

action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq. Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998).

This 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 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in

accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.

B. Submission to Congress and the Comptroller General

The Congressional Review Act, 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. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 9, 2001. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action approving the Maryland NO_x RACT regulations may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Reporting and recordkeeping requirements.

Dated: December 15, 2000.

Thomas C. Voltaggio,
Acting Regional Administrator, Region III.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

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

Subpart V—Maryland

2. Section 52.1070 is amended by adding paragraph (c)(155) to read as follows:

§ 52.1070 Identification of plan.

* * * * *

(c) * * *

(155) Revisions to the Maryland Regulations for NO_x RACT regulations submitted on September 8, 2000 by the Maryland Department of the Environment:

(i) Incorporation by reference.

(A) Letter of September 8, 2000 from the Maryland Department of the Environment transmitting the Maryland NO_x RACT regulations.

(B) The Maryland NO_x RACT regulations found at COMAR 26.11.09.08, effective October 18, 1999, as revised effective September 18, 2000. This rule replaces COMAR 26.11.09.08, effective May 10, 1993, as revised effective June 20, 1994 and May 8, 1995.

(C) Addition of COMAR 26.11.09.01B(3-1) (definition of the term "high heat release unit"), effective September 18, 2000.

(ii) Additional Material.—Remainder of September 8, 2000 submittal.

§ 52.1072 [Amended]

3. Section 52.1072(e) is removed and reserved.

[FR Doc. 01-3161 Filed 2-7-01; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3100, 3106, 3108, 3130, and 3160

[WO-310-1310-01-24 1A-PB]

RIN 1004-AC54

Oil and Gas Leasing: Onshore Oil and Gas Operations: Delay of Effective Date

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule; delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," 66 FR 7701 (January 24, 2001), this document temporarily delays for 60 days the effective date of the rule entitled "Oil and Gas Leasing: Onshore Oil and Gas Operations," published in the **Federal Register** on January 10,

2001 (66 FR 1883). The final rule will: clarify the responsibilities of oil and gas lessees and operating rights owners for protecting Federal and Indian oil and gas resources from drainage; specify when the obligations of the lessee or operating rights owner to protect against drainage begin and end; clarify what steps to take to determine if drainage is occurring; and specify the responsibilities of assignors and assignees for reclamation and other lease obligations.

EFFECTIVE DATE: The effective date of the Oil and Gas Leasing: Onshore Oil and Gas Operations Final Rule, amending 43 CFR 3100, 3106, 3108, 3130, and 3160; published in the **Federal Register** on January 10, 2001. (66 FR 1883), is delayed for 60 days; from February 9, 2001 to a new effective date of April 10, 2001.

FOR FURTHER INFORMATION CONTACT: Donnie Shaw, Fluid Minerals Group, Bureau of Land Management, Mail Stop 401LS, 1849 "C" Street, NW, Washington, D.C. 20240; telephone (202) 452-0382 (Commercial or FTS). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Services at 1-800-877-8339, seven days a week, 24 hours a day, except holidays, for assistance in reaching Mr. Shaw.

SUPPLEMENTARY INFORMATION: To the extent that 5 U.S.C. 553 applies to this action, the action is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A). Alternatively, the Department's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. 553(b)(3)(B) and 553(d)(3), in that seeking public comment is impractical, unnecessary and contrary to the public interest. The temporary 60-day delay in the effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

Dated: January 31, 2001.

Piet deWitt,

Acting Assistant Secretary, Land and Minerals Management.

[FR Doc. 01-3365 Filed 2-7-01; 8:45 am]

BILLING CODE 4310-84-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 52

[CC Docket No. 99-200; CC Docket No. 96-98; FCC 00-429]

Numbering Resource Optimization

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document the Federal Communications Commission (FCC or Commission) continues to develop, adopt and implement a number of strategies to ensure that the numbering resources of the North American Numbering Plan (NANP) are used efficiently, and that all carriers have the numbering resources they need to compete in the rapidly expanding telecommunications marketplace.

DATES: Section 52.15(f)(1)(vi) is effective December 29, 2000. Section 52.15(h) is effective May 8, 2001. All other amendments are effective March 12, 2001 except for §§ 52.15(g)(4) and 52.15(k)(1), which contain information collection requirements that have not been approved by the Office of Management and Budget. The Federal Communications Commission will publish a document in the **Federal Register** announcing the effective date of those sections.

ADDRESSES: Federal Communications Commission, Secretary, 445 12th Street, SW, Room TW-B204F, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Sanford Williams, (202) 418-2320 or email at swilliam@fcc.gov or Cheryl Callahan at (202) 418-2320 or ccallaha@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200 (Second Report and Order)*, adopted on December 7, 2000, and released on December 29, 2000. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, Washington, DC 20554. Comments and reply comments will be available for public inspection during

regular business hours in the FCC Reference Center. The complete text may also be obtained through the world wide web, at <http://www.fcc.gov/Bureaus/CommonCarrier/Orders>, or may be purchased from the Commission's copy contractor, International Transcription Services, Inc., 1231 20th Street, NW, Washington, DC 20036.

Synopsis of the Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200

1. With the rules adopted in the *Second Report and Order*, the FCC creates national standards to address numbering resource optimization. The *Second Report and Order*, among other things: (1) Establishes a utilization threshold for carriers; (2) clarifies the national framework for allocating numbers in blocks of 1,000, rather than 10,000 ("thousands-block number pooling") and for thousands-block number pooling administration; and (3) sets forth a comprehensive audit program to verify carrier compliance with federal rules and orders and industry guidelines.

2. The *Second Report and Order* also adopts and clarifies administrative measures that will allow the FCC to monitor more closely the way numbering resources are used within the U.S. Specifically, the FCC clarifies certain numbering status definitions, the definition of Parent Operating Company Number (OCN), and the scope of access state commissions have to mandatorily reported data and numbering resource application information.

3. The rules adopted herein facilitate increased carrier accountability and incentives to use numbers efficiently, and promote the judicious conservation of numbering resources.

Final Paperwork Reduction Analysis

4. This *Second Report and Order* contains some new information collections, which will be submitted to OMB for approval, as prescribed by the Paperwork Reduction Act.

Final Regulatory Flexibility Analysis

5. As required by the Regulatory Flexibility Act (RFA), 5 U.S.C. 603, an Initial Regulatory Flexibility Analysis (IRFA) was incorporated into the *Notice of Proposed Rulemaking (Notice)*. The Commission sought written public comment on the proposals in the *Notice*, including comment on the IRFA. In addition, pursuant to 5 U.S.C. 604, a Final Regulatory Flexibility Analysis (FRFA) was incorporated in the *First Report and Order and Further Notice of Proposed Rulemaking*, 65 FR 43251