

Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 extension 4197. Reference file TN146-02-9608.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: July 18, 1996.

A. Stanley Meiburg,

*Acting Regional Administrator.*

[FR Doc. 96-22808 Filed 9-5-96; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 52 and 81

[FRL-5560-5]

#### Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; Wyoming; Corrections

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In this document, the EPA is proposing to correct the State Implementation Plan (SIP) for the State of Wyoming regarding the State's ambient standards for fluorides and hydrogen sulfide and the State's odor control regulation, pursuant to section 110(k)(6) of the Clean Air Act, as amended in 1990. In addition, EPA is correcting an error in the boundary description for the "Powder River Basin" PM-10 unclassifiable area in 40 CFR 81.351. In the final rules section of this Federal Register, the EPA is promulgating this action in a direct final rule without prior proposal because the Agency views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for the action is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, then the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time. **DATES:** Comments on this proposed action must be received in writing by October 7, 1996.

**ADDRESSES:** Written comments should be addressed to Vicki Stamper, 8P2-A, at the EPA Regional Office listed below. Copies of the documents relevant to this action are available for public

inspection during normal business hours at the following location: Air Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466.

**FOR FURTHER INFORMATION CONTACT:** Vicki Stamper at (303) 312-6445.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final rule of the same title which is located in the Rules Section of this Federal Register.

Dated: August 14, 1996.

Jack W. McGraw,

*Acting Regional Administrator.*

[FR Doc. 96-22644 Filed 9-5-96; 8:45 am]

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#### DEPARTMENT OF DEFENSE

#### 48 CFR Parts 203, 215, and 252

#### Defense Federal Acquisition Regulation Supplement; Procurement Integrity

**AGENCY:** Department of Defense (DoD).

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to reflect the provisions of Section 4304 of the Federal Acquisition Reform Act of 1996, including the repeal of prohibitions on compensation to former Department of Defense employees in Sections 2397, 2397a, 2397b, and 2397c of Title 10, United States Code.

**DATES:** *Comment date:* Comments on the proposed rule should be submitted in writing to the address shown below on or before November 5, 1996, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Michael Pelkey, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington D.C. 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 96-D310 in all correspondence related to this issue.

**FOR FURTHER INFORMATION CONTACT:** Michael Pelkey, (703) 602-0131.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Section 4304 of the Federal Acquisition Reform Act of 1996 (Pub. L. 104-106) amended the Procurement Integrity provision, Section 27 of the

Officer of Federal Procurement Policy Act, and repeal Sections 2397, 2397a, 2397b, and 2397c of Title 10, United States Code, which proscribed certain compensation to former Department of Defense (DoD) employees. This rule removes regulations implementing the repealed sections and conforms DFARS section 203.104 with the FAR revisions being proposed under FAR Case 96-314, Procurement Integrity.

##### B. Regulatory Flexibility Act

The proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule only applies to "major defense contractors," (i.e., contractors with DoD contracts exceeding \$10 million per Government fiscal year), and affects only the ability of such contractors to provide compensation to certain former DoD employees. An initial regulatory flexibility analysis has therefore not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subpart also will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 96-D310 in correspondence.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act applies because the rule would eliminate the information collection and reporting requirements of DFARS 203.170-2 and the associated clause at 252.203-7000. The requirements which would be eliminated were approved by the Officer of Management and Budget (OMB) under OMB Clearance number 0704-0277.

List of Subjects in 48 CFR Parts 203, 215, and 252

##### Government Procurement.

Michele P. Peterson,  
*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Parts 203, 215, and 252 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 203, 215, and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

**PART 203—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST**

**203.104-4 [Removed]**

2. Section 203.104-4 is removed.

**203.104-5 [Amended]**

3. Section 203.104-5 is amended by redesignating paragraph (e)(4) as (d)(4); and revising, in newly redesignated paragraph (d)(4), the reference "FAR 3.104-5(e)(4)" to read "FAR 3.104-5(d)(4)".

**203.170 through 203.170-4 [Removed]**

4. Sections 203.170 through 203.170-4 are removed.

**PART 215—CONTRACTING BY NEGOTIATION**

5. Section 215.608 is amended by revising the last sentence of paragraph (b) to read as follows:

**215.608 Proposal evaluation.**

\* \* \* \* \*

(b) \* \* \* Determinations based on violations or possible violations of Section 27 of the OFPP Act shall be made as specified in FAR 3.104.

**PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

**252.203-7000 [Removed and reserved]**

6. Section 252.203-7000 is removed and reserved.

[FR Doc. 96-22617 Filed 9-5-96; 8:45 am]

BILLING CODE 5000-04-M

**48 CFR Parts 212, 219, 225, 226, 227, 233, and 252**

[DFARS Case 96-D306]

**Defense Federal Acquisition Regulation Supplement; Elimination of Certifications**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to remove certification requirements for contractors and offerors that are not specifically imposed by statute.

**DATES:** Comments on the proposed rule should be submitted in writing to the address shown below on or before November 5, 1996, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Mr. Michael Mutty, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 96-D306 in all correspondence related to this issue.

**FOR FURTHER INFORMATION CONTACT:** Mr Michael Mutty, (703) 602-0131.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

This proposed rule amends DFARS Parts 212, 219, 225, 226, 227, 233, and

252 to remove particular certification requirements. The proposed rule implements Section 4301(b) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106). Section 4301(b) requires the head of each executive agency, that has agency procurement regulations containing one or more certification requirements for contractors and offerors that are not specifically imposed by statute, to issue for public comment a proposal to remove from the agency regulations those certification requirements that are not specifically imposed by statute. The head of the agency can omit such a certification from its proposal only if: (1) The senior procurement executive for the executive agency provides the head of the executive agency with a written justification for the requirement and a determination that there is no less burdensome means for administering and enforcing the particular regulation that contains the certification requirement; and (2) the head of the executive agency approves in writing the retention of such certification requirement.

The DFARS certifications for contractors and offerors proposed for elimination are summarized as follows:

DFARS citation	Title/subject
219.301 .....	Representations by the offeror.
219.302-70 .....	Protesting a small disadvantaged business representation.
225.603 .....	Customs and Duties.
226.7005/7008 .....	Eligibility as an HBCU or MI.
227.7004/7103/7104 .....	Patents/Technical Data.
233.70/252.233-7000 .....	Certification of Claims and Request for Adjustment or Relief.
252.216-7000 .....	Economic Price Adjustment—Basic Steel, Aluminum, Brass, Bronze, or Copper Mill Products.
252.216-7001 .....	Economic Price Adjustment—Nonstandard Steel Items.
252.217-7005 .....	Inspection and Manner of Doing Work.
252.219-7000 .....	Small Disadvantaged Business Concern Representation (DoD Contracts).
252.225-7000/7006 .....	Buy American Act/Trade Agreements/Balance of Payments Program.
252.225-7007 .....	Trade Agreements.
252.225-7009/7010/7037 .....	Duty Free Entry.
252.225-7018 .....	Notice of Prohibition of Certain Contracts with Foreign Entities for the Conduct of Ballistic Missile Defense RDT&E.
252.225-7027 .....	Limitation on Sales Commissions and Fees.
252.225-7035/7036 .....	Buy American Act/NAFTA/Balance of Payments Program.
252.226-7001 .....	Historically Black College or University and Minority Institution Certification.
252.227-7036 .....	Certification of Technical Data Conformity.
252.236-7003 .....	Payment for Mobilization and Preparatory Work.
252.236-7006 .....	Cost Limitation.
252.239-7007 .....	Cancellation or Termination of Orders—Common Carriers.
252.247-7001 .....	Price Adjustment.

The DFARS certifications for contractors and offerors specifically required by statute are summarized as follows: