

retired member to convert to dependent-only coverage.

#### *Provisions of the Final Rule*

The final rule is consistent with the proposed rule.

### III. Rulemaking Procedures

Executive Order 12866 requires certain regulatory assessments for any "significant regulatory action," defined as one that would result in an annual effect on the economy of \$100 million or more, or have other substantial impacts.

The Regulatory Flexibility Act (RFA) requires that each federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities.

This rule is not a significant regulatory action under the provisions of Executive Order 12866, and it would not have a significant impact on a substantial number of small entities.

This rule will not impose additional information collection requirements on the public under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

#### List of Subjects in 32 CFR Part 199

Claims, Health insurance, Individuals with disabilities, Military personnel, and Reporting and record keeping requirements.

Accordingly, 32 CFR part 199 is amended as follows:

#### PART 199—[AMENDED]

1. The authority citation for Part 199 continues to read as follows:

**Authority:** 5 U.S.C. 301; 10 U.S.C. Chapter 55.

2. Section 199.22 is amended by revising paragraphs (d)(1)(iii), (d)(3), and (d)(4); redesignating paragraph (d)(1)(iv) as paragraph (d)(1)(v); and adding a new paragraph (d)(1)(iv) to read as follows:

#### § 199.22 TRICARE Retiree Dental Program (TRDP).

\* \* \* \* \*

(d) \* \* \*  
(1) \* \* \*

(iii) Eligible dependents of a member described in paragraph (d)(1)(i) or paragraph (d)(1)(ii) of this section who are covered by the enrollment of the member;

(iv) Eligible dependents of a member described in paragraph (d)(1)(i) or paragraph (d)(1)(ii) of this section when the member is not enrolled in the

program and the member meets at least one of the conditions in paragraphs (d)(1)(iv)(A) through (C) of this section. Already enrolled members must satisfy any remaining enrollment commitment prior to enrollment of dependents becoming effective under this paragraph, at which time the dependent-only enrollment will continue on a voluntary, month-to-month basis as specified in paragraph (d)(4) of this section. Members must provide documentation to the TRDP contractor giving evidence of compliance with paragraphs (d)(1)(iv)(A), (B), or (C) of this section at the time of application for enrollment of their dependents under this paragraph.

(A) The member is enrolled under Section 1705 of Title 38, United States Code, to receive ongoing, comprehensive dental care from the Department of Veterans Affairs pursuant to Section 1712 of Title 38, United States Code, and 38 CFR 17.93, 17.161, or 17.166. Authorization of such dental care must be confirmed in writing by the Department of Veterans Affairs.

(B) The member is enrolled in a dental plan that is available to the member as a result of employment of the member that is separate from the Uniformed Service of the member, and the dental plan is not available to dependents of the member as a result of such separate employment by the member. Enrollment in this dental plan and the exclusion of dependents from enrollment in the plan must be confirmed by documentation from the member's employer or the dental plan's administrator.

(C) The member is prevented by a current and enduring medical or dental condition from being able to obtain benefits under the TRDP. The specific medical or dental condition and reason for the inability to use the program's benefits over time, if not apparent based on the condition, must be documented by the member's physician or dentist.

(3) Election of coverage. In order to initiate dental coverage, election to enroll must be made by the retired member or eligible dependent. Enrollment in the TRICARE Retiree Dental Program is voluntary and will be accomplished by submission of an application to the TRDP contractor.

(4) Enrollment periods. Initial enrollment shall be for a period of 24 months followed by month-to-month enrollment as long as the enrollee chooses to continue enrollment. An enrollee's disenrollment from the TRDP at any time for any reason is subject to a lock-out period of 12 months. After

any lock-out period, eligible individuals may elect to reenroll and are subject to a new initial 24-month enrollment period.

\* \* \* \* \*

July 31, 2000.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 00-19863 Filed 8-9-00; 8:45 am]

**BILLING CODE 5001-10-P**

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Parts 201, 202, and 204

[Docket No. RM 2000-5B]

#### General Provisions and Privacy Act; Technical Amendments

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** This document makes non-substantive, technical amendments to Copyright Office regulations.

**EFFECTIVE DATE:** August 10, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Sandra L. Jones, Writer Editor, or Marilyn J. Kretsinger, Assistant General Counsel, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707-8380. Fax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** The Copyright Office reviewed its regulations and, on June 28, 2000, published non-substantive, technical amendments that updated and made minor corrections to the agency's rules. The Office now makes additional clarifying technical amendments in 37 CFR part 201 and makes a correction in 37 CFR part 204 that was inadvertently overlooked in the June 28th document.

#### List of Subjects

37 CFR Part 201

Copyright.

37 CFR Part 202

Claims, Copyright.

37 CFR Part 204

Privacy.

#### Final Rule

Accordingly, 37 CFR parts 201, 202, and 204 are amended by making the following corrections and amendments:

**PART 201—GENERAL PROVISIONS**

1. The authority citation for Part 201 continues to read as follows:

Authority: 17 U.S.C. 702.

**§ 201.5 [Amended]**

2. Section 201.5(c)(1)(viii) is amended by removing “A certification.”.

**§ 201.28 [Amended]**

3. Section 201.28(c)(4) is amended by adding a “-” (hyphen) between “two” and “month”.

**PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT**

4. The authority citation for Part 202 continues to read as follows:

Authority: 17 U.S.C. 408, 702.

**§ 202.22 [Amended]**

5. Section 202.22(c)(1) is amended by removing “title;” and adding “title” in its place.

**PART 204—PRIVACY ACT: POLICIES AND PROCEDURES**

6. The authority citation for Part 204 continues to read as follows:

Authority: 17 U.S.C. 702; 5 U.S.C. 552(a).

7. Section 204.8(a) is amended by revising the first sentence to read as follows:

**§ 204.8 Appeal of refusal to correct or amend an individual’s record.**

(a) An individual who disagrees with a refusal of the Copyright Office to amend his or her record may request a review of the denial. \* \* \*

\* \* \* \* \*

Dated: August 2, 2000.

Marilyn J. Kretsinger,  
Assistant General Counsel.

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BILLING CODE 1410-30-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 60**

[AD-FRL-6846-6]

RIN 2060-AG22

**Amendments to Standards of Performance for New Stationary Sources; Monitoring Requirements**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is issuing revisions to the monitoring requirements to Performance Specification 1 (PS-1) of appendix B to part 60. The revisions

clarify and update requirements for source owners and operators who must install and use continuous stack or duct opacity monitoring equipment. The revisions also update design and performance validation requirements for continuous opacity monitoring system (COMS) equipment in appendix B, PS-1. These revisions do not change an affected facility’s applicable emission standards or requirements to monitor opacity. However, the revisions do the following: clarify the obligations of owners, operators, and opacity monitor vendors; reaffirm and update COMS design and performance requirements by incorporating by reference American Society for Testing and Materials (ASTM) D 6216-98 (approved February 10, 1998); provide EPA and affected facilities with equipment assurances for carrying out effective monitoring.

**DATES:** This rule is effective February 6, 2001. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 6, 2001.

**ADDRESSES:** Air Docket Section (MC-6102), Attention: Docket No. A-91-07, U.S. Environmental Protection Agency, Room M-1500, First Floor, Waterside Mall, 401 M Street, SW, Washington, DC 20460. Mr. Solomon Ricks, Source Characterization Group A, Emissions, Monitoring, and Analysis Division (MD-19), U. S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

**FOR FURTHER INFORMATION CONTACT:** Mr. Solomon Ricks, (919) 541-5242; Air Docket, (202) 260-7548.

**SUPPLEMENTARY INFORMATION:** Docket, No. A-91-07, containing information relevant to this rulemaking, is available for public inspection between 8:00 a.m. and noon and 1:30 p.m. and 4:00 p.m., Monday through Friday, except for Federal holidays, at EPA’s Air Docket Section. A reasonable fee may be charged for copying.

**Overview.** The preamble summarizes the legal authority for these revisions, background information, technical and economic methodology used by the Agency to develop these revisions, impacts of these revisions, regulatory implementation, responses to public comments, and the availability of supporting documents.

**Regulated Entities.** These revisions apply to certain facilities, and they may apply to others.

(a) The revisions apply to any facility that is:

(1) Required to install a new COMS, relocate an existing COMS, replace an existing COMS.

(2) Required to recertify an existing COMS that has undergone substantial

refurbishing (in the opinion of the enforcing agency).

(3) Specifically required to recertify the COMS, as required in the Code of Federal Regulations (CFR).

(b) These requirements may also apply to stationary sources located in a State, District, Reservation, or Territory that has adopted these revisions into its implementation plan.

**Background Documentation.** The following is a list of background documents pertaining to this rulemaking:

(1) Summary of Comments and Responses to the Proposed Revisions to PS-1. July 1998. Docket item No. IV-A-01.

(2) Summary of Performance Specification 1 (PS-1) Stakeholder Meeting. June 1996. Docket item No. IV-E-01.

(3) Summary of Comments and Responses to the PS-1 Supplemental Proposal. April 1999. Docket item No. IV-A-02.

(4) The EPA Public Comment Meeting: Measurement Methods for Opacity Stack Monitoring. October 1998. Docket item No. IV-E-02.

The two Summary of Comments and Responses documents (items 1 and 3) for this final rule contain a summary of all public comments made on the rule and our response to the comments. The Summary of Performance Specification 1 (PS-1) Stakeholder Meeting (item 2) contains a brief summary of the meeting taken from a poor quality audio recording of the meeting. The EPA Public Comment Meeting: Measurement Methods for Opacity Stack Monitoring (item 4) contains a transcript of the public hearing on the Supplemental Proposal.

**Technology Transfer Network.** The Technology Transfer Network (TTN) is one of EPA’s electronic bulletin boards. The TTN provides information and technology exchange in various areas of air pollution control. New air regulations are posted on the TTN through the world wide web at “http://www.epa.gov/ttn”.

The information presented in this preamble is organized as follows:

- I. Background
- II. Regulatory History of This Rulemaking
- III. Major Public Comments and EPA Responses and Changes to the Proposed Revisions
  - A. Comments and Responses on the Proposed PS-1
  - B. Comments and Responses on the Supplemental Proposal
  - C. Applicability
  - D. Definitions