

Dated: January 13, 2006.

**David P. Tenny,**

*Deputy Under Secretary, Natural Resources and Environment.*

[FR Doc. 06-548 Filed 1-20-06; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[R04-OAR-2005-TN-0006-200519(c); FRL-8023-5]

#### Approval and Promulgation of Implementation Plans; Tennessee; Nashville Area Second 10-Year Maintenance Plan for the 1-Hour Ozone National Ambient Air Quality Standard; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** On November 1, 2005, at 70 FR 65838, EPA published a document concerning the Nashville, Tennessee area's second 10-year maintenance plan for the 1-hour ozone national ambient air quality standard. The new 2016 motor vehicle emissions budgets (MVEBs) were incorrectly stated in one location in the publication. This document corrects this incorrect reference.

**DATES:** *Effective Date:* This correction is effective January 23, 2006.

**FOR FURTHER INFORMATION CONTACT:** Lynorae Benjamin of the Air Quality Modeling and Transportation Section or Sean Lakeman of the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Ms. Benjamin can be reached by phone at (404) 562-9040 or via electronic mail at [benjamin.lynorae@epa.gov](mailto:benjamin.lynorae@epa.gov). Mr. Lakeman can be reached by phone at (404) 562-9043 or via electronic mail at [lakeman.sean@epa.gov](mailto:lakeman.sean@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA is making a correction to the document published on November 1, 2005 (70 FR 65838), approving a revision to the second 10-year maintenance plan for the Nashville 1-Hour Ozone Maintenance Area. This action included approval of the new 2016 MVEBs (70 FR 65840), but subsequently reference them incorrectly in another portion of the document. Specifically, at 70 FR 65841, the new 2016 MVEBs were erroneously stated as the 2016 on-road emissions (*i.e.*, 19.18

tons per day (tpd) for volatile organic compounds (VOC) and 36.01 tpd for nitrogen oxides (NO<sub>x</sub>) for this area. On page 65841, under the heading "IV. What Is an Adequacy Determination and What Is EPA's Adequacy Determination for the Nashville Area's New MVEB for the Year 2016?," in the second column at the end of the last sentence, EPA is correcting the reference to the 2016 MVEBs to read as follows: "VOC of 21.93 tpd and for NO<sub>x</sub> 45.76 tpd for the Nashville area."

Dated: January 11, 2006.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 06-582 Filed 1-20-06; 8:45 am]

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## DEPARTMENT OF DEFENSE

### 48 CFR Parts 213 and 253

[DFARS Case 2003-D075]

#### Defense Acquisition Regulations System; Defense Federal Acquisition Regulation Supplement; Simplified Acquisition Procedures

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to update text addressing the use of simplified acquisition procedures. This rule is a result of a transformation initiative undertaken by DoD to dramatically change the purpose and content of the DFARS.

**DATES:** Effective January 23, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Robin Schulze, Defense Acquisition Regulations System, OUSD (AT&L) DPAP (DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0326; facsimile (703) 602-0350. Please cite DFARS Case 2003-D075.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

DFARS Transformation is a major DoD initiative to dramatically change the purpose and content of the DFARS. The objective is to improve the efficiency and effectiveness of the acquisition process, while allowing the acquisition workforce the flexibility to innovate. The transformed DFARS will contain only requirements of law, DoD-wide policies, delegations of FAR authorities, deviations from FAR requirements, and policies/procedures

that have a significant effect beyond the internal operating procedures of DoD or a significant cost or administrative impact on contractors or offerors. Additional information on the DFARS Transformation initiative is available at <http://www.acq.osd.mil/dpap/dars/dfars/transformation/index.htm>.

This final rule is a result of the DFARS Transformation initiative. The rule—

- Updates and consolidates text on the use of imprest funds and third-party drafts at DFARS 213.305;

- Deletes unnecessary cross-references at DFARS 213.7001 and 213.7003-2; and

- Deletes guidance on the use of unilateral contract modifications at DFARS 213.302-3, and deletes procedures for use of forms at DFARS 213.307, 253.213, and 253.213-70. This text has been relocated to the new DFARS companion resource, Procedures, Guidance, and Information (PGI), available at <http://www.acq.osd.mil/dpap/dars/pgi>.

DoD published a proposed rule at 70 FR 19042 on April 12, 2005. DoD received no comments on the proposed rule. Therefore, DoD has adopted the proposed rule as a final rule without change. In addition, statutory references have been updated at DFARS 213.305-3(d)(iii)(A) and 213.306(a)(1)(B).

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

##### B. Regulatory Flexibility Act

DoD certifies that this final rule will not 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 the rule updates and streamlines DFARS text, but makes no significant change to DoD contracting policy.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, et seq.

##### List of Subjects in 48 CFR Parts 213 and 253

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

■ Therefore, 48 CFR parts 213 and 253 are amended as follows:

■ 1. The authority citation for 48 CFR parts 213 and 253 continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR Chapter 1.

### **PART 213—SIMPLIFIED ACQUISITION PROCEDURES**

■ 2. Section 213.302–3 is amended by revising paragraph (2) to read as follows:

#### **213.302–3 Obtaining contractor acceptance and modifying purchase orders.**

\* \* \* \* \*

(2) See PGI 213.302–3 for guidance on the use of unilateral modifications.

\* \* \* \* \*

#### **213.305–1 [Removed]**

■ 3. Section 213.305–1 is removed.

■ 4. Section 213.305–3 is revised to read as follows:

#### **213.305–3 Conditions for use.**

(d)(i) On a very limited basis, installation commanders and commanders of other activities with contracting authority may be granted authority to establish imprest funds and third party draft (accommodation check) accounts. Use of imprest funds and third party drafts must comply with—

(A) DoD 7000.14–R, DoD Financial Management Regulation, Volume 5, Disbursing Policy and Procedures; and

(B) The Treasury Financial Manual, Volume I, Part 4, Chapter 3000.

(ii) Use of imprest funds requires approval by the Director for Financial Commerce, Office of the Deputy Chief Financial Officer, Office of the Under Secretary of Defense (Comptroller), except as provided in paragraph (d)(iii) of this subsection.

(iii) Imprest funds are authorized for use without further approval for—

(A) Overseas transactions at or below the micro-purchase threshold in support of a contingency operation as defined in 10 U.S.C. 101(a)(13) or a humanitarian or peacekeeping operation as defined in 10 U.S.C. 2302(8); and

(B) Classified transactions.

#### **213.306 [Amended]**

■ 5. Section 213.306 is amended in paragraph (a)(1)(B) by removing “10 U.S.C. 2302(7)” and adding in its place “10 U.S.C. 2302(8)”.

■ 6. Section 213.307 is revised to read as follows:

#### **213.307 Forms.**

See PGI 213.307 for procedures on use of forms for purchases made using simplified acquisition procedures.

#### **213.7001 [Removed]**

■ 7. Section 213.7001 is removed.

#### **213.7002 and 213.7003 [Redesignated]**

■ 8. Sections 213.7002 and 213.7003 are redesignated as sections 213.7001 and 213.7002, respectively.

■ 9. Newly designated section 213.7002 is revised to read as follows:

#### **213.7002 Purchase orders.**

The contracting officer need not obtain a contractor’s written acceptance of a purchase order or modification of a purchase order for an acquisition under the 8(a) Program pursuant to 219.804–2(2).

#### **213.7003–1 and 213.7003–2 [Removed]**

■ 10. Sections 213.7003–1 and 213.7003–2 are removed.

### **PART 253—FORMS**

■ 11. Section 253.213 is revised to read as follows:

#### **253.213 Simplified acquisition procedures (SF’s 18, 30, 44, 1165, 1449, and OF’s 336, 347, and 348).**

(f) DoD uses the DD Form 1155, Order for Supplies or Services, instead of OF 347; and OF 336, Continuation Sheet, instead of OF 348. Follow the procedures at PGI 253.213(f) for use of forms.

■ 12. Section 253.213–70 is revised to read as follows:

#### **253.213–70 Completion of DD Form 1155, Order for Supplies or Services.**

Follow the procedures at PGI 253.213–70 for completion of DD Form 1155.

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## **DEPARTMENT OF DEFENSE**

### **48 CFR Part 215**

[DFARS Case 2003–D077]

#### **Defense Acquisition Regulations System; Defense Federal Acquisition Regulation Supplement; Contracting by Negotiation**

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to update text pertaining to contracting by negotiation. This rule is a result of a transformation initiative undertaken by DoD to dramatically change the purpose and content of the DFARS.

**EFFECTIVE DATE:** January 23, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Robin Schulze, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301–3062. Telephone (703) 602–0326; facsimile (703) 602–0350. Please cite DFARS Case 2003–D077.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Background**

DFARS Transformation is a major DoD initiative to dramatically change the purpose and content of the DFARS. The objective is to improve the efficiency and effectiveness of the acquisition process, while allowing the acquisition workforce the flexibility to innovate. The transformed DFARS will contain only requirements of law, DoD-wide policies, delegations of FAR authorities, deviations from FAR requirements, and policies/procedures that have a significant effect beyond the internal operating procedures of DoD or a significant cost or administrative impact on contractors or offerors. Additional information on the DFARS Transformation initiative is available at <http://www.acq.osd.mil/dpap/dars/dfars/transformation/index.htm>.

This final rule is a result of the DFARS Transformation initiative. The rule—

- Deletes unnecessary text at DFARS 215.000, 215.204–1, 215.304(c)(ii), and 215.305(b).

- Deletes text at DFARS 215.303 and 215.304 containing procedures for preparation of source selection plans and examples of source selection evaluation factors. This text has been relocated to the new DFARS companion resource, Procedures, Guidance, and Information (PGI), available at <http://www.acq.osd.mil/dpap/dars/pgi>.

- Updates references to the clauses at FAR 52.219–8 and 52.219–9, to reflect the current clause titles.

DoD published a proposed rule at 70 FR 14624 on March 23, 2005. DoD received no comments on the proposed rule. Therefore, DoD has adopted the proposed rule as a final rule. The final rule contains a paragraph 215.304(c)(ii) that was not included in the proposed rule, as this paragraph was added to the DFARS (as 215.304(c)(iii)) in the interim rule published at 70 FR 29643 on May 24, 2005.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

##### **B. Regulatory Flexibility Act**

DoD certifies that this final rule will not have a significant economic impact