

Dated: August 1, 2000.

Rebecca W. Hanmer,

Acting Regional Administrator, VIII.

[FR Doc. 00-20025 Filed 8-7-00; 8:45 am]

BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-6847-6]

Montana: Final Authorization of State Hazardous Waste Management Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of Immediate Final Rule.

SUMMARY: We are withdrawing the immediate final rule for Montana: Final Authorization of State Hazardous Waste Management Program Revision published on May 9, 2000, which approved the third revision to Montana's Hazardous Waste Rules. We stated in the immediate final rule that if we received comments that oppose this authorization, we would publish a timely notice of withdrawal in the **Federal Register**. Subsequently, we received comments that oppose this action. We will address these comments in a subsequent final action based on the proposed rule also published on May 9, 2000, at 65 FR 26802.

DATES: As of August 8, 2000, we withdraw the immediate final rule published on May 9, 2000, at 65 FR 26750.

FOR FURTHER INFORMATION CONTACT: Eric Finke, Waste and Toxics Team Leader, U.S. EPA, 301 S. Park, Drawer 10096, Helena, MT 59626, Phone: (406) 441-1130 ext 239, or Kris Shurr, EPA Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, phone number: (303) 312-6139. Kris Shurr (8P-HW), phone number: (303) 312-6312, 999 18th Street, Suite 500, Denver, Colorado 80202-2466.

SUPPLEMENTARY INFORMATION: Because we received comments that oppose this authorization, we are withdrawing the immediate final rule for Montana: Final Authorization of State Hazardous Waste Management Program Revision published on May 9, 2000, at 65 FR 26750, which intended to grant authorization for the third revision to Montana's Hazardous Waste Rules. We stated in the immediate final rule that if we received comments that opposed this action, we would publish a timely notice of withdrawal in the **Federal**

Register. Subsequently, we received comments that opposed this action. We will address all comments in a subsequent final action based on the proposed rule previously published on May 9, 2000, at 65 FR 26802. We will not provide for additional public comment during the final action.

Dated: July 31, 2000.

Rebecca W. Hanmer,

Acting Regional Administrator, Region VIII.

[FR Doc. 00-20022 Filed 8-4-00; 12:50 pm]

BILLING CODE 6560-50-P

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 102

Federal Management Regulation

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Notice of regulatory development.

SUMMARY: This document is an update on the continuing development of the Federal Management Regulation (FMR). Originally named the Federal Property and Administrative Services Regulation, parts of the FMR are now in effect.

FOR FURTHER INFORMATION CONTACT: Rod Lantier, Director, Regulatory Secretariat, Federal Acquisition Policy Division, (202) 501-2647, e-mail Rodney.Lantier@gsa.gov.

SUPPLEMENTARY INFORMATION: The FMR is the successor regulation to the Federal Property Management Regulations (FPMR), both of which the Administrator of General Services is authorized to issue to govern and guide Federal agencies. The General Services Administration (GSA) and other executive agency officials use these materials to regulate and prescribe policies, procedures, and delegations of authority pertaining to the management of property and other programs and activities administered by GSA. An exception pertains to the procurement and contract matters covered in the Federal Acquisition Regulation.

Presented in a plain language question and answer format, the FMR contains updated regulatory policies originally found in the FPMR. However, it does not contain FPMR material describing how to do business with GSA. "How to" materials will become available in customer service guides, handbooks, brochures and on other websites provided by GSA.

The contents of the FPMR are moving to the FMR according to subject area as each is rewritten. Until the migration to

the FMR is complete, agencies must reference both the FMR and the FPMR. In an effort to make this as convenient as possible for users, GSA issues all new FMR materials as changes to the FPMR in a looseleaf format. In this manner, both regulations are kept up to date throughout the transition.

Additionally, GSA has established an FMR/FPMR website. The url for this site is:

<http://policyworks.gov/org/main/mv/fmr/index.htm>

Although the site remains under construction, FMR content is up to date. The site will soon include the FPMR as it existed on November 1, 1999, before the first migration of its content into the FMR. This full version of the FPMR will be archived for agencies' future reference. GSA will also post a version of the FPMR that is updated as its content is migrated into the FMR. Thus, there will be Internet access to the FMR and any portions of the FPMR that remain in effect.

Finally, the FMR appears in Chapter 102 of Title 41. Once conversion to the FMR is complete, the FPMR, which now appears in Chapter 101 of Title 41, will be reserved in its entirety.

Dated: August 1, 2000.

G. Martin Wagner,

Associate Administrator for Governmentwide Policy.

[FR Doc. 00-19979 Filed 8-7-00; 8:45 am]

BILLING CODE 6820-34-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-35

RIN 3090-AG03

Relocation of FIRM Provisions Relating to the Use of Government Telephone Systems and GSA Services and Assistance

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Interim rule; extension of expiration date.

SUMMARY: The General Services Administration (GSA) is extending Federal Property Management Regulations provisions regarding management and use of telecommunications resources.

DATES: Effective Date: The interim rule published at 61 FR 41003 was effective August 8, 1996.

Expiration Date: The expiration date of the interim rule published at 61 FR 41003 is extended through August 8, 2001.

FOR FURTHER INFORMATION CONTACT: R. Stewart Randall, Jr., Office of Governmentwide Policy, telephone 202-501-4469.

SUPPLEMENTARY INFORMATION: FPMR interim rule F-1 was published in the **Federal Register** on August 7, 1996, 61 FR 41003. The expiration of the interim rule was August 8, 1998. A supplement published in the **Federal Register** on May 20, 1998, 63 FR 27682, extended the expiration date through August 8, 1999. A supplement published in the **Federal Register** on July 19, 1999, 64 FR 38588, extended the expiration date through August 8, 2000. This supplement further extends the expiration date through August 8, 2001.

List of Subjects in 41 CFR Part 101-35

Archives and records, Computer technology, Telecommunications, Government procurement, Property management, Records management, and Federal information processing resources activities.

PART 101-35—[AMENDED]

Therefore the expiration date for interim rule F-1 adding 41 CFR part 101-35 published at 61 CFR 41003, August 7, 1996, and extended until August 8, 2000 at 64 FR 38588, is further extended through August 8, 2001.

Dated: August 2, 2000.

David J. Barram,

Administrator of General Services.

[FR Doc. 00-20090 Filed 8-7-00; 8:45 am]

BILLING CODE 6820-34-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[WT Docket No. 96-86; FCC 00-242]

Priority Access Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission allows commercial mobile radio service to offer Priority Access Service (PAS) to public safety personnel at the Federal, State and local levels to help meet the national security and emergency preparedness (NSEP) needs of the Nation. Additionally, the Commission adopts rules to implement its decision. Specifically, the Commission determines that it will permit, but not require, commercial mobile radio service (CMRS) providers

to offer PAS to NSEP personnel. PAS will allow authorized NSEP users in emergencies to gain access to the next available wireless channel; priority calls would not, however, preempt calls in progress.

DATES: Effective October 10, 2000.

FOR FURTHER INFORMATION CONTACT: Bert Weintraub at (202) 418-0680, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, or Les Smith, AMD-PERM, Office of Managing Director at (202) 418-0217. In addition to filing comments with the Office of the Secretary, a copy of any comments on the information collection requirements contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445-12th Street, SW., Washington, DC 20554, or via the Internet to jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: 1. This is a summary of the Commission's *Second Report and Order*, FCC 00-242 in WT Docket No. 96-86, adopted on July 3, 2000, and released on July 13, 2000. The full text of this *Second Report and Order* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY-A257, 445-12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231-20th Street, NW., Washington, DC 20037. The full text also may be downloaded at: www.fcc.gov. Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418-0260 or TTY (202) 418-2555.

Summary of the Report and Order

2. The *Second Report and Order* implements another step of the Commission's responsibility to provide in the most efficient manner access to communications infrastructures in order to respond effectively to emergency and disaster situations. It documents the Commission's belief that there is a need and a demand for PAS, both by government agencies and by non-government NSEP personnel (e.g., utilities) that were not entitled to the 24 MHz of additional spectrum recently provided to the public safety community. The *Second Report and Order* makes clear that the Commission will allow, but will not require, CMRS providers to offer PAS to NSEP. It provides that if carriers choose to offer PAS, they will be required to adhere to uniform operating protocols concerning the number of priority levels and the priority level for particular NSEP users.

The *Second Report and Order* establishes the reasoning for the Commission's belief that uniform operating protocols will: (a) Ensure the compatibility of a peacetime PAS system with a wartime system, (b) allow federal and out-of-region NSEP personnel to avail themselves of PAS, and (c) enable a PAS system to be far more effective. It also concludes that: (a) PAS will include five priority levels, with non-government NSEP personnel receiving entitlement to a priority level as appropriate; (b) access to PAS should be limited to key personnel and those with leadership responsibilities; and (c) the National Communications System (NCS) will have responsibility for the day-to-day administration of PAS, with oversight responsibilities residing with the Commission. The Commission, however, will not require carriers to adhere to particular technical standards to implement PAS. The *Second Report and Order* further provides that a carrier's provision of PAS in accordance with Commission Rules being implemented will be *prima facie* lawful under federal law, thereby imposing a heavy burden on any complainant who claims a violation of the Communications Act, in particular, a violation of 202's anti-discrimination provisions. Otherwise, without such protection from liability, carriers are unlikely to offer PAS. Appendix C of the *Second Report and Order* contains the final PAS rules.

Final Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act (RFA), an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the proposal of the Commission's rules regarding Priority Access Service, *Second Notice of Proposed Rulemaking*, (SNPRM) FCC 97-353, 62 FR 60199 (Nov. 7, 1997). The Commission sought written public comment on the proposals in the SNPRM, including comment on the IRFA. This present Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.

I. Need for, and Objectives of, the Second Report and Order

2. The Commission has determined that there is a need and demand for Priority Access Service (PAS) by national security and emergency preparedness (NSEP) and other public safety personnel to enhance NSEP. Consequently, the Commission's objective is to authorize the voluntary provision by CMRS providers for such service. In the *Second Report and Order*, we determine that we will permit, but not require, CMRS providers