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## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 401, 402 and 403

RIN 0960-AE95

#### Testimony by Employees and the Production of Records and Information in Legal Proceedings: Delay of Effective Date

**AGENCY:** Social Security Administration, HHS.

**ACTION:** Final rules; 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," published in the **Federal Register** on January 24, 2001, this action temporarily delays for 60 days the effective date of the rule entitled Testimony by Employees and the Production of Records and Information in Legal Proceedings, published in the **Federal Register** on January 12, 2001, 66 FR 2805. These rules concern, among other matters, procedures governing testimony by Social Security Administration (SSA) employees and the production of official records and information in legal proceedings to which SSA is not a party. To the extent that 5 U.S.C. section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the agency's implementation of this rule 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. section 553(b)(B) and 553(d)(3), in that seeking public comment is impracticable, unnecessary and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give agency 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 impracticable, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

**DATES:** The effective date of Testimony by Employees and the Production of Records and Information in Legal Proceedings, published in the **Federal Register** on January 12, 2001 at 66 FR 2805, is delayed for 60 days, from February 12, 2001 to a new effective date of April 13, 2001.

**FOR FURTHER INFORMATION CONTACT:** For further information specifically about this final rule, contact Brad Howard, Attorney, Office of General Law, Office of the General Counsel, Room 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 966-1817. For information about eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet web site, Social Security Online, [www.ssa.gov](http://www.ssa.gov).

Dated: February 5, 2001.

**William A. Halter,**

*Acting Commissioner of Social Security.*

[FR Doc. 01-3573 Filed 2-9-01; 8:45 am]

**BILLING CODE 4191-02-U**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 645

RIN 1205-AB15

#### Welfare-to-Work (WtW) Grants: Delay of Effective Date and Comment Date

**AGENCY:** Employment and Training Administration (ETA), DOL.

**ACTION:** Final rule, interim final rule; delay of effective date and comment 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," published in the **Federal Register** on January 24, 2001, this action temporarily delays for 60 days the effective date of the rule entitled

"Welfare-to-Work (WtW) Grants," published in the **Federal Register** on January 11, 2001 (66 FR 2690). That rule contains a Final Rule implementing the Welfare-to-Work (WtW) grant provisions of Title IV, Part A of the Social Security Act initiated by the publication of the Interim Final Rule (IFR1) on November 18, 1997. It also contains a new Interim Final Rule (IFR2) implementing the Welfare-to-Work and Child Support Amendments of 1999 (1999 Amendments).

**DATES: Effective Date.** The effective date of the "Welfare-to-Work (WtW) Grants" amendments (Final Rule and IFR2), amending 20 CFR part 645, published in the **Federal Register** on January 11, 2001, at 66 FR 2690, is delayed for 60 days, from February 12, 2001, to a new effective date of April 13, 2001.

**Comment Date.** The Department is extending the date for receipt of comments on the IFR2, implementing the 1999 Amendments, by 30 days from March 12, 2001, the date published in the **Federal Register** on January 11, 2001 at 66 FR 2690, to a new date of April 11, 2001. This will allow the public additional time to submit comments on those changes that are the result of the 1999 Amendments.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dennis Lieberman, Division of Welfare-to-Work, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-4671, Washington, DC 20210. Telephone: (202) 693-3910 (voice) (this is not a toll-free number) or 1-800-326-2577 (TDD).

**SUPPLEMENTARY INFORMATION:** To the extent that 5 U.S.C. 553 applies to this action, it 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 rule 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)(B) and 553(d)(3), in that seeking public comment is impracticable, unnecessary and contrary to the public interest. The temporary 60-day delay in 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.

Signed at Washington, DC, this 7th day of February, 2001.

**Raymond J. Uhalde,**

*Deputy Assistant Secretary, Employment and Training Administration.*

[FR Doc. 01-3515 Filed 2-9-01; 8:45 am]

BILLING CODE 4510-30-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MD105-3054; FRL-6916-6]

#### Approval and Promulgation of Air Quality Implementation Plans; Maryland; Approval of Opacity Recodifications and Revisions To Visible Emissions Requirements COMAR 26.11.06.02

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the Maryland State Implementation Plan (SIP). The revisions include the recodification of Maryland's general opacity regulations as well as the addition of procedures whereby a source may apply for and be granted a federally enforceable alternative visible emission standard. EPA is approving these revisions to Maryland's SIP in accordance with the requirements of the Clean Air Act.

**DATES:** This rule is effective on April 13, 2001 without further notice, unless EPA receives adverse written comment by

March 14, 2001. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Written comments should be mailed to Mr. Denis Lohman, Acting Chief, Technical Assessment Branch, Mailcode 3AP22, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224.

**FOR FURTHER INFORMATION CONTACT:** Ruth E. Knapp, (215) 814-2191, or by e-mail at knapp.ruth@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. Summary of the SIP Revision

On March 21, 1991 and November 5, 1997, the State of Maryland submitted formal revisions to its State Implementation Plan (SIP). The SIP revisions consist of a recodification of Maryland's general opacity regulations and the addition of procedures whereby a source may apply for and receive a federally enforceable alternative visible emission standard. In the 1991 submittal, Maryland recodified all of its general opacity regulations as part of the State Air and Radiation Management Administration's (ARMA) transfer from the Department of Health and Mental Hygiene (DHMH) to the Maryland Department of the Environment (MDE).

As a result, the applicable citations have been revised from COMAR 10.18.06.02 and .03 to COMAR 26.11.06.02. In addition, Maryland has recodified its provisions governing control of particulate matter from materials handling and construction by separating the applicable visible emissions provisions from the applicable particulate matter control provisions. As a result, Maryland has revised the citation of the particulate matter provisions related to materials handling and construction from COMAR 10.18.06.03D(1) to COMAR 26.11.06.03D, while moving the applicable visible emissions provisions from COMAR 10.18.06.03D(2) to COMAR 26.11.06.02C(3). In the 1997 submittal, Maryland revised COMAR 26.11.06.02B to include specific procedures by which a source may apply for and be granted a federally enforceable alternative visible emission standard. On February 6, 1998, Maryland also submitted an additional provision, COMAR 26.11.06.02A(1)(j) [General Exceptions—Emissions at Federal Facilities] as a SIP revision. EPA will act upon this SIP revision request in a separate rulemaking action.

On November 3, 1992 (57 FR 49651), EPA approved the general COMAR recodification scheme as a revision of the Maryland SIP (*See*, 40 CFR 52.1070(c)(90)). However, that action did not include the recodification of Maryland's general opacity and the aforementioned particulate matter control provisions. EPA is now approving these revised COMAR citations of Maryland's general opacity and particulate matter control provisions as a revision of the Maryland SIP. There are no substantive revisions to the wording of these SIP provisions. The revised citations are summarized below:

Provision title/Subject matter	Current SIP citation	Revised SIP citation
• General Exceptions—Open fires (except salamanders) .....	10.18.06.02D(2)	26.11.06.02A(1)(b)
• General Exceptions—Fugitive emissions from iron and steel production installations .....	10.18.06.02D(3)	26.11.06.02A(1)(c)
• General Exceptions—Fugitive emissions from metallurgical, slot-type, byproduct coke ovens .....	10.18.06.02D(4)	26.11.06.02A(1)(d)
• General Exceptions—Fugitive emissions from skull cracker oxygen lancing .....	10.18.06.02D(6)	26.11.06.02A(1)(f)
• General Exceptions—Emissions during start-up and process modifications, or occasional cleaning of control equipment .....	10.18.06.02C	26.11.06.02A(2)
• Visible Emission Standards—Areas I, II, V and VI .....	10.18.06.02A	26.11.06.02C(1)
• Visible Emission Standards—Areas III, and IV .....	10.18.06.02B	26.11.06.02C(2)
• Visible emissions beyond the property lot line from any act of materials handling or construction—Areas I, II, V, and VI only .....	10.18.06.03D	26.11.06.02C(3)

The provisions now found at COMAR 26.11.06.02A(1)(e), (g), (h), and (i) were not part of the SIP when they were found at COMAR 10.18.06.02C, and

therefore are not being addressed in this action to approve the recodification of SIP provisions action. In conjunction with this approval action, EPA is

replacing SIP provision COMAR 10.18.01.08 [Exceptions—Case by Case] with the provisions in COMAR 26.11.06.02B which includes the