TABLE 2—VOC CONTENT LIMITS FOR CLEANING SOLVENTS FOR MOTOR VEHICLE AND MOBILE EQUIPMENT REFINISHING AND RECOATING VOC CONTENT LIMIT FOR CLEANING SOLVENTS

<table>
<thead>
<tr>
<th>Solvent category</th>
<th>Maximum VOC content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleaning solvent (other than bug and tar removers)</td>
<td>0.21 lbs/gal .. 25 g/L.</td>
</tr>
<tr>
<td>Bug and tar removers**</td>
<td>40% VOC by weight.</td>
</tr>
</tbody>
</table>

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, pertaining to Maryland’s COMAR 26.11.19.23 “Control of Volatile Organic Compounds Emissions from Vehicle Refinishing,” does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 et seq.

Dated: June 27, 2012.

W.C. Early,
Acting Regional Administrator, Region III.

[FR Doc. 2012–16809 Filed 7–9–12; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 15

[FAR Case 2012–018; Docket 2012–0018, Sequence 1]

RIN 9000–AM27

Federal Acquisition Regulation; Price Analysis Techniques

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to clarify the use of a price analysis technique in order to establish a fair and reasonable price.

DATES: Interested parties should submit written comments to the Regulatory...
Secretariat at one of the addresses
shown below on or before September
10, 2012 to be considered in the
formation of the final rule.

**ADDRESSES:** Submit comments in
response to FAR case 2012–018 by any of the
following methods:
- Regulations.gov: http://
www.regulations.gov. Submit comments
via the Federal eRulemaking portal by
searching for “FAR Case 2012–018”.
- Email: FAR Case 2012–018@
mailing.list.ekm.com
- Mail: General Services
Administration, Regulatory Secretariat
(MVCB), ATTN: Hada Flowers, 1275
First Street NE., 7th Floor, Washington,
DC 20417.

**For Further Information Contact:**
Mr. Edward N. Chambers, Procurement
Analyst, at 202–501–3221 for
clarification of content. For information
pertaining to status or publication
schedules, contact the Regulatory
Secretariat at 202–501–4755. Please cite
FAR Case 2012–018.

**Supplementary Information:**

**I. Background**

FAR 15.404–1(b)(2) addresses various
price analysis techniques and
procedures the Government may use to
ensure a fair and reasonable price. FAR
15.404–1(b)(2)(i) discusses the
comparison of proposed prices received
in response to a solicitation as an
example of such techniques and
procedures. In this discussion, FAR
15.404–1(b)(2)(i) references
15.403–1(c)(1), which sets forth
requirements of adequate price
competition. However, only 15.403–
1(c)(1) actually addresses the situation
when two or more responsible offerors,
competing independently, submit
priced offers that satisfy the
Government’s expressed requirement.
Therefore, the reference in 15.404–
1(b)(2)(i) is more appropriately
identified as 15.403–1(c)(1)(i).

**II. Executive Orders 12866 and 13563**

Executive Orders 12866 and 13563
(E.O.s) direct agencies to assess all costs
and benefits of available regulatory
alternatives and, if regulation is
necessary, to select regulatory
approaches that maximize net benefits
(including potential economic,
environmental, public health and safety
effects, distributive impacts, and
equity). E.O. 13563 emphasizes the
importance of quantifying both costs
and benefits, of reducing costs, of
harmonizing rules, and of promoting
flexibility. This is not a significant
regulatory action and, therefore, was not
subject to review under Section 6(b)
of E.O. 12866, Regulatory Planning and
Review, dated September 30, 1993. This
rule is not a major rule under 5 U.S.C.
804.

**III. Regulatory Flexibility Act**

DoD, GSA, and NASA do not expect
this proposed rule to 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 this
rule merely clarifies the reference at
FAR 15.404–1(b)(2)(i) for the use of the
price analysis technique at 15.403–
1(c)(1)(i) in order to establish a fair and
reasonable price. However, an initial
regulatory flexibility analysis (IRFA)
has been prepared consistent with 5 U.S.C.
603, and is summarized as follows:

This rule amends the FAR at 15.404–
1(b)(2)(i) to clarify the use of the price
analysis technique at 15.403–1(c)(1)(i) in
order to establish a fair and reasonable
price. FAR 15.404–1(b)(2)(i) addresses various price
analysis techniques and procedures
the Government may use to ensure a fair and
reasonable price. FAR 15.404–1(b)(2)(i)
discusses the comparison of proposed prices
received in response to a solicitation as an
example of such techniques and procedures.
In this discussion, FAR 15.404–1(b)(2)(i)
references 15.403–1(c)(1), which sets forth
the requirements of adequate price
competition. However, only 15.403–
1(c)(1) actually addresses the situation
when two or more responsible offerors,
competing independently, submit priced
offers that satisfy the Government’s
expressed requirement. Therefore, the
reference in 15.404–1(b)(2)(i) is more
appropriately identified as 15.403–1(c)(1)(i).

**IV. Paperwork Reduction Act**

The proposed rule does not contain
any information collection requirements
that require the approval of the Office of
Management and Budget under the
Paperwork Reduction Act (44 U.S.C.
chapter 35).

**List of Subjects in 48 CFR Part 15**

- Government procurement.
- DoD, GSA, and NASA

**Draft**

**PART 15—CONTRACTING BY
NEGOTIATION**

1. The authority citation for 48 CFR part 15 continues to read as follows:

- Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Amend section 15.404–1 by
removing from paragraph (b)(2)(i)
“15.403–1(c)(1)” and adding “15.403–
1(c)(1)(i)” in its place.

**Summary:** This proposed action sets
forth identification and certification

**Proposed rule:** request for
comments.

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric
Administration**

50 CFR Part 300

[Doctored No. 110321208–1203–01]

RIN 0648–BA89

**High Seas Driftnet Fishing Moratorium
Protection Act; Identification and
Certification Procedures To Address
Shark Conservation**

**Agency:** National Marine Fisheries
Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA),
Commerce.

**Action:** Proposed rule; request for
comments.

**Summary:** This proposed action sets
forth identification and certification