

which the contractor intends to withhold from a subcontractor/supplier. Part 32 of the FAR and the clause at 52.232-27, Prompt Payment for Construction Contracts, further require that contractors on construction contracts:

(a) Notify subcontractors/suppliers of any amounts to be withheld and furnish a copy of the notification to the contracting officer;

(b) Pay interest to subcontractors/suppliers if payment is not made by 7 days after receipt of payment from the Government, or within 7 days after correction of previously identified deficiencies;

(c) Pay interest to the Government if amounts are withheld from subcontractors/suppliers after the Government has paid the contractor the amounts subsequently withheld, or if the Government has inadvertently paid the contractor for nonconforming performance; and

(d) Include a payment clause in each subcontract which obligates the contractor to pay the subcontractor for satisfactory performance under its subcontract not later than 7 days after such amounts are paid to the contractor, include an interest penalty clause which obligates the contractor to pay the subcontractor an interest penalty if payments are not made in a timely manner, and include a clause requiring each subcontractor to include these clauses in each of its subcontractors and to require each of its subcontractors to include similar clauses in their subcontracts.

These requirements are imposed by Public Law 100-496, the Prompt Payment Act Amendments of 1988.

Contracting officers will be notified if the contractor withholds amounts from subcontractors/suppliers after the Government has already paid the contractor the amounts withheld. The contracting officer must then charge the contractor interest on the amounts withheld from subcontractors/suppliers. Federal agencies could not comply with the requirements of the law if this information were not collected.

B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average .11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows: Respondents, 38,194; responses per respondent, 11;

total annual responses, 420,134; preparation hours per response, .11; and total response burden hours, 46,215.

C. Annual Recordkeeping Burden

The annual recordkeeping burden is estimated as follows: Recordkeepers, 34,722; hours per recordkeeper, 18; and total recordkeeping burden hours, 624,996.

Obtaining Copies of Proposals

Requester may obtain a copy of the justification from the General Services Administration, FAR Secretariat (MVRs), 1800 F Street, NW, Room 4035, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0102, Prompt Payment, in all correspondence.

Dated: April 22, 1998.

Sharon A. Kiser,

FAR Secretariat.

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DEPARTMENT OF DEFENSE

Department of the Army

Final Draft Environmental Assessment and Draft Finding of No Significant Impact for the Fielding of the "Generator, Mechanical Smoke: For Dual Purpose Unit, M56" and the "Generator Smoke Mechanical: Mechanized Smoke Obscurant System M58"

AGENCY: Department of the Army, DoD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army announces today the availability of the final draft Environmental Assessment (EA) and draft Finding of No Significant Impact (FNSI) for the Fielding of the "Generator, Mechanical Smoke: For Dual Purpose Unit, M56" and the "Generator Smoke Mechanical: Mechanized Smoke Obscurant System M58", in accordance with Pub. L. 101-510, as amended. The Army will consider public comments prior to determining whether to sign the FNSI.

The Army needs to field state-of-the-art obscurant systems to maximize operational success by denying enemy detection of friendly units and activities on the battlefield. This fielding will preserve forces and minimize casualties.

This EA has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), its implementing regulations published by the Council on Environmental Quality (CEQ) and Army

Regulation 200-2, "Environmental Effects of Army Actions" (AR 200-2).

This EA is programmatic in nature, and is designed to identify assess, and disclose to the decision-maker and the public the possible environmental impacts expected to result from the proposed fielding of the M56 and M58 at various installations throughout the United States, as well as the potential impacts associated with reasonable alternatives to the proposed action. The EA analyzes the environmental effects associated with introducing graphite particles into the environment in conjunction with fog oil. The effects of fog oil used without graphite flakes has been assessed previously.

The Army's proposed action is to field the M56 and M58 to Army installations across the Nation for use in visual and infrared training. Alternatives examined in the EA include: Limiting the use of graphite flakes; restricting units to training with fog oil with no emission of graphite flakes; consolidating training to limited locations; and prohibiting fielding of the systems within the United States (the no action alternative). The Army's preferred alternative is implementation of the proposed action.

The EA examines the potential impacts of the proposed action and alternatives on resource areas and areas of environmental concern including: human health, threatened and endangered species, air quality, water resources, vegetation, the sociological environment, and cultural resources.

The EA concludes that the implementation of the proposed action will not have a significant impact on the human environment. As a result the Army is proposing to make a FNSI and an Environmental Impact Statement will not be required prior to implementation of the proposed action.

DATES: Comments must be submitted on or before May 27, 1998.

ADDRESSES: A copy of the EA or inquiries into the draft FNSI may be obtained by writing to Commander, U.S. Army Environmental Center, ATTN: SFIM-AEC-PA (Mr. Hankus), Aberdeen Proving Ground, Maryland 21010-5401, or by calling (410) 671-2556.

Dated: April 21, 1998.

Raymond J. Fatz,

Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health) (OASA) (IL&E).

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