TABLE NO. 4.—LEASE PREFIXES AND MMS-DESIGNATED AREAS—Continued

MMS-designated areas	Lease prefixes
Northern Cheyenne Reservation	None.
Rocky Boys Reservation	053, 154, 537, 889.
Southern Ute Reservation	519, 522, 524, 614, 750.
Turtle Mountain Reservation	610.
Ute Mountain Ute Reservation	519, 522, 524, 614, 750.
Ute Allotted Leases in the Uintah and Ouray Reservation	509, 531, 532.
Ute Tribal Leases in the Uintah and Ouray Reservation	509, 531, 532.
Wind River Reservation	502, 535, 634.

Dated: November 23, 1999.

Lucy Querques Denett,

Associate Director for Royalty Management.

[FR Doc. 99–30991 Filed 11–29–99; 8:45 am]

BILLING CODE 4310–MR–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MA073–7207A;A–1–FRL–6481–2]

Approval and Promulgation of Air Quality Implementation Plans; State of Massachusetts; Interim Final Determination That Massachusetts Has Corrected the Deficiencies of Its I/M SIP Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: On September 27, 1999, EPA published in the **Federal Register** (64 FR 51937) a rulemaking action proposing approval of the Commonwealth of Massachusetts' motor vehicle inspection and maintenance (I/M) program, and in a separate action (64 FR 51943) proposing approval of rate-of-progress (ROP) plans as part of the State Implementation Plan (SIP), under Section 110 of the Clean Air Act (CAA). Elsewhere in today's **Federal Register** EPA is publishing a supplemental proposed rulemaking notice for comment clarifying the test method used in Massachusetts' I/M program, providing additional information on the emission reduction credit projected for the program, and explaining the impact on the ROP plans. Based on the proposed action, today's supplemental document, the commencement of I/M program roll-out on October 1, 1999, and the commitments made by the Commonwealth, including a commitment to fully enforce compliance with the I/M program as of December 15, 1999, EPA is making an interim final determination that the State will have more likely than not implemented an approvable enhanced I/M program when it becomes effective on December 15, 1999. Today's action will, beginning on December 15, 1999, defer the application of the offset sanction that has been in effect since May 15, 1999, and the federal highway fund sanctions that take effect on November 15, 1999.

DATES: *Effective Date:* This rule is effective December 15, 1999. *Comments:* Written comments must be received on or before December 30, 1999. Public comments on this document are requested and, although this action will be effective on December 15, 1999, comments will be considered for appropriate subsequent action.

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, One Congress St., Suite 1100, Boston, MA 02114–2023. Copies of the Commonwealth's submittal are available for public inspection during normal business hours, by appointment, at the above EPA address and Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

FOR FURTHER INFORMATION CONTACT: Peter X. Hagerty, (617) 918–1049.

SUPPLEMENTARY INFORMATION: On March 27, 1997 Massachusetts submitted an inspection and maintenance plan under the provisions of the National Highway Systems Designation Act. On July 14, 1997, EPA published in the **Federal Register** (62 FR 37506) an Interim Final Rule conditionally approving the I/M SIP submitted by the Commonwealth. The notice conditioned approval on start-up of the program by November 15, 1997 which was based on a commitment made by Massachusetts as part of the SIP submittal. That **Federal Register** notice also listed other elements of the I/M program for which Massachusetts was required to submit additional information. By means of a November 14, 1997, letter, EPA notified Massachusetts that EPA was converting the conditional approval of the Massachusetts enhanced I/M SIP revision to a disapproval on November 15, 1997 due to the fact that the program was not starting on November 15, 1997. The letter triggered the 18-month time clock for the mandatory application of sanctions under section 179(a) of the CAA. Therefore, the Act's offset sanction applied beginning May 15, 1999 because Massachusetts still had no enhanced I/M program started or approved as part of its SIP.

In order to remedy that failure, on May 14, 1999, Massachusetts submitted a revision to its SIP for an enhanced I/M program to begin on October 1, 1999. Massachusetts in fact commenced operation of the program on October 1, 1999. Although the SIP revision provided for start-up of an enhanced I/M program, there were other elements of the I/M SIP identified in the September 27, 1999 **Federal Register** proposed approval which needed to be addressed prior to final action by EPA. These elements will be addressed by the contractor Massachusetts has retained to implement the program and are listed as work elements of the contractor's scope of services. Since the focus of Massachusetts and the contractor has been program start-up, these elements have not been addressed by the contractor to date. In response to EPA's September 27, 1999 proposed approval which describes the program elements Massachusetts must supplement, Massachusetts submitted a letter dated November 3, 1999 with a schedule for submitting these elements from January to March 2000. An additional letter dated November 15, 1999 informed EPA that Massachusetts has taken steps that ensure the I/M program will be fully enforced starting December 15, 1999. Additional information submitted in support of the Massachusetts I/M program is included in the contract with Keating Technologies signed January 28, 1999, Department of Environmental Protection (DEP) Regulations, chapter 310 CMR 60.02, Registry of Motor Vehicles Regulations, chapter 540 CMR 4.00–4.09, and administrative items,

including a description of the program being implemented and DEP's response to comments document dated May 14, 1999.

II. EPA's Current Rulemaking Actions

On September 27, 1999 EPA proposed approval of the Massachusetts I/M SIP revision to meet the requirements of the federal I/M rule. In addition, on the same day EPA proposed approval of the Massachusetts rate-of-progress emission reduction plans which includes the 15% plan. In order for Massachusetts to meet the low enhanced performance standard for I/M the 15% plan must be approvable. In today's **Federal Register** EPA is publishing a supplemental notice of proposed rulemaking providing additional information concerning testing in the I/M program, estimates of emission reductions achieved by the program, and the schedule for submittal of additional elements for the Massachusetts I/M program. The same notice addresses the impact of the changes in estimated emission reduction credits from I/M on the 15% plan.

Critical to EPA's finding to stay sanctions is the Agency's determination that Massachusetts has taken the steps necessary to ensure program start-up by December 15, 1999. Although Massachusetts commenced operation of the I/M program on October 1, 1999, there were routine start-up difficulties which required that DEP temper full enforcement of the program for two and one half months. During October, November and early December 1999, the Commonwealth is allowing drivers to obtain pre-printed stickers approving cars to operate for a year if a station in the program did not have fully operational test equipment ready when a driver came in for a test. In its November 15, 1999 letter to EPA, Massachusetts has indicated that such pre-printed stickers will not be available starting December 15, 1999, and any car that must get tested will be required to find a station with operable testing equipment. This step ensures that the I/M program will meet EPA's definition of start-up and that Massachusetts will be fully enforcing an approvable I/M as of December 15, 1999.

EPA believes, as a result of the proposed rulemaking actions and the fact that Massachusetts commenced operation of the I/M program on October 1, 1999, has committed to submitting additional information necessary to fully approve that program and has prohibited the use of pre-printed stickers to meet EPA's definition of start-up by December 15, 1999, that it is more likely than not that Massachusetts will have a fully approvable I/M SIP that has started up as of December 15, 1999. Given the fact that the contract was not signed until late January 1999 and the magnitude of the Massachusetts program, it is commendable that Massachusetts met the start-up criteria by December 15, 1999. The state's failure to start-up an approvable enhanced I/M program by November 15, 1997 was what triggered the sanctions clock in Massachusetts. The state has now taken the steps necessary to fully enforce a transient testing program by December 15, 1999 to cure the problem which triggered the sanctions clock.

This interim determination will not halt or reset the sanctions deadlines, but will defer the implementation of sanctions until EPA takes final action on the SIP. In the proposed rule for the Massachusetts I/M program, EPA proposed in the alternative to issue a limited approval/limited disapproval of the program if Massachusetts failed to start the program in a timely manner or failed to submit any of the program elements that the Contractor will provide under its scope of work. The limited disapproval would effectively withdraw the proposed approval. Withdrawal of the proposed approval would result in growth and highway sanctions being imposed again immediately.

This action will take effect on December 15, 1999, when vehicles can no longer postpone the emissions inspection in Massachusetts through the use of pre-printed stickers. Should Massachusetts continue to issue pre-printed stickers after December 15, 1999, EPA will withdraw this determination and sanctions will go back in effect until pre-printed stickers are no longer issued and EPA reinstates this determination. EPA will take comment on this interim final determination. EPA will publish a final notice taking into consideration any comments received on EPA's proposed actions and this interim final action. If, based on any comments received by EPA upon this interim final determination action and any comments on EPA's proposed approval or supplemental proposed approval with respect to Massachusetts' I/M SIP or rate-of-progress revisions, EPA determines that those actions are inappropriate and the SIP revisions are not approvable and, therefore, this final action was also inappropriate, EPA will take further action to withdraw this action and the proposed approval of the Massachusetts I/M SIP revision, thereby returning the SIP to disapproved status. If this action is withdrawn or EPA's proposed approval of the Massachusetts I/M SIP revision is disapproved, then sanctions would be applied as required under Section 179(a) of the CAA and 40 CFR 52.31.

III. EPA Action

Based on the proposed approval of the Massachusetts I/M SIP in the September 27, 1999 **Federal Register** and the start-up of the program on December 15, 1999, EPA believes that it is more likely than not that the Commonwealth has taken the steps necessary to start an approvable enhanced I/M program. Disapproval of the Massachusetts I/M SIP and initiation of sanctions clocks on November 15, 1997 was based on the fact that Massachusetts did not start-up an approved enhanced I/M program. Therefore, EPA concludes that since Massachusetts is operating an I/M program that will be fully enforceable on December 15, 1999, the Commonwealth will have met the start-up definition and sanctions should be stayed on December 15, 1999. In the event the Commonwealth fails to submit the other elements of the program, EPA will issue a limited disapproval which will lift this stay of sanctions and reimpose them at that time.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

IV. Administrative Requirements

Because Massachusetts has met the start-up requirements as defined by EPA, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for comment before this action takes effect.[1] 5 U.S.C. section 553(b)(B). The EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. The EPA has reviewed and proposed approval of the State's May 14, 1999 I/M SIP revision. Through this interim final determination action, the Agency believes that it is more likely than not that the Commonwealth will have submitted all the necessary information to meet the requirements for start-up of

[1] As previously noted, however, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date and EPA will consider any comments received in determining whether to reverse such action.

an approvable I/M program, therefore eliminating the basis for imposition of sanctions. Therefore, it is not in the public interest to apply sanctions when the Commonwealth has submitted an enforceable program which will start-up on December 15, 1999. Moreover, it would be impracticable to go through notice-and-comment rulemaking on a finding that the State is no longer subject to that requirement prior to the date sanctions would take effect. Therefore, EPA believes that it is necessary to use the interim final rulemaking process to defer sanctions while EPA completes its rulemaking process. In addition, EPA is invoking the good cause exception to the 30-day advance notice requirement of the APA because the purpose of this notice is to relieve a restriction. *See* 5 U.S.C. 553(d)(1).

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order (E.O.) 12866, entitled ''Regulatory Planning and Review.''

B. Executive Order 13132

Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612 (Federalism) and 12875 (Enhancing the Intergovernmental Partnership). Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This final rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

C. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under E.O. 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045 because it is not economically significant under E.O. 12866 and does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13084

Under E.O. 13084, EPA may not issue a regulation that is not required by statute, that significantly affects or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This rule will not have a significant impact on a substantial number of small entities because it does not create any new requirements. Therefore, because this rule does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

F. Unfunded Mandates

Under Sections 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule. EPA has determined that this action does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the General Accounting Office

The Congressional Review Act (CRA), 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. 808(2). As stated previously, EPA has made a good cause finding, including reasons thereof, and established an effective date of December 15, 1999. EPA will submit a report containing this rule and other required information to the United States Senate, the House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by U.S.C. 804(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

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

Dated: November 15, 1999.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 99–30780 Filed 11–29–99; 8:45 am]

BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 102–34

[FPMR Amendment G–114]

RIN 3090–AG12

Motor Vehicle Management; Correction

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule; correction.

SUMMARY: The General Services Administration (GSA) published a final rule on November 2, 1999, revising Federal Property Management Regulation (FPMR) coverage on motor vehicle management, and moving it into the Federal Management Regulation (FMR). This correction fixes an inadvertent error in one of the amendatory instructions of that final rule.

EFFECTIVE DATE: November 2, 1999.

FOR FURTHER INFORMATION CONTACT: Shari Kiser, Federal Acquisition Policy Division, (202) 501–2164.

SUPPLEMENTARY INFORMATION: The final rule published on November 2, 1999 (64 FR 59592), which revised the FPMR coverage on motor vehicle management and moved it into the FMR, inadvertently stated in one of the amendatory instructions that the new part 102–34 was added to subchapter D of 41 CFR chapter 102 when in fact it should have been added to subchapter B. This document corrects that error. Another correction to the same final rule is being published elsewhere in this issue of the **Federal Register.**

In rule document 99–27747 beginning on page 59592 in the issue of Tuesday, November 2, 1999, make the following correction:

CHAPTER 102—[CORRECTED]

On page 59592, in the second column, in amendatory instruction 3., correct ''subchapter D'' to read ''subchapter B''.

Dated: November 23, 1999.

Sharon A. Kiser,

Federal Acquisition Policy Division.

[FR Doc. 99–30933 Filed 11–29–99; 8:45 am]

BILLING CODE 6820–24–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 69

[USCG–1999–5118]

RIN 2115–AF76

Standard Measurement System Exemption from Gross Tonnage

AGENCY: Coast Guard.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: On August 31, 1999, the Coast Guard published a direct final rule (64 FR 47402; USCG–1999–5118). This direct final rule notified the public of the Coast Guard's intent to amend its vessel tonnage regulations to reinstate a previously allowed method of holding tonnage opening cover plates in place. This amendment will increase flexibility and can decrease costs in vessel design and construction, while in no way diminishing vessel safety. The reinstated method was omitted in error during a comprehensive revision of the tonnage regulations in 1989. We have not received an adverse comment, or notice of intent to submit an adverse comment, objecting to this rule. Therefore, this rule will go into effect as scheduled.

DATES: The effective date of the direct final rule is confirmed as November 29, 1999.

FOR FURTHER INFORMATION CONTACT: For questions on this rule, call Mr. Peter Eareckson, Project Manager, Marine Safety Center, Coast Guard, telephone 202–366–6441.

SUPPLEMENTARY INFORMATION:

Discussion of Comment

We received one comment, which took issue with the prohibition against the use of battens, caulking, or gaskets in the installations of tonnage opening cover plates, citing maintenance concerns. While we sympathize with the concerns cited, we do not consider the comment to be an adverse comment to this rulemaking, as ''adverse comment'' is defined in 33 CFR 1.05–55(f). The underlying premise of this rulemaking is to reinstate a method of securing tonnage opening cover plates in place that was deleted in error in the 1989 revision. The prohibition against sealing tonnage openings is one of long-standing and predates the 1989 revision. Regardless of the merits of the request to eliminate this prohibition, it is outside the scope of this rulemaking.

Dated: November 19, 1999.

Jeffrey P. High,

Acting Assistant Commandant for Marine Safety & Environmental Protection.

[FR Doc. 99–30894 Filed 11–29–99; 8:45 am]

BILLING CODE 4910–15–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket Nos. 97–21 and 96–45; FCC 99–269]

Changes to the Board of Directors of the National Exchange Carrier Association, Inc. and Federal-State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document concerning the Changes to the Board of Directors of the National Exchange Association, Inc. and Federal-State Joint Board simplifies the process for rural health care providers to receive support from the