

(ii) If compliance with the compressor provisions of § 63.164 of subpart H of this part cannot be achieved without replacing the compressor or recasting the distance piece, the owner or operator shall achieve compliance no later than April 22, 1997. The owner or operator who elects to use this provision shall also comply with the requirements of § 63.192(g) of this subpart.

(6) Existing sources shall be in compliance with the provisions of § 63.170 of subpart H no later than April 22, 1997.

\* \* \* \* \*

10. Section 63.191 is amended by revising the definition of "surge control vessel" in paragraph (b) to read as follows:

**§ 63.191 Definitions.**

\* \* \* \* \*

*Surge control vessel* means feed drums, recycle drums, and intermediate vessels. Surge control vessels are used within a process unit when in-process storage, mixing, or management of flow rates or volumes is needed to assist in production of a product.

\* \* \* \* \*

11. Section 63.192 is amended by adding paragraphs (l) and (m) to read as follows:

**§ 63.192 Standard.**

\* \* \* \* \*

(l) To qualify for the exemption specified in § 63.190(b)(7) of this subpart, the owner or operator shall maintain the documentation of the information required pursuant to § 63.190(b)(7)(i), and documentation of any update of this information requested by the EPA Regional Office, and shall provide the documentation to the EPA Regional Office upon request. The EPA Regional Office will notify the owner or operator, after reviewing such documentation, whether, in the EPA Regional Office's judgement, the source does not qualify for the exemption specified in § 63.190(b)(7) of this subpart. In such cases, compliance with this subpart shall be required no later than 90 days after the date of such notification by the EPA Regional Office.

(m) An owner or operator who elects to use the compliance extension provisions of § 63.190(e)(5) (i) or (ii) shall submit a compliance extension request to the appropriate EPA Regional Office no later than May 10, 1995. The request shall contain the information specified in § 63.190(e)(4)(iv) and the reason compliance cannot reasonably be achieved without a process unit shutdown, as defined in § 63.161 of subpart H or replacement of the

compressor or recasting of the distance piece.

\* \* \* \* \*

[FR Doc. 95-8199 Filed 4-7-95; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 63**

[AD-FRL-5182-7]

RIN 2060-AC19

**National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks**

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

**ACTION:** Direct final rule.

**SUMMARY:** This action corrects errors and clarifies regulatory text of the "National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks," which was issued as a final rule on April 22, 1994 and June 6, 1994. This rule is commonly known as the Hazardous Organic NESHAP or the HON.

**EFFECTIVE DATE:** The direct final rule will be effective May 22, 1995, unless significant, adverse comments are received by May 10, 1995. If significant, adverse comments are timely received on any provision of the direct final rule, that provision of the direct final rule will be withdrawn and only those provisions on which no such adverse comments are received will become effective on May 22, 1995.

**FOR FURTHER INFORMATION CONTACT:** Dr. Janet S. Meyer, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5254.

**SUPPLEMENTARY INFORMATION:** If significant adverse comments are timely received on any provision of this direct final rule, all such comments will be addressed in a subsequent final rule based on those provisions of the proposed rule contained in the Proposed Rules Section of this **Federal Register** that is identical to this direct final rule. Such provisions will be withdrawn from the Direct Final Rule.

Provisions of the Direct Final Rule that do not receive timely significant adverse comment will become final 40 days from today's **Federal Register** Notice. If no significant adverse comments are timely filed on any provision of this direct final rule then the entire direct final rule will become effective 40 days from today's **Federal Register** notice and no further action is contemplated on the parallel proposal published today.

On April 22, 1994 (59 FR 19402), and June 6, 1994 (59 FR 29196), the Environmental Protection Agency (EPA) promulgated in the **Federal Register** national emission standards for hazardous air pollutants (NESHAP) for the synthetic organic chemical manufacturing industry (SOCMI), and for several other processes subject to the equipment leaks portion of the rule. These regulations were promulgated as subparts F, G, H, and I in 40 CFR part 63, and are commonly referred to as the hazardous organic NESHAP, or the HON.

This document corrects several oversights in the drafting of subparts F, H, and I of the final regulation. Also, several definitions are being added to subparts H and I to clarify the intent of certain provisions in these subparts. These changes do not significantly modify the requirements of the regulation.

**I. Description of Changes**

*A. Compliance Dates for Emission Points at Existing Sources Affected by Operational Changes*

Subparts F and G established administrative procedures to address operational changes that were believed likely to occur at SOCMI facilities. These procedures specify the notification and approval requirements for each type of change as well as the compliance date for equipment affected by the change. When these provisions (§ 63.100(l)) were drafted the need to include surge control vessels and bottoms receivers in the list of potential changes was not recognized. Because the nature of the equipment changes required for control of surge control vessels and bottoms receivers is similar to that required for compliance with subpart G, similar compliance times need to be provided for surge control vessels and bottoms receivers. Therefore, the provisions in paragraphs (l)(4) and (l)(4)(ii) in § 63.100 are being revised to include surge control vessels and bottoms receivers.

### B. Startup/Shutdown/Malfunction Plan

The EPA has received numerous inquiries regarding the applicability of the startup/shutdown/malfunction plan required by § 63.6(e) of subpart A to equipment subject to the provisions of subpart H. Questions raised include whether the plan only applies to control devices used to comply with the requirements of subpart H or if the plan must also address equipment such as valves and pumps, and if so, how would such equipment be included in the plan.

The EPA intended the startup/shutdown/malfunction plan to apply only to control devices used to comply with subpart H. However, EPA also thought that some owners or operators might choose to use the startup/shutdown/malfunction plan to specify various conditions that would justify delay of repair for equipment such as pumps or valves. To clarify this point, table 3 of subpart F is being amended to include a comment on how the provisions concerning startup/shutdown/malfunction plans apply to equipment subject to subpart H. This same comment is being added to subpart I as a new paragraph § 63.192(b)(6)(ii).

### C. Applicability of Subpart H Limited to Process Lines

A new paragraph is being added to the applicability section of subpart H (§ 63.160) to clarify that only lines and equipment containing process fluid are subject to this subpart. The new paragraph merely incorporates into the rule the intent expressed in the preamble to the proposed rule. This provision had not previously been included in subpart H because it had been considered unnecessary. This provision is being added now due to a number of concerns regarding clarity of applicability of section 112(g) case-by-case review requirements to this equipment.

### D. Definitions

Two definitions are being added to subpart H and the definition for "duct work" in subparts G and H is being revised. A definition for "closed-purge system" is being added to clarify terminology in the rule and to better express the Regulatory Negotiation Committee's (Committee) intent regarding the requirements for sampling connection systems. In Committee discussions on the provisions for sampling connection systems, the Committee recognized the need to provide compliance options that would be appropriate for a wide range of operating conditions and processes. The

Committee used the terminology "closed-purge system" to refer to systems where the liquid sample purge was captured in a container and then returned to the process. This kind of system was envisioned as being the compliance option for processes handling heavy liquids particularly polymer processes, for low pressure lines, and where closed-loop sampling presented safety concerns. The terminology "closed-loop sampling system" was used to refer to a system where the purged fluid is returned to the process at a point of lower pressure. A throttle valve or other device is commonly used to induce the pressure drop across the sample loop. These systems can be used in higher pressure lines and with light liquids and materials that do not polymerize upon exiting the process equipment.

The Committee included a definition for "closed-loop system" in the rule to distinguish it from "closed-purge system". A definition for "closed purge system" was not included because it was thought that the meaning would be understood from the terminology alone and the definition of "closed-loop system". Due to numerous questions regarding the meaning of this term and how it differs from "closed-loop system", EPA believes that it is necessary to add a definition to clarify intent.

A definition for "pressure relief device or valve" is being added because EPA has received inquiries from industry as well as from State agencies regarding the applicability of the provisions of § 63.165 to atmospheric storage vessels. Pressure/vacuum vents on atmospheric storage vessels are typically actuated when the vessel is filled or emptied and due to pressure changes resulting from diurnal temperature changes. The provisions of § 63.165 were never intended to apply to these cases and are not appropriate for these vessels. The provisions of § 63.165 were designed to ensure that pressure relief devices on process lines properly reseal after relieving a system overpressure. Pressure relief devices are safety devices commonly used to prevent operating pressures from exceeding the maximum allowable working pressure of the process equipment. These pressure relief devices do not open under vacuum. The added definition for "pressure relief device or valve" is based on the type of equipment that EPA intended to regulate and considered in the development of the equipment leak standards (e.g., subparts VV, GGG, and KKK of 40 CFR part 60) as well as industry practice. The definition also

explicitly excludes vacuum actuated devices as well as low pressure actuated relief devices. The 2.5 pounds per square inch gauge (psig) set pressure specified in the definition is based on the American Petroleum Institute (API) pressure rating for atmospheric pressure tanks. Operation at higher pressures or vacuums may cause damage to the tank.

The EPA is revising the definition of "duct work" in order to more specifically designate the intended equipment. The term "duct work" is presently defined in the rule as "a conveyance system that does not meet the definition of hard piping." The EPA recognizes that this definition is too broad and can be misconstrued as applying to tank trucks, rail cars, or anything that conveys that is not hard piping. The term "duct work" was intended to designate systems for conveyance of gases like those commonly used for heating and ventilation systems. These systems are commonly constructed of sheet metal and have sections connected by screws or crimping. The revised definition uses this description to more specifically identify the types of systems EPA considers more likely to develop leaks and thus identify those systems where annual inspection with an instrument that meets the specifications of Method 21 is appropriate.

The definition for "Research and Development Facility" was inadvertently omitted from subpart I when the applicability provisions for the non-SOCMI processes was separated from those for the SOCMI processes. The definition for "Research and Development Facility" in § 63.101 of subpart F is being added to § 63.191 of subpart I to correct this oversight.

### E. Miscellaneous Changes

Paragraph (b) of 63.160 is being revised to clarify that this override of existing equipment leak rules only applies after the source must comply with subpart H. The EPA has recently learned that some people have interpreted the rule to allow suspension of compliance with applicable part 60 or 61 equipment leak rules even though the subpart H compliance date had not occurred yet. The Committee's intent with this provision was to avoid duplication of effort. Owing to the confusion surrounding the present language, EPA is correcting the drafting of this paragraph.

Paragraph (a) of § 63.169 of subpart H is revised to clarify that there must be potential for discharge to the atmosphere before repair is required. It is necessary to clarify this point because there are processes where pressure relief

devices discharge into a lower pressure section of the process and there are no emissions to the atmosphere. The EPA is clarifying the language in § 63.169(a) to avoid unnecessary repair actions and recordkeeping. This clarification does not alter the requirement for documentation of proper reseating of pressure relief devices or valves that vent to the atmosphere.

The EPA is also correcting paragraph (b) of § 63.169 by adding the leak definition for pumps in polymerizing monomer service. Section 63.169(b) presently defines a leak for pumps in heavy liquid service as 2,000 parts per million (ppm) regardless of the material handled. The EPA believes that use of the 2,000 ppm leak definition for all pumps in heavy liquid service was a drafting oversight since it was the Committee's judgment in establishing the standard for pumps in light liquid service that 5,000 ppm represented best performance (§ 63.163(b)(2)(iii)) for pumps handling polymerizing monomers.

The recordkeeping requirement for owners or operators who elect to adjust monitoring frequency by time in use was inadvertently included with the recordkeeping requirements for pressure testing of equipment (§ 63.181(e)(2)). This requirement is only relevant for those batch processes for which the owner or operator elects compliance using the leak detection and repair program in § 63.178(c). Most of the recordkeeping requirements for § 63.178(c) are presented in § 63.181(b)(9). Therefore, paragraph (e)(2) is being redesignated as paragraph (b)(9)(ii). Section 63.181(e)(2) is being reserved to avoid renumbering the rest of paragraph (e).

The EPA has recently received several inquiries regarding the time period to be covered in the first semiannual report. The concern is that § 63.182(d)(1) appears to require the periodic report to include a summary of the monitoring information for the period on the day that the report is due. Thus, the owners and operators of sources subject to subpart H would have no time to compile, analyze, and organize the raw data for the report. The EPA intended to provide owners and operators of sources subject to subpart H 90 days to compile, analyze, and organize data for the periodic reports. The present wording of § 63.182(d)(1) does not clearly communicate that intent. Therefore, § 63.182(d)(1) is being amended by adding two sentences to specify that the first periodic report shall cover the first 6-month period from the compliance date and that each subsequent report

would cover the 6-month period from the last report.

The EPA has also recently determined that a reporting requirement that was intended for screwed connectors subject to § 63.174(c) was inadvertently retained in the final rule. During consideration of public comments on the proposed rule, EPA had decided to remove the requirements for separate recordkeeping and reporting for screwed connectors in order to reduce the burden of the rule. Due to an oversight §§ 63.182(d)(2) (x) and (xii) were not removed as intended. The EPA is, therefore, correcting this oversight by removing §§ 63.182(d)(2) (x) and (xii). These paragraphs are being reserved to avoid renumbering the paragraph.

## II. Judicial Review

Under section 307(b)(1) of the Clean Air Act (CAA), judicial review of the actions taken by this final rule is available only on the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this action. Under section 307(b)(2) of the CAA, the requirements that are subject to today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

## III. Administrative

### A. Paperwork Reduction Act

The information collection requirements of the previously promulgated NESHAP were submitted to and approved by the Office of Management and Budget (OMB). A copy of this Information Collection Request (ICR) document (OMB control number 1414.02) may be obtained from Sandy Farmer, Information Policy Branch (PM-223Y); U.S. Environmental Protection Agency; 401 M Street, SW; Washington, DC 20460 or by calling (202) 260-2740.

Today's changes to the NESHAP should have no impact on the information collection burden estimates made previously. The changes consist of new definitions and clarifications of requirements; not additional requirements. Consequently, the ICR has not been revised.

### B. Executive Order 12866 Review

The HON rule promulgated on April 22, 1994 was considered "significant" under Executive Order 12866 and a regulatory impact analysis (RIA) was prepared. The amendments issued today clarify the rule and do not add any additional control requirements. The EPA believes that these amendments

would have a negligible impact on the results of the RIA and the change is considered to be within the uncertainty of the analysis.

### C. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The Act specifically requires the completion of a Regulatory Flexibility Analysis in those instances where small business impacts are possible. Because this rulemaking imposes no adverse economic impacts, a Regulatory Flexibility Analysis has not been prepared.

### List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Dated: March 28, 1995.

**Carol M. Browner,**  
Administrator.

For the reasons set out in the preamble, title 40, chapter I, part 63 subparts F, H, and I of the Code of Federal Regulations are corrected as follows:

1. The authority citation for part 63 continues to read as follows:

**Authority:** sections 101, 112, 114, 116, and 301 of the Clean Air Act (42 U.S.C. 7401, *et seq.*, as amended by Pub. L. 101-549, 104 Stat. 2399).

### Subpart F—National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry

2. Section 63.100 is corrected by revising the first sentence of paragraph (l)(4) introductory text and by revising paragraph (l)(4)(ii)(B) to read as follows:

#### § 63.100 Applicability and designation of source.

\* \* \* \* \*

(l) \* \* \*

(4) If an additional chemical manufacturing process unit is added to a plant site, or if an emission point is added to an existing chemical manufacturing process unit, or if another deliberate operational process change creating an additional Group 1 emission point(s) is made to an existing chemical manufacturing process unit, or if a surge control vessel or bottoms receiver becomes subject to § 63.170 of subpart H, or if a compressor becomes subject to § 63.164 of subpart H, and if the addition or change is not subject to the new source requirements as determined according to paragraphs (l)(1) or (l)(2) of this section, the

requirements in paragraphs (l)(4)(i) through (l)(4)(iii) of this section shall apply. \* \* \*

(ii) \* \* \*  
 (B) If a deliberate operational process change to an existing chemical manufacturing process unit causes a Group 2 emission point to become a Group 1 emission point, if a surge control vessel or bottoms receiver becomes subject to § 63.170 of subpart H, or if a compressor becomes subject to § 63.164 of subpart H, the owner or operator shall be in compliance upon

initial start-up or by 3 years after April 22, 1994, whichever is later, unless the owner or operator demonstrates to the Administrator that achieving compliance will take longer than making the change. If this demonstration is made to the Administrator's satisfaction, the owner or operator shall follow the procedures in paragraphs (m)(1) through (m)(3) of this section to establish a compliance date.

\* \* \* \* \*

*Table 3 of Subpart F—[Amended]*

3. In Table 3 of subpart F, is the entry for "63.6(e)" is amended by adding two sentences in the "Comment" column to read as follows:

**Table 3 to Subpart F—General Provisions Applicability to Subpart F, G and H**

\* \* \* \* \*

Reference	Applies to Subparts F, G, and H	Comment
63.6(e) .....	Yes .....	* * * For subpart H, the startup, shutdown, and malfunction plan requirement of § 63.6(e)(3) is limited to control devices subject to the provisions of subpart H and is optional for other equipment subject to subpart H. The startup, shutdown, and malfunction plan may include written procedures that identify conditions that justify a delay of repair.

**Subpart G—National Emission Standards for Organic Hazardous Air Pollutants from Synthetic Organic Chemical Manufacturing Industry Process Vents, Storage Vessels, Transfer Operations, and Wastewater**

4. Section 63.111 is amended by revising the definition for "duct work" to read as follows:

**§ 63.110 Definitions.**

\* \* \* \* \*

*Duct work* means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and often has sections connected by screws or crimping. Hard-piping is not ductwork.

\* \* \* \* \*

**Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.**

5. Section 63.160 is amended by removing paragraph (d), redesignating paragraph (c) as paragraph (d); by revising paragraph (b); by adding and reserving a new paragraph (c), and by adding a new paragraph (e) to read as follows:

**§ 63.160 Applicability and designation of source.**

\* \* \* \* \*

(b) After the compliance date for a process unit, equipment to which this subpart applies that are also subject to the provisions of:

(1) 40 CFR part 60 will be required to comply only with the provisions of this subpart.

(2) 40 CFR part 61 will be required to comply only with the provisions of this subpart.

\* \* \* \* \*

(e) Except as provided in any subpart that references this subpart, lines and equipment not containing process fluids are not subject to the provisions of this subpart. Utilities, and other non-process lines, such as heating and cooling systems which do not combine their materials with those in the processes they serve, are not considered to be part of a process unit.

\* \* \* \* \*

6. Section 63.161 is amended by adding in alphabetical order definitions for "closed-purge system" and "pressure relief device" and by revising the definition for "duct work" to read as follows:

\* \* \* \* \*

**§ 63.161 Definitions.**

\* \* \* \* \*

*Closed-purge system* means a system or combination of system and portable containers, to capture purged liquids. Containers must be covered or closed when not being filled or emptied.

\* \* \* \* \*

*Duct work* means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and often has

sections connected by screws or crimping. Hard-piping is not ductwork.

\* \* \* \* \*

*Pressure relief device or valve* means a safety device used to prevent operating pressures from exceeding the maximum allowable working pressure of the process equipment. A common pressure relief device is a spring-loaded pressure relief valve. Devices that are actuated either by a pressure of less than or equal to 2.5 psig or by a vacuum are not pressure relief devices.

\* \* \* \* \*

7. Section 63.169 is amended by revising paragraphs (a) and (b) to read as follows:

**§ 63.169 Standards: Pumps, valves, connectors, and agitators in heavy liquid service; instrumentation systems; and pressure relief devices in liquid service.**

(a) Pumps, valves, connectors, and agitators in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and instrumentation systems shall be monitored within 5 calendar days by the method specified in § 63.180(b) of this subpart if evidence of a potential leak to the atmosphere is found by visual, audible, olfactory, or any other detection method. If such a potential leak is repaired as required in paragraphs (c) and (d) of this section, it is not necessary to monitor the system for leaks by the method specified in § 63.180(b) of this subpart.

(b) If an instrument reading of 10,000 parts per million or greater for agitators, 5,000 parts per million or greater for

pumps handling polymerizing monomers, 2,000 parts per million or greater for pumps in food/medical service or pumps subject to § 63.163(b)(iii)(C), or 500 parts per million or greater for valves, connectors, instrumentation systems, and pressure relief devices is measured, a leak is detected.

\* \* \* \* \*

8. Section 63.181 is amended by redesignating paragraph (b)(9) as paragraph (b)(9)(i), by redesignating paragraph (e)(2) as paragraph (b)(9)(ii), and by reserving paragraph (e)(2).

**§ 63.181 Recordkeeping requirements.**

9. Section 63.182 is amended by adding two sentences to paragraph (d)(1) and by removing and reserving paragraphs (d)(2)(x) and (xii) to read as follows:

**§ 63.182 Reporting requirements.**

\* \* \* \* \*

(d) \* \* \*

(1) \* \* \* The first periodic report shall cover the first 6 months after the compliance date specified in § 63.100(k)(3) of subpart F. Each subsequent periodic report shall cover the 6 month period following the preceding period.

\* \* \* \* \*

**Subpart I—National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.**

10. Section 63.191 is amended by adding in alphabetical order a definition for "research and development facility" to paragraph (b) to read as follows:

**§ 63.191 Definitions.**

(b) \* \* \*

*Research and development facility* means laboratory and pilot plant operations whose primary purpose is to conduct research and development into new processes and products, where the operations are under the close supervision of technically trained personnel, and is not engaged in the manufacture of products except in a de minimis manner.

\* \* \* \* \*

11. Section 63.192 is amended by redesignating paragraph (b)(6) as paragraph (b)(6)(i) and adding paragraph (b)(6)(ii) to read as follows:

**§ 63.192 Standard.**

\* \* \* \* \*

(b) \* \* \*

(6)(i) \* \* \*

(ii) The operational and maintenance requirements of § 63.6(e). The startup,

shutdown, and malfunction plan requirement of § 63.6(e)(3) is limited to control devices subject to the provisions of subpart H of part 63 and is optional for other equipment subject to subpart H. The startup, shutdown, and malfunction plan may include written procedures that identify conditions that justify a delay of repair.

\* \* \* \* \*

[FR Doc. 95-8198 Filed 4-7-95; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Public Land Order 7131**

[NV-930-1430-01; NV-57922]

**Withdrawal of Public Land to the United States Air Force; Nevada**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order withdraws 3,972.04 acres of public land from surface entry, mining, and mineral leasing until November 6, 2001, for the United States Air Force to provide a safety and security buffer between public land administered by the Bureau of Land Management and withdrawn land under the jurisdiction of the Nellis Air Force Range.

**EFFECTIVE DATE:** April 7, 1995.

**FOR FURTHER INFORMATION CONTACT:** Dennis Samuelson, BLM Nevada State Office, P.O. Box 12000, Reno, Nevada 89520, (702) 785-6507.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. Ch. 2 (1988)), and from leasing under the mineral leasing laws, to provide a safety and security buffer for the United States Air Force at Nellis Range:

**Mount Diablo Meridian**

T. 6 S., R. 56 E., unsurveyed

Sec. 25;

Sec. 36.

T. 7 S., R. 56 E., unsurveyed

Sec. 1;

Sec. 13, W<sup>1</sup>/<sub>2</sub>;

Sec. 24, NW<sup>1</sup>/<sub>4</sub>.

T. 6 S., R. 57 E.,

Sec. 30, lots 1 to 4, inclusive, and E<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>;

Sec. 31, lots 1 to 4, inclusive, and E<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>, E<sup>1</sup>/<sub>2</sub>.

T. 7 S., R. 57 E.,

Sec. 6, lots 1 to 7, inclusive, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, and SE<sup>1</sup>/<sub>4</sub>.

The area described contains 3,972.04 acres in Lincoln County.

2. This withdrawal will expire on November 6, 2001, unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

**Bob Armstrong,**

*Assistant Secretary of the Interior*

[FR Doc. 95-8756 Filed 4-7-95; 8:45 am]

BILLING CODE 4310-HC-P

**DEPARTMENT OF ENERGY**

**48 CFR Parts 915, 916 and 970**

RIN 1991-AB19

**Acquisition Regulation: Certified Cost or Pricing Data Threshold and Requirements for a Determination and Findings for Use of Cost-Reimbursement Contracts**

**AGENCY:** Department of Energy.

**ACTION:** Interim rule and request for comment.

**SUMMARY:** The Department of Energy is issuing an interim rule increasing the threshold for certified cost or pricing data from \$100,000 to \$500,000 and deleting the requirement for determinations and findings for use of cost reimbursement contracts. These changes are required by the Federal Acquisition Streamlining Act of 1994 and subsequent changes to the Federal Acquisition Regulation (FAR).

**DATES:** *Effective Date:* April 10, 1995.

*Comment Date:* Written comments must be submitted no later than June 9, 1995.

**ADDRESSES:** Comments should be addressed to: Terrence D. Sheppard, Business and Financial Policy Division (HR-521.2), Office of Procurement and Assistance Management, Department of Energy, 1000 Independence Avenue SW., Washington, D.C. 20585.

**FOR FURTHER INFORMATION CONTACT:** Terrence D. Sheppard, (202) 586-8174.

**SUPPLEMENTARY INFORMATION:**

I. Background

II. Public Comments

III. Procedural Requirements

A. Review Under Executive Order 12866

B. Review Under Executive Order 12778

C. Review Under the Paperwork Reduction Act