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Fred Eggleston,

Assistant General Counsel, Legislative Division.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Region II Docket No. 77; (FRL-3271-6)]

Revision to the Commonwealth of Puerto Rico Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces Environmental Protection Agency approval of the renewal of a visible emissions variance issued by the Commonwealth of Puerto Rico to the Owens-Illinois of Puerto Rico Corporation's Vega Alta glass making facility, ovens "A" and "B." The renewal maintains the allowable visible emissions limit as regulated under Commonwealth Rule 403, "Visible Emission," at 50 percent opacity for each furnace. This action will not result in an increase in particulate emissions.

EFFECTIVE DATE: This action will be effective December 15, 1987, unless notice is received within 30 days that adverse or critical comments will be submitted.

ADDRESSES: All comments should be addressed to: Christopher J. Daggett, Regional Administrator, Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278.

Copies of this SIP revision are available at the following addresses for inspecting during normal business hours: Environmental Protection Agency, Air Programs Branch, Region II Office, Room 1005, 26 Federal Plaza, New York, New York 10278
Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, DC 20460
Environmental Quality Board, 204 Del Parque Street, Santurce, Puerto Rico 00910

FOR FURTHER INFORMATION CONTACT: William Baker, Chief Air Programs

Branch Region II Office, Room 1005, 26 Federal Plaza, New York, New York 10278, (212) 264-4307.

SUPPLEMENTARY INFORMATION: On December 31, 1986 the Environmental Protection Agency (EPA) received from Puerto Rico a proposed revision to the Commonwealth's Implementation Plan. The Commonwealth requested EPA approval of its renewal of a visible emissions variance which it issued under the provisions of Rule 301, "Variances Authorized," of its "Regulation for the Control of Atmospheric Pollution." This variance was originally approved by EPA on September 3, 1982 at 47 FR 38887.

The effect of the variance is to maintain an average opacity limit at 50 percent applicable to ovens "A" and "B" of Owens-Illinois' Vega Alta glass plant. This limit is based on visible emission observation taken during stack tests which were conducted to determine compliance with the mass emission standard of Rule 407, "Process Sources." It represents a variance to the present average opacity standard of Rule 403, "Visible Emissions," Section A.1, which provides for 20 percent opacity limitation. Rule 403, Section A.2, requiring that visible emission not exceed 60 percent opacity for a period or periods of more than four minutes in any thirty-minute interval, also remains applicable to these sources.

The Commonwealth's submittals consist of an Owens-Illinois glass plant source emissions test report (including visible emission observations taken throughout the stack test), test evaluation information from the Environmental Quality Board (EQB), copy of one resolution of EQB, a certification that adequate public notice was provided by EQB and that no comment or request for public hearing was received, and a letter requesting renewal of the variance. The Commonwealth approved the variance for a three-year period from the date of EPA's approval.

EQB's analysis of the Owens-Illinois oven tests indicates that for three tests of oven "A" the allowable particulate emission rate was 12.3 lbs/hr, the actual particulate emission rate was between 7.2 and 8.7 lbs/hr, and the average opacity was between 46 and 56 percent. For three tests of oven "B," the allowable particulate emission rate was 12.5 lbs/hr, the actual particulate emission rate was between 9.3 and 10.0 lbs/hr, and the average opacity was between 47 and 52 percent. These data support EQB's conclusion that these sources would continue to meet applicable mass emission standards as

long as average opacity does not exceed 50 percent.

This notice is issued as required by section 110 of the Clean Air Act, as amended. The Administrator's decision regarding approval of this proposed plan revision is based on its meeting of the requirements of Section 110 of the Clean Air Act and 40 CFR Part 51.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action will be effective 60 days from the date of this Federal Register unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted. If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective December 15, 1987.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 15, 1987. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Particulate matter.

Note.—Incorporation by reference of the State Implementation Plan for the Commonwealth of Puerto Rico was approved by the Director of the Federal Register on July 1, 1982.

Dated: September 28, 1987.

Lee M. Thomas,

Administrator, Environmental Protection Agency.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Title 40, Chapter I, Subchapter C, Part 52, Code of Federal Regulations, is amended as follows:

Subpart BBB—Puerto Rico

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.2720 is amended by adding new paragraph (c)(34) as follows:

§ 52.2720 Identification of Plan

* * * * *

(c) * * *
 (34) Revision submitted by the Puerto Rico Environmental Quality Board on December 31, 1986, which grants a visible emissions standard variance to Owen-Illinois, Inc. Vega Alta plant.

(i) *Incorporation by reference.* Resolution and notification announcing a Certificate of Renewal to Commonwealth of Puerto Rico Law 403 of the Regulation for Control of Atmospheric Pollution; adopted on July 9, 1986.

(ii) *Additional material.* Documents submitted on December 31, 1986 in support of the above resolution.

[FR Doc. 87-22785 Filed 10-15-87; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 86-154; RM-4968, RM-5068, RM-5360, RM-5439, RM-5483 and RM-5495]

Radio Broadcasting Services; Wrightsville, Perryville and Maumelle, AR

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document stays the opening of the filing window for FM Channel 290C2 at Perryville, Arkansas allotted in MM Docket No. 86-154. This window period for filing applications would have opened on October 9, 1987, and closed on November 9, 1987.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: The final rule for this document was published at 52 FR 32795, Aug. 31, 1987. This is a summary of the Commission's Order Granting Motion for Stay, MM Docket No. 86-154, adopted October 5, 1987, and released October 8, 1987. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 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, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

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

Authority: 47 U.S.C. 154, 303.

Federal Communications Commission.

Bradley P. Holmes,
 Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 87-23846 Filed 10-15-87; 8:45 am]

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DEPARTMENT OF ENERGY

48 CFR Ch. 9

Acquisition Regulation; Miscellaneous Amendments

AGENCY: Department of Energy.

ACTION: Final rule.

SUMMARY: This rule amends the Department of Energy Acquisition Regulation (DEAR) to clarify certain policies and to reflect current procedures. This rule follows a notice of proposed rulemaking, published August 26, 1985, 50 FR 34656, and an amendment therefore, published October 28, 1985, 50 FR 43589. These revisions concern correcting the authority citation for issuance of this regulation, updating documentation, changes in reporting procedures, use of standard forms, expansion of existing guidance on interagency acquisition, prenegotiation objectives and price negotiation memorandum, clarification and guidance regarding the small business subcontracting program and updating solicitation provisions and contract clauses.

EFFECTIVE DATE: This final rule will become effective November 16, 1987.

FOR FURTHER INFORMATION CONTACT: Richard C. Loeb, Office of Policy (MA-42), Procurement and Assistance Management Directorate, Washington, DC 20585, (202) 586-8190. Paul J. Sherry, Office of the Assistant General Counsel, for Procurement and Finance, (GC-34), Washington, DC 20585, (202) 586-1528.

Supplementary Information:

- I. Background
- II. Procedural Requirements

- A. Review Under the Executive Order 12291
- B. Review Under Regulatory Flexibility Act
- C. Paperwork Reduction Act
- D. National Environmental Policy Act
- E. Public Hearing

III. Public Comments

I. Background

Under section 644 of the Department of Energy Organization Act, Pub. L. 95-91, (42 U.S.C. 7254), the Secretary of the Department is authorized to prescribe such procedural rules and regulations as may be deemed necessary or appropriate to accomplish the functions vested in the position. Accordingly, the Department of Energy Acquisition Regulation (DEAR) was promulgated with an effective date of April 1, 1984 (49 FR 11922, March 28, 1984), 48 CFR Chapter 9.

The primary purpose of this rule is to revise the DEAR, as necessary, to supplement the Federal Acquisition Regulation (FAR), which is codified at 48 CFR Chapter 1. As a result, the following sections and subsections are affected. Section 901.102 is revised to update and correct the authority citation for issuance of this regulation. Section 902.100, "Definitions," is corrected to read 902.101, in order to conform to the numbering of the corresponding FAR section. Section 902.101 is revised to update the priorities authority under paragraph (e) of the definition of "Procurement Executive" and the definition of "Senior Program Official" to reflect current organizational usage. Subsection 904.601-70, "Procurement and Assistance Data System (PADS)," is revised to update reporting procedures and to require use of a standard form in lieu of a DOE form. Sections 912.300, 912.302 and 912.304 are updated to reflect the regulations, procedures and contract clauses required under the Defense Priorities and Allocations System. A new subsection 913.505-1, "Optional Form (OF) 347, Order for Supplies or Services, and Optional Form (OF) 348, Order for Supplies or Services Schedule—Continuation," is added and 913.505-2, "Agency order forms in lieu of Optional Forms 347 and 348," is removed. Sections 915.612, "Formal source selection," and 915.613, "Alternative source selection procedures," are revised to increase the threshold for use of Source Evaluation Board procedures. Section 915.807, "Prenegotiation objectives," has been added, and 915.808, "Price negotiation memorandum," has been revised to implement the FAR by providing additional items that must be addressed