

e. Section 522.602 is added to read as follows:

522.602 Statutory requirements.

Public Law 99-145 amended the Walsh-Healy Public Contracts Act to eliminate the requirement that contractors pay employees time and one-half their basic rate of pay for hours worked in excess of 8 hours per day on or after January 1, 1986.

f. Section 552.222-71 is amended to revise paragraphs (a) and (b) of the clause to read as follows:

552.222-71 Contract Work Hours and Safety Standards Act—Overtime Compensation (40 U.S.C. 327-333)

Contract Work Hours and Safety Standards Act—Overtime Compensation (40 U.S.C. 327-333) (Jan. 1986)

(a) *Overtime requirements.* No Contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(b) *Violation; liability for unpaid wages; liquidated damages.* In the event of any violation of the provisions set forth in paragraph (a) of this clause, the Contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such Contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the provisions set forth in paragraph (a) of this clause, in the sum of \$10 for each calendar day for which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the provisions set forth in paragraph (a) of this clause.

g. Section 553.270-3 is amended to revise paragraphs (b), (c), and (e) to read as follows:

553.270-3 Contract clauses.

(a) * * *

(b) GSA Form 3504, Service Contract Clauses, is for use in connection with sealed bid and negotiated contracts for services, except small purchases. Pending a revision of the form, contracting officers shall modify paragraph 13 of the form to conform to

the class deviation to FAR clause 52.222-4 (see 52.305(a)).

(c) GSA Form 3505, Labor Standards (Construction Contract), if for use in connection with sealed bid and negotiated contracts subject to the Davis-Bacon and related acts. Because the clauses contained in this form must be included in solicitations/contracts in full text, the form may not be incorporated by reference. Pending revision of the form, contracting offices shall modify paragraph 2 of the form to include the January 1986 version of GSA clause 552.222-71.

(d) * * *

(e) GSA Form 3507, Supply Contract Clauses, if for use in connection with sealed bid and negotiated contracts for supplies. However, because most of the clauses contained in the form are also applicable to contracts for the rental of personal property, the form may also be used in connection with rental contracts. Pending a revision of the form, contracting officers shall modify paragraph 53 of the form to conform to the class deviation to FAR clause 52.222-4 (see 52.305(a)).

(f) * * *

Richard H. Hopf, III,
Acting Associate Administrator for Acquisition Policy.
[FR Doc. 86-2348 Filed 2-3-86; 8:45 am]
BILLING CODE 6020-61-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 175

[Docket No. HM-184C; Amdt. No. 175-36]

Implementation of the ICAO Technical Instructions

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: This document amends the Hazardous Materials Regulations to permit batteries with a net weight in excess of 50 pounds, intended as items of replacement for batteries installed in an aircraft, to be transported in an inaccessible manner aboard an aircraft. This amendment is published in response to a petition for reconsideration submitted by the Air Transport Association of America (ATA) in response to amendments published on December 2, 1985, under Docket No. 184C.

EFFECTIVE DATE: February 4, 1986.

FOR FURTHER INFORMATION CONTACT: Edward A. Altemos, International

Standards Coordinator, Research and Special Programs Administration, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590, (202) 426-0656.

SUPPLEMENTARY INFORMATION: RSPA published a final rule in the Federal Register on December 2, 1985, [50 FR 49393], under Docket HM-184C. The amendments concerned the implementation of the 1986 edition of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions). One of the specific amendments in that final rule was an exception in § 175.10(a)(2)(ii) that dealt with the transport as cargo aboard an aircraft of batteries intended as items of replacement for batteries normally installed as equipment in an aircraft.

A petition for reconsideration of this amendment has been submitted by the ATA. The petition states that, although the exception provided in § 175.10(a)(2)(ii) stated that aircraft batteries are not subject to a gross weight limitation per package, the provisions of § 175.75(a) continued to impose a quantity limitation of 50 pounds net weight of hazardous materials that may be stowed in an inaccessible manner aboard an aircraft. The ATA noted that this would appear to negate the effect of the exception added to § 175.10(a)(2)(ii) and, since replacement batteries normally exceed a weight of 50 pounds, their transport aboard passenger aircraft was, in effect, prohibited. The ATA requested that § 175.10(a)(2)(ii) be amended to also except replacement aircraft batteries from the provisions of § 175.75.

The ATA petition is hereby granted. It was not the intent of the RSPA that replacement aircraft batteries should be subject to the provisions of § 175.75, and § 175.10(a)(2)(ii) is therefore being amended to clearly state that replacement aircraft batteries are excepted both from the quantity limitation of 50 pounds net weight that may be stowed in an inaccessible manner aboard an aircraft and from any limitations on the individual weight of the battery or package.

Because this amendment constitutes a grant of relief to a petition for reconsideration of a final rule, I find that notice and comment are unnecessary under 5 U.S.C. 553(a)(2) and (b)(3)(A), and under 5 U.S.C. 553(d)(3) it may be made effective in less than 30 days.

Administrative Notices**A. Executive Order 12291**

The RSPA has determined that the effect of this final rule will not meet the criteria specified in section 1(b) of Executive Order 12291 and is, therefore, not a major rule. This is not a significant rule under DOT regulatory procedures [44 FR 11034] and requires neither a Regulatory Impact Analysis, nor an environmental impact statement under the National Environmental Policy Act [49 U.S.C. 4321 et. seq.]. A regulatory evaluation is available for review in the Docket.

B. Impact on Small Entities

Based on limited information concerning the size and nature of entities likely affected, I certify that this rule will not, as promulgated, have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 49 CFR Part 175

Hazardous materials transportation, Air carriers.

PART 175—[AMENDED]

In consideration of the foregoing, the following revision is made to Docket HM-184C:

1. The authority citation for Part 175 continues to read as follows:

Authority: 49 U.S.C. 1803, 1804, 1807, 1808, 49 CFR 1.53.

2. Paragraph (a)(2)(ii) of § 175.10 is revised to read as follows:

§ 175.10 Exceptions.

(a) * * *

(2) * * *

(ii) Aircraft batteries are not subject to quantity limitations such as those provided in § 172.101 or § 175.75(a) of this subchapter.

* * * * *

Issued in Washington D.C. on January 27, 1986, under the authority delegated in 49 CFR 1.53.

M. Cynthia Douglass,
Administrator, Research and Special
Programs Administration.

[FR Doc. 86-2117 Filed 2-3-86; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 671**

[Docket No. 60110-6010]

Tanner Crab off Alaska

AGENCY: National Marine Fisheries Service (NMFS); NOAA, Commerce.

ACTION: Emergency interim rule; correction.

SUMMARY: This document corrects the emergency interim rule delaying the scheduled opening of the 1986 *Chionoectes bairdi* Tanner crab season that was published January 22, 1986, 51 FR 2892. An incorrect date for ending the emergency rule was given.

FOR FURTHER INFORMATION CONTACT: Raymond E. Baglin (fishery Biologist, NMFS), 907-586-7230.

The following correction is made in FR Doc. 86-1288 appearing on page 2892 in the issue of January 22, 1986: On page 2892, third column under the "EFFECTIVE DATES" heading, the first sentence is corrected to read "This emergency interim rule is effective from January 16, 1986, until April 14, 1986."

Dated: January 30, 1986.

Carmen J. Blondin,
Deputy Assistant Administrator For Fisheries
Resource Management, National Marine
Fisheries Service.

[FR Doc. 86-2370 Filed 2-3-86; 8:45 am]

BILLING CODE 3510-22-M