

must contain a reference to the agency's program authority and include specific funding provisions that pertain to the program activity that resulted in the claim. If, upon reconsideration, FMS determines that payment from the Judgment Fund is appropriate, and the agency has already made payment to the plaintiff or claimant, FMS will reimburse the agency from the Judgment Fund.

### Subpart G—Private Relief Bills

#### § 256.60 How do I get paid for a Private Relief Bill?

You may apply for payment by sending a request letter along with supporting documentation, to include a copy of the private relief act and proof of your identity, to the address specified on the FMS Web site at <http://www.fms.treas.gov/privaterelief>.

Dated: October 11, 2006.

**Kenneth R. Papaj,**  
Commissioner.

[FR Doc. E6-17229 Filed 10-16-06; 8:45 am]

BILLING CODE 4810-35-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 49

[R10-OAR-2005-TR-0001; FRL-8230-8]

#### Announcement of the Delegation of Partial Administrative Authority for Implementation of Federal Implementation Plan for the Umatilla Indian Reservation to the Confederated Tribes of the Umatilla Indian Reservation

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

**ACTION:** Delegation of authority; technical amendment.

**SUMMARY:** This action announces that on August 21, 2006, EPA Region 10 and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) entered into a Partial Delegation of Administrative Authority to carry out certain day-to-day activities associated with administration of the Federal Implementation Plan for the Umatilla Indian Reservation (Umatilla FIP). A note of this partial delegation is being added to the Umatilla FIP.

**DATES:** The partial delegation of administrative authority was effective on August 21, 2006. The date of delegation can be found in the **SUPPLEMENTARY INFORMATION** section of this document.

**ADDRESSES:** EPA has established a docket for this action under Docket ID

No. R10-OAR-2005-TR-0001. The delegation agreement and other docket materials are available electronically in EDOCKET, EPA's electronic public docket and comment system, found at [www.regulations.gov](http://www.regulations.gov) or in hard copy from Steve Body at EPA Region 10, Office of Air, Waste and Toxics (AWT-107), 1200 Sixth Avenue, Seattle, Washington 98101, or via e-mail at [body.steve@epa.gov](mailto:body.steve@epa.gov). Additional information may also be obtained from the CTUIR by contacting Dr. John Cox, Air Quality Project Coordinator, Environmental Science and Technology Program, P.O. Box 638, Pendleton, Oregon 97801.

#### FOR FURTHER INFORMATION CONTACT:

Steve Body at telephone number: (206) 553-0782, e-mail address: [body.steve@epa.gov](mailto:body.steve@epa.gov), or the above EPA, Region 10 address.

**SUPPLEMENTARY INFORMATION:** The purpose of this action is to announce that on August 21, 2006, EPA Region 10, delegated partial administrative authority for implementation of certain provisions of the Umatilla FIP to the CTUIR. See 40 CFR part 49, subpart M, section 11011 through 11040, as authorized by 40 CFR 49.122 of the Federal Air Rules for Reservations, (FARR), 40 CFR part 49, subpart C.

#### I. Authority To Delegate

Federal regulation 40 CFR 49.122 provides EPA authority to delegate to Indian Tribes, partial administrative authority to administer provisions of the Federal Air Rules for Reservations (FARR), 40 CFR part 49, subpart C. Tribes must submit a request to the Regional Administrator that meets the requirements of 40 CFR 49.122.

#### II. Partial Delegation of Administrative Authority

On August 21, 2006, EPA entered into an "Agreement for Partial Delegation of the Federal Implementation Plan for the Umatilla Indian Reservation by the United States Environmental Protection Agency, Region 10, to the Confederated Tribes of the Umatilla Indian." The Delegation Agreement provides authority for the CTUIR to administer the following rules that are part of the Federal Implementation Plan for the Nez Perce Tribe of Idaho, 40 CFR 49.11011 through 49.11040: 49.11020(a) Section 49.123 General provisions; 49.11020(g) Section 49.131 General rule for open burning; 49.11020(h) Section 49.132 Rule for general open burning permits; 49.11020(i) Section 49.133 Rule for agricultural burning permits; 49.11020(j) Section 49.134 Rule for forestry and silvicultural burning

permits; and 49.11020(l) Section 49.137 Rule for air pollution episodes.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making today's rule final without prior proposal and opportunity for comment because EPA is merely informing the public of partial delegation of administrative authority to the CTUIR and making a technical amendment to the Code of Federal Regulations (CFR) by adding a note announcing the partial delegation. Thus, notice and public procedure are unnecessary. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).

Moreover, since today's action does not create any new regulatory requirements, EPA finds that good cause exists to provide for an immediate effective date pursuant to 5 U.S.C. 553(d)(3).

#### III. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely makes a technical amendment and gives notice of a partial delegation of administrative authority. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

Executive Order 13175, entitled "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249, November 6, 2000), requires EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." "Policies that have tribal implications" is defined in the Executive Order to include regulations

that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.” Under section 5(b) of Executive Order 13175, EPA may not issue a regulation that has tribal implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by tribal governments, or EPA consults with tribal officials early in the process of developing the proposed regulation. Under section 5(c) of Executive Order 13175, EPA may not issue a regulation that has tribal implications and that preempts tribal law, unless the Agency consults with tribal officials early in the process of developing the regulation. EPA has concluded that this rule may have tribal implications. EPA’s action fulfills a requirement to publish a notice announcing partial delegation of administrative authority to the CTUIR and noting the partial delegation in the CFR. However, it will neither impose substantial direct compliance costs on tribal governments, nor preempt tribal law. Thus, the requirements of sections 5(b) and 5(c) of the Executive Order do not apply to this rule.

This action also does not have Federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This technical amendment merely notes that partial delegation of administrative authority to the CTUIR is in effect. This rule also is not subject to Executive Order 13045, “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), because it is not economically significant.

This action does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). 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. 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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 18, 2006. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### List of Subjects in 40 CFR Part 49

Administrative practice and procedure, Air pollution control, Indians, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: September 28, 2006.

**Ronald A. Kreizenbeck**,  
*Acting Regional Administrator, Region 10.*

■ Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### PART 49—[AMENDED]

■ 1. The authority citation for Part 49 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

#### Subpart M—[Amended]

■ 2. Section 49.11020 is amended by adding a note to the end of the section to read as follows:

**§ 49.11020 Federally-promulgated regulations and Federal implementation plans.**

\* \* \* \* \*

**Note to § 49.11020:** EPA entered into a Partial Delegation of Administrative Authority Agreement with the Confederated Tribes of the Umatilla Indian Reservation on August 21, 2006 for the rules listed in

paragraphs (a), (g), (h), (i), (j) and (l) of this section.

[FR Doc. E6–17223 Filed 10–16–06; 8:45 am]

BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 50

[EPA–HQ–OAR–2006–0834; FRL–8230–9]

### Regulatory Impact Analysis for the Review of the Particulate Matter National Ambient Air Quality Standards

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

**ACTION:** Notice of availability of documents.

**SUMMARY:** On October 6, 2006, EPA released the Regulatory Impact Analysis (RIA) for the revised particulate matter national ambient air quality standards. This RIA provides EPA’s estimates of the range of the monetized human health benefits, control costs, and net benefits associated with meeting the revised suite of standards for fine particles (PM<sub>2.5</sub>) that are published elsewhere in this issue of the **Federal Register**, as well as for meeting a more stringent alternative. The final rule established a 24-hour standard of 35 g/m<sup>3</sup> and retained the annual standard of 15 g/m<sup>3</sup>. The EPA also promulgated a final decision to retain the current 24-hour PM<sub>10</sub> standards and to revoke the current annual PM<sub>10</sub> standards, in order to maintain protection against the health and welfare effects of thoracic coarse particles (PM<sub>10–2.5</sub>). Data and modeling limitations preclude EPA from assessing the costs and benefits of retaining the existing PM<sub>10</sub> 24-hour standard.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ron Evans, Mail Code C439–02, Health and Environmental Impacts Division, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone: (919) 541–5488, e-mail: [evans.ron@epa.gov](mailto:evans.ron@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### A. How Can I Get Copies of This Document and Other Related Information?

1. *Docket.* The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2006–0834. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air and Radiation Docket and