

Floor, New York, New York 10007-1866.  
New Jersey Department of Environmental Protection, Air Quality Permitting Program, Bureau of Operating Permits, 401 E. State Street, Trenton, New Jersey 08625-0027.

**FOR FURTHER INFORMATION CONTACT:** Suilin Chan, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10278, (212) 637-4019.

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

Dated: April 19, 1999.

**William J. Muszynski,**

*Acting Regional Administrator, Region 2.*  
[FR Doc. 99-10854 Filed 5-3-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[FRL-6333-3]

#### Missouri: Final Authorization of State Hazardous Waste Management Program Revision for Corrective Action

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to grant final authorization for corrective action to the hazardous waste program submitted by Missouri Department of Natural Resources. In the final rules section of this **Federal Register**, the EPA is authorizing the state's program revisions as an immediate final rule without prior proposal because the EPA views this action as noncontroversial and anticipates no adverse comments. If no adverse written comments are received on this action, the immediate final rule will become effective and no further activity will occur in relation to this proposal. If the EPA receives adverse written comments, it will withdraw the immediate final rule before its effective date by publishing a timely withdrawal in the **Federal Register**. The EPA will then respond to public comments in a later final rule based on this proposal. The EPA may not provide further opportunity for comment. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before June 3, 1999.

**ADDRESSES:** Send written comments to Heather Hamilton, U.S. EPA Region VII, ARTD/RESP, 726 Minnesota Avenue, Kansas City, Kansas 66101; (913) 551-7039. Copies of the Missouri program revision applications and the materials which the EPA used in evaluating the revisions are available for inspection and copying during normal business hours at the following address: Hazardous Waste Program, Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102-0176; (573) 751-3176.

**FOR FURTHER INFORMATION CONTACT:** Heather Hamilton, U.S. EPA Region VII, ARTD/RESP, 726 Minnesota Avenue, Kansas City, Kansas 66101; (913) 551-7039.

**SUPPLEMENTARY INFORMATION:** For additional information see the immediate final rule published in the Rules section of this **Federal Register**.

Dated: April 13, 1999.

**William Rice,**

*Acting Regional Administrator, Region VII.*  
[FR Doc. 99-11038 Filed 5-3-99; 8:45 am]

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## DEPARTMENT OF DEFENSE

### 48 CFR Part 215

[DFARS Case 99-D001]

#### Defense Federal Acquisition Regulation Supplement; Weighted Guidelines and Performance-Based Payments

**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 modify the weighted guidelines method of computing profit objectives by adding contracts with performance-based payments to the types of contracts that affect a contractor's cost risk.

**DATES:** Comments on the proposed rule should be submitted in writing to the address specified below on or before July 6, 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. Sandra G. Haberlin, PDUUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax (703) 602-0350. Please cite DFARS Case 99-D001.

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

Please cite DFARS Case 99-D001 in all correspondence related to this issue. E-mail correspondence should cite DFARS Case 99-D001 in the subject line.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra G. Haberlin, (703) 602-0131. Please cite DFARS Case 99-D001.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

DFARS 215.404-4, Profit, requires contracting officers to use the weighted guidelines method of developing a prenegotiation profit or fee objective on most negotiated contract actions that require cost analysis. This method focuses on three profit factors: performance risk, contract type risk, and facilities capital employed. Calculations using these profit factors result in values that become part of the part objective.

For contract type risk, the calculations include an assessment of the degree of cost risk accepted by the contractor under varying contract types as adjusted by the costs of contractor-provided financing. Currently, DFARS 214.404-71-3, Contract type risk and working capital adjustment, provides only two financing choices for fixed-price and fixed-price-incentive contracts: The contract either will provide progress payments or will offer no financing. The proposed rule adds contracts with performance-based payments as a third choice.

The rule proposes to amend DFARS 215.404-71-3 to—

1. Add firm-fixed-price and fixed-price incentive contracts with performance-based payments to the table of contract types at 215.404-71-3(c);
2. Add evaluation criteria at 215.404-71-3(d) that contracting officers should consider when determining the value for contract type risk associated with contracts using performance-based payments; and
3. Remove the reference to the flexible progress payments type of financing at 215.404-71-3(e)(3). DoD does not permit the use of flexible progress payments for contracts awarded as a result of solicitations issued on or after November 11, 1993. A final rule, published in the **Federal Register** on February 23, 1999 (64 FR 8731), removed references to flexible progress payments form DFARS Part 232. The change to 215.404-71-3(e)(3) in this proposed rule does not reflect a policy change but merely removes obsolete language.