

Register, the Bureau provides a description of the "Access Control Entry/Exit System, JUSTICE/BOP-010."

This Order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, this order will not have a significant economic impact on a substantial number of small entities.

#### List of Subjects in Part 16

Administrative practices and procedure, Freedom of Information Act, Government in the Sunshine Act, and Privacy Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, it is proposed to amend 28 CFR part 16 as set forth below.

Dated: September 22, 1995.

Stephen R. Colgate,  
Assistant Attorney General for  
Administration.

1. The authority for Part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 552b(g) and 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717 and 9701.

2. It is proposed to amend 28 CFR 16.97 by redesignating paragraph (c) as paragraph (i), by revising the first sentence of newly-redesignated paragraph (i), and by adding paragraphs (c) and (d) to read as follows:

#### § 16.97 Exemption of Federal Bureau of Prisons Systems-limited access.

\* \* \* \* \*

(c) The following system of records is exempted pursuant to 5 U.S.C. 552a(j)(2) from subsections (c) (3) and (4), (d), (e)(1), (e)(2), (e)(3), (e)(5) and (8), and (g). In addition, the following system of records is exempted pursuant to 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), and (e)(1):

Bureau of Prisons Access Control Entry/Exit, (JUSTICE/BOP-010).

(d) These exemptions apply only to the extent that information in these systems is subject to exemption pursuant to 5 U.S.C. 552a (j)(2) or (k)(2). Where compliance would not appear to interfere with or adversely affect the law enforcement process, and/or where it may be appropriate to permit individuals to contest the accuracy of the information collected, e.g. public source materials, or those supplied by third parties, the applicable exemption may be waived, either partially or totally, by the Bureau. Exemptions from

the particular subsections are justified for the following reasons:

(1) From subsection (c)(3) for similar reasons as those enumerated in paragraph (3).

(2) From subsection (c)(4) to the extent that exemption from subsection (d) will make notification of corrections or notations of disputes inapplicable.

(3) From the access provisions of subsection (d) to the extent that exemption from this subsection may appear to be necessary to prevent access by record subjects to information that may jeopardize the legitimate correctional interests of safety, security, and good order of Bureau of Prisons facilities; to protect the privacy of third parties; and to protect access to relevant information received from third parties, such as other Federal State, local and foreign law enforcement agencies, Federal and State probation and judicial offices, the disclosure of which may permit a record subject to evade apprehension, prosecution, etc.; and/or to otherwise protect investigatory or law enforcement information, whether received from other third parties, or whether developed internally by the Bureau.

(4) From the amendment provisions of subsection (d) because amendment of the records would interfere with law enforcement operations and impose an impossible administrative burden. In addition to efforts to ensure accuracy so as to withstand possible judicial scrutiny, it would require that law enforcement and investigatory information be continuously reexamined, even where the information may have been collected from the record subject. Also, where records are provided by other Federal criminal justice agencies or other State, local and foreign jurisdictions, it may be administratively impossible to ensure compliance with this provision.

(5) From subsection (e)(1) to the extent that the Bureau may collect information that may be relevant to the law enforcement operations of other agencies. In the interests of overall, effective law enforcement, such information should be retained and made available to those agencies with relevant responsibilities.

(6) From subsection (e)(2) because primary collection of information directly from the record subject is often highly impractical, inappropriate and could result in inaccurate information.

(7) From subsection (e)(3) because compliance with this subsection may impede the collection of information that may be valuable to law enforcement interests.

(8) From subsection (e)(5) because in the collection and maintenance of information for law enforcement purposes, it is impossible to determine in advance what information is accurate, relevant, timely and complete. Data which may seem unrelated, irrelevant or incomplete when collected may take on added meaning or significance as an investigation progresses or with the passage of time, and could be relevant to future law enforcement decisions.

(9) From subsection (e)(8) because the nature of Bureau of Prisons law enforcement activities renders notice of compliance with compulsory legal process impractical and could seriously jeopardize institution security and personal safety and/or impede overall law enforcement efforts.

(10) From subsection (g) to the extent that the system is exempted from subsection (d).

\* \* \* \* \*

(i) Consistent with the legislative purpose of the Privacy Act of 1974 (Pub. L. 93-579) the Bureau of Prisons has initiated a procedure whereby federal inmates in custody may gain access and review their individual prison files maintained at the institution of incarceration. \* \* \*

[FR Doc. 95-24613 Filed 10-3-95; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 206

RIN 1010-AB94 and 1010-AC00

#### Revision of Valuation Regulations Governing Oil and Gas Transportation and Processing Allowances, and Coal Washing and Transportation Allowances

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Proposed rule; notice of extension of public comment period.

**SUMMARY:** The Minerals Management Service (MMS) gives notice that it is extending the public comment period on two Proposed Rulemakings, which were published in the Federal Register on August 7, 1995, (60 FR 40127, 40120). The proposed rules would revise the valuation regulations governing oil and gas transportation and processing allowances, and revise the valuation regulations governing coal washing and transportation allowances. MMS will extend the comment period

for both rules from October 6 to October 20, 1995.

**DATES:** Comments must be received by 4 p.m. mountain time on October 20, 1995.

**ADDRESSES:** Written comments should be sent to the Minerals Management Service, Building 85, Denver Federal Center, P.O. Box 25165, Mail Stop 3101, Denver, Colorado, 80225-0165, Attention: David S. Guzy.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Procedures Staff, telephone (303) 231-3432, fax (303) 231-3194.

Dated: September 28, 1995.

James W. Shaw,

*Associate Director for Royalty Management.*

[FR Doc. 95-24671 Filed 10-3-95; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[NC-76-1-7141b; FRL-5291-4]

#### Approval and Promulgation of Implementation Plans North Carolina: Approval of Revisions to the State Implementation Plan

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

**ACTION:** Proposed rule.

**SUMMARY:** On March 23, 1995, the State of North Carolina, through the North Carolina Department of Environment, Health and Natural Resources, submitted revisions to the North Carolina State Implementation Plan (SIP). These revisions are the adoption of amendments to rules 15A NCAC 2D .0501 Compliance With Emission Control Standards, .0516 Sulfur Dioxide Emissions From Combustion Sources, and .0530 Prevention Of Significant Deterioration. These revisions were the subject of public hearings held on March 28 and 30, 1994. In the final rules section of this Federal Register, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the EPA views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, 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. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by November 3, 1995.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Scott M. Martin at the EPA Regional Office listed.

Copies of the documents relative to this action 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 visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 443, 401 M Street, SW., Washington DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE., Atlanta, Georgia 30365.

North Carolina Department of Environment, Health, and Natural Resources, Division of Environmental Management, Raleigh, North Carolina 27626-0535.

**FOR FURTHER INFORMATION CONTACT:** Mr. Scott M. Martin, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides, and Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, Atlanta, Georgia 30365. The telephone number is 404/347-3555, extension 4216.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: August 11, 1995.

Patrick M. Tobin,

*Acting Regional Administrator,*

[FR Doc. 95-23820 Filed 10-3-95; 8:45 am]

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### 48 CFR Parts 1510, 1532, 1552 and 1553

[FRL-5310-7]

#### Acquisition Regulation; Monthly Progress Reports and Submission of Invoices

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to amend the

EPA Acquisition Regulation (EPAAR) to revise contract clauses for monthly progress reports, submission of invoices, and other related information.

**DATES:** Comments should be submitted by December 4, 1995.

**ADDRESSES:** Environmental Protection Agency, Office of Acquisition Management (3802F), 401 M Street SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Larry Wyborski, Telephone: (202) 260-6482.

#### SUPPLEMENTARY INFORMATION:

##### I. Background Information

As a result of an internal assessment of EPA's invoice review process for contracts, the Agency is proposing changes to certain EPAAR clauses and related information. This includes requesting more detailed cost information from contractors in a number of areas, including charges by subcontractors. These changes will enhance EPA's ability to determine whether contract costs are allowable for payment purposes.

##### II. Executive Order 12866

This is not a significant regulatory action under Executive Order 12866; therefore, no review is required at the Office of Information and Regulatory Affairs within OMB.

##### III. Paperwork Reduction Act

The Office of Management and Budget (OMB) has approved the information collection and recordkeeping requirements contained in this proposed rule under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. An OMB control number 2030-0005 has been assigned.

This rule is not estimated to change the annual burden of information collection and recordkeeping requirements, which is estimated to be 43 hours per response.

##### IV. Regulatory Flexibility Act

This rule is not expected to have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. Under invoicing procedures, contractors submit payment requests to the Government based on known costs incurred. Compliance with this requirement will involve minimal cost or effort for any entity, large or small.

##### V. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) P.L. 104-4, establishes requirements for Federal