

Commodity	Parts per million
Poultry, mbyp .....	0.05
Poultry, meat .....	0.05
Sheep, fat .....	1.0
Sheep, mbyp .....	0.1
Sheep, meat .....	0.1
Strawberry .....	2.0
Tomato .....	0.6

- (b) *Section 18 emergency exemptions.*  
[Reserved]  
(c) *Tolerances with regional registrations.* [Reserved]  
(d) *Indirect or inadvertent residues.*  
[Reserved]

## PART 185—[AMENDED]

2. In part 185:  
a. The authority citation for part 185 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 348.

### § 185.3225 [Removed]

- b. By removing § 185.3225  
*Fenpropothrin.*

## PART 186—[AMENDED]

3. In part 186:  
a. The authority citation for part 186 continues to read as follows:

**Authority:** 21 U.S.C. 342, 348 and 701.

### § 186.3225 [Removed]

- b. By removing § 186.3225  
*Fenpropothrin.*

[FR Doc. 97-31102 Filed 11-25-97; 8:45 am]

BILLING CODE 6560-50-F

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 721

[OPPTS-50621C; FRL-5757-6]

RIN 2070-AB27

### Dipropylene Glycol Dimethyl Ether; Final Significant New Use Rule; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** EPA issued a document (FR Doc. 97-29153) in the **Federal Register** of November 4, 1997, adding a significant new use rule (SNUR) for the chemical substance described as dipropylene glycol dimethyl ether (DGDE), which was the subject of premanufacture notice (PMN) P-93-507. The CAS No. listed for DGDE in the rule was incorrect. This document corrects that CAS No.

**DATES:** Effective on November 26, 1997.  
**FOR FURTHER INFORMATION CONTACT:**  
Susan B. Hazen, Director,  
Environmental Assistance Division  
(7408), Office of Pollution Prevention  
and Toxics, Environmental Protection  
Agency, Rm. E-543B, 401 M St., SW.,  
Washington, DC 20460, telephone: (202)  
554-1404, TDD: (202) 554-0551; e-mail:  
TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA issued a document (FR Doc. 97-29153) in the **Federal Register** of November 4, 1997 (62 FR 59579) (FRL-5745-1), stating that the CAS No. for DGDE was 11109-77-4. This document correctly changes the CAS No. from 11109-77-4 to 11109-77-4.

On page 59583, in the first column, in S 721.3550, in paragraph (a), in the fifth line, "CAS No. 11109-77-4" should read "CAS No. 11109-77-4".

### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 19, 1997.

**Charles M. Auer,**

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

[FR Doc. 97-31130 Filed 11-25-97; 8:45 am]

BILLING CODE 6560-50-F

## DEPARTMENT OF DEFENSE

### 48 CFR Part 231

[DFARS Case 97-D312]

### Defense Federal Acquisition Regulation Supplement; Allowability of Costs for Restructuring Bonuses

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

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

**SUMMARY:** The Director of Defense Procurement has issued an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to prohibit use of DoD funds to reimburse a contractor for costs paid by the contractor to an employee for a bonus or other payment in excess of the normal salary paid to the employee, when such payment is part of restructuring costs associated with a business combination. This rule implements Section 8083 of the Fiscal Year 1998 Defense Appropriations Act.

**DATES:** Effective date: November 26, 1997.

**Comment date:** Comments on the interim rule should be submitted in writing to the address shown below on

or before January 26, 1998, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Ms. Sandra G. Haberlin, PDUSD (A&T) DP (DAR), IMB 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350.

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

Please cite DFARS Case 97-D312 in all correspondence related to this issue. E-mail comments should cite DFARS Case 97-D312 in the subject line.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra G. Haberlin, (703) 602-0131.

### SUPPLEMENTARY INFORMATION:

#### A. Background

This interim rule amends paragraph (f) (1) of DFARS 231.205-6, Compensation for personal services, to implement Section 8083 of the Fiscal Year 1998 Defense Appropriations Act (Pub. L. 105-56). Section 8083 prohibits DoD from using fiscal year 1998 funds to reimburse a contractor for costs paid by the contractor to an employee for a bonus or other payments in excess of the normal salary paid by the contractor to the employee, when such payment is part of restructuring costs associated with a business combination. Similar provisions were contained in the Fiscal Year 1996 and Fiscal Year 1997 Defense Appropriations Acts (Pub. L. 104-61 and Pub. L. 104-208, respectively).

#### B. Regulatory Flexibility Act

The interim 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 most contracts awarded to small entities use simplified acquisition procedures or are awarded on a competitive, fixed-price basis, and do not require application of the cost principle contained in this rule. 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 5 U.S.C. 610. Such comments should be submitted separately and should cite 5 U.S.C. 601, *et seq.* (DFARS Case 97-D312), in correspondence.

**C. Paperwork Reduction Act**

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

**D. Determination To Issue an Interim Rule**

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to publish an interim rule prior to affording the public an opportunity to comment. This action is necessary to implement Section 8083 of the Fiscal Year 1998 Defense Appropriations Act (Pub. L. 105-56), which was effective upon enactment on October 8, 1997. However, comments received in response to the publication of this interim rule will be considered in formulating the final rule.

**List of Subjects in 48 CFR Part 231**

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR part 231 is amended as follows:

1. The authority citation for 48 CFR Part 231 continues to read as follows:

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

**PART 231—CONTRACT COST PRINCIPLES AND PROCEDURES**

2. Section 231.205-6 is amended by revising paragraph (f)(1) to read as follows:

**§ 231.205-6 Compensation for personal services.**

(f)(1) In accordance with Section 8122 of Pub. L. 104-61, and similar sections in subsequent Defense appropriations acts, costs for bonuses or other payments in excess of the normal salary paid by the contractor to an employee, that are part of restructuring costs associated with a business combination, are unallowable under DoD contracts funded by fiscal year 1996 or subsequent appropriations. This limitation does not apply to severance payments or early retirement incentive payments. (See 231.205-70(b) for the definitions of "business combination" and "restructuring costs.")

[FR Doc. 97-31113 Filed 11-25-97; 8:45 am]

BILLING CODE 5000-04-M

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17****RIN 1018-AE47****Endangered and Threatened Wildlife and Plants; Emergency Rule To Establish an Additional Manatee Sanctuary in Kings Bay, Crystal River, FL**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Emergency rule.

**SUMMARY:** This emergency rule establishes an additional West Indian manatee (*Trichechus manatus*) sanctuary in Citrus County, Florida, adjacent to Kings Bay/Crystal River at the confluence of the Three Sisters Spring run with a residential canal, and prohibits all waterborne activities in the sanctuary for a period of 120 days. This emergency action will help prevent the taking of manatees by harassment resulting from waterborne activities during upcoming winter months. This increases the number of sanctuaries in Kings Bay to seven and has been initiated to prevent harassment from increasing public use at this site. A proposed rule to establish this sanctuary is published elsewhere in today's

**Federal Register.** The proposed rule provides for public comment and a hearing (if requested). The emergency action is effective for 120 days and is taken under the authority of the Endangered Species Act of 1973, as amended, and the Marine Mammal Protection Act of 1972, as amended.

**DATES:** Effective November 24, 1997, through March 23, 1998, unless

terminated sooner by publication in the **Federal Register.** In accordance with 50 CFR 17.106, the effective date for this action was established through a legal notice published in the St. Petersburg Times, Citrus County Edition and the Citrus County Chronicle on November 24, 1997.

**ADDRESSES:** The complete file for this rule is available for inspection, by appointment, during normal business hours at the Jacksonville Field Office, U.S. Fish and Wildlife Service, 6620 Southpoint Drive South, Suite 310, Jacksonville, Florida 32216-0912.

**FOR FURTHER INFORMATION CONTACT:** Robert O. Turner at the above address, (904/232-2580 ext. 117); or Vance Eaddy, Senior Resident Agent, U.S. Fish and Wildlife Service, 9721 Executive Center Drive, Suite 206, St. Petersburg, Florida 33702, (813/570-5398).

**SUPPLEMENTARY INFORMATION:****Background**

Crystal River is a tidal river on the west coast of Florida. Forming the headwaters of Crystal River is Kings Bay, a lake-like body of water fed by numerous freshwater springs. The Kings Bay springs constitute one of the most important natural warm-water refuges for manatees, a federally listed endangered species. More than 250 animals may seek refuge in the bay's warm waters during winter cold periods. With the winter presence of manatees and its sheltered, warm and clear waters, Kings Bay also attracts large numbers of waterborne users (boaters, recreational divers, snorkelers, and swimmers) most of whom seek out manatees for a close viewing experience. The influx of visitors, primarily there to see and interact with manatees, provides a major economic impact to the Crystal River community.

Large aggregations of manatees apparently did not exist in Kings Bay until recent times (Beeler and O'Shea 1988). The first careful counts were made in the late 1960's. Since then manatee numbers have increased significantly. In 1967-1968 Hartman (1979) counted 38 animals. By 1981-1982, the maximum winter count increased to 114 animals (Powell and Rathbun 1984), and in December 1994 the count was 271 (U.S. Fish and Wildlife Service, unpublished data). Both births and immigration of animals from other areas have contributed to the increases in manatee numbers at Crystal River.

The Second Revision of the Florida Manatee Recovery Plan (U.S. Fish and Wildlife Service 1995) identifies the need to minimize disturbance and harassment of manatees in the wild. This concern for the welfare of manatees in Kings Bay has resulted in the establishment of a series of sanctuary areas to protect manatees from any potential negative impacts of human activities. The first three sanctuaries were created in 1980, encompassing a total of about 10 acres in Kings Bay. These were closed to all human access each winter from November 15 to March 31 and provided manatees with areas where they could retreat from waterborne users. To better administer and protect the bay's manatee habitat, the Service purchased several islands associated with the sanctuaries in 1983 and established the Crystal River National Wildlife Refuge. During the 1980's, the number of manatees and divers increased steadily, resulting in the need for additional manatee sanctuaries. In 1994, the Service