

specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action will 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), because it merely authorizes State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This rule is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

Under RCRA 3006(b), EPA grants a State's application for authorization as long as the State meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a State authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. 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. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. 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 document 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 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). This action will be effective June 26, 2006.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of Sections 2002(a), 3006, and 7004(b), of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: April 3, 2006.

A. Stanley Meiburg,

Deputy Regional Administrator, Region 4.

[FR Doc. 06-3851 Filed 4-24-06; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 102-37 ⁰²

[FMR Amendment 2006-01; FMR Case 2006-102-2]

RIN 3090-AI25

Federal Management Regulation; Donation of Surplus Personal Property

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: The General Services Administration is amending the Federal Management Regulation (FMR) language that pertains to personal property by correcting references to outdated or superceded provisions of law or regulation; correcting text to be in conformance with revised laws, regulation, or Federal agency responsibilities; and clarifying text where the intended meaning could be updated or made clearer. The FMR and any corresponding documents may be accessed at GSA's Web site at <http://www.gsa.gov/fmr>.

DATES: *Effective Date:* May 25, 2006.

FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat, Room 4035, GSA Building, Washington, DC 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Robert Holcombe, Office of Governmentwide Policy, Office of Travel, Transportation, and Asset Management (MT), at (202) 501-3828 or e-mail at Robert.Holcombe@gsa.gov. Please cite FMR case 2006-102-2, Amendment 2006-01.

SUPPLEMENTARY INFORMATION:

A. Background

In the years since 41 CFR part 102-37 was published as a final rule, the references to other regulations which migrated from the Federal Property Management Regulations (FPMR) (41 CFR chapter 101) to the Federal Management Regulation (FMR) (41 CFR chapter 102) became outdated. Also, Public Law 107-217 revised and recodified certain provisions of the Federal Property and Administrative Services Act of 1949 (Property Act). For example, the Property Act provisions and topics previously found at 40 U.S.C. 471-514 will now generally be found at 40 U.S.C. 101-705. This revised regulation updates the title 40 U.S.C. citations to reflect the changes made by Public Law 107-217. Additionally, in the intervening years since these three regulations were published, several agencies have moved or changed names. Finally, updating or clarifying revisions were made where the revisions are seen as administrative or clerical in nature. This includes—

1. Elimination of the requirement for a biennial report to Congress on the donation of Federal surplus personal property (obsolete because of section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note)); and

2. A revised threshold for audits made under OMB Circular A-133.

B. Executive Order 12866

The General Services Administration (GSA) has determined that this final rule is not a significant regulatory action for the purposes of Executive Order 12866.

C. Regulatory Flexibility Act

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

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FMR do not impose information

collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

E. Small Business Regulatory Enforcement Fairness Act

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

List of Subjects in 41 CFR Part 102–37

Government property management, Reporting and recordkeeping requirements, Surplus government property, and Government property.

Dated: April 10, 2006.

David L. Bibb,

Acting Administrator of General Services.

■ For the reasons set forth in the preamble, GSA amends 41 CFR part 102–37 as set forth below:

■ 1. The authority citation for 41 CFR part 102–37 continues to read as follows:

PART 102–37—DONATION OF SURPLUS PERSONAL PROPERTY

Authority: 40 U.S.C. 549 and 121(c).

§ 102–37.10 [Amended]

■ 2. Amend § 102–37.10 by removing “Subsection 203(j)(1) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(j)(1)), as amended (the Property Act)” and adding “Section 549 of title 40, United States Code” in its place.

§ 102–37.25 [Amended]

■ 3. Amend § 102–37.25 by removing the definition “Property Act”; and in the definition “State agency for surplus property (SASP)” by removing “subsection 203(j) of the Property Act (40 U.S.C. 484(j))” and adding “40 U.S.C. 549” in its place.

§ 102–37.80 [Amended]

■ 4. Amend § 102–37.80 by removing “part 101–45 of this title” and adding “part 102–38 of this chapter” in its place.

§ 102–37.105 [Removed]

■ 5. Remove § 102–37.105

§ 102–37.125 [Amended]

■ 6. Amend § 102–37.125 in paragraph (a)(4), by removing “40 U.S.C. 484(r)” and adding “40 U.S.C. 555” in its place.

§ 102–37.145 [Amended]

■ 7. Amend § 102–37.145 in paragraph (c) by removing “subsection 203(j)(4) of the Property Act (40 U.S.C. 484(j))” and adding “40 U.S.C. 549(e)” in its place.

§ 102–37.150 [Amended]

■ 8. Amend § 102–37.150 by removing from the first sentence “subsection 203(j)(4) of the Property Act (40 U.S.C. 484(j))” and adding “40 U.S.C. 549(e)” in its place; and by removing from the last sentence “the Property Act” and adding “title 40 of the United States Code” in its place.

§ 102–37.200 [Amended]

■ 9. Amend § 102–37.200 in paragraph (a) by removing “subsection 203(j) of the Property Act (40 U.S.C. 484(j))” and adding “40 U.S.C. 549” in its place.

§ 102–37.205 [Amended]

■ 10. Amend § 102–37.205 by—

- a. Removing from paragraph (a) “section 203(j) of the Property Act (40 U.S.C. 484(j))” and adding “40 U.S.C. 549” in its place; and
- b. Removing from paragraph (f) “part 101–6, subpart 101–6.2, and part 101–8 of this title” and adding “parts 101–4, subparts 101–6.2, and 101–8.3 of this title” in its place.

§ 102–37.325 [Amended]

■ 11. Amend § 102–37.325 by removing from the introductory paragraph “Section 203(n) of the Property Act (40 U.S.C. 484(n))” and adding “Section 549(f) of title 40, United States Code” in its place.

§ 102–37.345 [Amended]

■ 12. Amend § 102–37.345 by removing “\$300,000” and adding “\$500,000” in its place.

§ 102–37.350 [Amended]

■ 13. Amend § 102–37.350 by removing “General Accounting Office” and adding “Government Accountability Office” in its place.

§ 102–37.355 [Amended]

■ 14. Amend § 102–37.355 by removing “\$300,000” (twice) and adding “\$500,000” in its place.

§ 102–37.380 [Amended]

■ 15. Amend § 102–37.380 by—

- a. Removing from paragraph (a) “Subsection 203(j)(2) of the Property Act (40 U.S.C. 484(j)(2))” and adding “Section 549(d) of title 40, United States Code” in its place; and

- b. Removing from paragraph (b) “Subsection 203(j) of the Property Act (40 U.S.C. 484(j)(3))” and adding “Section 549(c)(3) of title 40, United States Code” in its place.

§ 102–37.445 [Amended]

■ 16. Amend § 102–37.445, by removing from paragraph (d) “section 606 of title

VI of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 476), as amended” and adding “section 122 of title 40, United States Code” in its place.

§ 102–37.455 [Amended]

■ 17. Amend § 102–37.455 by—

- a. Removing from the table in paragraph (a)(1) “Part 101–37, subpart 101–37.6, of this title” and adding “Part 102–33, subpart D, of this chapter” in its place; and
- b. Removing from paragraph (b)(1) “Bureau of Alcohol, Tobacco, and Firearms (BATF), Department of the Treasury” and adding “Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice” in its place; and by removing from the second sentence “BATF” and adding “ATF” in its place.

§ 102–37.520 [Amended]

■ 18. Amend § 102–37.520 by removing “41 U.S.C. 47102” and adding “49 U.S.C. 47102” in its place.

§ 102–37.540 [Amended]

■ 19. Amend § 102–37.540 by removing “Subsection 203(l) of the Property Act (40 U.S.C. 484(l))” and adding “Section 551 of title 40, United States Code” in its place.

§ 102–37.565 [Amended]

■ 20. Amend § 102–37.565 by removing “Subsection 202(h) of the Property Act (40 U.S.C. 483(h))” and adding “Section 527 of title 40, United States Code” in its place.

Appendix C to Part 102—[Amended]

■ 21. Amend Appendix C in the definition “Nationally recognized accrediting agency” by removing “<http://www.ed.gov/offices/OPE/accreditation/index.html>” and adding “<http://www.ed.gov/admins/finaid/accred>” in its place.

[FR Doc. 06–3881 Filed 4–24–06; 8:45 am]

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