

depreciates the seriousness of the offense or jeopardizes the public welfare. The procedural benefit of a prompt review upon program completion as opposed to postponement to the next statutory interim hearing) will constitute the Commission's special response to the completion of residential substance abuse programs. This policy determination recognizes the importance of such programs in contributing to the eventual rehabilitation of prisoners whose criminal behavior can, in some measure, can be attributed to substance abuse addiction.

#### Implementation

The Commission will apply this rule at any hearing or record review (including appeals submitted to the National Appeals Board) conducted on or after the effective date set forth above. If the prisoner has demonstrated superior program achievement in some other respect, and such achievement has not yet been considered for an advancement under § 2.60, any advancement will be based on the prisoner's overall record of accomplishments. If superior program achievement has already been rewarded, the advancement(s) previously granted plus the advancement for residential substance abuse program completion may not exceed the permissible reduction set forth at § 2.60(e) except in the most clearly exceptional cases (e.g., where substance abuse program completion is found to make the prisoner a more acceptable risk for parole than indicated by the Salient Factor Score).

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this final rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

#### The Amendment

Accordingly, the U.S. Parole Commission is adopting the following amendments to 28 CFR part 2.

### PART 2—[AMENDED]

(1) The authority citation for 28 CFR part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

(2) 28 CFR part 2, § 2.60 is amended by removing paragraphs (g) and (h), and by adding a final sentence to paragraph (b) to read as follows:

#### § 2.60 Superior program achievement.

\* \* \* \* \*

(b) \* \* A report from the Bureau of Prisons based upon successful completion of a residential substance abuse program of at least 500 hours will be given prompt review by the Commission for a possible advancement under this section.

\* \* \* \* \*

Dated: January 29, 1996.

Jasper R. Clay, Jr.,

*Vice Chairman, U.S. Parole Commission.*

[FR Doc. 96-2402 Filed 2-5-96; 8:45 am]

BILLING CODE 4410-01-M

### DEPARTMENT OF DEFENSE

#### Department of the Air Force

#### 32 CFR Part 835

#### Support of Nongovernmental Test and Evaluation

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** The Department of the Air Force is amending Title 32, Chapter VII of the CFR by removing Part 835, Support of Nongovernmental Test and Evaluation. The rule is removed since the source document, AFR 80-19, was rescinded.

**EFFECTIVE DATE:** February 6, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patsy Conner, Air Force Federal Register Liaison Officer, SAF/AAIQ, 1610 Air Force Pentagon, Washington, DC 20330-1610.

#### SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 835

Federal buildings and facilities, Research.

Authority: 10 U.S.C. 8013

### PART 835—[REMOVED]

Accordingly, 32 CFR, Chapter VII, is amended by removing Part 835.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 96-2517 Filed 2-5-96; 8:45 am]

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### 32 CFR Part 838

#### Air Force Systems Command Contractor Performance Assessment

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** On August 11, 1988, the Department of the Air Force published (at 53 FR 30253) a final rule to amend 32 CFR by adding Part 838, Air Force Systems Command Contractor Performance Assessment. As a result of an Air Force reorganization, Air Force Systems Command was deactivated. Also an initiative in the Air Force to streamline and reduce Air Force publications resulted in the cancellation of the source document, Air Force Systems Command Regulation 800-54, AFSC Contractor Performance Assessment. On March 31, 1995, a final rule was published in the Federal Register entitled Federal Acquisition Regulation; Past Performance Information. On November 17, 1995, a proposed rule was published in the Federal Register entitled Defense Federal Acquisition Regulation Supplement; Past Performance. Therefore the Air Force's final rule on contractor performance assessment is withdrawn.

**EFFECTIVE DATE:** February 6, 1996.

**FOR FURTHER INFORMATION CONTACT:** Maj. Bratten, SAF/AQS, 1060 Air Force Pentagon, Washington, DC 20330-1060, telephone (703) 697-6400.

#### SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 838

Government contracts.

Authority: 10 U.S.C. 8013.

### PART 838—[REMOVED]

Accordingly, 32 CFR, Chapter VII, is amended by removing Part 838.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 96-2514 Filed 2-5-96; 8:45 am]

BILLING CODE 3910-01-P

### 32 CFR Part 843

#### Statutory Reimbursement for Land

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** The Department of the Air Force is amending Title 32, Chapter VII of the CFR by removing Part 843, Statutory Reimbursement for Land. The Corps of Engineers acts as the Air

Force's real estate agent in acquiring land and routinely exercises the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601 et. seq., to authorize payment of relocation costs. Since 32 CFR Part 843 is no longer used for this purpose, it is removed from the Code of Federal Regulations.

**EFFECTIVE DATE:** February 6, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Charles G. Skidmore, AFREA/MI, 112 Luke Avenue Room 104, Bolling AFB DC 20332-8020, telephone (202) 767-4033.

**SUPPLEMENTARY INFORMATION:**

List of Subjects in 32 CFR Part 843

Claims.

Authority: 10 U.S.C. 8013

**PART 843—[REMOVED]**

Accordingly, 32 CFR, Chapter VII, is amended by removing Part 843.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 96-2519 Filed 2-5-96; 8:45 am]

**BILLING CODE 3910-01-P**

**32 CFR Part 848**

**Foreign Tax Relief Program**

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** The Department of the Air Force is amending Title 32, Chapter VII of the CFR by removing Part 848, Foreign Tax Relief Program. This rule is removed because it has limited applicability to the general public. This action is the result of departmental review. The intended effect is to ensure that only regulations which substantially affect the public are maintained in the Air Force portion of the Code of Federal Regulations.

**EFFECTIVE DATE:** February 6, 1996.

**FOR FURTHER INFORMATION CONTACT:** MsPatsy J. Conner, Air Force Federal Register Liaison Officer, SAF/AAIQ, 1610 Air Force Pentagon, Washington, DC 20330-1610, telephone (703) 614-3488.

**SUPPLEMENTARY INFORMATION:**

List of Subjects in 32 CFR Part 848

Foreign relations, Government contracts, Taxes.

Authority: 10 U.S.C. 8013.

**PART 848—[REMOVED]**

Accordingly, 32 CFR, Chapter VII, is amended by removing Part 848.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 96-2518 Filed 2-5-96; 8:45 am]

**BILLING CODE 3910-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[MO-24-1-7047a; FRL-5317-7]

**Approval and Promulgation of Implementation Plans; State of Missouri**

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

**ACTION:** Direct final rule.

**SUMMARY:** This final action approves the State Implementation Plan (SIP) submitted by the state of Missouri. The state's revision expands the types of testing and monitoring data, including stack and process monitoring, which can be used directly for compliance certifications and enforcement.

**DATES:** This action is effective April 8, 1996 unless by March 7, 1996 adverse or critical comments are received.

**ADDRESSES:** Copies of the documents relevant to this action are available for public inspection during normal business hours at the: Environmental Protection Agency, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; and EPA Air & Radiation Docket and Information Center, 401 M Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Joshua A. Tapp at (913) 551-7606.

**SUPPLEMENTARY INFORMATION:** The EPA believes that existing SIPs (nationwide) are inadequate for states or EPA to fully implement the Clean Air Act Amendments, because the SIPs may presently be interpreted to limit the types of testing or monitoring data that may be used for determining compliance and establishing violations. On May 11, 1994, EPA issued a call to the state of Missouri to revise its SIP to clarify that any monitoring approved for the source (and included in a Federally enforceable operating permit) may form the basis of the compliance certification, and that any credible evidence may be used for purposes of enforcement in Federal court.

On March 13, 1995, Missouri made an official plan submission in response to the EPA's SIP call. Missouri submitted a new rule, 10 CSR 10-6.280, which

appropriately provides for data which have been collected under the enhanced monitoring and operating permit programs to be used for compliance certifications and enforcement actions. Specifically, section (2) of this rule authorizes these data to be used for compliance certifications, and section (3) authorizes these data to be considered for enforcement actions.

EPA interprets the language in section 2(c) which states, "Any other monitoring methods approved by the Director" to provide the Director with the authority to require "additional" monitoring methods, as necessary. Consistent with past and present EPA policy, the use of substitute sampling methods which are not listed in the rule would require a revision to the SIP.

This revision will enhance the state's capability for determining compliance with, and for establishing violations of, the underlying emission limitations.

**EPA Action**

EPA is taking final action to approve revisions submitted March 13, 1995, for the state of Missouri.

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in the Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule, based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors, and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. §§ 603 and 604). Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-