

interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 00-ACE-28." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

##### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H Airspace Designations and Reporting Points,

dated September 1, 2000, and effective September 16, 2000, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### **ACE KS E5 Pittsburg, KS [Revised]**

Pittsburg, Atkinson Municipal Airport, KS  
(Lat. 37°26'55" N., long. 94°43'53" W.)  
Pittsburg, NDB  
(Lat. 37°26'33" N., long. 94°43'36" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Atkinson Municipal Airport and within 2.6 miles east side of the 350° bearing from the Pittsburg NDB extending from the 6.6-mile radius to 7 miles north of the airport.

\* \* \* \* \*

**H.J. Lyons, Jr.,**

*Manager, Air Traffic Division, Central Region.*

[FR Doc. 00-27182 Filed 10-23-00; 8:45 am]

**BILLING CODE 4910-13-M**

## **DEPARTMENT OF THE TREASURY**

### **Bureau of Alcohol, Tobacco and Firearms**

#### **27 CFR Part 275**

[T.D. ATF-422c]

**RIN 1512-AC07**

#### **Implementation of Public Law 105-33, Section 9302, Requiring the Qualification of Tobacco Product Importers (98R-316P) and Miscellaneous Technical Amendments: Correction**

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correcting amendment to the temporary regulations, which were published in the *Federal Register* on December 22, 1999, (64 FR 71947). The temporary regulations relate to implementing certain provisions of the Balanced Budget Act of 1997 that set forth requirements that, beginning January 1, 2000, importers of tobacco products must qualify for a permit to conduct that activity.

**DATES:** This rule is effective October 24, 2000.

**FOR FURTHER INFORMATION CONTACT:** Robert Ruhf, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 (202-927-8210).

**SUPPLEMENTARY INFORMATION:**

## **Background**

The temporary regulations that are the subject of this correction implemented some of the provisions of the Balanced Budget Act of 1997, (Pub. L. 105-33) and made clarifying changes to part 275. The temporary regulations were published in the *Federal Register* on December 22, 1999, (T.D. ATF-422, 64 FR 71947), and two corrections to the temporary rules were published on March 21, 2000, (T.D. ATF-422a, 65 FR 15058) and on July 24, 2000, (T.D. ATF-422b, 65 FR 45523). The temporary regulations require that, beginning January 1, 2000, importers of tobacco products must qualify for a permit to conduct that activity.

## **Need for Correction**

As published, the temporary regulations contain an omission in the meaning of term "appropriate ATF officer." The meaning of this term should also refer to ATF O 1130.15, Delegation Order—Delegation of Certain of the Director's Authorities in 27 CFR parts 270, 275 and 296. This document corrects this omission.

## **List of Subjects in 27 CFR Part 275**

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Cigars and cigarettes, Electronic funds transfers, Claims, Customs duties and inspections, Excise taxes, Imports, Labeling, Packaging and containers, Penalties, Reporting and record keeping requirements, Seizures and forfeitures, Surety bonds, U.S. Possessions, Warehouses.

Accordingly, 27 CFR part 275 is corrected by making the following correcting amendments:

#### **PART 275—IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

1. The authority citation for part 275 continues to read as follows:

**Authority:** 18 U.S.C. 2342; 26 U.S.C. 5701, 5703, 5704, 5705, 5708, 5712, 5713, 5721, 5722, 5723, 5741, 5754, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

##### **§ 275.11 [Corrected]**

2. Remove the period at the end of the definition of the term "appropriate ATF officer" in § 275.11 and add the words "and ATF Order 1130.15, Delegation Order—Delegation of Certain of the

Director's Authorities in 27 CFR Parts 270, 275 and 296."

**Bradley A. Buckles,**

*Director.*

[FR Doc. 00-27220 Filed 10-23-00; 8:45 am]

BILLING CODE 4810-31-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CO-001-0041a, CO-001-0042a, UT-001-0032a; FRL-6889-2]

#### Approval and Promulgation of Air Quality Implementation Plans; Colorado and Utah; 1996 Periodic Carbon Monoxide Emission Inventories

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

**ACTION:** Direct final rule.

**SUMMARY:** On May 10, 2000, the Governor of Colorado submitted a revision to the State Implementation Plan (SIP) that addressed the Clean Air Act (CAA) section 187(a)(5) requirement for 1996 Periodic Emission Inventories (PEI), for Carbon Monoxide (CO) nonattainment areas, for Denver, Colorado and Fort Collins, Colorado. On June 14, 1999, the Governor of Utah submitted a SIP revision for the 1996 CO PEI requirement for Utah County, Utah. In this action, the EPA is approving the 1996 CO PEIs for Denver, Colorado, Fort Collins, Colorado, and Utah County, Utah.

**DATES:** This direct final rule is effective on December 26, 2000 without further notice, unless EPA receives adverse comments by November 24, 2000. If adverse comments are received, EPA 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 may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 300, Denver, Colorado, 80202.

Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202.

Copies of the State documents relevant to this action are also available for public inspection at the Colorado Department of Public Health and Environment, Air Pollution Control

Division, 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530; and at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114-4820.

**FOR FURTHER INFORMATION CONTACT:**

Megan Williams, EPA, Region VIII, (303) 312-6431.

**SUPPLEMENTARY INFORMATION:**

Throughout this document wherever "we," "us," or "our" are used, we mean the Environmental Protection Agency.

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**I. Background Information**

*A. What Is the Purpose of This Action?*

In this action, we are approving the 1996 CO PEIs for Denver, Colorado, Fort Collins, Colorado, and Utah County, Utah.

On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted (Public Law 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q). Under section 187(a)(5) of the CAA, States have the responsibility to inventory emissions contributing to NAAQS nonattainment, to track these emissions over time, and to ensure that control strategies are being implemented that reduce emissions and move areas toward attainment. The CAA required States with moderate or serious CO nonattainment areas to initially submit a base year CO inventory that represented actual emissions during the peak CO season by November 15, 1992. This base year inventory was for calendar year 1990. Moderate and serious CO nonattainment areas were also required to submit a revised emissions inventory periodically. The 1990 base year inventory was to serve as the primary inventory from which the periodic inventories were to be derived. As per CAA section 187(a)(5), the submittal of the first periodic emissions inventory, as a revision to the SIP, was required no later than September 30, 1995, and every three years thereafter until the area is redesignated to attainment. EPA approved the 1993 periodic CO emission inventories for Denver and Fort Collins on July 15, 1998 (see 63 FR 38087) and for Utah County on April 14, 1998 (see 63 FR 1812). As these three areas have not been redesignated to attainment, the CAA section 187(a)(5) requirement

continues to apply to Denver, Fort Collins, and Utah County. Further information on these inventories and their purpose can be found in the document "Emission Inventory Requirements for Carbon Monoxide State Implementation Plans," USEPA, Office of Air Quality Planning and Standards, EPA-450/4-91-011, March 1991, the September 30, 1994, guidance memorandum entitled "1993 Periodic Emission Inventory Guidance," signed by J. David Mobley, Chief of the Emission Inventory Branch (hereafter, the Mobley Memorandum), the June 30, 1997, guidance memorandum distributing the document "Preparation of the 1996 Emission Inventory," from David Misenheimer, Acting Group Leader, Emission Factor and Inventory Group, and the document "Reporting Guidance for 1996 Periodic Emissions Inventories and National Emissions Trends (NET) Inventories," EPA-454/R-97-005, June 1997.

The periodic inventories were to be prepared in similar detail as was done with the 1990 base year inventories and were to address actual CO emissions for the area during the peak CO season. The peak CO season should reflect the months when peak CO concentrations occur. As winter is the peak CO season for Denver, Fort Collins, and Utah County, the 1996 periodic inventories included the period November through January. The periodic inventories are to address emissions from stationary point, area, on-road mobile, and non-road mobile sources.

*B. What Is the State's Process To Submit These Materials to the EPA?*

Section 110(k) of the CAA addresses our actions on submissions of revisions to a SIP. The CAA also requires States to observe certain procedural requirements in developing SIP revisions for submittal to us. Section 110(a)(2) of the CAA requires that each SIP revision be adopted after reasonable notice and public hearing (including emission inventories)<sup>1</sup>. This must occur before the State submits the revision to us.

The State of Colorado held a public hearing for the Denver 1996 PEI on April 15, 1999, directly after which the inventory was adopted by the Air Quality Control Commission (AQCC). The State of Colorado held a public hearing for the Fort Collins 1996 PEI on

<sup>1</sup> Memorandum from John Calcagni, Air Quality Management Division, and William G. Laxton, Director, Technical Support Division, to Regional Air Division Directors, Regions I-X, "Public Hearing Requirements for 1990 Base-Year Emission Inventories for Ozone and Carbon Monoxide Nonattainment Areas," September 29, 1992.