

ADDRESSES: Comprehensive information on this site is available for viewing at the Site information repositories at the following locations:

U.S. EPA, Region 3, Hazardous Waste Technical Information Center, 841 Chestnut Building, Philadelphia, PA 19107, (215) 566-5363.

Wissahickon Valley Public Library, Ambler Branch, 209 Race Street, Ambler, PA 19002, (610) 646-1072.

FOR FURTHER INFORMATION CONTACT:

James J. Feeney, Site Project Manager (3HW21), U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA, 19107, (215) 566-3190.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: Ambler Asbestos Site, Ambler, Pennsylvania.

A Notice of Intent to Delete for this site was published September 5, 1996 (61 FR 46755). The closing date for comments on the Notice of Intent to Delete was October 7, 1996. EPA received no comments.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.66(c)(8) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL.

Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: December 13, 1996.

W. Michael McCabe,

Regional Administrator, U.S. EPA Region 3.

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 191 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B [Amended]

2. Table 1 of Appendix B to part 300 is amended by removing the site "Ambler Asbestos Piles" in Ambler, Pennsylvania.

[FR Doc. 96-32660 Filed 12-26-96; 8:45 am]

BILLING CODE 6560-50-P

GENERAL SERVICES ADMINISTRATION

41 CFR Parts 301-4, 301-7, 301-8, 301-11, and 302-2

[FTR Amendment 54]

RIN 3090-AF98

Federal Travel Regulation; Computation of Per Diem Allowance for a Partial Day of Travel; Use of Locality-Based Per Diem Rate for Househunting Trips

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

SUMMARY: This final rule amends the Federal Travel Regulation (FTR) to modify per diem allowance computation for a partial day of travel, to eliminate the requirement for a traveler to record departure and arrival times on the travel voucher, and to allow per diem reimbursement for a househunting trip to be based on the locality per diem rate. This amendment will simplify travel reimbursement, thereby reducing agency travel costs.

DATES: *Effective dates:* The provisions of this final rule which amend part 301-4 of chapter 301 are effective June 7, 1996. The provisions of this final rule which amend parts 301-7, 301-8, and 301-11 of chapter 301, and part 302-2 of chapter 302 are effective December 27, 1996.

Applicability dates: The provisions of this final rule which amend part 301-4 of chapter 301 apply for travel performed on or after June 7, 1996. The provisions of this final rule which amend parts 301-7, 301-8, and 301-11 of chapter 301, and part 302-2 of chapter 302 apply for travel (including travel incident to a change of official station) performed on or after December 27, 1996.

FOR FURTHER INFORMATION CONTACT:

Robert A. Clauson, Travel and Transportation Management Policy Division (MTT), Washington, DC 20405, telephone 202-501-1538.

SUPPLEMENTARY INFORMATION: This amendment was developed by the Joint Financial Management Improvement Program (JFMIP) Travel Reinvention

Task Force to streamline the processing of travel and relocation reimbursement claims. The General Services Administration (GSA), after review of the JFMIP recommendations, has determined that the recommendations are appropriate and is implementing the changes with certain modifications through this amendment. The amendment modifies per diem allowance computation for a partial day of travel, and eliminates the requirement for a traveler to record departure and arrival times on the travel voucher. This amendment also authorizes the payment of a locality-based per diem rate when an employee is performing travel to seek residence quarters. Finally, this amendment makes a technical correction to the provisions governing reimbursement when an employee uses a privately owned vehicle to perform official travel.

Current Per Diem Allowance Computation

The FTR provides for the payment of a per diem allowance based on the lodgings-plus method, which includes payment for the actual expenses of lodging up to a maximum amount and payment of a flat amount for meals and incidental expenses (M&IE). The FTR currently requires that the M&IE amount be reduced for meals provided by the Government at no cost or at nominal cost to the employee.

In addition, the FTR requires that the M&IE allowance for a partial day of travel (e.g., the first or last day of travel) be computed based on one-fourth of the applicable M&IE rate for each quarter-day the employee is in a travel status on that day. The quarters are fixed (i.e., 12:01 a.m.-6:00 a.m., 6:01 a.m.-12:00 noon, 12:01 p.m.-6:00 p.m., and 6:01 p.m.-12:00 midnight) based on local time.

Under current rules, an employee may not be paid a per diem allowance for travel of 10 hours or less (a special variation of this rule applies for an employee working a compressed work schedule). Finally, an employee must record the time of departure from, and arrival at, the official station or any other place at which official travel begins or ends to accurately compute the per diem allowance payable.

Modification of Per Diem Allowance Computation.

This amendment abolishes the quarter-day method of computing the M&IE allowance for a partial day of travel and replaces it with payment of a flat three-fourths of the applicable M&IE rate on a partial travel day. The JFMIP Travel Reinvention Task Force

found that most travelers begin their first day of official travel in the second quarter of the day and end the travel in the third quarter of the day. Under the new rule, agencies must continue to reduce, or deduct from, the applicable maximum per diem rate or the three-fourths of the M&IE rate, as appropriate, for Government provided meals.

This amendment also prohibits the payment of a per diem allowance for travel of 12 hours or less, and establishes three-fourths of the applicable M&IE rate as the appropriate per diem allowance payment for travel of more than 12 hours but not exceeding 24 hours when no lodging is required. For travel of more than 12 hours but not exceeding 24 hours when lodging is required, per diem shall be computed in the same manner as for travel of more than 24 hours.

Elimination of the Requirement That Employees Record Time of Departure and Arrival

This amendment eliminates the need for an employee to record departure and arrival times on the travel voucher. The FTR will continue to require that an employee record departure and arrival dates for such travel, however.

Locality-Based Per Diem Rate for Househunting Trips

The FTR allows an agency to authorize payment for travel to seek permanent residence quarters, i.e., a househunting trip. The agency may pay transportation expenses and subsistence expenses for the employee and spouse to perform a househunting trip for a period not to exceed 10 days. The FTR provides that the applicable per diem rate for a househunting trip inside the continental United States (CONUS) shall be the standard CONUS rate regardless of locality.

The JFMIP recommended giving agencies discretionary authority to reimburse per diem for a househunting trip within CONUS based on the locality per diem rate. This change is necessary since an employee who transfers to a high cost locality needs to obtain lodging in that locality when performing a househunting trip.

Further, the employee may not be able to reduce subsistence costs by lodging at a lower cost extended stay facility. The employee incurs expenses in the same manner as if he/she were on temporary duty travel, and it therefore is equitable to provide subsistence reimbursement based on the locality rate. This amendment maintains agencies' ability to reimburse househunting trip subsistence expenses based on the standard CONUS rate when the agency

determines that it is advantageous to the Government.

Technical Correction to the Mileage Reimbursement Rate Provisions

FTR Amendment 48, (61 FR 25802, May 23, 1996) increased mileage reimbursement rates for the use of a privately owned vehicle. FTR Amendment 48 revised FTR § 301-4.2(a) to increase the mileage reimbursement rate for use of a privately owned automobile to 31 cents per mile, but did not make a corresponding change to FTR § 301-4.2(c) (1) or (2). This amendment makes the corresponding changes.

GSA has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993. This final rule is not required to be published in the Federal Register for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

List of Subjects in 41 CFR Parts 301-4, 301-7, 301-8, and 301-11

Government employees, Travel, Travel allowances, Travel and transportation expenses.

List of Subjects in 41 CFR Part 302-2

Government employees, Relocation allowances and entitlements, Transfers.

For the reasons set out in the preamble, 41 CFR parts 301-4, 301-7, 301-8, 301-11, and 302-2 are amended to read as follows:

PART 301-4—REIMBURSEMENT FOR USE OF PRIVATELY OWNED CONVEYANCES

1. The authority citation for part 301-4 is revised to read as follows:

Authority: 5 U.S.C. 5701-5709.

§ 301-4.2 [Amended]

2. Section 301-4.2 is amended by removing the phrase "30 cents per mile" where it appears in paragraphs (c) (1) and (2), and adding in its place the phrase "31 cents per mile".

PART 301-7—PER DIEM ALLOWANCES

3. The authority citation for part 301-7 is revised to read as follows:

Authority: 5 U.S.C. 5701-5709.

4. Section 301-7.2 is amended by revising paragraphs (a) (2) and (3) to read as follows:

§ 301-7.2 Employee and agency responsibilities.

(a) * * *

(2) *Duty to record pertinent times and/or dates.* The date of departure

from and arrival at the official station or any other place at which travel begins or ends must be shown on the travel voucher. This same information also must be shown for points at which temporary duty is performed or for a stopover or official rest stop location when such arrival or departure affects the per diem allowance or other travel expenses. Other points visited also should be shown.

(3) *Use of standard time.* When recording time, an employee shall use standard time in effect at the place involved. (See 15 U.S.C. 262.)

* * * * *

§ 301-7.4 [Amended]

5. Section 301-7.4 is amended by removing the phrase "Federal Supply Service, Attn: Transportation Management Division (FBX), Washington, DC 20406" in paragraph (a), and by adding in its place the phrase, "Office of Governmentwide Policy, Attn: Travel and Transportation Management Policy Division (MTT), Washington, DC 20405".

6. Section 301-7.5 is amended by revising paragraph (b), by removing paragraph (c), and redesignating paragraphs (d) and (e) as paragraphs (c) and (d) and revising them to read as follows:

§ 301-7.5 General rules affecting entitlement to per diem.

* * * * *

(b) *No allowance for travel of 12 hours or less.* A per diem allowance shall not be allowed for official travel of 12 hours or less. (This requirement also applies for travel incident to a change of official station.)

(c) *Beginning and ending of entitlement.* For computing per diem allowances, official travel begins when an employee leaves his/her home, office, or other authorized point of departure and ends when the traveler returns to his/her home, office, or other authorized point at the conclusion of the trip.

(d) *International date line.* In cases where the traveler crosses the international date line (180th meridian), the actual elapsed time in days shall be used to compute the per diem rather than calendar days.

7. Section 301-7.6 is amended by revising paragraph (b)(2) to read as follows:

§ 301-7.6 Lodgings-plus per diem system.

* * * * *

(b) * * *

* * * * *

(2) *Meals and incidental expenses (M&IE) allowance.* The maximum per

diem rates include a fixed allowance for meals and for incidental expenses (M&IE rate). The M&IE rate, or fraction thereof, is payable to the traveler without itemization of expenses or receipts. For a partial day of travel, the M&IE rate shall be prorated as provided in § 301-7.8 (a) or (c)(3), as appropriate.

8. Section 301-7.7 is revised to read as follows:

§ 301-7.7 Computation rules for travel of more than 12 hours, but not exceeding 24 hours.

When the travel for which per diem has been authorized is more than 12 hours, but does not exceed 24 hours, the per diem allowance for the trip shall be calculated as follows:

(a) *Lodging not required.* If lodging is not required, the per diem allowance shall be three-fourths of the applicable M&IE allowance for the temporary duty assignment location. If more than one temporary duty point is involved, the per diem allowance shall be calculated using the highest of the M&IE rates prescribed for the location where official business is performed.

(b) *Lodging required.* If lodging is required, the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus three-fourths of the applicable M&IE rate prescribed for the lodging location.

9. Section 301-7.8 is revised to read as follows:

§ 301-7.8 Computation rules for travel of more than 24 hours.

The applicable maximum per diem rate for each calendar day of travel shall be determined by the travel status and location of the employee at 12:00 midnight and whether lodging is required at such location. When lodging is required, the applicable maximum per diem rate shall be the maximum rate prescribed for the temporary duty location, or a stopover point where lodging is obtained while en route to, from, or between temporary duty locations (see §§ 301-7.9 and 301-7.6(a)(3) for regulations on lodging location and maximum per diem rates applicable to change of official station travel, respectively). Only one maximum rate will be applicable to a calendar day or fraction thereof. Per diem for travel of more than 24 hours shall be calculated as provided in paragraphs (a) through (e) of this section.

(a) *Day travel begins*—(1) *Lodging required.* When lodging is required on the day travel begins (day of departure from the home, office, or other

authorized point), the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus three-fourths of the applicable M&IE rate prescribed for the lodging location.

(2) *Lodging not required.* When lodging is not required on the day travel begins, (day of departure from the home, office, or other authorized point), the per diem allowable shall be three-fourths of the destination M&IE rate.

(b) *Full calendar days of travel*—(1) *Lodging required.* For each full calendar day that the employee is in a travel status and lodging is required (whether en route or at a temporary duty location), the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus the applicable M&IE rate.

(2) *Lodging not required.* For each full calendar day that the traveler is in a travel status and lodging is not required (such as when the traveler is en route overnight to the next temporary duty location), the per diem allowable shall be the destination M&IE rate.

(c) *Returning from travel*—(1) *Lodging required.* For each full calendar day of travel when lodging is required at an en route location while the employee is returning to the official station, home, or other authorized point, the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus the applicable M&IE rate.

(2) *Lodging not required.* For any full calendar day of travel when lodging is not required while the traveler is en route overnight returning to the official station, home, or other authorized point, the per diem allowable shall be the M&IE rate applicable to the preceding calendar day.

(3) *Day travel ends*—(i) *No lodging required.* For the day travel ends (day traveler returns to the official station, home, or other authorized point) the per diem allowable shall be three-fourths of the M&IE rate applicable to the preceding calendar day.

(ii) *Lodging required on the day travel ends.* When an employee must perform official business at a temporary duty site en route to the official station, home, or other authorized point on the day travel ends and the agency authorizes the employee to obtain lodging, the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum

lodging allowance prescribed for the en route temporary duty site, plus three-fourths of the M&IE rate applicable to the en route temporary duty site.

(d) *Lodging obtained after midnight.* Although per diem generally is based on the employee's location at midnight, there will be instances in which he/she is en route and does not arrive at the lodging location (either temporary duty location or en route stopover point) until after midnight. In such cases, the lodging shall be claimed for the preceding calendar day and the applicable maximum per diem for the preceding day will be determined as if the employee had been at the lodging location at 12:00 midnight of that day.

(e) *Commercial vessel.* For vessel travel, except for the day of arrival on board (day of embarkation) and the day of departure from the vessel (day of debarkation), the allowable per diem rate will be \$6 per day. When the \$6 rate is not sufficient to meet the traveler's per diem expenses, a per diem rate equal to the anticipated expenses, not to exceed \$9 per day, may be authorized or approved; except that the rate for travel by the Alaska Ferry System shall not exceed the standard M&IE rate for CONUS. Per diem will be computed under the lodgings-plus system on the days of embarkation and debarkation.

10. Section 301-7.12 is amended by revising the fifth sentence of the introductory text to read as follows:

§ 301-7.12 Reductions in maximum per diem rates when appropriate.

* * * When reduced rate situations involve partial days, per diem for such days may be three-fourths of the reduced rate, a special reduced rate prescribed for partial days, or an amount determined under the lodgings-plus system, as considered appropriate by the agency. * * *

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PART 301-8—REIMBURSEMENT OF ACTUAL SUBSISTENCE EXPENSES

11. The authority citation for part 301-8 is revised to read as follows:

Authority: 5 U.S.C. 5701-5709.

12. Section 301-8.3 is amended by revising paragraph (b)(2) to read as follows:

§ 301-8.3 Maximum daily rates and reimbursement limitations.

* * * * *

(b) * * *

(2) *Specific meals and incidental expenses limitation.* The agency may authorize or approve the payment of meals and incidental expenses on a flat rate basis without the need for receipts

and/or itemization when such expenses are within the applicable M&IE rate. On full days of travel, the payment shall not exceed the applicable M&IE rate. On partial days of travel, the payment shall not exceed three-fourths of the applicable M&IE rate. The amount of the maximum daily rate in excess of the actual M&IE payment may be used for lodging.

PART 301-11—CLAIMS FOR REIMBURSEMENT

13. The authority citation for part 301-11 is revised to read as follows:

Authority: 5 U.S.C. 5701-5709.

14. Section 301-11.5 is amended by revising paragraph (a) (2) and (3) to read as follows:

§ 301-11.5 Preparation of voucher.

(a) * * *

(2) *Leave of absence.* When leave of absence of any kind is taken while an employee is in a travel status, the type of leave and number of hours of leave for each day shall be recorded on the travel voucher.

(3) *Indirect-route travel.* The travel voucher should set forth the details of the expenses actually incurred, the date of departure from the post of duty, and the date of arrival at the place of duty. Where leave has been taken while in travel status, the date and time that leave began and terminated should be shown.

* * * * *

§ 301-11.6 [Amended]

15. Section 301-11.6 is amended by removing the reference “§ 301-7.8(g)” in paragraph (b)(16), and adding in its place the reference “§ 301-7.8(e)”.

PART 302-2—ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION

16. The authority citation for part 302-2 continues to read as follows:

Authority: 5 U.S.C. 5721-5734; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971-1975 Comp., p. 586.

17. Section 302-2.1 is revised to read as follows:

§ 302-2.1 For the employee.

(a) *Applicability.* This part applies to travel of

(1) Transferred employees,
(2) New appointees, and
(3) Employees assigned to posts of duty outside the continental United States in connection with either overseas tour renewal agreement travel or return travel to places of residence for the purpose of separation.

(b) *Payment for employee's travel expenses.* Except as specifically provided in this chapter, an agency shall pay per diem, transportation costs, and other travel expenses of the employee in accordance with the provisions of 5 U.S.C. 5701-5709 and chapter 301 of this title. The prohibition in § 301-7.5(b) of this title on paying per diem for travel of 12 hours or less applies to change of official station travel.

(c) *Maximum per diem rates for relocation travel—*(1) *Travel when en route between employee's old and new official stations.* The maximum per diem rate for en route travel within CONUS between the employee's old and new official stations shall be the standard CONUS rate prescribed under § 301-7.3 of this title.

(2) *Travel to seek residence quarters.* The maximum per diem rate for travel to seek residence quarters shall be the lesser of the maximum per diem rate prescribed under § 301-7.3 of this title for the locality where the employee seeks residence quarters or for the locality where the employee obtains lodging accommodations. An agency may prescribe the standard CONUS rate as the maximum per diem rate if it determines that establishment of such lower rate is advantageous to the Government.

18. Section 302-2.2 is amended by revising the introductory text of paragraph (b) to read as follows:

§ 302-2.2 For members of an employee's immediate family.

* * * * *

(b) *Per diem allowance when en route between employee's old and new official stations.* When an employee is transferred, an allowance shall be paid for per diem expenses incurred by the employee's immediate family while traveling between the old and new official stations regardless of where the old and new stations are located. If the actual travel involves departure and/or destination points other than the old or new official station, the per diem allowance shall not exceed the amount to which members of the immediate family would have been entitled if they had traveled by a usually traveled route between the old and new official stations. The prohibition in § 301-7.5(b) of this title on paying per diem for travel of 12 hours or less applies to change of official station travel. The maximum allowable per diem rates are as follows:

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Dated: September 26, 1996.

David J. Barram,

Acting Administrator of General Services.

[FR Doc. 96-32712 Filed 12-26-96; 8:45 am]

BILLING CODE 6820-34-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 28

[CGD 96-046]

RIN 2115-AF35

Commercial Fishing Industry Vessel Regulations

AGENCY: Coast Guard, DOT.

ACTION: Correction to interim rule; extension of comment period; delay of effective date.

SUMMARY: This document contains a correction to the interim rule [CGD 96-046], which was published Tuesday, November 5, 1996, (61 FR 57268). Also, the Coast Guard is extending the comment period and delaying the interim rule effective date on the requirements for safety equipment and vessel operating procedures on commercial fishing industry vessels. The comment period is extended to 105 days to allow 60 additional days for public comment.

DATES: The effective date of the interim rule published on November 5, 1996 (61 FR 57268) is delayed until March 20, 1997. The effective date of this document is December 27, 1996. Comments must be received on or before February 20, 1997.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 94-046), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Commander Mark D. Bobal, Project Manager, G-MSO-2, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593, telephone (202) 267-0836.