

We do not need to decide at this time exactly how many rounds of comment there will be. One of the advantages of RuleNet's interactive approach is that the participants can offer their views as to procedures as well as substance. Accordingly, the agency plans to take a flexible approach, shaping its procedures as needed to meet the goals of the process.

#### Terms of Participation

The electronic network will be available both to those who want to participate directly in RuleNet and to those who want only to observe the process. Participants must identify themselves (just as participants in a written comment process identify themselves). The NRC fully expects that all participants will recognize that certain norms of civility will be observed. (In the event that a participant's conduct was such as to warrant his or her severance from the electronic dialogue, the option of submitting paper comments would remain, but it seems unlikely that this issue would ever arise.)

#### Conclusion

The RuleNet project is one of a number of high performance computing initiatives advanced by the NRC. It has no costs over and above those already budgeted for these initiatives generally. Before the type of electronic exchange being demonstrated in the RuleNet project became a part of the agency's usual process for the development of rules, it would have to be shown to be cost-effective.

It is worth emphasizing that in proceeding in this new direction, using procedures that have not previously been tried by this or any other federal agency, the NRC is focusing on *potential* benefits. Whether those benefits will in fact be realized depends in large part on the willingness of the affected public—which includes governmental units, industry, organizations, and individuals—to take part in the process and attempt to make it work. RuleNet can help establish whether computer communications technology can make a significant contribution to the interaction of citizens and a government agency regulating in a technical field.

Dated at Rockville, Maryland, this 8th day of November, 1995.

For the Nuclear Regulatory Commission,  
John C. Hoyle,  
Secretary of the Commission.  
[FR Doc. 95-28152 Filed 11-14-95; 8:45 am]

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## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Part 2607

RIN 1212-63

#### Disclosure and Amendment of Records Under the Privacy Act

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Proposed rule.

**SUMMARY:** The Pension Benefit Guaranty Corporation is proposing to amend its regulations implementing the Privacy Act of 1974, as amended, to describe more accurately the exemption applicable to certain records maintained by the PBGC in view of changes to PBGC's Privacy Act systems of records. The PBGC also is proposing an amendment to increase its standard copying fee in view of increased costs.

**DATES:** Comments must be received on or before December 15, 1995.

**ADDRESSES:** Comments may be mailed to the Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or hand-delivered to Suite 340 at the above address between 9:00 a.m. and 5:00 p.m., Monday through Friday. Comments will be available for inspection at the PBGC's Communications and Public Affairs Department, Suite 240, at the above address between 9:00 a.m. and 4:00 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** D. Bruce Campbell, Attorney, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4123 (202-326-4179 for TTY and TDD). (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** The PBGC's rules implementing the Privacy Act of 1974, as amended ("Privacy Act") (5 U.S.C. 552a) (1) establish procedures whereby an individual can determine whether the PBGC maintains any system of records that contains a record pertaining to him or her, access that record, and seek to amend that record (29 CFR §§ 2607.3-2607.8), (2) establish fees for making copies of records (29 CFR § 2607.9), and (3) exempt a system of records from certain Privacy Act provisions (29 CFR § 2607.10).

The PBGC is proposing to amend § 2607.9(a) by increasing, from \$0.10 to \$0.15 per page, the fee it charges for record copies furnished to individuals. The PBGC will maintain the current exception for record copies of fewer than 10 pages by increasing from \$1.00 to \$1.50 the threshold amount under

which the agency does not assess a fee. The proposed fee, which is the same as the PBGC's standard fee for copies furnished under the Freedom of Information Act (see 29 CFR 2603.52(b)(2)), will reflect current costs more accurately. The current fee was established in 1975.

The PBGC is dividing an existing Privacy Act system of records into two systems of records, PBGC-5 (retitled Personnel Files—PBGC) and PBGC-12 (Personnel Security Investigation Records—PBGC). (The PBGC's notice of changes to its system of records, including proposed new and revised routine uses of records, appears elsewhere in today's Federal Register.) The PBGC proposes to amend § 2607.10 to exempt PBGC-12 from certain provisions of the Privacy Act because the records to which the exemption pertains will be maintained in PBGC-12 instead of PBGC-5.

E.O. 12866 and the Regulatory Flexibility Act

The PBGC has determined that this action is not a "significant regulatory action" under the criteria set forth in Executive Order 12866.

Based on fees assessed in the past, the PBGC estimates that the copying fee increase under the proposed rule will raise the total amount of fees assessed annually by less than \$1,000. In view of the small increase in anticipated costs, the PBGC certifies that the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), does not apply because the proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 29 CFR Part 2607  
Privacy.

For the reasons set forth above, the PBGC is proposing to amend 29 CFR Part 2607 as follows:

#### PART 2607—DISCLOSURE AND AMENDMENT OF RECORDS UNDER THE PRIVACY ACT

1. The authority citation for Part 2607 continues to read as follows:

Authority: 5 U.S.C. 552a.

##### § 2607.1 [Amended]

2. Paragraph (a) of § 2607.1 is amended by removing "which" and adding, in its place, "that" and by adding "or her" after "his" in the first sentence.

##### § 2607.2 [Amended]

3. In § 2607.2, the definition of *record* is amended by adding "or her" after "his" both times it appears.

**§§ 2607.3–2607.9 [Amended]**

4. Sections 2607.3(a) and (c), 2607.4(a) and (c), 2607.5(a), 2607.6(c), 2607.7(b) and (c), and 2607.8(b) and (c) and the introductory text of § 2607.9 are amended by adding “or her” after “his” and after “him” each time either “his” or “him” appears.

5. The second sentence of § 2607.3(b), the second sentence of § 2607.4(b), and the third sentence of § 2607.6(b) are amended by removing “he” and adding, in its place, “the disclosure officer”.

6. Paragraph (d) of § 2607.4 is amended by adding “or she” after “he”.

7. Paragraph (b) of § 2607.5 is amended by removing “his choosing” and adding, in its place, “his or her choosing”; by removing “he shall” and adding, in its place, “the requestor shall”; by removing “he wishes” and adding, in its place, “he or she wishes”; by removing “accompany him” and adding, in its place “accompany him or her”; by removing “his record” and adding, in its place, “the record”; and by removing “to him” and adding, in its place, “to him or her”.

8. Paragraph (d) of § 2607.8 is amended by removing “If an individual requests” and adding, in its place, “To request”; by removing “review, he” and adding, in its place, “review, an individual”; and by removing “Counsel and he” and adding, in its place, “Counsel, who”.

9. Paragraph (a) of § 2607.9 is amended by removing “\$0.10” and adding, in its place, “\$0.15” in the first sentence and by removing “\$1.00” and adding, in its place, “\$1.50” in the second sentence.

10. In § 2607.10, the first paragraph is amended by adding “Security Investigation” after “Personnel” and by removing “that the identity of the source would be held in confidence” both times it appears and adding, in its place, “of confidentiality”; and the second paragraph is amended by removing “for employment” and adding, in its place, “and fitness for PBGC employment, access to information, and security clearances” and by adding “the” before “PBGC”.

Issued in Washington, DC this 8th day of November, 1995.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 95–28210 Filed 11–14–95; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 60**

[AD–FRL–5326–9]

**Standards of Performance for New Stationary Sources; Small Industrial-Commercial-Institutional Steam Generating Units**

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

**ACTION:** Proposed rule.

**SUMMARY:** Today’s proposal would revise the applicability of the sulfur dioxide (SO<sub>2</sub>) and particulate matter (PM) emission control requirements of the standards of performance for new, modified, and reconstructed small industrial-commercial-institutional steam generating units (40 CFR part 60, subpart Dc; September 12, 1990, 55 FR 37683) by excluding certain small steam generating units—when conducting combustion research—from the category of small steam generating units that are regulated as new sources (see Clean Air Act section 111(b)(2)). Small steam generating units are units with a maximum design heat input capacity of 29 megawatts (MW) (100 million Btu per hour (Btu/hr)), or less, but greater than or equal to 2.9 MW (10 million Btu/hr). The proposed revisions would encourage the development of air pollution control technology that will ultimately result in reduced air emissions from all steam generating units.

**DATES:** Comments. Comments must be received on or before January 2, 1996.

**Public Hearing.** If anyone requests to speak at a public hearing by December 15, 1995, a public hearing will be held on December 22, 1995, beginning at 10:00 a.m. Persons interested in attending the hearing should call Ms. Donna Collins at (919) 541–5578 to verify that a hearing will be held. Assistance will be available for persons with hearing impairments.

**Request to Speak at Hearing.** Persons wishing to present oral testimony must request to speak at the public hearing by December 15, 1995.

**ADDRESSES:** Comments should be submitted in duplicate to: U.S. Environmental Protection Agency, The Air and Radiation Docket & Information Center, 401 M Street, S.W., Room 1500, Mail Code 6102, Washington, DC 20460. Attention Docket Number A–86–02.

**Public Hearing.** If anyone requests a public hearing, it will be held at the EPA’s Office of Administration

Auditorium, Research Triangle Park, North Carolina. Persons interested in attending the hearing or wishing to present oral testimony, should notify Ms. Donna Collins, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541–5578.

Docket. Docket Number A–86–02, containing information used in developing the original standards, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at the EPA Air and Radiation Docket and Information Center, Room 1500, First Floor, Waterside Mall, 401 M Street, S.W., Washington, DC 20460. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Copland (919) 541–5265 or Mr. Fred Porter (919) 541–5251, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

**SUPPLEMENTARY INFORMATION:** The revisions to the applicability of the SO<sub>2</sub> and PM emission control requirements of 40 CFR Part 60, Subpart Dc are being proposed pursuant to a settlement agreement that would resolve litigation in the case of *Babcock and Wilcox Company v. U.S. EPA*, No. 90–1509 (D.C.Cir.). Notice of the proposed settlement was published in the Federal Register on April 4, 1994 (59 FR 15728) in accordance with section 113(g) of the Clean Air Act. There was only one comment and it supported the proposed settlement.

Final adoption of today’s proposal, which solicits comments on the appropriateness of the proposed revisions to the applicability of the SO<sub>2</sub> and PM emission control requirements of 40 CFR Part 60, Subpart Dc, is contingent upon EPA’s review of any comments submitted in response to this notice. As discussed below, today’s proposal is intended to revise the applicability requirements primarily for a small steam generating unit operated by the Babcock and Wilcox Company. This steam generating unit is occasionally used for combustion research to evaluate the performance of and to develop unproven combustion technologies. The applicability requirements would be revised, however, to apply to any small steam generating unit used for research purposes which operates in a manner similar to the unit operated by the Babcock and Wilcox Company. There may be other small steam generating