

**§ 52.220 Identification of plan.**

(c) \* \* \*  
 (194) \* \* \*  
 (i) \* \* \*  
 (F) \* \* \*  
 (5) Rule 300—Regulation 3, Part 4, Paragraph 4.4 adopted on June 9, 1993.  
 (207) \* \* \*  
 (i) \* \* \*  
 (E) \* \* \*  
 (I) Rule 419, adopted on November 23, 1994.  
 (209) Redesignation Request and Ozone Maintenance Plan for the redesignation of the Monterey Bay Unified Air Pollution Control District submitted on July 14, 1994 and November 14, 1994, respectively, by the Governor's designee.  
 (i) Incorporation by reference.

(A) Maintenance Plan for the redesignation of the Monterey Bay Area adopted on October 19, 1994 by the Monterey Bay Unified Air Pollution Control District, October 12, 1994 by the Association of Monterey Bay Area Governments, and October 6, 1994 by the Council of San Benito County Governments.  
 (213) Statewide 1990 Base-year Ozone Precursor Emission Inventory for Ozone Nonattainment Areas submitted on March 30, 1995, by the Governor's designee.  
 (i) Incorporation by reference.  
 (A) Monterey Bay Area Unified Air Pollution Control District.  
 (I) 1990 Base-year ozone emissions inventory, adopted on October 19, 1994.  
 (225) \* \* \*

(i) \* \* \*  
 (E) \* \* \*  
 (J) Rule 431, adopted on August 16, 1995.  
 \* \* \* \* \*

**PART 81—[AMENDED]**

1. The authority citation for part 81 continues to read as follows:  
 Authority: 42 U.S.C. 7407, 7501, 7515, 7601.

**Subpart B—Designation of Air Quality Control Regions**

2. In § 81.305, the table for "California—Ozone" is amended by revising the entry "Monterey Bay Area" to read as follows:

**§ 81.305 California.**  
 \* \* \* \* \*

**CALIFORNIA—OZONE**

Designated area	Designation		Classification	
	Date <sup>1</sup>	Type	Date <sup>1</sup>	Type
Monterey Bay Area Monterey County San Benito County Santa Cruz County	February 18, 1997	Attainment.		

<sup>1</sup> This date is November 15, 1990, unless otherwise noted.

[FR Doc. 97-876 Filed 1-16-97; 8:45 am]  
 BILLING CODE 6560-50-W

**40 CFR Part 799**  
**[OPPTS-42150B; FRL-5570-2]**  
**RIN 2070-AB94**  
**Testing Consent Order For Phenol**  
**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final consent agreement and order; direct final rule.

**SUMMARY:** Pursuant to section 4 of the Toxic Substances Control Act (TSCA), EPA has issued a testing consent order (Order) that incorporates an enforceable consent agreement (ECA) with AlliedSignal Inc., Aristech Chemical Corporation, The Dow Chemical Company, Dakota Gasification Company, Georgia Gulf Corporation, General Electric Company, GIRSA, Inc., JLM Chemicals, Inc., Kalama Chemical, Inc., Merichem Company, Mitsubishi International Corporation, Mitsui Co.

(U.S.A.), Inc., Shell Chemical Company, and Texaco Refining Marketing Inc. (collectively the Companies). The Companies have agreed to perform certain health effects tests on phenol (CAS No. 108-95-2). This notice summarizes the ECA and adds phenol to the list of chemicals subject to testing consent orders and hence subject to export notification requirements.  
**EFFECTIVE DATE:** The effective date of the ECA and Order (including the export notification requirements) is January 17, 1997. The effective date for the addition of phenol to the list of chemicals in 40 CFR 799.5000 subject to testing consent orders, and thus, the effective date of the export notification requirements contained in this notice for those entities not party to the ECA is March 18, 1997.  
 If EPA receives any adverse comments on the addition of phenol to the list of chemicals contained in 40 CFR 799.5000, which makes the export notification requirements in this notice applicable to all exporters of phenol, EPA will withdraw this rule. Instead, EPA will issue a proposed rule

addressing this issue and will provide a 30-day period for public comment. If no adverse comments are received, the rule will become effective as a final rule on the date specified.  
**ADDRESSES:** Each comment must bear the docket control number OPPTS-42150B. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M Street, SW., Room G-099, East Tower, Washington, DC 20460.  
 Persons submitting information any portion of which they believe is entitled to treatment as confidential business information (CBI) by EPA must assert a business confidentiality claim in accordance with 40 CFR 2.203(b) for each such portion. This claim must be made at the time that the information is submitted to EPA. If a submitter does not assert a confidentiality claim at the time of submission, EPA will treat the information as non-confidential and may make it available to the public without further notice to the submitter. Three sanitized copies of any comments

containing information claimed as CBI must also be submitted and will be placed in the public record for this action.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: [opptncic@epamail.epa.gov](mailto:opptncic@epamail.epa.gov). Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number OPPTS-42150B. No CBI should be submitted through e-mail. Electronic comments on this direct final rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit VII of this document.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Rm. ET-543B, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 554-1404, TDD: (202) 554-0551; e-mail: [TSCA-Hotline@epamail.epa.gov](mailto:TSCA-Hotline@epamail.epa.gov). For specific information regarding this direct final rule or the ECA and Order, contact Keith J. Cronin, Project Manager, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-8157; fax: (202) 260-1096; e-mail: [cronin.keith@epamail.epa.gov](mailto:cronin.keith@epamail.epa.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces the ECA and Order for phenol and amends 40 CFR 799.5000 by adding phenol to the list of chemical substances and mixtures subject to testing consent orders and export notification requirements.

### I. Introduction

TSCA section 12(b)(1) requires persons who export or intend to export a chemical substance for which the submission of data is required under section 4 of TSCA to notify EPA of such export or intent to export. Section 799.5000 of title 40 of the Code of Federal Regulations contains a list of chemical substances and mixtures that are subject to testing consent orders and for which export notification is required under 40 CFR 799.19. This notice adds phenol to the list contained in 40 CFR 799.5000, thus making all persons who export or intend to export phenol

subject to the export notification requirements contained in 40 CFR part 707 (see Unit VI of this document). EPA is amending 40 CFR 799.5000 by direct final rulemaking. However, EPA does not expect adverse comments on this rule because the burden of compliance with the export notification requirements (set forth at Unit VIII. A. of this notice) is minimal.

### II. Chemical-Specific Background

At the request of EPA, the Interagency Testing Committee (ITC) received a subset of chemicals included on EPA's Integrated Risk Information System (IRIS) data base for which the Agency believed there is inadequate data. The ITC designated six chemicals included in IRIS (acrylic acid addressed in a separate rulemaking at 57 FR 7656, March 4, 1992), acetophenone, phenol, N,N-dimethylaniline, ethyl acetate, and 2,6-dimethylphenol for priority consideration as candidates for chemical fate, health effects, and environmental effects testing. The reasons for these recommendations by the ITC are further discussed in the Federal Register of March 6, 1991 (56 FR 9534), and in the chemical specific sections of the November 22, 1993 (58 FR 61654) Federal Register notice.

On July 17, 1992, EPA published a Federal Register notice (57 FR 31714) announcing an "open season". The open season was a time during which industry and other interested parties could submit to EPA proposals for enforceable consent agreements (ECAs) to test substances for which the Agency had not issued final test rules. In that notice, EPA indicated that it would review the submissions and select candidates for negotiation of ECAs pursuant to 40 CFR 790.22. EPA also indicated that it would, at a future date, publish a Federal Register notice soliciting persons interested in participating in or monitoring negotiations for the development of ECAs on the chemical substances selected.

After evaluating the testing proposals submitted during the open season (57 FR 31714), EPA issued a Federal Register notice on March 30, 1993 (58 FR 16669), which identified a three tier priority ranking of the testing proposals received from manufacturers, solicited parties interested in monitoring or participating in ECA negotiations of tier I chemicals to identify themselves to EPA, and extended the opportunity for manufacturers to supplement their test proposals for tier I, tier II, tier III and unranked chemicals.

In response to the March 30, 1993, notice EPA received, among other items,

a request for removing carbon disulfide from the open season program, a testing proposal for brominated flame retardants, and a request for adding phenol to tier I.

On November 22, 1993 (58 FR 61654), EPA proposed a test rule under section 4(a) of TSCA that would require manufacturers and processors of five chemicals (phenol, acetophenone, N,N-dimethylaniline, ethyl acetate, and 2,6-dimethylphenol) to conduct testing for certain chemical fate, health and environmental effects. In addition, in this proposed rulemaking, EPA also invited manufacturers and/or processors of these chemical substances to participate in consent agreement negotiations for the chemicals proposed for testing to develop and submit consent agreement proposals to EPA.

In evaluating the ITC's testing recommendations for phenol in the proposed test rule, EPA considered the information provided by the ITC, the on-line IRIS data base, and supplemental information developed by EPA. In developing the testing requirements, EPA has also considered the status of phenol under the Clean Air Act amendments of 1990. These considerations have influenced the testing routes of administration selected.

EPA believes that phenol is used in a wide variety of industrial and consumer activities. The annual production volume is estimated to exceed 3.5 billion pounds. Approximately 320,000 workers may be exposed to phenol. In addition, phenol is used in numerous consumer products indicating a potential for exposure to consumers.

In the November 22, 1993 proposal, EPA proposed that phenol be tested, by the inhalation route of administration, for subchronic toxicity, toxicokinetics, neurotoxicity (acute and subchronic), and reproductive toxicity. In addition, EPA proposed that toxicokinetics testing by the oral route of administration and both reproductive and developmental toxicity testing be conducted by gavage.

EPA also proposed, in the Hazardous Air Pollutants (HAPS) test rule (61 FR 33178, June 26, 1996) (FRL-4869-1) that phenol be tested for acute toxicity and immunotoxicity in addition to the testing proposed earlier (58 FR 61654). On the basis of information provided by the Phenol Panel, EPA requested that manufacturers conduct a 14-day inhalation study so that inhalation risks of phenol exposure could be extrapolated from the oral test data and pharmacokinetics data that the Panel members had agreed to conduct, rather than the acute study. The inhalation study is necessary to determine portal-of-entry effects from inhalation

exposure which can only be obtained from a well conducted inhalation study. The pharmacokinetics data can be used to calculate the inhalation exposures that correspond to the doses used in the oral studies for the systemic effects, thus permitting an estimation of the inhalation doses that would be required to produce the responses observed in the oral studies. The Panel provided EPA with test data which are sufficient to characterize the immunotoxicity of phenol.

### III. Enforceable Consent Agreement Negotiations

In response to EPA's proposed rule and offer to negotiate an ECA, The Chemical Manufacturer's Association

(CMA) Phenol Panel submitted a proposal for a testing program (Ref. 1).

EPA held a public meeting to negotiate an ECA for phenol on October 26, 1995. This meeting was attended by representatives of the Companies and other interested parties. During the public meeting, consensus was reached on the ECA, and on the tests to be included in the ECA. On September 6, 1996, EPA received the ECA signed by the Companies. On January 9, 1997, EPA signed the ECA and accompanying Order.

### IV. Proposed Test Rule

EPA has decided not to finalize the proposed test rules for phenol (58 FR 61654, November 22, 1993; 61 FR 33178, June 26, 1996). EPA has instead

reached agreement with the Companies that the testing requirements for phenol in both proposed rules, will be met by implementing the ECA and Order, and that the issuance of the ECA and Order constitutes final EPA action for purposes of 5 U.S.C. 704. Should EPA decide in the future that it requires additional data on phenol, the EPA will initiate a separate action.

### V. Testing Program

Table 1 describes the required testing, test standards, and reporting requirements under the ECA for phenol. This testing program will allow EPA to characterize further the potential health hazards resulting from exposure to phenol.

Table 1.—Required Testing, Test Standards and Reporting Requirements for Phenol

Description of test	Test standard (40 CFR citation)	Deadline for final report <sup>1</sup> (months)	Interim reports required <sup>2</sup> (number)
Respiratory toxicity: 1. 14-day, inhalation.	Appendix I	12	1
Reproductive toxicity: 1. Reproductive toxicity, drinking water.	798.4700 (40 CFR) (Appendix II)	29	4
Neurotoxicity: 1. Subchronic neurotoxicity, functional observational battery, motor activity, neuropathology, drinking water.	91-154617 (National Technical Information Service) (Appendix III)	21	3
2. Developmental neurotoxicity, <sup>3</sup> drinking water.	91-154617 (National Technical Information Service) (Appendix III)	421	3

<sup>1</sup> Number of months after the effective date of the testing consent order.

<sup>2</sup> Interim reports are required every 6 months from the effective date until the final report is submitted. This column shows the number of interim reports required for each test.

<sup>3</sup> If the Agency determines that the results of the neuropathology study are not negative, then this required testing must be performed.

<sup>4</sup> Figure indicates the reporting deadline, in months, calculated from the date the notification to the test sponsor by certified letter or **Federal Register** notice that the Agency has determined this required testing must be performed.

### VI. Export Notification

Upon publication of this notice, the ECA and Order subject any of the Companies who export or intend to export phenol, of any purity, to the export notification requirements of section 12(b) of TSCA. Upon the effective date of the rule, any other persons who export or intend to export phenol, of any purity, will be subject to the export notification requirements of section 12(b) of TSCA. The listing of a chemical substance or mixture at 40 CFR 799.5000 serves as notification to persons who export or intend to export such chemical substance or mixture that the substance or mixture is the subject of an ECA and Order and that 40 CFR part 707 applies.

### VII. Public Record

EPA has established a record for this ECA and Order under docket number OPPTS-42150B, which is available for inspection Monday through Friday, excluding legal holidays, in Rm. NE-B607, 401 M St., SW., Washington, DC, 20460 from noon to 4 p.m. Information claimed as Confidential Business Information (CBI), while part of the record, is not available for public review.

Electronic comments can be sent directly to EPA at: opptncic@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public

version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

#### A. Supporting Documentation

This record contains the basic information considered in developing this ECA and Order and includes the following information.

(1) Testing Consent Order for Phenol, with incorporated Enforceable Consent

Agreement and associated testing protocols attached as appendices.

(2) Federal Register notices pertaining to this notice, the Testing Consent Order and the Enforceable Consent Agreement, consisting of:

(a) Notice of Proposed Rulemaking for Acetophenone, Phenol, N,N-dimethylaniline, ethyl acetate, and 2,6-dimethylphenol (58 FR 61654; November 22, 1993).

(b) Notice of Opportunity to Initiate Negotiations for TSCA Section 4 Testing Consent Agreements (57 FR 31714; July 17, 1992).

(c) Notice of Testing Consent Agreement Development for Listed Chemical Substances; Solicitation for Interested Parties (58 FR 43893; August 18, 1993).

(3) Communications consisting of:

(a) Written letters.

(b) Meeting summaries.

(4) Reports—published and unpublished factual materials.

#### B. References

1. The Phenol Regulatory Task Group of the Chemical Manufacturers Association. Letter from Gordon D. Strickland to EPA. Enforceable Testing Consent Agreement Proposal for Phenol. Washington, DC. (February 22, 1994).

### VIII. Regulatory Requirements

#### A. Regulatory Assessment Requirements

For regulatory assessment purposes, the ECA and Order for phenol announced in this notice do not constitute a rule as defined by sections 3 (d) and (e) of Executive Order 12866 (58 FR 51735, October 4, 1993) or section 601(2) of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The Order incorporates the ECA and the ECA is an agreement between and among EPA and the Companies. This notice, however, is a rule because it amends 40 CFR 799.5000, thereby subjecting all persons who export or intend to export phenol to export notification requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, EPA has determined that few, if any, entities which currently export phenol, or are likely to export phenol in the future, are small as defined by 40 CFR 704.3. Furthermore, the exporter is required only to include the following information in the notice to EPA: The name of the chemical substance (i.e., in

this case, phenol); the name and address of the exporter; the country (ies) of import; the date(s) of export or intended export; and the section of TSCA under which EPA has taken action (i.e., in this case, TSCA section 4). The cost of compliance with these routine administrative requirements is minimal. Therefore, I certify that this rule will not have a significant economic impact on a substantial number of small entities.

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104-4, establishes requirements for Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments and the private sector. Under sections 202 and 205 of UMRA, EPA generally must prepare a written statement of economic and regulatory alternatives analyses for proposed and final rules with Federal mandates, as defined by UMRA, that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year.

This rule will not result in annual expenditures of \$100 million or more for State, local, and/or tribal governments in the aggregate, or the private sector. As described above, the export notification procedure is a routine administrative act and the cost of compliance is minimal. The requirements of section 203 of UMRA which relate to regulatory requirements that may significantly or uniquely affect small governments also do not apply to today's rule because the rule affects only the private sector, i.e., those who export or intend to export phenol.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this rule is not a "significant regulatory action" subject to review by the Office of Management and Budget (OMB), nor does it involve special considerations of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

An agency may not conduct or sponsor, and a person is not required to respond to, an information collection request unless it displays a currently valid control number assigned by OMB. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. The information collection requirements related to this action have already been approved by OMB pursuant to the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*,

under OMB control number 2070-0033 (EPA ICR No. 1139) for implementation of the ECA and Order, and OMB control number 2070-0030 (EPA ICR No. 0795) for compliance with export notification requirements. This action does not impose any burdens requiring additional OMB approval.

The public reporting burden for the collection of information relating to the ECA and Order is estimated to average 388 hours per response. This estimate includes the time for reviewing the test protocols attached to the ECA, generating and analyzing the test results, and submitting the results to EPA. The public reporting burden for the collection of information relating to the export notification requirements is estimated to average 0.55 hours per response.

#### B. Submission to Congress and the General Accounting Office

This action is not a "major rule" as defined by 5 U.S.C. 804(2). Pursuant to 5 U.S.C. 801(a)(1)(A), EPA submitted this action to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to its publication in today's Federal Register.

#### List of Subjects in 40 CFR Part 799

Environmental Protection, Chemicals, Chemical export, Hazardous substances, Health effects, Laboratories, Reporting and recordkeeping requirements, Testing.

Dated: January 9, 1997.

Lynn R. Goldman,  
Assistant Administrator for Prevention,  
Pesticides and Toxic Substances.

Therefore, title 40 of the Code of Federal Regulations, chapter I, subchapter R, part 799 is amended as follows:

#### **PART 799—[AMENDED]**

1. The authority citation for part 799 continues to read as follows:

Authority: 15 U.S.C. 2603, 2611, 2625.

2. Section 799.5000 is amended by adding phenol to the table in CAS number order, effective March 18, 1997, to read as follows:

**§ 799.5000 Testing consent orders for substances and mixtures with Chemical Abstract Service Registry Numbers.**

CAS Number	Substance or mixture name	Testing	FR publication date
108-95-2	Phenol	Health Effects	January 17, 1997

[FR Doc. 97-1263 Filed 1-16-97; 8:45 am]  
 BILLING CODE 6560-50-F

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MM Docket No. 96-64; RM-8747]

**Radio Broadcasting Services; Boulder and Lafayette, CO**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document reallots Chananel 234C from Boulder to Lafayette, Colorado, and modifies the license of Salem Media of Colorado, Inc. for Station KRKS-FM to specify operation on Channel 234C at Lafayette, as requested, pursuant to the provisions of Section 1.420(i) of the Commission's Rules. See 61 FR 15022, April 4, 1996. The allotment of Channel 234C to Lafayette will provide that community with its first local aural transmission facility without depriving Boulder of local transmission service. Coordinates used for Channel 234C at Lafayette, Colorado are 39-40-35 and 105-29-09. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** February 24, 1997.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 96-64, adopted January 3, 1997, and released January 10, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.  
 Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**§73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Colorado is amended by removing Channel 234C at Boulder and adding Lafayette, Channel 234C.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 97-1097 Filed 1-16-97; 8:45 am]

BILLING CODE 6712-01-F

**DEPARTMENT OF DEFENSE**

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

[DFARS Case 96-D310]

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

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

**ACTION:** Final rule.

**SUMMARY:** The Director of Defense Procurement has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to reflect amendments to certain statutory procurement integrity restrictions.

**DATES:** Effective date: January 17, 1997.

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

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Section 4304 of the Clinger-Cohen Act of 1996 (Pub. L. 104-106) amended the procurement integrity provisions of Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) and repealed 10 U.S.C. 2397-2397c,

which addressed post-Federal employment of certain former Department of Defense employees. This final rule removes regulations implementing the repealed statutes and conforms DFARS 203.104 to the FAR revisions published as Item I of Federal Acquisition Circular 90-45 (62 FR 226, January 2, 1997).

A proposed rule with request for public comments was published on September 6, 1996 (61 FR 47100). One comment was received, which recommended no changes to the proposed rule.

**B. Regulatory Flexibility Act**

The Department of Defense certifies that this final 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 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.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act applies because the rule eliminates the information collection and reporting requirements of DFARS 203.170-2 and the associated clause at 252.203-7000. The requirements that are eliminated were approved by the Office 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 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.