Branch, (202) 208–1415]. Comments on the requirements of this rule can be sent to the Office of Information and Regulatory Affairs of OMB (Attention: Desk Officer for Federal Energy Regulatory Commission).

VII. Administrative Findings and Effective Date

The Administrative Procedure Act (APA) requires rulemakings to be published in the **Federal Register**.[19] The

[9] Section 8.11(a)(2) and (c).

[10] Section 141.15.

[11] 16 U.S.C. 796(13).

[12] Pub. L. No. 99–495, 100 Stat. 1243 (Oct. 16, 1986) (codified at 16 U.S.C. 791a *et seq.*).

[13] Copies of part 103 as it existed will be available for reference in the Commission's library in Washington, DC.

[14] Regulations Implementing National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987), codified at 18 CFR part 380.

[15] 18 CFR 380.4(a)(2)(ii).

[16] 18 CFR 380.4.

[17] 5 U.S.C. 601–612.

[18] 5 CFR 1320.12.

[19] 5 U.S.C. 551–559.

APA also mandates that an opportunity for comment be provided when an agency promulgates regulations. Notice and comment are not required under the APA when the "agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest." [20] The Commission finds that notice and comment are unnecessary for this rulemaking. The Commission is merely eliminating or reducing unnecessary filing and reporting requirements.

This final rule is procedural in nature. The Commission, therefore, finds good cause to make this rule effective immediately upon issuance. This final rule is effective May 1, 1992.

List of Subjects

18 CFR Part 4

Electric Power, Reporting and recordkeeping requirements.

18 CFR Part 8

Electric power, Recreation and recreation areas, Reporting and recordkeeping requirements.

18 CFR Part 16

Administrative practice and procedure, Electric power, Reporting and recordkeeping requirements.

18 CFR Part 24

Electric power, Reporting and recordkeeping requirements.

18 CFR Part 103

Railroads, Uniform system of accounts.

18 CFR Part 141

Electric power, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Commission amends parts 4, 8, 16, 24, 103, and 141 of chapter I, title 18, Code of Federal Regulations, as set forth below.

By the Commission.

Lois D. Cashell,

Secretary.

PART 4—LICENSES, PERMITS, EXEMPTIONS, AND DETERMINATION OF PROJECT COSTS

1. The authority citation for part 4 is revised to read as follows:

Authority: 16 U.S.C. 791a–825r, 2601–2645; 42 U.S.C. 7101–7352.

[20] 5 U.S.C. 553(b)(B).

2. In § 4.32, paragraphs (b)(1) and (b)(2) are revised to read as follows:

§ 4.32 Acceptance for filing or rejection; information to be made available to the public; requests for additional studies.

* * * * *

(b) (1) Each applicant for a preliminary permit, license, and transfer or surrender of license and each petitioner for surrender of an exemption must submit to the Commission's Secretary for filing an original and eight copies of the application or petition. The applicant or petitioner must serve one copy of the application or petition on the Director of the Commission's Regional Office for the appropriate region and on each resource agency consulted pursuant to § 4.38 or § 16.8 of this chapter. In the case of an application for a preliminary permit, the applicant must, if the Commission so directs, serve copies of the application on the U.S. Department of the Interior and the U.S. Army Corps of Engineers. The application may include reduced prints of maps and drawings conforming to § 4.39(d). The originals (microfilm) of maps and drawings are not to be filed initially, but will be required pursuant to paragraph (d) of this section. The Commission may also ask for the filing of full-sized prints in appropriate cases.

(2) Each applicant for exemption must submit to the Commission's Secretary for filing an original and eight copies of the application. An applicant must serve one copy of the application on the Director of the Commission's Regional Office for the appropriate region and on each resource agency consulted pursuant to § 4.38. Maps and drawings need not conform to the requirements of § 4.39, but must be of sufficient size, scale, and quality to permit each reading and understanding. The originals (microfilm) of maps and drawings are not to be filed initially, but will be requested pursuant to paragraph (d) of this section.

* * * * *

3. In § 4.34, a new paragraph (h) is added to read as follows:

§ 4.34 Hearings on applications; consultation on terms and conditions; motions to intervene.

* * * * *

(h) Unless otherwise provided by statute, regulation or order, all filings in hydropower hearings, except those conducted by trial-type procedures, shall consist of an original and eight copies.

4. In § 4.41, paragraph (g)(4) is revised to read as follows:

§ 4.41 Contents of application.

* * * * *

(g) * * *

(4) The applicant must submit two copies of the supporting design report described in paragraph (g)(3) of this section at the time preliminary and final design drawings are submitted to the Commission for review. If the report contains preliminary drawings, it must be designated a "Preliminary Supporting Design Report."

* * * * *

5. In § 4.51, paragraph (g)(3) is revised to read as follows:

§ 4.51 Contents of application.

* * * * *

(g) * * *

(3) The applicant must submit two copies of the supporting design report as described in paragraph (g)(2) of this section at the time general design drawings are submitted to the Commission for review.

* * * * *

PART 8—RECREATIONAL OPPORTUNITIES AND DEVELOPMENT AT LICENSED PROJECTS

6. The authority citation for part 8 is revised to read as follows:

Authority: 5 U.S.C. 551–557; 16 U.S.C. 791a–825r; 42 U.S.C. 7101–7352.

7. In § 8.11, paragraphs (a)(2) and (c) are revised to read as follows:

§ 8.11 Information respecting use and development of public recreational opportunities.

(a) *Applicability.*

* * * * *

(2) FERC Form No. 80 is due on April 1, 1991, for data compiled during the calendar year ending December 31, 1990. Thereafter, FERC Form No. 80 is due on April 1 of every sixth year for data compiled during the previous calendar year.

* * * * *

(c) *Exemptions.* A licensee who has filed a Form No. 80 may request an exemption from any further filing of the form for any development that has no existing or potential recreational use or only a minor existing or potential recreational use (as indicated by fewer than 100 recreation days of use during the previous calendar year) by submitting a statement not later than 6 months prior to the due date for the next filing, stating that Form No. 80 has been filed previously for such development and setting out the basis for believing that the development has no existing or potential recreational use or a minor existing or potential recreational use.

PART 16—PROCEDURES RELATING TO TAKEOVER AND RELICENSING OF LICENSED PROJECTS

8. The authority citation for part 16 is revised to read as follows:

Authority: 16 U.S.C. 791a–825r; 42 U.S.C. 7101–7352.

§ 16.18 [Amended]

9. Section 16.18, is amended by removing the heading and the statement following paragraph (d).

PART 24—DECLARATION OF INTENTION

10. The authority citation for part 24 is revised to read as follows:

Authority: 16 U.S.C. 791a–825r; 44 U.S.C. 3501 *et seq.*; 42 U.S.C. 7101–7352.

11. In § 24.1, the first sentence is revised to read as follows:

§ 24.1 Filing.

An original and eight conformed copies of each declaration of intention under the provisions of section 23(b) of the Act shall be filed. * * *

* * * * *

PART 103—STEAM ROAD INVESTMENTS IN ROAD AND EQUIPMENT; APPLICATION OF ICC CLASSIFICATION

12. Part 103 is removed.

PART 141—STATEMENTS AND RATES (SCHEDULES)

13. The authority citation for part 141 is revised to read as follows:

Authority: 16 U.S.C. 791a–828c, 2601–2645; 42 U.S.C. 7102–7352.

14. A new § 141.15 is added to read as follows:

§ 141.15 Annual Conveyance Report.

If a licensee of a hydropower project is required by its license to file with the Commission an annual report of conveyances of easements or rights-of-way across, or leases of, project lands, the report must be filed only if such a conveyance or lease of project lands has occurred in the previous year.

[FR Doc. 92-11935 Filed 5–21–92; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF JUSTICE

28 CFR Part 14

[AG Order No. 1591-92]

Alternative Dispute Resolution Under the Federal Tort Claims Act

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This Order revises § 14.6 of part 14, title 28 of the Code of Federal Regulations to provide guidance to agencies and to inform the public of the rules applicable to agency use of alternative dispute resolution techniques in the course of consideration and resolution of administrative claims under the Federal Tort Claims Act. The regulations are adopted to foster appropriate use by agencies of alternative dispute resolution and to implement recent amendments to 28 U.S.C. 2672. The Order does not restrict the authority of the Attorney General over the litigation of claims.

EFFECTIVE DATE: May 22, 1992.

FOR FURTHER INFORMATION CONTACT: Jeffrey Axelrad, Director, Torts Branch, Civil Division, U.S. Department of Justice, Washington, DC 20530, (202) 501-7075.

SUPPLEMENTARY INFORMATION: This Order defines and clarifies agency settlement authority under the Federal Tort Claims Act ("FTCA"). Section 2672 of title 28, United States Code, as amended by section 8(a) of the Administrative Dispute Resolution Act ("ADR Act"), Public Law No. 101-552, 104 Stat. 2746 (1990), authorizes the Attorney General to approve any award, compromise, or settlement in excess of $25,000 of an administrative claim filed pursuant to the Federal Tort Claims Act ("FTCA"); to delegate to the head of an agency authority to make an award, compromise, or settlement under the FTCA, not to exceed the authority delegated by the Attorney General to the United States Attorneys to settle claims for money damages against the United States; and, to prescribe regulations for the administrative adjustment of claims under the FTCA.

This final rule revises 28 CFR 14.6 to clarify the procedures for use of alternative dispute resolution as a means to dispose of claims filed under the FTCA, to set forth procedures and policies pertaining to the delegation of settlement authority in excess of $25,000, to incorporate the recent amendments to 28 U.S.C. 2672 that were made by section 8(a) of the ADR Act, and to improve the clarity of § 14.6.

Paragraphs (a) and (b) of § 14.6 are new and provide agency guidance regarding alternative methods of dispute resolution. Paragraphs (c) and (d) are similar to paragraphs (a) through (c) of the prior version of § 14.6. Paragraph (e) is similar to, and replaces, prior § 14.7. As a result, § 14.7 has been removed and reserved. Also, § 14.10(a) has been revised to reflect the increased authority of the Attorney General under the ADR Act.

This Order is a statement of Department policy and a rule of agency procedure and practice. Consequently, an opportunity to comment is not required prior to the effective date, pursuant to 5 U.S.C. 553(b). In accordance with 5 U.S.C. 605(b), the Attorney General certifies that this rule does not have a significant adverse economic impact on a substantial number of small entities. This rule is not a major rule within the meaning of section 1(b) of Executive Order No. 12291, nor does it have Federalism implications warranting the preparation of a Federalism Assessment in accordance with section 6 of Executive Order No. 12612.

List of Subjects in 28 CFR Part 14

Authority delegations (Government agencies), Claims.

By virtue of the authority vested in me as Attorney General by 28 U.S.C. 509 and 510, 5 U.S.C. 301, and 38 U.S.C. 224(a), part 14 of title 28 of the Code of Federal Regulations is amended as follows:

PART 14—ADMINISTRATIVE CLAIMS UNDER FEDERAL TORT CLAIMS ACT

1. The authority citation for part 14 is revised to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 2672; 38 U.S.C. 224(a).

2. Section 14.6 is revised to read as follows:

§ 14.6 Dispute resolution techniques and limitations on agency authority.

(a) *Guidance Regarding Dispute Resolution.* The administrative process established pursuant to 28 U.S.C. 2672 and this part 14 is intended to serve as an efficient effective forum for rapidly resolving tort claims with low costs to all participants. This guidance is provided to agencies to improve their use of this administrative process and to maximize the benefit achieved through application of prompt, fair, and efficient techniques that achieve an informal resolution of administrative tort claims without burdening claimants or the agency. This section provides guidance