

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

Unfunded Mandates

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

List of Subjects in 30 CFR Part 938

Intergovernmental relations, Surface mining, Underground mining.

Dated: August 18, 1998.

Allen D. Klein,

Regional Director, Appalachian Regional Coordinating Center.

[FR Doc. 98-22741 Filed 8-24-98; 8:45 am]

BILLING CODE 4310-05-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**36 CFR Part 1281**

RIN 3095-AA82

Presidential Library Facilities

AGENCY: National Archives and Records Administration (NARA).

ACTION: Proposed rule.

SUMMARY: NARA is issuing regulations relating to acceptance of new Presidential libraries under the Presidential Libraries Act amendments of 1986. That Act requires the Archivist of the United States to promulgate architectural and design standards for Presidential libraries and specifies what information NARA must provide to the Congress before accepting completed Presidential library buildings. NARA must obtain some of the information from the private foundations or other entities that develop the Presidential library. This rule will affect those

private foundations or other entities created to design, construct and equip Presidential libraries.

DATES: Comments on the proposed rule and the proposed information collection contained in § 1281.18 must be received by October 26, 1998.

ADDRESSES: Comments on the regulation and the proposed information collection must be sent to Regulation Comment Desk (NPOL), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Comments may be faxed to 301-713-7270.

Comments regarding the burden-hour estimate or any other aspect of the collection of information requirement contained in this proposed rule should be sent also to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: NARA Desk Officer, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Nancy Allard at (301) 713-7360, extension 226.

SUPPLEMENTARY INFORMATION:

Presidential libraries are constructed by non-federal or private organizations using non-federal or privately-raised funds. After completion, the buildings are donated or turned over to the Federal Government for use in perpetuity as part of the National Archives and Records Administration (NARA) system. The laws providing for the Federal Government to accept the completed building are codified in 44 U.S.C. 2112. Also in 44 U.S.C. 2112 are requirements that the Archivist of the United States promulgate architectural and design standards for Presidential libraries, and that an endowment be established by the donor of a new Presidential library and deposited in the National Archives Trust Fund prior to acceptance by NARA. The amount of the required endowment is based on several factors, including the size of the facility and the total costs of construction and improvements.

Before NARA can accept and take title to any Library or enter into an agreement to accept or establish a Library, the Archivist must submit a written report on the proposed Presidential archival depository to Congress. The report must include a certification that the facility and equipment meet the standards promulgated by the Archivist, and must contain information about the endowment.

This regulation prescribes the design and construction approval process that NARA requires for new Presidential library facilities, information that must

be furnished to NARA for its report to Congress, the required operating equipment that must be part of the endowment established by the donor of a new library, and background materials that must be provided to NARA to assist in its operation of the completed facility. The regulation also cites statutory requirements for the endowment that must be provided to NARA by the private foundation to help offset facility operating expenses and defines the measurement standard that NARA will use in calculating the square footage of the library.

This proposed rule is not a significant regulatory action for the purposes of Executive Order 12866. A copy of the proposed rule will be sent to OMB for review of the proposed information collections under the Paperwork Reduction Act. As required by the Regulatory Flexibility Act, it is hereby certified that this proposed rule will not have a significant impact on small entities.

Paperwork Reduction Act

This proposed rule contains information collection activities which are subject to review and approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995. Under this Act, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The reporting burden for this collection is estimated to be approximately 31 hours per response for providing to NARA the information specified in proposed § 1281.18 or in proposed § 1281.20, including the time for gathering and maintaining the data needed and completing and reviewing the collection of information. A respondent would be required to submit a response on a one-time basis, when the new Presidential library is to be offered to the Government or when a gift to wholly fund a change or addition to a Presidential library is proposed. We estimate that fewer than one response will be required annually. Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of NARA's functions, including whether the information would have practical utility; (b) the accuracy of NARA's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Please send any comments to NARA and OMB (see ADDRESSES).

List of Subjects in 36 CFR Part 1281

Archives and records, Federal buildings and facilities, Incorporation by reference, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, NARA proposes to add a new Part 1281 in Subchapter G of Chapter XII, Title 36, Code of Federal Regulations, to read as follows:

PART 1281—PRESIDENTIAL LIBRARY FACILITIES

Sec.

- 1281.1 Purpose.
- 1281.2 Definitions.
- 1281.4 Initial consultation with NARA.
- 1281.6 NARA review during design phase.
- 1281.8 NARA review during construction phase.
- 1281.10 Certifications.
- 1281.12 Equipment.
- 1281.14 Equipment not considered for purposes of the endowment.
- 1281.16 Waiver of equipment requirements.
- 1281.18 Information to be given to NARA for its report to Congress on a new Presidential library facility.
- 1281.20 Information to be given to NARA for its report to Congress on a change or addition to a Presidential library facility.
- 1281.22 Other documentation to be given to NARA for a new Presidential library and changes or additions to existing libraries.
- 1281.24 Endowment.
- 1281.26 NARA standard for measuring building size.

Authority: 44 U.S.C. 2104(a), 2112.

§ 1281.1 Purpose.

(a) This part implements provisions of the Presidential Libraries Act, codified at 44 U.S.C. 2112 (a) and (g), which require the Archivist of the United States to promulgate architectural and design standards for new and existing Presidential libraries, to submit a written report to the Congress before accepting new libraries or certain proposed physical or material change or addition to an existing library; and to ensure that the endowment specified by 44 U.S.C. 2112(g) is available.

(b) This part applies to design and construction of new libraries that are offered to NARA on or after [the effective date of the final regulation] and to material changes or additions to new and existing libraries funded wholly by gift on or after that date.

§ 1281.2 Definitions.

The following definitions apply to this part:

Archival functions. The term means arranging, describing, reviewing, preserving, reproducing, restoring, exhibiting, and making available

Presidential and other records and historical materials in the care and custody of the Presidential libraries, and includes the salaries and expenses of NARA personnel performing those functions.

BOMA standard. The Building Owners and Managers Organization Standard Method for Measuring Floor Areas in Office Buildings, dated June 7, 1996, and also listed as ANSI Z65.1–1996, which is hereby incorporated by reference in this part. The standard cited in this paragraph is available from the American National Standards Institute, (ANSI), Inc., 11 West 42nd Street, New York, NY 10036. It is also available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, D.C. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated by reference as they exist on the date of approval and a notice of any change in these materials will be published in the **Federal Register**.

Equipment. As used in this part, the term means operating equipment that must be furnished with the new library. Operating equipment is essential to the operation of the Library and is built into the facility or permanently mounted to the structure.

Existing library. Any Presidential library created as a depository for the papers, documents, and other historical materials and Federal records pertaining to any President who took the oath of office as President for the first time before January 20, 1985.

Facility operations. Those activities, including administrative services, involved with maintaining, operating, protecting, and improving a Presidential library.

Foundation. A private, non-profit organization formed to construct the library and to provide continuing support for various library programs.

Historical materials. The term historical materials has the meaning set forth at 44 U.S.C. 2101.

New library. Any Presidential library created as a depository for the Presidential records, historical materials, and Federal records pertaining to any President who takes the oath of office as President for the first time on or after January 20, 1985.

Physical or material change or addition. Any addition of square footage, as defined by the BOMA Standards, or any physical or material change to the existing structure of a new (or existing) library that results in a

significant increase in the cost of facility operations.

Presidential library. Presidential library means a Presidential archival depository as defined in 44 U.S.C. 2101.

Presidential records. The term has the meaning set forth at 44 U.S.C. 2201.

§ 1281.4 Initial consultation with NARA.

The Foundation is encouraged to consult with NARA's Office of Presidential Libraries early in the planning of a new Presidential library or of a physical or material change or addition to a new or existing library. NARA will furnish the Foundation a copy of the NARA document "Architectural and Design Standards for Presidential Libraries." Others may request a single copy by writing the Office of Presidential Libraries (NL), Room 2200, 8601 Adelphi Road, College Park, Maryland 20740–6001.

§ 1281.6 NARA review during design phase.

During the design phase of a Presidential library, the Foundation must schedule review points that will allow for NARA review of design and construction documents. In conducting reviews under this section, NARA will use the guidelines set forth in the NARA document "Architectural and Design Standards in Presidential Libraries." The review points include:

(a) **Conceptual development.** One NARA review must occur at completion of the development of functional relationships and block diagramming and another NARA review must occur at completion of the development of a building floor plan, interior plans, building sections, elevations, site plan, roofing systems, and other major features. NARA will review site plans for security vulnerability, access for the disabled, geographic features and vulnerabilities such as flood plains or earthquake fault zones, and appropriate parking spaces, including visitor, bus, and van parking. NARA also will review the architect's preliminary estimate of the facility size and will provide the Foundation information for purposes of planning the endowment.

(b) **Design development.** NARA review must occur at the completion of design development drawings when the details and finishes of all major spaces and functions are determined and when building systems, mechanical equipment, and systems design have been determined. NARA will review major fire suppression systems, security systems and security control locations, vault security, environmental requirements, building and mechanical systems controls, secured exit locations

and entrances, computer and communications equipment design plans, and preliminary equipment and furniture specifications. NARA will review building systems, equipment, construction materials and furniture specifications to ensure that materials with certain environmental and off-gassing effects are not used.

(c) *Construction documents.* NARA review of final construction documents must be scheduled with sufficient time to incorporate changes and any final comments before the project is given to a contractor for the actual construction.

§ 1281.8 NARA review during construction phase.

The Foundation must provide for NARA review at the points specified in paragraphs (a) and (b) of this section during the construction of the Presidential library. In conducting reviews and inspections under this section, NARA will use the guidelines set forth in the NARA document "Architectural and Design Standards in Presidential Libraries."

(a) *Pre-final inspection walk through.* NARA must conduct a review of construction at the 75% stage of completion. The Foundation must ensure that construction deficiencies identified in this review, if any, are reviewed and corrected before final completion of the project.

(b) *Final inspection.* NARA will conduct a final inspection when the Foundation notifies NARA that the construction contractor certifies and the Construction Quality Manager (CQM) verifies that the project is substantially (99%) completed and available for occupancy except for very minor corrections typically listed on a final punch list for the project. The NARA inspection will review all completed construction in accordance with the construction documents; evaluate the CQM and architect/engineer certifications of the work as provided in § 1281.11; review the inspections and testing reports of the work in progress provided by the construction contractor and CQM; and verify that all building systems are operating and will provide for safe keeping of documents and artifacts. Upon successful completion of the inspection; and certify to Congress that the building is ready for Government acceptance and occupancy.

§ 1281.10 Certifications.

(a) The Foundation must require the design architect or engineer who prepares the construction documents to certify that their design and their plans and specifications meet the standards promulgated pursuant to 44 U.S.C.

2112(a)(2). This certification by the designer must be in the form of a written certification letter with the seal of the professional architect and engineer affixed to the certification indicating that the design has complied with these requirements.

(b) The Foundation must engage a separate and independent Construction Quality Manager (CQM). The CQM functions cannot be provided by the design architect/engineer. The qualifications and scope of duties of the CQM should be approved by NARA prior to selection. Before NARA will accept the completed library project, the CQM must provide a certification that the project was built in accordance with the design and specification requirements. At the end of the project, the CQM also must provide a certification that all tests and inspections of all systems have been completed and must gather all documents and information, including test results, and bind those in a CQM document that records the results of the CQM effort. A CQM must:

(1) Certify that all construction work is completed in accordance with the final construction documents;

(2) Review and certify all construction installations and materials, including any work that will become hidden or covered by later work, specific attention being given to reinforcement of foundations and secure vault walls and other systems where the quality of the final product depends on a complete installation;

(3) Review all tests on completed assemblies such as roofing systems, window glazing systems, sprinkler and fire protection systems, emergency lighting systems, mechanical equipment operation, and other assemblies and certify that the tests meet the requirements of the design documents;

(4) Approve all finishes to ensure that they meet the environmental quality criteria specified in the Architectural and Design Standards for Presidential Libraries;

(5) Evaluate all shop drawings and inspect work completed by subcontractors to certify that the work meets the intent of the design documents and the approved shop drawings; and

(6) Participate in punch lists and routine inspections to certify that the construction meets the design requirements and all corrections have been made before the building is accepted by the Government.

(c) NARA will use the certifications provided under this section, and the results of the reviews and inspections conducted under §§ 1281.6 and 1281.8,

to make the certification required of the Archivist under 44 U.S.C. 2112(a)(3)(G).

§ 1281.12 Equipment.

The Foundation must provide the equipment specified in this section as part of the new Presidential library. The NARA document "Architectural and Design Standards in Presidential Libraries" provides equipment guidelines, recommendations, and minimum requirements. The cost of the equipment is included in the calculations of the endowment provided by the Foundation pursuant to 44 U.S.C. 2112(g)(3). Required equipment items are:

(a) Building mechanical systems, including HVAC equipment, the automated buildings control system, and fume hoods/exhaust system;

(b) Building plumbing systems, including sump pumps;

(c) Specialized cool and cold storage systems;

(d) Fire safety systems, including the sprinkler and detection/alarm and emergency public address components;

(e) Emergency generator and any other emergency and exit lighting;

(f) High-quality security systems, including CCTV;

(g) Shelving for archival and museum storage that meets the following specifications:

(1) *Records storage shelving.* Records storage shelving must have a capacity for at least 30,000 cubic feet of general records and 7,000 cubic feet of classified records (for a one-term administration's library) or a capacity for at least 37,500 cubic feet of general records and 8,750 cubic feet of classified records (for a two-term administration). NARA strongly recommends the use of electrically-operated compact shelving as the only practical method of achieving the required storage capacity within the space limits of the endowment formula;

(2) *Museum storage equipment.* Museum storage shelving must provide for a minimum of 15,000 cubic feet of materials. Electrically-operated compact storage systems are permitted;

(3) *Audiovisual storage equipment.* The cold storage room shelving must provide capacity for 5,000 cubic feet of audiovisual materials. Electrically-operated compact shelving is permitted;

(h) Carpeting and other suitable floor coverings;

(i) Built-in furnishings such as lobby information desks;

(j) Telecommunications and computer communications main distribution frames, intermediate distribution frames (IDF's), concentrators, routers, conduit, cable raceways, distribution back-bone,

frame-to-frame cabling, and local cabling from the IDF's to the work stations (but not the actual telephone sets or computer systems and equipment);

(k) Audio-visual equipment built-in to the building including ceiling-mounted screens in the conference/training room, a retractable screen for video, a ceiling-mount video projector (XVGA) with interface wall outlet for the conference/training room, and a retractable projection screen for the auditorium (but not portable audio-visual equipment such as slide projectors, stand-alone screens, portable lecterns, portable video equipment for recording of events, or equipment used for the preservation or duplication of audio-visual materials, or used to provide reference service). If the library has a separate theater for public events, audiovisual equipment also includes sound systems installed in the theater and projection equipment mounted in the theater;

(l) Orientation theater equipment and furnishings including fixed seating to accommodate at least 100 people, a podium, a projection booth fully equipped to project recorded video (betacam, $\frac{3}{4}$ " and laser disk) and computer graphics (XVGA); a sound system, and an assisted listening system;

(m) A double sink with garbage disposal, two counter cabinets with at least 36" of counter space with under counter cabinets in the staff lunchroom;

(n) A double sink with garbage disposal and four counter cabinets with at least 72" of counter space with under counter cabinets for the catering kitchen; and

(o) Paint booth with hood and appropriate ventilation and an exhaust fan for the paint room.

§ 1281.14 Equipment not considered for purposes of the endowment.

In addition to the items specifically excluded in § 1281.12, the following types of items are not considered equipment for the purposes of the endowment:

(a) Stand-alone, modular, or systems furniture in offices, research rooms and public areas;

(b) Equipment to read microforms;

(c) Equipment, including power- and hand-tools, to design, construct, install and display museum exhibitions;

(d) Suitable wall hangings, paintings, and framed photographs for use as wall decorations; office equipment; and

(e) Other additional stand-alone equipment and furnishings necessary to carry out library programs.

§ 1281.16 Waiver of equipment requirements.

If, as part of its review and inspection process, NARA specifies the use of a particular piece or type of equipment required under § 1281.12, the Foundation may request a waiver. NARA will grant a waiver only if the changes result in the provision of equal or better equipment for the Library.

§ 1281.18 Information to be given to NARA for its report to Congress on a new Presidential library facility.

The Foundation must provide the information specified in this section to the Office of Presidential Libraries (NL), Room 2200, 8601 Adelphi Rd., College Park, MD 20740-6001, at least 6 months in advance of the anticipated date of transfer of the Library to NARA. If a State, political subdivision, university, institution of higher learning, or institute will make the land, facility, and equipment available to NARA under an agreement without transfer of the title to the United States Government, that party must provide the information specified in paragraphs (c) and (d) of this section. The information that must be provided to NARA is:

(a) A description of the land, facility, and equipment offered as a gift or to be made available without transfer of title, which must include:

(1) The legal description of the land, including plat;

(2) Site plan, floor plans, building sections and elevations, artist's representation of building and grounds;

(3) Description of building contents, including furniture, equipment, and museum installations; and

(4) Measurement of the facility in accordance with § 1281.26;

(b) Statement of the estimated total cost of the library;

(c) A statement of the terms of the proposed agreement for transfer or use of the facility, if any, which must include:

(1) Copies of the proposed instrument of gift, perpetual lease, or other legal instrument accomplishing transfer of the facility;

(2) Copies of any proposed agreements between the state, other political subdivision, the donating group, other institutions, and the United States which may affect ownership or operation of the Library facility; and

(3) A statement of and copies of any proposed agreements concerning the proposed support of Library programs by non-federal sources;

(d) A description (including estimated costs) of any additional improvements and equipment being provided by any

State government agency (provided by the State government agency);

(e) A statement on cost-saving design features of the building; and

(f) the written certification from the independent Construction Quality Manager (CQM) required by § 1281.10.

§ 1281.20 Information to be given to NARA for its report to Congress on a change or addition to a Presidential library facility.

(a) This section applies only if a physical or material change or addition to a new or existing library is funded wholly by gift.

(b) The Foundation or other party offering the gift to NARA must provide the information specified in this section to the Office of Presidential Libraries (NL), Room 2200, 8601 Adelphi Rd., College Park, MD 20740-6001, at least 270 days in advance of the anticipated date that work will begin on the physical or material change or addition to the Library. The information that must be provided to NARA is:

(1) A description of the gift, which must include as appropriate:

(i) The legal description of the land, including plat;

(ii) Site plan, floor plans, building sections and elevations, artist's representation of building and grounds as they will be affected by the gift;

(iii) Description of building contents that are part of the gift, including furniture, equipment, and museum installations; and/or

(iv) Measurement of the addition or change to the facility in accordance with § 1281.26.

(2) A statement of the estimated total cost of the proposed physical or material change or addition to the library.

(3) A statement of the purpose of the proposed change or addition.

(4) A statement of any additional improvements and/or equipment for the library associated with the change or addition.

(5) A written certification that the Library and the equipment therein will comply with NARA standards after the change or addition is made.

§ 1281.22 Other documentation to be given to NARA for a new Presidential library and changes or additions to existing libraries.

Before NARA accepts the library, or as a condition of acceptance of a gift that will wholly fund a physical or material change or addition to an existing library, the foundation must provide NARA:

(a) As-built drawings. Three hard copies (sepia and two prints) and one electronic copy (construction documentation created on an electronic drafting system) of the as-built

drawings. All hard copies of specifications and drawings must be signed and stamped by a Professional Engineer or Registered Architect.

(b) Project specifications. Two sets in hard copy and an electronic copy in word processing format of all specifications and all design calculations for the project.

(c) Operation and maintenance manuals. Four copies of the manufacturer's operation and maintenance (O&M) manuals for each major system or item of equipment. The O&M manuals should present information in sufficient detail to clearly explain O&M requirements at the system, equipment, component, and subassembly level.

(d) Computer based maintenance management system (optional). If the foundation provides an automated maintenance management system for the library to provide for asset management of all installed equipment and to provide a database of all of the operation and maintenance information contained in the operations and maintenance manuals (see paragraph (c) of this section), the foundation must provide to NARA:

(1) A valid licensed copy of the software;

(2) Computer and printer which provide full functionality and performance to operate the system effectively;

(3) Technical manuals on the operation of the system;

(4) Fully installed software, including the loading of all equipment, part inventory, and preventive maintenance requirements for all equipment;

(5) Bar coding of all major pieces of equipment with bar code data entered into the software database;

(6) Training on the use and operation of the software and hardware.

(e) Shop drawings.

(f) Keys and key cabinet.

(g) Spare parts (attic stock) supplied by the contractor.

(h) Submittals (product description sheets).

(i) All general building warranties, assigned to NARA acting for the United States Government. The following information must be provided on all of the warranties:

(1) Equipment or systems covered by the warranty;

(2) Warranty period (dates);

(3) Warranty contacts with names, addresses and telephone numbers;

(4) The name, address, and telephone number of the guarantor's representative nearest to the location where the equipment and appliances are installed; and

(5) Bonding company name and address.

(j) Extended equipment and product warranty list. A bound and indexed notebook containing written warranties for equipment/products that have extended warranties (warranty period exceeding the standard one-year warranty), and with a complete listing of such equipment/products. The equipment/product listing must state the specification section applicable to the equipment/product, duration of the warranty, start date of the warranty, ending date of the warranty, and the point of contact for fulfillment of the warranty.

(k) Final inspection report indicating all punch list items have been corrected.

(l) User training manuals.

(m) Framed instructions.

(n) User training on all systems and components.

(o) Training videos on:

(1) Operation of all major mechanical equipment, including boilers, chillers, cooling towers, and air handling equipment;

(2) Operation of all access control systems, including programming the card readers, operating the computer based security database, and use of closed circuit television and intrusion detection systems;

(3) Building management systems and computer based energy management systems, security systems, fire control systems and alarms, LAN and WAN telecommunications systems, and lighting control systems, including training on maintaining and replacing lighting control sensors.

(p) Personnel training requirements.

(q) Final completion photos.

(r) Operating instructions for all mechanical systems and built-in equipment, such as audiovisual and public address systems, fire detection systems, security systems, etc.

(s) Preventive maintenance requirements on all major equipment.

(t) Parts identification.

(u) Special testing equipment and any special tools required for maintenance.

(v) Occupancy permit from the local jurisdiction.

(w) Certificates of testing and a copy of all test results, which must be made by an independent accredited testing laboratory qualified to performed sampling and tests of building materials. Acceptable accreditation programs are the National Institute of Standards and Technology (NIST), National Voluntary Laboratory Accreditation Program (NVLAP), the American Association of State Highway and Transportation Officials (AASHTO) program and the American Association for Laboratory Accreditation (AALA) program.

§ 1281.24 Endowment.

(a) The donor of a new Presidential library must establish an endowment for the library in the National Archives Trust Fund before the library is transferred to NARA. The endowment requirements for new libraries are set forth in 44 U.S.C. 2112(g) (1) through (3).

(b) The Archivist must determine that the endowment requirements of 44 U.S.C. 2112(g)(4) are met before the Archivist may accept any gift for a proposed physical or material change or addition to a new Presidential library that would result in an increase in the costs of facility operations, or may implement any provision of law requiring the making of such a change or addition.

(c) Endowment funds may be used to cover facility operations expenses, but may not be used to cover archival functions expenses.

§ 1281.26 NARA standard for measuring building size.

(a) For purposes of 44 U.S.C. 2112(g) (3) and (4), and this part, NARA has adopted the Building Owners and Managers Organization (BOMA) Standard Method for Measuring Floor Areas in Office Buildings, dated June 7, 1996 (ANSI Z65.1-1996) (incorporated by reference in § 1281.2), as the standard for measuring the size of the facility, and the BOMA Usable Square Footage (except that service corridors described in paragraph (c) of this section are excluded from the measurement) as the value for calculating the endowment. NARA has determined that excluding service corridors from the BOMA Usable Square Footage serves a public purpose: to ensure that adequate-width corridors are provided between the areas cited. In its report to Congress NARA must certify the square footage of the building (or portion thereof) that will be maintained by NARA.

(b) Useable square footage is measured from inside finish to inside finish wall of the occupied areas, exclusive of building support areas and construction areas defined in paragraph(c) of this section. For exterior glass walls, the finish areas will be measured based on the "dominant portion" of the wall as defined in the BOMA standard. If, for example a window is over 50% of the wall area, then the inside face of the window is the dominant portion and will be used for measurement of usable area. Include the areas of all walls and partitions within the space that will be maintained by NARA.

(c) The "useable square footage" excludes the following spaces when they occur within the spaces maintained by NARA. These specific areas are considered part of the common building space and not assignable as part of the total usable square footage.

(1) *Circulation.* (i) Main and secondary service corridors. Service corridors provide access between the loading dock, records and museum item storage areas, research rooms, and the museum display area. In order to qualify for exemption as a "service corridor" the corridor must be enclosed on both sides by floor to ceiling walls. General purpose corridors used for staff and visitor circulation are not excluded.

(ii) Code-required corridors. In order to qualify for exemption as a "code required corridor" the corridor must be enclosed on both sides by a fire-rated wall from floor slab to structural slab above and must be a required part of a "means of egress" or "horizontal exit" as defined in Section 5-1, 2 of the Life Safety Code (NFPA 101, 1997 edition), which is hereby incorporated by reference. The standard cited in this paragraph is available from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101. It is also available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, D.C. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated by reference as they exist on the date of approval and a notice of any change in these materials will be published in the **Federal Register**.

(iii) Elevator shafts.

(iv) Stairs.

(v) Entrance weather vestibules.

(2) *Service areas.* (i) Public rest rooms (rest rooms that are only accessible to members of the staff are not excluded).

(ii) Maintenance rooms.

(iii) Locker rooms for custodial and mechanical staff.

(iv) Custodial closets (with or without sinks).

(v) Maintenance and custodial storerooms.

(vi) The driveway-level portion of the loading dock area within the exterior line of the building used solely to provide protection from the weather while loading/unloading.

(3) *Mechanical/electrical areas.* (i) Duct and service shafts.

(ii) Mechanical equipment rooms and boiler rooms.

(iii) Telecommunications closets.

(iv) Electrical closets.

Dated: August 17, 1998.

John W. Carlin,

Archivist of the United States.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[GA-37-9819b; FRL -6143-6]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Georgia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is approving a revision to the Georgia State Implementation Plan (SIP). This revision was to incorporate the Post 1996 Rate-of-progress Plan (9 percent plan) submitted by the State of Georgia through the Georgia Environmental Protection Division (EPD) on November 15, 1993, and amended on June 17, 1996, into the SIP. Supplemental information was submitted on April 14, 1988. This submittal was made to meet the reasonable further progress requirements of section 182(c)(2) of the Clean Air Act, as amended in 1990 (CAA).

In the Final Rules Section of this **Federal Register**, EPA is approving the Georgia State Plan submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates that it will not receive any significant, material, and adverse comments. A detailed rationale for the approval is set forth in the direct final rule published elsewhere in today's **Federal Register**. If no significant, material, and adverse comments are received no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. **DATES:** Comments must be received in writing by September 24, 1998.

ADDRESSES: Written comments should be addressed to Scott Martin at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested

persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the day of the visit.

Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104.

Georgia Department of Natural Resources, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.

FOR FURTHER INFORMATION CONTACT: Scott Martin at (404) 562-9036.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: August 3, 1998.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 32 and 64

[CC Docket No. 98-81; FCC 98-108]

1998 Biennial Regulatory Review—Review of Accounting and Cost Allocation Requirements; United States Telephone Association Petition for Rulemaking

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: In this Notice of Proposed Rulemaking, (NPRM), the Commission proposes as part of the biennial review to modify its accounting and cost allocation rules. The Commission proposes to raise the threshold significantly for required Class A accounting thus allowing mid-sized carriers currently required to use Class A accounts to use the more streamlined Class B accounts. In addition, the Commission proposes to establish less burdensome cost allocation manual ("CAM") procedures for the mid-sized incumbent local exchange carriers ("LECs") and to reduce the frequency with which independent audits of the cost allocations based upon the CAMs are required. Finally, the Commission propose several changes to the Uniform System of Accounts ("USOA") to reduce accounting requirements and to eliminate or consolidate accounts.

DATES: Written comments by the public on the proposed information collections