

governments, or to the private sector, result from this action.

#### G. Submission to Congress and the Comptroller General

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**. The rules are not "major" rules as defined by 5 U.S.C. 804(2).

#### H. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use "voluntary consensus standards" (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

#### I. Petitions for Judicial Review

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 September 19, 2000. Filing a petition for reconsideration by the Administrator of the final rules does not affect the finality of the rules 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 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference,

Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 7, 2000.

**Felicia Marcus,**

*Regional Administrator, Region IX.*

Part 52, chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

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

#### Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c) (203)(i)(A)(2) and (c) (230)(i)(C)(2) to read as follows:

##### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(203) \* \* \*

(i) \* \* \*

(A) \* \* \*

(2) Rule 229 adopted on September 27, 1994.

\* \* \* \* \*

(230) \* \* \*

(i) \* \* \*

(C) \* \* \*

(2) Rule 427 adopted on July 2, 1998.

\* \* \* \* \*

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**BILLING CODE 6560-50-P**

#### GENERAL SERVICES ADMINISTRATION

#### 41 CFR Chapter 301

[FTR Amendment 93]

RIN 3090-AH27

#### Federal Travel Regulation; Maximum Per Diem Rates in Minnesota

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Federal Travel Regulation (FTR) Amendment 87, published in the **Federal Register** on Thursday, December 2, 1999 (64 FR 67670). In order to provide adequate per diem reimbursement for Federal employee travel in Duluth, Minnesota, the maximum lodging allowance is changed to reflect seasonal rates.

**DATES:** This final rule is effective July 21, 2000, and applies to travel performed on or after July 21, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Joddy Garner, Office of Governmentwide Policy, Travel and Transportation Management Policy Division, at 202-501-1538.

#### SUPPLEMENTARY INFORMATION:

#### A. Background

The General Services Administration (GSA), after an analysis of additional data, has determined that the current lodging allowance for Duluth, Minnesota, does not adequately reflect the cost of lodging in this area. To provide adequate per diem reimbursement for Federal employee travel for this area, the maximum lodging allowance is changed to reflect seasonal rates.

#### B. Regulatory Flexibility Act

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

#### C. Executive Order 12866

GSA has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

#### D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the rule does not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 501 *et seq.*

#### E. Small Business Regulatory Enforcement Fairness Act

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

#### List of Subjects in 41 CFR Chapter 301

Government employees, Travel and transportation expenses.

For the reasons set forth in the preamble, under 5 U.S.C. 5701-5709, 41 CFR chapter 301 is amended as follows:

#### CHAPTER 301—TEMPORARY DUTY (TDY) TRAVEL ALLOWANCES

1. Appendix A to chapter 301 is amended by revising the entry in the table under the State of Minnesota, city of Duluth, St. Louis County. The page of the table beginning with Frankfort and ending with Gulfport, which includes the Duluth revision, reads as follows:

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Appendix A to Chapter 301—Prescribed Maximum per Diem Rates for Conus

\* \* \* \* \*

Per diem locality:	Maximum lodging amount (room rate only—no taxes) (a)	+	M&IE rate (b)	=	Maximum per diem rate <sup>4</sup> (c)
Key city <sup>1</sup>	County and/or other defined location <sup>2, 3</sup>				

Frankfort	Benzie			
(June 1-September 30)		62	34	96
(October 1-May 31)		55	34	89
Gaylord	Otsego	68	38	106
Grand Rapids	Kent	60	34	94
Grayling	Crawford			
(June 1-September 30)		69	34	103
(October 1-May 31)		55	34	89
Holland	Ottawa			
(May 1-September 30)		79	34	113
(October 1-April 30)		59	34	93
Lansing	Ingham (except East Lansing)	61	34	95
Leland	Leelanau			
(June 1-September 30)		75	34	109
(October 1-May 31)		60	34	94
Mackinac Island	Mackinac			
(June 1-August 31)		165	46	211
(September 1-May 31)		130	46	176
Manistee	Manistee			
(June 1-September 15)		62	30	92
(September 16-May 31)		55	30	85
Midland	Midland	59	34	93
Mount Pleasant	Isabella	60	34	94
Muskegon	Muskegon	60	30	90
Ontonagon	Ontonagon	65	30	95
Petoskey	Emmet	60	38	98
Pontiac/Troy/Auburn Hills	Oakland and City limits of Auburn Hills (see Bay County)	93	38	131
Sault Ste Marie	Chippewa	60	34	94
South Haven	Van Buren	76	34	110
Traverse City	Grand Traverse			
(June 1-September 30)		110	42	152
(October 1-May 31)		60	42	102
	Macomb	83	34	117
<b>MINNESOTA</b>				
Anoka County	Anoka County	68	34	102
Dakota County	Dakota County	75	34	109
Duluth	St. Louis			
(June 1-October 31)		75	42	117
(November 1-May 31)		56	42	98
Minneapolis/St. Paul	Hennepin County and Fort Snelling Military Reservation and Navy Astronautics Group (Detachment BRAVO), Rosemount; and Ramsey County	91	46	137
Rochester	Olmsted	72	34	106
<b>MISSISSIPPI</b>				
Bay St. Louis	Hancock			
(May 1-September 30)		72	38	110
(October 1-April 30)		65	38	103
Biloxi	City limits of Biloxi (see Harrison County)	72	38	110
Gulfport	Harrison (except Biloxi)			

\* \* \* \* \*

Dated: July 13, 2000.

**David J. Barram,***Administrator of General Services.*

[FR Doc. 00-18329 Filed 7-20-00; 8:45 am]

BILLING CODE 6820-34-C

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Substance Abuse and Mental Health Services Administration (SAMHSA)****45 CFR Part 96**

RIN 0930-AA04

**Application Deadline for the Substance Abuse Prevention and Treatment (SAPT) Block Grant Program**

AGENCY: HHS.

ACTION: Final Rule.

**SUMMARY:** On February 4, 2000, the Department of Health and Human Services (HHS) published a Notice of Proposed Rulemaking (NPRM) proposing a new submission date for its Substance Abuse Prevention and Treatment (SAPT) Block Grant program under section 1921 of the Public Health Service (PHS) Act which authorizes the Secretary to provide block grants to States for the purposes of prevention and treatment of substance abuse which includes alcohol and other drugs. The Secretary requested comments on the NPRM and gave 45 days for individuals to submit their comments to the Department. The Secretary has considered the comments received during the open comment period and has finalized the rule.

**EFFECTIVE DATE:** August 21, 2000.

**FOR FURTHER INFORMATION CONTACT:** Thomas M. Reynolds, Room 13C-20, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857 Tel. (301)443-0179.

**SUPPLEMENTARY INFORMATION:** The Department is finalizing the rule entitled "Application Deadline for SAPT Block Grant Program," 45 CFR Part 96, which was published as a NPRM in the **Federal Register** on February 4, 2000 (65 FR 5474).

**Background on the Notice of Proposed Rulemaking and Summary of Responses to Public Comment***A. Notice of Proposed Rulemaking (NPRM)*

When SAMHSA first implemented the SAPT Block Grant program a primary concern was affording States sufficient time to develop the increased

information required to apply for a grant under this program as compared to the generally less detailed application required under the predecessor Alcohol, Drug Abuse, and Mental Health Services Block Grant program administered by the Alcohol, Drug Abuse, and Mental Health Administration. This was accomplished by affording States the opportunity to submit their applications as late as March 31, fully six months into the Federal fiscal year (FFY) for which funding is requested (See 45 CFR 96.122(d)). This relatively late receipt date results in insufficient time to administer the SAPT Block Grant program in accordance with all the governing provisions of law. This is most noted under circumstances calling for the clarification of application data and, if necessary, the conduct of hearings in a timely manner and consistent with the requirements of section 1945(e) of the Public Health Service (PHS) Act.

States are now fully aware of the application requirements and can reasonably be expected to respond to an earlier submission date. Accordingly, starting with Federal fiscal year 2001, the Department proposed to establish a new date of October 1 of the Federal fiscal year for which Block Grant funding is being requested for receipt of applications for such funding. However, if a State determines that it will not be able to submit by October 1 either the report as required at 45 CFR 96.130(e) on Synar enforcement efforts and State success in reducing youth access to tobacco products during the preceding Federal fiscal year, or the information on maintaining State expenditures (MOE) during the preceding year as required at 45 CFR 96.134(d), the State, under the proposed rule, could request an extension of the due date(s) for a limited period, not to extend past December 31 of the Federal fiscal year for which application is made. The request for the extension would need to be signed by the official with the authority to apply for the grant or the Governor, and be submitted no later than September 1 of the prior Federal fiscal year. Under the proposed rule, the extension request must indicate for which requirement the extension is requested; include an explanation of why the State is unable to comply with the due date of October 1; state the date of submission the State is requesting; and discuss whether there are steps the State can take to avoid requiring an extension in future years. Extensions for the deadlines for these requirements are to be granted in writing by the SAMHSA official with delegated authority to grant

the extension. All other components of the SAPT Block Grant application not covered by the extension are due by October 1 of the Federal fiscal year for which funds are being sought.

After considering the comments on the NPRM, HHS is finalizing the rule as proposed. Below is the Department's response to the comments to the proposed rule.

*B. Public Comments and the Department's Responses*

The Department received comments from 9 States and one national organization, the National Association of State Alcohol and Drug

Abuse Directors (NASADAD), during the 45-day comment period. All written comments were reviewed and taken into consideration in the preparation of the final rule. The substantive concerns raised in the public comments and the Department's responses to the comments are set out below. Similar comments are considered together.

One commenter, the national organization, indicated that the proposed change will negatively impact half of the 60 SAPT Block Grant applicants. The commenter stated that while some States may be able to complete their applications earlier than others, this may be due to the fact that their State fiscal years, data collection, and reporting systems are more consistent with the Federal fiscal year, or because they have additional staff or resources to commit to the processes of planning, collecting and analyzing data, and reporting information. However, for the other half of the States that submit their application between October 1 and March 31, the proposed rule would create a hardship. Five other commenters expressed similar concerns related to their specific States, with one State commenting that the change to advance the application date should be delayed for at least one year.

SAMHSA has engaged in a number of interactions with the States regarding the proposed change in due date for the Block Grant application as follows:

*Regional Team Building Workshops:* The first formal discussions of the proposed change in the application due date were held at these regional workshops. Fifty-eight of 60 Single State Agency Directors and their Staff as well as NASADAD attended at least one of this series of meetings held in San Antonio, Texas (December 8-9, 1998), Hilton Head Island, South Carolina (March 2-3, 1999), Providence, Rhode Island (April 13-14, 1999), and Juneau, Alaska (May 25-26, 1999). Some States indicated that they would not be able to comply with the new due date