

**FOR FURTHER INFORMATION CONTACT:** Sicy Jacob, (202) 564-8019.

**SUPPLEMENTARY INFORMATION:** EPA is amending the table of currently approved information collection request (ICR) control numbers issued by OMB for various regulations. The amendment updates the table to list those information collection requirements promulgated under the Accidental Release Prevention Requirements; Risk Management Programs Under the Clean Air Act Section 112(r)(7); Distribution of Off-Site Consequence Analysis Information, which appeared in the **Federal Register** on August 4, 2000 (65 FR 48107). The affected regulations are codified at 40 CFR Part 1400. EPA will continue to present OMB control numbers in a consolidated table format to be codified in 40 CFR Part 9 of the Agency's regulations. The table lists CFR citations with reporting, recordkeeping, or other information collection requirements, and the current OMB control numbers. This listing of the OMB control numbers and their subsequent codification in the CFR satisfies the requirements of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and OMB's implementing regulations at 5 CFR Part 1320.

This ICR was previously subject to public notice and comment prior to OMB approval. Due to the technical nature of the table, EPA finds that further notice and comment is unnecessary. As a result, EPA finds that there is "good cause" under section 553(b)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), to amend this table without prior notice and comment.

### I. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty, contain any unfunded mandate, or impose any significant or unique impact on small governments as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4). This rule also does not require prior consultation with State, local, and tribal government officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993) or Executive Order 13084 (63 FR 27655 (May 10, 1998), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). Because this action is not subject to notice-and-comment requirements

under the Administrative Procedure Act or any other statute, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5-501 of the Order has the potential to influence the regulation. This rule is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

### Congressional Review Act

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. Section 808 allows the issuing agency to make 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 such a good cause finding, including the reasons therefore, and established an effective date of January 22, 2001. 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 action is not a "major rule" as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

Dated: January 12, 2001.

**Timothy Fields, Jr.,**

*Assistant Administrator, Office of Solid Waste and Emergency Response.*

For the reasons set out in the preamble, 40 CFR part 9 is amended as follows:

### PART 9—[AMENDED]

1. The authority citation for part 9 continues to read as follows:

**Authority:** 7 U.S.C. 135 *et seq.*, 136-136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601-2671; 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345 (d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR,

1971-1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g-1, 300g-2, 300g-3, 300g-4, 300g-5, 300g-6, 300j-1, 300j-2, 300j-3, 300j-4, 300j-9, 1857 *et seq.*, 6901-6992k, 7401-7671q, 7542, 9601-9657, 11023, 11048.

2. In § 9.1 the table is amended by adding a new heading for Distribution of Off-Site Consequence Analysis Information and entries in numerical order to read as follows:

### § 9.1 OMB approvals under the Paperwork Reduction Act.

\* \* \* \* \*

40 CFR citation	OMB control No.
* * * * *	
Distribution of Off-Site Consequence Analysis Information	
1400.3 .....	2050-0172
1400.4 .....	2050-0172
1400.6 .....	2050-0172
1400.9 .....	2050-0172
* * * * *	

[FR Doc. 01-1826 Filed 1-19-01; 8:45 am]

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### GENERAL SERVICES ADMINISTRATION

#### 41 CFR Part 301-10

[FTR Amendment 95]

RIN 3090-AH36

#### Federal Travel Regulation; Privately Owned Vehicle Mileage Reimbursement

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** This final rule increases the mileage reimbursement rate for use of a privately owned vehicle (POV) on official travel to reflect current costs of operation as determined in cost studies conducted by the General Services Administration (GSA). The governing regulation is revised to increase the mileage allowance for advantageous use of a privately owned airplane from 88 to 96.5 cents per mile, the cost of operating a privately owned automobile from 32.5 to 34.5 cents per mile, and the cost of operating a privately owned motorcycle from 26.0 to 27.5 cents per mile.

**EFFECTIVE DATE:** This final rule is effective January 22, 2001.

**FOR FURTHER INFORMATION CONTACT:**  
Devoanna R. Reels, Program Analyst,  
telephone 202-501-3781.  
**SUPPLEMENTARY INFORMATION:**

**A. Background**

Pursuant to 5 U.S.C. 5707(b), the Administrator of General Services has the responsibility to establish the privately owned vehicle (POV) mileage reimbursement rates. Separate rates are set for airplanes, automobiles (including trucks), and motorcycles. In order to set these rates, GSA is required to conduct periodic investigations, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, of the cost of travel and the operation of POVs to employees while engaged on official business. As required, GSA conducted an investigation of the costs of operating a POV and is reporting the cost per mile determination. The results of the investigation have been reported to Congress and a copy of the report appears as an attachment to this document. GSA's cost studies show the Administrator of General Services has determined the per-mile operating costs of a POV to be 96.5 cents for airplanes, 34.5 cents for automobiles, and 27.5 cents for motorcycles. As provided in 5 U.S.C. 5704(a)(1), the automobile

reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of 34.5 cents effective January 1, 2001. Additionally, based on updated data reflecting current costs to an agency of operating a Government Furnished Vehicle (GFV), GSA has increased the rate for use of a POV instead of a GFV from 23.5 cents to 28.5 cents per mile.

**B. Regulatory Flexibility Act**

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

**C. Executive Order 12866**

GSA has determined that this final rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because this final rule does not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the

Office of Management and Budget under 44 U.S.C. 501 *et seq.*

**E. Small Business Regulatory Enforcement Fairness Act**

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

**List of Subjects in 41 CFR Part 301-10**

Government employees, Travel and transportation expenses.

For the reasons set forth in the preamble, 41 CFR part 301-10 is amended to read as follows:

**PART 301-10—TRANSPORTATION EXPENSES**

1. The authority citation for 41 CFR part 301-10 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 40 U.S.C. 486(c); 49 U.S.C. 40118.

2. Section 301-10.303 is amended by revising the entries Privately owned airplane, Privately owned automobile, and Privately owned motorcycle in the table to read as follows:

**§ 301-10.303 What am I reimbursed when use of a POV is determined by my agency to be advantageous to the Government?**

For use of a	Your reimbursement is
* * *	* * *
Privately owned airplane .....	1 96.5
Privately owned automobile .....	1 34.5
Privately owned motorcycle .....	1 27.5

<sup>1</sup> Cents per mile.

**§ 301-10.310 [Amended]**

3. Section 301-10.310(a) is amended by removing “23.5” and adding in its place “28.5”.

Dated: January 10, 2001.  
**Thurman M. Davis, Sr.,**  
*Acting Administrator of General Services.*

**Attachment to Preamble—Report to Congress on the Costs of Operating Privately Owned Vehicles**

Subparagraph (b)(1)(A) of section 5707 of title 5, United States Code, requires the Administrator of General Services, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, to periodically investigate the cost of travel and the operation of privately owned vehicles (airplanes, automobiles, and motorcycles) to Government employees while on official business, to report the results of the investigations to Congress, and to publish the report in the **Federal Register**. This report is being published to comply with the requirements of the law.

Dated: January 10, 2001.  
**Thurman M. Davis, Sr.,**  
*Acting Administrator of General Services.*

**Report to Congress**

Subparagraph (b)(1)(A) of section 5707 of title 5, United States Code, requires that the Administrator of General Services, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, conduct periodic investigations of the cost of travel and the operation of privately owned vehicles (POVs) (airplanes, automobiles, and motorcycles) to Government employees while on official business and report the results to Congress at least once a year. Subparagraph (b)(2)(B) of section 5707 of title 5, United States Code, further requires that the Administrator of General Services determine the average, actual cost per mile for the use of each type of POV based on the results of the cost investigation. Such figures must be reported to Congress within 5 working days after the cost determination has been made in accordance with 5 U.S.C. 5707(b)(2)(C).

Pursuant to the requirements of subparagraph (b)(1)(A) of section 5707 of Title 5, United States Code, the General Services Administration (GSA), in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, conducted an investigation of the cost of operating a POV. As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of 34.5 cents effective January 1, 2000.

As required, GSA is reporting the results of the investigation and the cost per mile determination. Based on cost studies conducted by GSA, I have determined the per-mile operating costs of a POV to be 96.5 cents for airplanes, 34.5 cents for automobiles, and 27.5 cents for motorcycles.

I will issue a regulation to increase the current 88 to 96.5 cents for privately owned airplanes, 32.5 to 34.5 cents for privately owned automobiles, and 26.0 to 27.5 cents for privately owned motorcycles. This report

to Congress on the cost of operating POVs will be published in the Federal Register.

[FR Doc. 01-1466 Filed 1-19-01; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[FCC 00-352]

#### Waivers, Reductions and Deferrals of Regulatory Fees; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** The Federal Communications Commission published in the **Federal Register** of December 18, 2000, a document that was to deny the petition for reconsideration filed by the Cellular Telecommunications Industry Association on August 2, 1999 regarding the Report and Order in the matter of Assessment and Collection of Regulatory Fees for Fiscal Year 1999 and also amend the Commission's rule regarding petitions for reduction of regulatory fees. Inadvertently, the document did not include the paragraph noting the denial of the petition for reconsideration. This document corrects that error.

**DATES:** Effective January 17, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Carla Conover, Office of General Counsel, (202) 418-7882.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 00-31946, published in the **Federal Register** of December 18, 2000 (65 FR 78989), the paragraph noting the denial of a petition for reconsideration was not included. This correction includes that paragraph.

1. This supplementary information is a summary of the Commission's Memorandum Opinion and Order on Reconsideration (Order) in MD Docket No. 98-200 (FCC 00-352), adopted September 21, 2000, and released October 10, 2000. The complete text of the Order is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services (ITS, Inc.), CY-B400, 445 12th Street, SW., Washington, DC.

2. In FR Doc. 00-31946, on page 78989, in the first column, in the Summary, insert this sentence at the end of the paragraph: This document

also denies the petition for reconsideration filed by the Cellular Telecommunications Industry Association on August 2, 1999 regarding the Report and Order adopted on June 11, 1999 in the matter of Assessment and Collection of Regulatory Fees for Fiscal Year 1999.

3. On page 78989, in the third column, insert the following before the List of Subjects in 47 CFR Part 1: 4. The petition for reconsideration filed by the Cellular Telecommunications Industry Association on August 2, 1999 regarding the Report and Order adopted on June 11, 1999 in the matter of Assessment and Collection of Regulatory Fees for Fiscal Year 1999 is denied.

Federal Communications Commission.

**Magalie Roman Salas,**  
*Secretary.*

[FR Doc. 01-1251 Filed 1-19-01; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 13 and 17

RIN AG44

#### Response to Public Comments on Amending General Permitting Regulations Relating to Habitat Conservation Plans, Safe Harbor Agreements and Candidate Conservation Agreements With Assurances

**AGENCIES:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Final rule; affirmation.

**SUMMARY:** On June 17, 1999, the U.S. Fish and Wildlife Service (Service) published a final rule amending parts 13 and 17 of title 50 of the Code of Federal Regulations (CFR). This rule created regulations for the new Safe Harbor and Candidate Conservation Agreements with Assurances policies, and also dictated when the permitting requirements of Habitat Conservation Plan (HCP), Safe Harbor Agreement (SHA) and Candidate Conservation Agreement with Assurances (CCAA) permits, issued under the authority of section 10 of the Endangered Species Act of 1973, as amended (ESA), will vary from the Service's general part 13 permitting requirements. On February 11, 2000, we published a request for additional public comment on seven specific regulatory changes that altered the applicability of 50 CFR part 13 to permits for HCPs, SHAs and CCAs. Based on our review of the comments,

we have decided not to repropose any of the amendments to part 13 or part 17.

**DATES:** Final rule published on June 17, 1999 remains effective.

**ADDRESSES:** Chief, Division of Conservation and Classification, or Chief, Division of Consultation, Habitat Conservation Planning and Recovery, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, Virginia 22203 (Telephone 703/358-2171; Facsimile 703/358-1735).

**FOR FURTHER INFORMATION CONTACT:**

Nancy Gloman, Chief, Division of Conservation and Classification, U.S. Fish and Wildlife Service (telephone 703/358-2171, facsimile 703/358-1735), or Renne Lohofener, Chief, Division of Consultation, Habitat Conservation Planning and Recovery, U.S. Fish and Wildlife Service (telephone 703/358-2171, facsimile 703/358-1735).

**SUPPLEMENTARY INFORMATION:**

#### Background

The Service administers a variety of conservation laws that authorize the issuance of certain permits for otherwise prohibited activities. In 1974, we published 50 CFR part 13 to consolidate the administration of various permitting programs. Part 13 established a uniform framework of general administrative conditions and procedures that would govern the application, processing, and issuance of all Service permits. We intended that the general part 13 permitting provisions would apply to the various Federal wildlife and plant programs administered by the Service and that the specific permitting requirements applicable to each of these programs would supplement rather than replace the general part 13 requirements.

Subsequent to the 1974 publication of part 13, we added many wildlife regulatory programs to title 50 of the CFR. For example, we added part 18 in 1974 to implement the Marine Mammal Protection Act, modified and expanded part 17 in 1975 to implement the ESA, and added part 23 in 1977 to implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). These parts contained their own specific permitting requirements in addition to the general permitting provisions of part 13.

With respect to most of the programs under the ESA, the combination of part 13's general permitting provisions and part 17's specific permitting provisions have worked well since 1975. However, in three areas of emerging permitting policy under the ESA, the general approach of part 13 has turned out to be