

attributed to MGS, and if so, what, if any, pollution control requirements should be applied.

The public comment period for the advance notice of proposed rulemaking was originally due to expire on August 16, 1999. On August 6, 1999, at the request of Southern California Edison Company, EPA published a document extending the public comment period for 30 days (64 FR 42891). At the request of the Grand Canyon Trust, EPA is now extending the public comment period for an additional 15 days.

DATES: The comment period on the advance notice of proposed rulemaking is extended until September 30, 1999.

ADDRESSES: Comments should be submitted (in duplicate, if possible) to: EPA Region IX, 75 Hawthorne Street (AIR2), San Francisco, CA 94105, Attn: Regina Spindler.

FOR FURTHER INFORMATION CONTACT: Regina Spindler (415) 744-1251, Planning Office (AIR2), Air Division, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Dated: September 3, 1999.

Felicia Marcus,

Regional Administrator, Region 9.

[FR Doc. 99-23917 Filed 9-13-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 272

[FRL-6422-2]

Hazardous Waste Management Program: Final Authorization and Incorporation by Reference of State Hazardous Waste Management Program for Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to incorporate by reference in part 272 of Title 40 of the Code of Federal Regulations (CFR) EPA's approval of the Texas Natural Resource Conservation Commission's (TNRCC) hazardous waste regulations for Resource Conservation and Recovery Act Clusters II, III and IV and to approve its revisions to that program submitted by the State of Texas. The EPA will incorporate by reference into the CFR those provisions of the State statutes and regulations that are authorized and federally enforceable. In the "Rules and Regulations" section of this **Federal Register** (FR), the EPA is codifying and incorporating by reference the State's

hazardous waste program as an immediate final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's request is set forth in the immediate final rule. If the EPA does not receive adverse written comments, the immediate final rule will become effective and the Agency will not take further action on this proposal. If the EPA receives adverse written comments, a second FR document will be published before the time the immediate final rule takes effect. The second document may withdraw the immediate final rule or identify the issues raised, respond to the comment and affirm that the immediate final rule will take effect as scheduled. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments on this proposed rule must be received on or before October 14, 1999.

ADDRESSES: Written comments may be mailed to Alima Patterson, Region 6 Authorization Coordinator, Grants and Authorization Section (6PD-G), Multimedia Planning and Permitting Division, at the address shown below. Copies of the materials submitted by TNRCC may be examined during normal business hours at the following locations: EPA Region 6 Library, 12th Floor, 1445 Ross Avenue, Dallas, Texas 75202-2733, (214) 665-6444; or the Texas Natural Resource Conservation Commission, 1700 N. Congress Avenue, Austin, TX 70711-3087, (512) 239-1000.

FOR FURTHER INFORMATION CONTACT: Alima Patterson at (214) 665-8533.

SUPPLEMENTARY INFORMATION:

For additional information see the immediate final rule published in the rules section of this **Federal Register**.

Dated: June 24, 1999

Jerry Clifford,

Deputy Regional Administrator, Region 6.

[FR Doc. 99-22182 Filed 9-13-99; 8:45 am]

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DEPARTMENT OF DEFENSE

48 CFR Parts 212, 225, and 252

[DFARS Case 99-D301]

Defense Federal Acquisition Regulation Supplement; Domestic Source Restrictions—Commercial Items

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 address requirements pertaining to the applicability of domestic source restrictions to contracts and subcontracts for the acquisition of commercial items and commercial components.

DATES: Comments on the proposed rule should be submitted in writing to the address specified below on or before November 15, 1999, to be considered in the formation of the final rule.

ADDRESSES: Interested parties should submit written comments on the proposed rule to: Defense Acquisition Regulations Council, Attn: Ms. Amy Williams, PDUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax (703) 602-3050. Please cite DFARS Case 99-D301.

E-mail comments submitted over the Internet should be addressed to: dfars@acq.osd.mil.

Please cite DFARS Case 99-D301 in all correspondence related to this issue. E-mail correspondence should cite DFARS Case 99-D301 in the subject line.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, (703) 602-0288. Please cite DFARS Case 99-D301.

SUPPLEMENTARY INFORMATION:

A. Background

This rule proposes amendments to DFARS 212.503, 212.504, 225.7019-2, and 252.225-7016 to address the applicability of domestic source restrictions to contracts and subcontracts for the acquisition of commercial items and commercial components. The rule specifies that the domestic source restrictions in 10 U.S.C. 2534 and annual defense appropriations acts are inapplicable if the restricted foreign goods are components of commercial items or commercial components being acquired. The rule also removes the Trade Agreements Act (19 U.S.C. 2512) and the Buy American Act (41 U.S.C. 10) from the list of laws that are inapplicable to subcontracts for the acquisition of commercial items, since the Trade Agreements Act and the Buy American Act apply to end items only.

This proposed rule supersedes the proposed rule published at 62 FR 59641 on November 4, 1997 (DFARS Case 97-D028), pertaining to commercial ball or roller bearings that are components of

noncommercial items. No public comments were received on that proposed rule, which is hereby withdrawn.

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 primary effect of the rule is a restriction on the acquisition of ball and roller bearings manufactured in the United Kingdom. The clause at DFARS 252.225-7016 presently permits the acquisition of commercial ball and roller bearings manufactured in the United Kingdom, regardless of whether the bearings are acquired as end items or components. The proposed rule would no longer permit the acquisition of commercial ball and roller bearings from the United Kingdom if the bearings are acquired as end items. This change is not expected to have a significant impact on U.S. firms. Therefore, an initial regulatory flexibility analysis has not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts also will be considered in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 99-D301 in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 212, 225, and 252

Government procurement.

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

Therefore, 48 CFR Part 212, 225, and 252 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 212, 225, and 252 continues to read as follows:

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

PART 212—ACQUISITION OF COMMERCIAL ITEMS

2. Section 212.503 is amended by revising paragraph (a)(xi) to read as follows:

212.503 Applicability of certain laws to Executive Agency contracts for the acquisition of commercial items.

(a) * * *

(xi) Section 8099, Public Law 104-61, Restriction on Acquisition of Ball and Roller Bearings, and similar sections in subsequent defense appropriations acts, if ball or roller bearings are components of the commercial items being acquired.

* * * * *

3. Section 212.504 is amended by revising paragraphs (a) (xviii) and (xxvi) and removing and reserving paragraphs (a) (xxiii) and (xxiv) to read as follows:

212.504 Applicability of certain laws to subcontracts for the acquisition of commercial items.

(a) * * *

(xviii) 10 U.S.C. 2534, Miscellaneous Limitations on the Procurement of Goods Other Than United States Goods, if the restricted foreign goods are components of—

(A) The commercial items being acquired; or

(B) The commercial components being acquired.

* * * * *

(xxiii) [Reserved.]

(xxiv) [Reserved.]

* * * * *

(xxvi) Section 8099, Public Law 104-61, Restriction on Acquisition of Ball and Roller Bearings, and similar sections in subsequent defense appropriations acts, if ball or roller bearings are components of—

(A) The commercial items being acquired; or

(B) The commercial components being acquired.

* * * * *

PART 225—FOREIGN ACQUISITION

4. Section 225.7019-2 is amended by revising paragraph (b) to read as follows:

225.7019-2 Exceptions.

* * * * *

(b) The restriction in 225.7019-1(b) does not apply to—

(1) Contracts for the acquisition of commercial items incorporating ball or roller bearings (see 212.503(a)(xi); or

(2) Subcontracts for the acquisition of—

(i) Commercial items incorporating ball or roller bearings; or

(ii) Commercial components incorporating ball or roller bearings (see 212.504(a)(xxvi)).

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

5. Section 252.225-7016 is amended by revising the clause date and paragraphs (c)(1) and (d) to read as follows:

252.225-7016 Restriction on acquisition of ball and roller bearings.

* * * * *

Restriction on Acquisition of Ball and Roller Bearings (XXX 1999)

* * * * *

(c)(1) The restriction in paragraph (b) of this clause does not apply to the extent that the end items containing ball or roller bearings or components containing ball or roller bearings are commercial items.

* * * * *

(d) The restriction in paragraph (b) of this clause may be waived upon request from the Contractor in accordance with subsection 225.7019-3 of the Defense Federal Acquisition Regulation Supplement (DFARS). If the restriction is waived for miniature and instrument ball bearings, the Contractor agrees to acquire a like quantity and type of domestic manufacture for nongovernmental use, unless the miniature and instrument ball bearings being acquired are manufactured in the United Kingdom or an exception applies in accordance with DFARS 225.7019-2(a).

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