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#### Effective Date

(g) This amendment becomes effective on March 27, 2002.

Issued in Burlington, Massachusetts, on March 8, 2002.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 02-6502 Filed 3-20-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### 15 CFR Part 774

[Docket No. 020308050-2050-01]

RIN 0694-AC59

#### License Exception CIV Eligibility for Certain "Microprocessors" Controlled by ECCN 3A001

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Export Administration (BXA) maintains the Commerce Control List (CCL), which identifies those items subject to Department of Commerce export licensing requirements based on their characteristics. Consistent with technological changes, this final rule makes License Exception CIV available for certain microprocessors controlled by Export Control Classification Number (ECCN) 3A001 when they have a composite theoretical performance (CTP) of equal to or greater than 6,500 million theoretical operations per second (MTOPS), but less than or equal to 12,000 MTOPS. License Exception CIV authorizes exports and reexports to civil end-users for civil end-uses in Country Group D:1, except North Korea. CIV may not be used for exports or reexports to military end-users or end-uses.

This revision will decrease the number of license applications submitted to the Department of

Commerce, which will decrease the burden to both the exporting community and the Department of Commerce.

**DATES:** This rule is effective March 21, 2002.

**FOR FURTHER INFORMATION CONTACT:** Bernie Kritzer, Acting Director, Office of Strategic Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482-5953.

#### SUPPLEMENTARY INFORMATION:

**Background:** This rule implements the announcement made by President Bush on January 2, 2002 that the license exception level for exports of general purpose microprocessors would be raised from 6,500 MTOPS to 12,000 MTOPS. Such microprocessors are controlled in subsection a.3.a. of Export Control Classification Number (ECCN) 3A001 on the Commerce Control List, Supplement No. 1 to part 774 of the Export Administration Regulations (EAR). This rule amends ECCN 3A001 to provide that microprocessors in subsection a.3.a. with a composite theoretical performance up to 12,000 MTOPS are eligible for License Exception CIV (section 740.5 of the EAR). License Exception CIV authorizes exports and reexports to civil end-users for civil end-uses in Country Group D:1 (see Supplement No. 1 to part 740), except North Korea.

Although the Export Administration Act expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001 (66 FR 44025 (August 22, 2001)), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act.

#### Rulemaking Requirements

1. This final rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a currently valid OMB Control Number. This rule involves collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) These collections have been approved by the Office of Management and Budget under control numbers 0694-0106, "Reporting and Recordkeeping Requirements under the Wassenaar Arrangement," which carries a burden hour estimate of 5 minutes to

record the information for each export and 1 minute to submit the report twice a year to BXA; and 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of 40 minutes to prepare and submit electronically and 45 minutes to submit manually on form BXA-748P. Send comments regarding these burden estimates or any other aspect of these collections of information, including suggestions for reducing the burden, to OMB Desk Officer, New Executive Office Building, Washington, DC 20503; and to the Regulatory Policy Division, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

3. This rule does not contain policies with Federalism implications as this term is defined in Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (Sec. 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

#### List of Subjects in 15 CFR part 774

Exports, Foreign trade.

Accordingly, part 774 of the Export Administration Regulations (15 CFR parts 730 through 799) is amended as follows:

1. The authority citation for part 774 continues to read as follows:

**Authority:** 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 287c; 22 U.S.C. 3201 *et seq.*; 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 46 U.S.C. app. 466c; 50 U.S.C. app. 5; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, August 22, 2001.

#### PART 774—AMENDED

##### Supplement No. 1 to Part 774—Amended

2. In Supplement No. 1 to part 774 (the Commerce Control List), Category 3—Electronics, Export Control Classification Number (ECCN) 3A001 is

amended by revising the License Exceptions section to read as follows:

**3A001 Electronic Components, as Follows (see List of Items Controlled)**

\* \* \* \* \*

**License Exceptions**

LVS: N/A for MT

Yes for:

\$1500: 3A001.c

\$3000: 3A001.b.1, b.2, b.3, .d, .e and .f

\$5000: 3A001.a, and .b.4 to b.7

GBS: Yes for 3A001.a.1.b, a.2 to a.12, b.2, and b.8.

CIV: Yes for 3A001.a.3.a (for processors with a CTP less than or equal to 12,000 MTOPS), a.3.b, a.3.c, a.4, a.7, and a.11.

\* \* \* \* \*

Dated: March 15, 2002.

**James J. Jochum,**

*Assistant Secretary for Export Administration.*

[FR Doc. 02-6875 Filed 3-20-02; 8:45 am]

**BILLING CODE 3510-33-P**

## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 141

[T.D. 02-7]

**RIN 1515-AD03**

#### Andean Trade Preference Act

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Temporary rule; correction.

**SUMMARY:** On February 15, 2002, a temporary rule was published in the **Federal Register** as T.D. 02-07 (67 FR 7070-7071). Effective on February 15, 2002, this temporary rule permits importers of eligible articles that, but for the expiration of the ATPA, would have been entitled to duty-free treatment under the ATPA, the option to defer the payment of estimated Customs duties and fees after entry of those articles until May 16, 2002. The purpose of this document is to correct and clarify the wording of two sentences in the preamble of the temporary rule document. The substantive text of the temporary rule is unchanged.

**EFFECTIVE DATE:** This temporary rule remains effective on February 15, 2002, and expires on May 16, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Leon Hayward, Office of Field Operations, 202-927-3271.

**SUPPLEMENTARY INFORMATION:**

### Background

On February 15, 2002, a temporary rule was published in the **Federal Register** (67 FR 7070-7071) as T.D. 02-07. Effective on February 15, 2002, this temporary rule permits importers of eligible articles that, but for the expiration of the ATPA, would have been entitled to duty-free treatment under the ATPA, the option to defer the payment of estimated Customs duties and fees after entry of those articles until May 16, 2002. This document corrects and clarifies the wording of two sentences in the preamble of the temporary rule document. The substantive text of the temporary rule is unchanged.

### Corrections

The document published in the **Federal Register** as T.D. 02-7 on February 15, 2002 (67 FR 7070) is corrected as set forth below:

1. Beginning on page 7070, on the bottom of the third column, and continuing on page 7071 in the first column, the last sentence of the first paragraph of the "Summary" is removed and the following two sentences are added in its place to read as follows:

The Administration anticipates that the duty-free treatment accorded to merchandise under the provisions of the ATPA will be restored and made retroactive to the date of the initial termination of such duty-free treatment (December 4, 2001). There will be no extension of this extraordinary action.

2. On page 7071, in the "Background" portion of the document, in the second column, in the fourth paragraph, the last sentence is corrected to read as follows:

Accordingly, a one-time interim deferral of estimated duties and fees in anticipation of Congressional re-enactment of ATPA within the next 90 days is appropriate to further the national security interest in combating narcotic production and trafficking and related criminal and terrorist activities.

Approved: March 15, 2002.

**Douglas M. Browning,**

*Acting Assistant Commissioner, Office of Regulations and Rulings.*

[FR Doc. 02-6808 Filed 3-20-02; 8:45 am]

**BILLING CODE 4820-02-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 80

[FRL-7161-2]

**RIN 2060-AJ80**

#### Relaxation of Summer Gasoline Volatility Standard for the Denver/Boulder Area

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** EPA published a direct final rule on January 24, 2002, to relax the federal gasoline volatility standard that applies to gasoline supplied to the Denver/Boulder area from June 1st to September 15th (the ozone control season) of each year. However, we received an adverse comment during the 30 day comment period and are now withdrawing that direct final rule.

**DATES:** As of March 21, 2002, EPA withdraws the direct final rule published at 67 FR 3435, on January 24, 2002.

**FOR FURTHER INFORMATION CONTACT:** Richard Babst at (202) 564-9473.

**SUPPLEMENTARY INFORMATION:** Because EPA received adverse comment, we are withdrawing the direct final rule for "Relaxation of Summer Gasoline Volatility Standard for the Denver/Boulder Area." We published the direct final rule on January 24, 2002 (67 FR 3435), that would have approved the State of Colorado's request to relax the federal Reid Vapor Pressure ("RVP") gasoline standard that applies to gasoline supplied to the Denver/Boulder area from June 1st to September 15th (the ozone control season) of each year. That action would have amended our regulations to change the summertime RVP standard for the Denver area from 7.8 pounds per square inch ("psi") to 9.0 psi. We stated in that **Federal Register** document that if we received adverse comment by February 25, 2002, we would publish a timely notice of withdrawal in the **Federal Register**. We subsequently received an adverse comment. We will address the comment in a subsequent final action based on the parallel proposal also published on January 24, 2002 (67 FR 3468). As stated in the parallel proposal, we will not institute a second comment period on this action.