

degree this rule would economically affect it.

Assistance for Small Entities

In accordance with 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard wants to assist small entities in understanding this Interim Rule so that they can better evaluate its effects on them and participate in the rule making process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact the U.S. Coast Guard using information in Addresses above.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

The Coast Guard has analyzed this rule in accordance with the principles and criteria contained in Executive Order 13132 and has determined it does not have implications of federalism under that order.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538), requires Federal agencies to assess the effects of their regulatory actions not specifically required by law. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such expenditure, the effects of this rule are discussed elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and

does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The Coast Guard has considered the environmental impact of this rule and concluded that under Commandant Instruction M16475.1C, Figure 2-1, paragraph 34(g), reducing the size of an RNA is categorically excluded from further environmental documentation.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons set out in the preamble, the Coast Guard amends Part 165 of Title 33, Code of Federal Regulations, as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191, 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

2. Amend § 165.1114 by revising paragraph (c)(7) to read as follows:

§ 165.1114 San Francisco Bay Region, California—regulated navigation area.

* * * * *

(7) *Oakland Harbor RNA*. The following is a regulated navigation area—The waters bounded by a line connecting the following coordinates, beginning at:

37° 48' 40" N, 122° 19' 58" W; thence to
37° 48' 50" N, 122° 20' 02" W; thence to
37° 48' 29" N, 122° 20' 39" W; thence to
37° 48' 13" N, 122° 21' 26" W; thence to
37° 48' 10" N, 122° 21' 39" W; thence to
37° 48' 20" N, 122° 22' 12" W; thence to
37° 47' 36" N, 122° 21' 50" W; thence to
37° 47' 52" N, 122° 21' 40" W; thence to
37° 48' 03" N, 122° 21' 00" W; thence to
37° 47' 48" N, 122° 19' 46" W; thence to
37° 47' 55" N, 122° 19' 43" W; thence returning along the shoreline to the point of the beginning.
Datum: NAD 83

* * * * *

Dated: July 16, 2001.

E.R. Riutta,

Vice Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 01-18395 Filed 7-23-01; 8:45 am]

BILLING CODE 4910-15-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 197

[FRL-7017-5]

RIN 2060-AG14

Public Health and Environmental Radiation Protection Standards for Yucca Mountain, Nevada

AGENCY: Environmental Protection Agency.

ACTION: Final rule; correction.

SUMMARY: On June 13, 2001, we, the Environmental Protection Agency (EPA), published in the **Federal Register** a document establishing the public health and environmental radiation protection standards for Yucca Mountain, Nevada. One section of the preamble was inadvertently omitted. This document adds that section.

DATES: Effective on July 24, 2001.

FOR FURTHER INFORMATION CONTACT: Ray Clark, Office of Radiation and Indoor Air, U.S. Environmental Protection Agency, Washington, D.C. 20460-0001; telephone 202-564-9310.

SUPPLEMENTARY INFORMATION: We published a document in the **Federal Register** of June 13, 2001, (66 FR 32073) establishing the public health and environmental radiation protection standards for Yucca Mountain, Nevada. In the Regulatory Analysis section, the certification required under the Regulatory Flexibility Act was inadvertently omitted.

In FR Doc. 01-14626 (66 FR 32073), make the following corrections:

(1) On page 32131, column one, Section H entitled "Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Fairness Act of 1996 (SBREFA), 5 U.S.C. 3501-20" is corrected to read:

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, agencies must prepare and make available for public comment an initial regulatory flexibility analysis assessing the impact of a rule upon "small entities" (5 U.S.C. 603). "Small entities" include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000 (5 U.S.C. 601). However, the requirement to prepare a regulatory flexibility analysis does not apply if the Administrator certifies that the rule will not, if promulgated, have a significant economic impact upon a substantial number of small entities (5 U.S.C. 605(b)). The rule today would establish requirements that apply only to the Department of Energy. Therefore, it does not apply to small entities. Accordingly, I hereby certify that the rule will not have a significant economic impact upon a substantial number of small entities.

(2) A new section K is added to read:

K. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, 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 804, however, exempts from section 801 the following types of rules: rules of particular applicability; rules relating to agency management or personnel; and rules of agency organization, procedure, or practice that do not substantially affect the right or obligations of non-agency parties. (5 U.S.C. 804(3)). We are not required to submit a rule report regarding today's action under section 801 because this is a rule of particular applicability.

Dated: July 18, 2001.

Christine Todd Whitman,
Administrator.

[FR Doc. 01-18407 Filed 7-23-01; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket No. 96-45; FCC 01-195]

Federal-State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission adopts rules that will extend the deadline for receipt of non-recurring services. The Commission also adopts a rule that will establish a deadline for the implementation of non-recurring services for certain qualified applicants who are unable to complete implementation by the September 30 deadline.

DATES: This document contains information collection requirements that have not been approved by the Office of Management and Budget (OMB). The Commission will publish a document in the **Federal Register** announcing the effective date of this document.

FOR FURTHER INFORMATION CONTACT: Katherine Tofigh, Attorney, Common Carrier Bureau, Accounting Policy Division, (202) 418-7400, TTY: (202) 418-0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order* in CC Docket No. 96-45 released on June 29, 2001. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 Twelfth Street, SW., Washington, DC 20554.

I. Introduction

1. In this *Report and Order*, we adopt a rule proposed in the Further Notice of Proposed Rulemaking (*NPRM*), 66 FR 23204, May 8, 2001, to provide additional time for recipients under the schools and libraries universal service support mechanism to implement contracts or agreements with service providers for non-recurring services. We adopt a rule that will extend the deadline for receipt of non-recurring services from June 30, to September 30 following the close of the funding year. Further, we adopt a rule that will establish a deadline for the

implementation of non-recurring services for certain qualified applicants who are unable to complete implementation by the September 30 deadline. We find that the amended rules will provide schools and libraries with more time to install non-recurring services, and thereby make greater use of their universal service discounts.

2. In the *NPRM*, the Commission also sought comment on its rule addressing the allocation of discounts for schools and libraries under the federal universal service mechanism when there is insufficient funding to support all requests for internal connections. Specifically, the Commission sought comment on whether to modify the rule to give funding priority to requests for internal connections made by individual schools and libraries that did not receive funding commitments for internal connections during the previous funding year. After consideration of the proposals, we conclude that we will not revise the Commission's rules of priority for Funding Year 4 of the schools and libraries universal service mechanism.

II. Discussion

A. Modification of Implementation Schedule for Non-Recurring Services

1. Extension of Installation Deadline for Non-Recurring Services

The Commission sought comment in the *NPRM* regarding a modification to our rules relating to the deadline for implementation of non-recurring services. Non-recurring services are funding requests with a one-time cost listed on Block 5 of an applicant's FCC Form 471. We conclude that it is reasonable for schools and libraries to have additional time to implement non-recurring services, given the fact that many of these services must be installed during the summer months when classes are not in session. Therefore, we adopt a rule change that would allow schools and libraries to implement non-recurring services by September 30, following the close of the funding year.

As noted in each year of the schools and libraries program, the Commission has extended the deadline for receipt of non-recurring services. Non-recurring services often involve the installation of equipment or wiring, for which schools and libraries incur a one-time cost. As a result, many non-recurring services need to be performed while students are not in school or during a time period that will modify our rule to permanently minimize disruptions for classrooms and students. We now find that it is appropriate to extend the deadline from June 30 to September 30. The extended