

Permits issued under a program with interim approval have full standing with respect to part 70. In addition, the 1-year time period for submittal of permit applications by subject sources and the 3-year time period for processing the initial permit applications begins upon the effective date of interim approval.

If, following the grant of interim approval, Idaho were to fail to submit a complete corrective program for full approval by the date 6 months before expiration of the interim approval, EPA would start an 18-month clock for mandatory sanctions. If Idaho then failed to submit a corrective program that EPA found complete before the expiration of that 18-month period, EPA would be required to apply one of the section 179(b) sanctions, which would remain in effect until EPA determined that Idaho had corrected the deficiency by submitting a complete corrective program. Moreover, if the Administrator finds a lack of good faith on the part of the State, both sanctions under section 179(b) would apply after the expiration of the 18-month period until the Administrator determined that the State had come into compliance. In any case, if, six months after application of the first sanction, Idaho still had not submitted a corrective program that EPA found complete, a second sanction would be required.

If, following final interim approval, EPA were to disapprove Idaho's complete corrective program, the consequences would be the same as if EPA were to disapprove, rather than to grant interim approval to, Idaho's submittal.

4. Scope of Proposed Interim Approval

If EPA grants final interim approval to the Idaho program, EPA proposes that the program would apply to all title V sources (as defined in the approved program) within Idaho, except for any sources within the exterior boundaries of Indian Reservations in Idaho. *See, e.g.,* 59 FR 55813, 55815-18 (Nov. 9, 1994).

5. Proposed Action on Section 112(l) Submittal

Requirements for title V approval, specified in 40 CFR 70.4(b), encompass section 112(l)(5) requirements for approval of a program for delegation of section 112 standards as promulgated by EPA as they apply to title V sources. Section 112(l)(5) requires that the State's program contain adequate authorities, adequate resources for implementation, and an expeditious compliance schedule, which are also requirements under part 70. Therefore, if EPA grants interim approval to Idaho's operating

permits program, EPA also proposes to grant approval under section 112(l)(5) of the Act and 40 CFR 63.91 of the State of Idaho's program for receiving delegation of section 112 standards that are unchanged from Federal standards as promulgated. This program for delegations would apply only to sources covered by Idaho's title V operating permits program.

III. Administrative Requirements

A. Request for Public Comments

EPA is requesting comments on all aspects of this proposed action. Copies of the State's submittal and other information relied upon for the proposed action are contained in a docket maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed action. The principal purposes of the docket are:

- (1) To allow interested parties a means to identify and locate documents so that they can effectively participate in the process, and
- (2) To serve as the record in case of judicial review.

EPA will consider any comments received by November 27, 1995.

B. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

C. Regulatory Flexibility Act

EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

D. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995, signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small

governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the action proposed today does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401-7671q.

Dated: October 17, 1995.

Chuck Clarke,

Regional Administrator.

[FR Doc. 95-26658 Filed 10-26-95; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF DEFENSE

48 CFR Part 244 and Appendix C to Chapter 2

Defense Federal Acquisition Regulation Supplement; Contractor Purchasing System Reviews

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule with request for comment.

SUMMARY: The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to provide guidance on the need to conduct limited Contractor Purchasing System Reviews (CPSRs) based on risk assessments, and to delete DFARS Appendix C, which contains detailed procedures for the conduct and review of CPSRs.

DATES: Comment Date: Comments on the proposed rule should be submitted in writing to the address below on or before December 26, 1995, to be considered in the formulation of the final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Mr. Rick Laysen, PDUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 95-D026 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT:
Mr. Rick Laysner, (703) 602-0131.

SUPPLEMENTARY INFORMATION:

A. Background

These proposed DFARS revisions are based on the recommendation of a Contractor Purchasing System Review Process Action Team established by the Defense Contract Management Command. The team recommended changes to CPSR procedures to permit the agency conducting the CPSR to have the latitude to determine the scope of the CPSR, based on risk assessment.

B. Regulatory Flexibility Act

The proposed rule will not 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 CPSRs are generally only conducted for contractors whose sales to the Government exceed \$10 million during a twelve month period. Therefore, an Initial Regulatory Flexibility Analysis has not been prepared. Comments from small entities concerning the affected DFARS subparts

will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 95-D026 in correspondence.

C. Paperwork Reduction Act

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

List of Subjects in 48 CFR Part 244 and Appendix C

Government procurement.

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

Therefore, 48 CFR Part 244 and Appendix C is proposed to be amended as follows:

**PART 244—SUBCONTRACTING
POLICIES AND PROCEDURES**

1. The authority citation for 48 CFR Part 244 and Appendix C continues to read as follows:

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

2. Section 244.303 is revised to read as follows:

244.303 Extent of review.

An initial risk assessment will be conducted on each request for a contractor purchasing system review (CPSR) to determine if a CPSR is needed. The assessment will be conducted jointly by the cognizant contract administration office CPSR personnel and the contracting officer requesting the CPSR.

**Appendix C to Chapter 2—Contractor
Purchasing System Reviews**

Appendix C [Removed]

3. Appendix C to 48 CFR Chapter 2, Contractor Purchasing Systems Reviews, is removed.

[FR Doc. 95-26684 Filed 10-26-95; 8:45 am]

BILLING CODE 5000-04-M