

State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: February 6, 1996.

Jeanne M. Fox,

Regional Administrator.

40 CFR part 70 is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

2. Appendix A to part 70 is amended by adding the entry for Puerto Rico in alphabetical order to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Puerto Rico

(a) The Puerto Rico Environmental Quality Board submitted an operating permits program on November 15, 1993 with supplements on March 22, 1994 and April 11, 1994 and revised on September 29, 1995; full approval effective on March 27, 1996.

(b) [Reserved]

* * * * *

[FR Doc. 96-4255 Filed 2-23-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 704

[OPPTS-82047; FRL-4982-7]

Revocation of Anthraquinone Recordkeeping and Reporting Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document announces the revocation of the Toxic Substances Control Act (TSCA) section 8(a) information gathering rule on anthraquinone (CAS number 84-65-1), issued in the Federal Register of June 4, 1987. Data, as developed under the first tier of testing of an associated TSCA section 4 test rule (40 CFR 799.500), did not meet the hazard triggers for the second tier of testing under that rule. Thus, the section 8(a) reporting requirement, which has served as a mechanism to gather production/import

level information that provided the basis for a production/import level trigger for the second tier of testing, is no longer needed.

EFFECTIVE DATE: This final rule takes effect on February 26, 1996.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, 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.

SUPPLEMENTARY INFORMATION:

I. Regulatory History

On November 29, 1984 (49 FR 46931), the Interagency Testing Committee (ITC) designated anthraquinone for priority testing consideration and recommended chemical fate and ecological effects testing. In response, EPA proposed a TSCA section 4 test rule and a TSCA section 8(a) reporting and recordkeeping rule for anthraquinone (50 FR 46090, November 6, 1985). These rules were finalized on June 4, 1987 (52 FR 21018), and codified at 40 CFR 799.500 and 704.30, respectively.

Under section 4(a)(1)(B) of TSCA, EPA required tiered testing. The first tier included: Water solubility; acute toxicity to chinook salmon or coho salmon, bluegill, and rainbow trout; acute toxicity to the invertebrates *Daphnia magna* or *D. pulex* and oyster; marine sediment toxicity to the amphipod *Rhepoxynius abronius*; and oyster bioconcentration. A second tier of testing would have been triggered if the Tier I test results met certain criteria and if the information reported under the section 8(a) rule indicated production/import volume in excess of 3 million lbs/yr. The second tier of tests included: Chronic toxicity in fish, chronic toxicity in *Daphnia*, biodegradability in sludge systems, and biodegradation rate. In the section 8(a) rule, EPA required that manufacturers (including importers) of anthraquinone submit an annual report to EPA stating the volume of anthraquinone manufactured or imported during their latest corporate fiscal year.

The last Tier I testing was submitted to EPA on August 21, 1989. Results of the Tier 1 tests, as conducted, did not meet the hazard triggers for Tier 2 testing, and Tier 2 testing was not triggered. The anthraquinone test rule had a sunset date of August 21, 1994, and was removed from the Code of Federal Regulations (CFR) by a final rule issued on June 19, 1995 (60 FR 21917). Because requirements under the test

rule ended on August 21, 1994, there is no need for the continued annual reporting of production and import volumes of anthraquinone under 40 CFR 704.30.

II. Revocation of Anthraquinone Recordkeeping and Reporting Requirements

EPA is revoking the section 8(a) recordkeeping and reporting requirements at 40 CFR 704.30.

III. Analyses Under E.O. 12866, the Unfunded Mandates Act of 1995, the Regulatory Flexibility Act, and the Paperwork Reduction Act

Because this action eliminates certain requirements, this action is not significant within the meaning of Executive Order 12866 (58 FR 51735, October 4, 1993), and does not impose any Federal mandate on any State, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). For the same reasons, pursuant to the Regulatory Flexibility Act (5 U.S.C. 605(b)), it has been determined that this action will not have a significant impact on a substantial number of small entities. Additionally, because this rule eliminates reporting requirements, this action does not affect requirements under the Paperwork Reduction Act, 44 U.S.C. 3501.

IV. Public Docket

A record has been established for this rulemaking under docket number "OPPTS-82047." A public version of this record, which does not include any information claimed as confidential business information (CBI), is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC.

List of Subjects in 40 CFR Part 704

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

Dated: January 31, 1996.

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

Therefore, 40 CFR chapter I is amended to read as follows:

PART 704—[AMENDED]

1. The authority citation for part 704 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

§ 704.30 [Removed]

2. Section 704.30 is removed.

[FR Doc. 96-4251 Filed 2-23-96; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****43 CFR Part 8364**

[CA-059-1220-00]

Closure and Restriction Orders

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Emergency closure of certain public lands to motorized vehicle use in Shasta County, California.

SUMMARY: The BLM is prohibiting persons for an indefinite period from operating motorized vehicles on approximately 882 acres of public land that has been acquired from a private landowner through an exchange. This closure on motorized vehicle use will protect the natural environment of the public lands until BLM has conducted site specific inventories on the property and designated suitable roads for motorized vehicles to travel.

DATES: This emergency motorized vehicle closure will take effect February 26, 1996.

FOR FURTHER INFORMATION CONTACT:

Charles M. Schultz, Area Manager, Bureau of Land Management, 355 Hemsted Drive, Redding, CA 96002.

SUPPLEMENTARY INFORMATION: The BLM acquired 882 acres of private land within sections 26, 27, 34 and 36 of T. 31 N., R. 6 W., of the M.D.M on January 31, 1996 from Sierra Pacific Industries, Inc. Appropriate uses of this property will be determined, in part, through the preparation of a management plan for the region. Until this management plan is completed and appropriate roads and trails are delineated, the four parcels are closed from entry and use by motorized vehicles. Exceptions to this closure include: emergency vehicles, fire suppression and rescue vehicles, BLM operation and maintenance vehicles, law enforcement vehicles, and other motorized vehicles specifically approved by an authorized officer of the Bureau of Land Management.

The authority for this closure and rule making is 43 CFR 8364.1. Any person who fails to comply with a closure order or rule making is subject to arrest and

finest of up to \$100,000 and/or imprisonment not to exceed 12 months.

Charles M. Schultz,

Redding Area Manager.

[FR Doc. 96-4193 Filed 2-23-96; 8:45 am]

BILLING CODE 4310-40-M

DEPARTMENT OF DEFENSE**48 CFR Part 231**

[DFARS Case 95-D309]

Defense Federal Acquisition Regulation Supplement; Allowability of Costs

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 fiscal year 1996 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.

DATES: *Effective date:* February 26, 1996.

Comment date: Comments on the interim rule should be submitted in writing to the address shown below on or before April 26, 1996, to be considered in the formulation of the final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulation Council, Attn: Ms. Sandra G. Haberlin, PDUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 95-D309 in all correspondence related to this issue.

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

SUPPLEMENTARY INFORMATION:**A. Background**

This interim rule adds paragraph (f)(1) to DFARS Section 231.205-6 to implement Section 8122 of the Fiscal Year 1996 Defense Appropriations Act (Pub. L. 104-61). Section 8122 prohibits DOD from using fiscal year 1996 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 by the contractor to the employee, when such payment is part of restructuring costs associated

with a business combination. The interim rule clarifies that the prohibition does not apply to severance and early retirement incentive payments.

B. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense to issue this rule as an interim rule. Compelling reasons exist to promulgate this rule without prior opportunity for public comment. This rule implements Section 8122 of the Defense Appropriations Act for Fiscal Year 1996 (Pub. L. 104-61), which was effective upon enactment on December 1, 1995. However, comments received in response to the publication of this rule will be considered in formulating the final rule.

C. 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 are awarded on a competitive fixed-price basis and cost principles, therefore, do not apply.

D. Paperwork Reduction Act

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

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 adding paragraph (f)(1) to read as follows:

231.205-6 Compensation for personal services.

* * * * *

(f)(1) Costs for bonuses or other payments, that are in excess of the normal salary paid by the contractor to the employee and that are part of