Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

SUPPLEMENTARY INFORMATION: In the rule published on June 7, 1996 (61 FR 29238) entitled ''Amendments to Regulation X, the Real Estate Settlement Procedures Act: Withdrawal of Employer-Employee and Computer Loan Origination Systems (CLOs) Exemptions,'' the Department established an effective date of 120 days from publication: October 7, 1996. Subsequently, on August 12, 1996 (61 FR 41944), the Department revised a document associated with that rules—Appendix D, the Controlled Business Arrangement (CBA) Disclosure Statement Format—in order to make it clearer how the format is to be completed.

On September 30, 1996, as part of an Omnibus Consolidated Appropriations Act (section 2103 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1997 (Cong. Rec. H11,750–51 (daily ed. September 28, 1996))), the President signed legislation which delays the effectiveness of the amendment to Regulation X contained in the Department's June 7, 1996 final RESPA rule relating to payments to employees. Specifically, the Omnibus Consolidated Appropriations Act provides that the effectiveness of the amendment contained in the June 7, 1996 rule which would have eliminated the provision of the Department's rule providing that section 8 of RESPA permits ''An employer's payment to its own employees for any referral activities'' (24 CFR 3500.14(g)(1)(vii)), is delayed. The Act also provides that the effectiveness of the following additional provisions is delayed: (1) the exemption for employer payments to managerial employees (§ 3500.14(g)(1)(viii) of the June 7 rule); (2) the exemption for employer payments to employees who do not perform settlement services in any transaction (§ 3500.14(g)(1)(ix) of the June 7 rule); and (3) the provision clarifying that ''A payment by an employer to its own *bona fide* employee for generating business for that employer'' is permissible (§ 3500.14(g)(1)(vii) of the June 7 rule).

Although not required by the legislation, the Department has determined to delay temporarily the effectiveness of the June 7 rule, as corrected and revised on August 12, in its entirety, and to continue the prior rule, as in effect on May 1, 1996 and as corrected on September 3, 1996 (61 FR 46510). This will provide the Department with an opportunity to analyze the legislation and develop an appropriate time schedule for making effective the various provisions of these rules. Within 30 days of publication of this notice, the Department will publish further information indicating this time schedule.

Affected persons are advised to comply with the guidance contained in the three Statements of Policy published simultaneously with the June 7, 1996 rule (61 FR 29255–29266), except to the extent that the guidance in them interprets rule provisions that are delayed from becoming effective. To ease any compliance burden on industry, the Department's position is that, until further notice, persons are free to use the revised CBA disclosure statement format published on August 12, 1996, if they so choose, or they may continue to use the format which was in effect on May 1, 1996.

Dated: October 2, 1996.

Stephanie A. Smith,

General Deputy.

[FR Doc. 96–25637 Filed 10–3–96; 8:45 am]

BILLING CODE 4210–27–M

DEPARTMENT OF EDUCATION

34 CFR Parts 614, 617, 619, and 641

Removal of Regulations

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the Code of Federal Regulations (CFR) to remove unnecessary regulations. The regulations removed are 34 CFR parts 614 (College Facilities Loan Program), 617 (Financial Assistance for Construction, Reconstruction, or Renovation of Higher Education Facilities), 619 (Grants for Construction, Reconstruction, and Renovation of Graduate Academic Facilities), and 641 (Faculty Development Fellowship Program). As a result of absence of funding and review in accordance with the President's regulatory reinvention initiative, the Secretary has determined that these regulations are no longer needed. However, the removal of these regulations does not alter the obligations of current recipients of federal funds. The regulations in effect when a grant or other agreement is made govern that grant or agreement, unless otherwise specifically provided.

EFFECTIVE DATE: Parts 614, 617, 619, and 641 are removed effective October 4, 1996.

FOR FURTHER INFORMATION CONTACT: Kenneth C. Depew, U.S. Department of Education, Room 5112, FB–10, 600 Independence Avenue, SW, Washington, DC 20202–2241. Telephone: (202) 401–8300. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: President Clinton's memorandum of March 4, 1995, titled ''Regulatory Reinvention Initiative,'' directed heads of departments and agencies to review all existing regulations to eliminate those that are outdated and modify others to increase flexibility and reduce burden. The Department has undertaken a thorough review of its existing regulations and has identified the regulations removed by this document as unnecessary. Additional obsolete and unnecessary regulations were previously removed on May 23, 1995 (60 FR 27223); April 29, 1996 (61 FR 18680); and June 25, 1996 (61 FR 32656) as part of the Regulatory Reinvention Initiative.

The regulations being removed are no longer necessary because they were issued to implement programs that are no longer funded. The Department is continuing to review its other existing regulations thoroughly in consultation with its customers and partners. To the extent the Secretary can identify further opportunities for regulatory reinvention, the Secretary will propose appropriate amendments to revise or eliminate outdated provisions, reduce burden, and increase flexibility.

Waiver of Proposed Rulemaking

In accordance with the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, this document merely removes obsolete regulations from the Code of Federal Regulations. Removal of the regulations does not establish or affect substantive policy. Therefore, the Secretary has determined, pursuant to 5 U.S.C. 553(b)(B), that public comment is unnecessary and contrary to the public interest. For the same reasons the Secretary waives the 30-day delayed effective date in 5 U.S.C. 553(d).

Paperwork Reduction Act of 1995

These regulations have been examined under the Paperwork Reduction Act of 1980 and have been found to contain no information collection requirements.

Assessment of Educational Impact

Based on its own review, the Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects

34 CFR Part 614

Colleges and universities, Grant programs—education.

34 CFR Part 617

Colleges and universities, Grant programs—education.

34 CFR Part 619

Colleges and universities, Grant programs—education.

34 CFR Part 641

Colleges and universities, Grant programs—education, Scholarships and fellowships, Teachers.

Dated: September 30, 1996.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

(Catalog of Federal Domestic Assistance numbers do not apply.)

PARTS 614, 617, 619, AND 641—[REMOVED]

For reasons stated in the preamble, under the authority at 20 U.S.C. 1221e–3, the Secretary amends Title 34 of the Code of Federal Regulations by removing Parts 614, 617, 619, and 641.

[FR Doc. 96–25439 Filed 10–3–96; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CO48–1–7008a & CO–001–0005a; FRL–5607–6]

Clean Air Act Approval and Promulgation of PM_{10} State Implementation Plan for Colorado; Telluride; Revisions to the Maintenance Demonstration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA approves the State implementation plan (SIP) revisions for Telluride as submitted by the Colorado Governor with a letter dated April 22, 1996. The April 22, 1996 submittal now satisfies the State's April 21, 1994 commitment to adopt additional control measures in Telluride as necessary to demonstrate maintenance of the National Ambient Air Quality Standards (NAAQS) through December 31, 1997, for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM_{10}). Based on that commitment, EPA conditionally approved the quantitative milestones element of the Telluride PM_{10} SIP on September 19, 1994. The April 22, 1996 submittal incorporates new street sanding requirements and demonstrates maintenance of the standard through 1997. EPA approves these revisions, and therefore, converts its September 19, 1994 conditional approval to a full approval.

DATES: This final rule will become effective on December 3, 1996 unless adverse comments are received by November 4, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of the State's submittal and other information are available for inspection during normal business hours at the following locations: Air Program, Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202–2405; Colorado Department of Health, Air Pollution Control Division, 4300 Cherry Creek Drive South, Denver, Colorado 80222–1530; and The Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Amy Platt, 8P2–A, Environmental Protection Agency, Region VIII, (303) 312–6449.

SUPPLEMENTARY INFORMATION:

I. Background

The Telluride, Colorado area was designated nonattainment for PM_{10} and classified as moderate under sections 107(d)(4)(B) and 188(a) of the Clean Air Act, upon enactment of the Clean Air Act Amendments of 1990.[1] See 56 FR 56694 (Nov. 6, 1991), 40 CFR 81.306 (Telluride). The air quality planning requirements for moderate PM10 nonattainment areas are set out in subparts 1 and 4 of part D, title I of the Act.[2]

EPA has issued a ''General Preamble'' describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under title I of the Act, including those State submittals containing moderate PM_{10} nonattainment area SIP requirements (see generally 57 FR 13498, April 16, 1992 and 57 FR 18070, April 28, 1992). Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of title I advanced in this proposal and the supporting rationale.

Those States containing initial moderate PM_{10} nonattainment areas (those areas designated under section 107(d)(4)(B) of the Act) were required to submit, among other things, the following provisions by November 15, 1991:

1. Provisions to assure that reasonably available control measures (RACM) [including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of reasonably available control technology (RACT)] shall be implemented no later than December 10, 1993;

2. Either a demonstration (including air quality modelling) that the plan will provide for attainment as expeditiously as practicable but no later than December 31, 1994, or a demonstration that attainment by that date is impracticable;

3. Quantitative milestones which are to be achieved every three years and which demonstrate reasonable further progress (RFP) toward attainment by December 31, 1994; and

4. Provisions to assure that the control requirements applicable to major stationary sources of PM_{10} also apply to major stationary sources of PM_{10} precursors except where the Administrator determines that such sources do not contribute significantly to PM10 levels which exceed the NAAQS in the area. See sections 172(c), 188, and 189 of the Act.

On September 19, 1994, EPA partially approved a March 1993 Telluride PM_{10} SIP submittal, including control measures, technical analyses, and other Clean Air Act SIP requirements, with the exception of the quantitative milestone element (see 59 FR 47807). EPA conditionally approved the quantitative milestones element because the SIP did not demonstrate maintenance of the PM_{10} NAAQS

[1] The 1990 Amendments to the Clean Air Act made significant changes to the Act. See Public Law No. 101–549, 104 Stat. 2399. References herein are to the Clean Air Act, as amended (''the Act''). The Clean Air Act is codified, as amended, in the U.S. Code at 42 U.S.C. 7401, *et seq.*

[2] Subpart 1 contains provisions applicable to nonattainment areas generally and Subpart 4 contains provisions specifically applicable to PM_{10} nonattainment areas. At times, Subpart 1 and Subpart 4 overlap or conflict. EPA has attempted to clarify the relationship among these provisions in the ''General Preamble'' and, as appropriate, in today's notice and supporting information.