

number of small entities because SIP actions under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply act on requirements that the State is already imposing. Therefore, because the Federal SIP action does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co., v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

#### F. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action acts on pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

#### G. 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.

EPA believes that VCS are inapplicable to today's action because it does not require the public to perform activities conducive to the use of VCS.

#### H. 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).

#### 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 October 2, 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 rules 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)(202)(i)(B)(2) and (c)(254)(i)(D)(4) to read as follows:

#### § 52.220 Identification of plan.

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* * * * *
(c) * * *
(202) * * *
(i) * * *
(B) * * *
(2) Rule 425.1 adopted on October 13,
1994.
* * * * *
(254) * * *
(i) * * *
(D) * * *
(4) Rule 1134 adopted on August 8,
1997.
* * * * *
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[FR Doc. 00-19117 Filed 7-31-00; 8:45 am]

**BILLING CODE 6560-50-P**

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 1807 and 1819

#### Contract Bundling

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** This is a final rule amending the NASA FAR Supplement (NFS) to provide guidance on internal NASA procedures for justifying contract bundling.

**EFFECTIVE DATE:** August 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Tom O'Toole, NASA, Office of Procurement, Contract Management Division (Code HK), (202) 358-0478.

#### SUPPLEMENTARY INFORMATION:

#### A. Background

Federal Acquisition Circular 97-15 included an interim rule addressing contract bundling that overlaps existing coverage at NFS 1819.202-170 on contract consolidations. To conform the NFS to the FAR, NASA is eliminating its separate coverage on consolidations. Instead, NASA is supplementing FAR 7.107, Additional requirements for acquisitions involving bundling of contract requirements, to establish the following internal administrative procedures: (1) the justification and documentation mandated by the FAR for "substantial bundling" must be performed for proposed NASA bundlings of \$5 million or more; (2) the measurable benefit analysis, justification, and the bundling

documentation for each acquisition of \$5 million or more must be sent to NASA Headquarters for review; (3) the analysis, justification, and documentation requirements apply to an order from a Federal Supply Schedule contract, Governmentwide acquisition contract, or other indefinite-delivery contract if the requirements consolidated under the order meet the definition of "bundling" at FAR 2.101; and (4) proposed acquisitions identified via the agency's Master Buy Plan process must indicate if they are a bundled acquisition.

**B. Regulatory Flexibility Act**

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Pub. Law 98-577 and publication for comments is not required. However, NASA will consider comments from small entities concerning the affected NFS subparts in accordance with 5 U.S.C. 610.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes 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.*

**List of Subjects in 48 CFR Parts 1807 and 1819**

Government Procurement.

**Tom Luedtke,**

*Associate Administrator for Procurement.*

Accordingly, 48 CFR Parts 1807 and 1819 are amended as follows:

1. The authority citation for 48 CFR Parts 1807 and 1819 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

**PART 1807—ACQUISITION PLANNING**

2. Add sections 1807.107 and 1807.107-70 to read as follows:

**1807.107 Additional requirements for acquisitions involving bundling of contract requirements. (NASA supplements paragraphs (c) and (e).)**

(c) Requests for approval of proposed bundlings that do not meet the thresholds in FAR 7.107(b) must be sent

to the Headquarters Office of Procurement (Code HS).

(e) The substantial bundling documentation requirement applies to each proposed NASA bundling expected to exceed \$5 million or more. The contracting officer must forward the documentation along with the measurable benefits analysis required by FAR 7.107(b) to the Headquarters Office of Procurement (Code HS) in sufficient time to allow a minimum of 10 days for review.

**1807.107-70 Orders against Federal Supply Schedule contracts, Governmentwide acquisition contracts (GWACs), or other existing indefinite-delivery contracts.**

The FAR and NFS requirements for justification, review, and approval of bundling of contract requirements also apply to an order from a Federal Supply Schedule contract, Governmentwide acquisition contract, or other indefinite-delivery contract if the requirements consolidated under the order meet the definition of "bundling" at FAR 2.101.

3. Table 1807-1 is revised to read as follows:

TABLE 1807-1

FORMAT  
MASTER BUY PLAN PROCEDURES

Line Item No.: \_\_\_\_\_  
Installation: \_\_\_\_\_

FY \_\_\_\_\_

Page No.: \_\_\_\_\_  
Date: \_\_\_\_\_

(1) Cognizant Headquarters Office	(2) Descriptive Title of Procurement	(3) Estimated Dollar Value	(4) Acquisition Plan	(5) JOFOC	(6) RFP
(7) SEB	(8) Pre-Neg	(9) Contract Review	(10) Current Status	(11) Remarks	

**INSTRUCTIONS**

*General*

1. Prepare on 8½"x11" paper or electronically.
2. List only *one* procurement on each page and number each page. Sequentially number each procurement action with a two digit "Line Item Number" beginning with "01" for each annual submission and subsequent amendments.
3. For the initial submissions only, list procurements and their current status from prior fiscal year(s) Master Buy Plans and amendments to MBPs that have not been completed.
4. Do not reproduce these instructions on the submission.

*Supplementary instructions by heading number*

- (1) Include letter code and Headquarters contact, if known.
- (2) Include an "N" to indicate new procurement or "FO" to indicate follow-on procurement.
- (3) A range of dollar values may be used, if the exact value is unavailable. Express the range as \$120M to \$25M, \$25M, \$25M to \$50M, and so forth in \$25M increments. Include all phases of the procurement. All dollar values must be in real year dollars, *i.e.*, adjusted to include anticipated inflation.
- (4) Installation recommendation ("Y" or "N") that an Acquisition Strategy Meeting be held. (The final decision will be made by Headquarters upon review of the MBP submission.)
- (5)-(9) Use "X" to indicate applicable documents. If Column (7) contains an "X", include your recommendation in that column for the Source Selection Official (SSO). The recommendation should be either the Center SSO or Headquarters SSO (HSSO).
- (10) Status should include scheduled date for next event. (Complete horizontally.)

(11) Include data considered pertinent and indicate expected date for placement of contract. If less than full and open competition is involved, indicate the authority being used, identify the firm(s) to which the procurement is being limited, and indicate the current status of the justification document. Include the names and telephone numbers of the cognizant installation procurement person and technical representative. Indicate if the procurement will result in a bundled contract as defined in FAR 2.101.

## PART 1819—SMALL BUSINESS PROGRAMS

### 1819.202–170 [Removed]

4. Section 1819.202–170 is removed.  
[FR Doc. 00–19270 Filed 7–31–00; 8:45 am]  
BILLING CODE 7510–01–P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 000119014–0137–02; I.D. 072600E]

#### Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Summer Period

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Commercial quota harvested for summer period.

**SUMMARY:** NMFS announces that the scup commercial quota available in the summer period to the coastal states from Maine to North Carolina has been harvested. Federally-permitted commercial vessels may not land scup in these states for the remainder of the 2000 summer quota period (through October 31, 2000). Regulations governing the scup fishery require publication of this notification to advise the coastal states from Maine through North Carolina that the quota has been harvested and to advise Federal vessel permit holders and Federal dealer permit holders that no commercial quota is available for landing for the remainder of the summer period.

**DATES:** Effective 0001 hours, August 1, 2000 through 2400 hours, October 31, 2000.

**FOR FURTHER INFORMATION CONTACT:** Paul H. Jones, Fishery Policy Analyst, (978) 281–9273.

#### SUPPLEMENTARY INFORMATION:

Regulations governing the scup fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is allocated into three quota periods. The summer commercial quota (May through October) is distributed to the coastal states from Maine through North

Carolina on a coastwide basis. The process to set the annual commercial quota and the seasonal allocation is described in § 648.120.

The total commercial quota for scup for the 2000 calendar year was set at 2,534,160 lb (1,149,476 kg) (65 FR 33486; May 24, 2000). The summer period quota was initially set at 987,055 lb (447,721 kg). As specified in § 648.120, landings in excess of the commercial quota in the 1999 summer period were deducted from the summer period allocation this year, resulting in a final summer quota allocation of 685,628 lb (310,996 kg).

Section 648.121 requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the commercial scup quota for each quota period and, based upon dealer reports, state data, and other available information, to determine when the commercial quota for a period has been harvested. NMFS is required to publish notification in the **Federal Register** advising that, effective upon a specific date, the scup commercial quota has been harvested, and notifying vessel and dealer permit holders that no commercial quota is available for landing scup for the remainder of the period. The Regional Administrator has determined, based upon dealer reports and other available information, that the scup commercial quota for the 2000 summer period has been harvested and no further quota is available through October 31, 2000.

The regulations at § 648.4(b) provide that Federal scup moratorium permit holders agree as a condition of the permit not to land scup in any state after NMFS has published a notification in the **Federal Register** stating that the commercial quota for the period has been harvested and that no commercial quota for scup is available. Therefore, effective 0001 hours, August 1, 2000, further landings of scup by vessels holding Federal scup moratorium permits are prohibited through October 31, 2000. The Winter II period for commercial scup harvest will open on November 1, 2000. Effective 0001 hours, August 1, 2000, federally-permitted dealers are also advised that they may not purchase scup from federally-permitted vessels that land in coastal states from Maine through North Carolina for the remainder of the summer period (through October 31, 2000).

#### Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: July 27, 2000.

#### Bruce Morehead,

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 00–19360 Filed 7–27–00; 3:50 pm]

BILLING CODE 3510–22–F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 000426114–0114–01; I.D. 072600D]

#### Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 1

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Commercial quota harvest for period 1.

**SUMMARY:** NMFS announces that the spiny dogfish commercial quota available in period 1 to the coastal states from Maine through Florida has been harvested. Commercial vessels may not land spiny dogfish from Maine through Florida for the remainder of the 2000 quota period 1 (through October 31, 2000). Regulations governing the spiny dogfish fishery require publication of this notification to advise the coastal states from Maine through Florida that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing spiny dogfish in these states.

**DATES:** Effective August 1, 2000, 0001 hrs, local time, through October 31, 2000, 2400 hrs, local time.

**FOR FURTHER INFORMATION CONTACT:** Jennifer L. Anderson, Fishery Management Specialist, at (978) 281–9226.

**SUPPLEMENTARY INFORMATION:** Regulations governing the spiny dogfish fishery are found at 50 CFR part 648. The regulations require annual