regulations is authorized under 33 CFR 117.35.

Dated: March 26, 2001.

G.N. Naccara,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 01–8184 Filed 4–3–01; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05–01–009]

RIN 2115–AE47

Drawbridge Operation Regulations; Potomac River, Between Alexandria, VA and Oxon Hill, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Woodrow Wilson Memorial Drawbridge, across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland, to allow the bridge owners to conduct needed structural work. The work will be done on four consecutive weekends, April 20–21, 2001, April 27–29, 2001, May 4–6, 2001, and May 11–13, 2001. The bridge may remain closed to vessel traffic during the first weekend from 6 p.m. Friday to 6 p.m. Saturday. On the last three weekends, the bridge may remain closed to vessel traffic from 6 p.m. Friday to 6 p.m. Sunday.

DATES: This deviation is effective from April 20, 2001 to May 13, 2001.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398–6222.

SUPPLEMENTARY INFORMATION: On March 1, 2001 McLean Contracting Company, contractors for the Virginia Department of Transportation, requested a temporary deviation from the current operating schedule of the Woodrow Wilson Memorial Drawbridge. Presently, the draw is required to operate under the operating regulations in 33 CFR 117.255. To facilitate the replacement of the bridge decks, McLean Contracting Company will need to leave the drawspan in the closed position. The counterweights will be removed prior to the repair work at the beginning of each weekend and reinstalled at the end of the weekend. The removal of the counterweights is necessary for the contractor to facilitate the replacement of the decks. As a result of the removal of the counterweights, the drawspan will not be able to open for any vessel traffic during the weekend work; however, at the end of the weekend when the counterweights have been reinstalled, the bridge will be back to its normal operating schedule until the next scheduled weekend of work.

In accordance with 33 CFR 117.35, the District Commander granted a temporary deviation from the governing regulations in a letter dated March 23, 2001. The Coast Guard has informed the known commercial users of the waterway of the bridge closure so that these vessels can arrange their transits to minimize any impact caused by the temporary deviation.

The temporary deviation allows the Woodrow Wilson Memorial Drawbridge across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland to remain closed for four consecutive weekends beginning April 20–21, 2001, April 27–29, 2001, May 4–6, 2001 and May 11–13, 2001. The bridge will remain closed during the first weekend from 6 p.m. Friday to 6 p.m. Saturday. During the last three weekends, the bridge will remain closed from 6 p.m. Friday to 6 p.m. Sunday.

Dated: March 26, 2001.

J.E. Shkor,

Vice Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 01–8187 Filed 4–3–01; 8:45 am]

BILLING CODE 4910–15–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MO 115–1115a; FRL–6961–9]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is announcing it is approving a revision to the Missouri State Implementation Plan (SIP) pertaining to the approval of a statewide particulate matter emissions rule. This rule consolidates the requirements of the four existing area-specific rules. The effect of this action will be to ensure applicable requirements are consistent statewide, ensure consistent enforcement, and simplify permitting.

DATES: This direct final rule will be effective on June 4, 2001 unless EPA receives adverse comments by May 4, 2001. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Copies of documents relative to this action are available for public inspection during normal business hours at the above listed Region 7 location. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser, at (913) 551–7603.

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we, us, or our'' is used, we mean EPA. This section provides additional information by addressing the following questions:

What is a SIP?
What is the Federal approval process for a SIP?
What does Federal approval of a state regulation mean to me?
What is being addressed in this action?
Have the requirements for approval of a SIP revision been met?
What action is EPA taking?

What Is a SIP?

Section 110 of the Clean Air Act (CAA) requires states to develop air pollution regulations and control strategies to ensure that state air quality meets the national ambient air quality standards established by EPA. These ambient standards are established under section 109 of the CAA, and they currently address six criteria pollutants. These pollutants are: Carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each state must submit these regulations and control strategies to EPA for approval and incorporation into the Federally enforceable SIP.

Each Federally approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

What Is the Federal Approval Process for a SIP?

In order for state regulations to be incorporated into the Federally enforceable SIP, states must formally adopt the regulations and control strategies consistent with state and Federal requirements. This process generally includes a public notice, public hearing, public comment period, and a formal adoption by a state-authorized rulemaking body.

Once a state rule, regulation, or control strategy is adopted, the state submits it to us for inclusion into the SIP. We must provide public notice and seek additional public comment regarding the proposed Federal action on the state submission. If adverse comments are received, they must be addressed prior to any final Federal action by us.

All state regulations and supporting information approved by EPA under section 110 of the CAA are incorporated into the Federally approved SIP. Records of such SIP actions are maintained in the Code of Federal Regulations (CFR) at Title 40, part 52, entitled ''Approval and Promulgation of Implementation Plans.'' The actual state regulations which are approved are not reproduced in their entirety in the CFR outright but are ''incorporated by reference,'' which means that we have approved a given state regulation with a specific effective date.

What Does Federal Approval of a State Regulation Mean to Me?

Enforcement of the state regulation before and after it is incorporated into the Federally approved SIP is primarily a state responsibility. However, after the regulation is Federally approved, we are authorized to take enforcement action against violators. Citizens are also offered legal recourse to address violations as described in section 304 of the CAA.

What Is Being Addressed in This Document?

The state has consolidated four area-specific particulate matter rules into one new, equivalent, updated rule, 10 CSR 10–6.400, Restriction of Emission of Particulate Matter From Industrial Processes. The rules being replaced by this rule are: 10 CSR 10–2.050, Kansas City Metropolitan Area; 10 CSR 10–3.050, Outstate Missouri Area; 10 CSR 10–4.030, Springfield-Greene County Area; and 10 CSR 10–5.050, St. Louis Metropolitan Area.

The applicability and intent of the new rule does not differ from the old rules. The new rule does not change any existing requirements or add any additional restrictions. Because the rule revision does not change existing emission limitations, the state has not determined whether the limitations continue to be adequate to demonstrate attainment of the NAAQS. The EPA approval does not imply that any such judgment has been made. The new rule clarifies certain inconsistencies that existed between the four existing rules and corrects certain errors contained in them, thereby strengthening the SIP.

When this new rule has been fully approved in the SIP, the state will request that EPA rescind the four existing area-specific rules.

Have the Requirements for Approval of a SIP Revision Been Met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the technical support document which is part of this document, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

What Action Is EPA Taking?

We are processing this action as a final action because the revisions make routine changes to the existing rules which are noncontroversial. Therefore, we do not anticipate any adverse comments.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves preexisting requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule 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 approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, our role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), we have no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. 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, we have 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. We will submit a report containing this rule and other required information to the United States Senate, the United States 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 4, 2001. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule 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, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

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

Dated: January 17, 2001.

Dennis Grams,

Regional Administrator, Region 7.

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 AA—Missouri

2. In § 52.1320(c) the table is amended under Chapter 6 by adding in numerical order an entry for ''10–6.400'' to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources				
*	*	*	*	*
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulations for the State of Missouri				
*	*	*	*	*
10–6.400	Restriction of Emission of Particulate Matter From Industrial Processes.	08/30/00	4/4/01.	
*	*	*	*	*

* * * * *

[FR Doc. 01–8125 Filed 4–3–01; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 411 and 424

[HCFA–1809–N]

Medicare and Medicaid Programs; Physicians' Referrals to Health Care Entities With Which They Have Financial Relationships; Extension of Comment Period

AGENCY: Health Care Financing Administration (HCFA), DHHS.

ACTION: Notice of extension of comment period for final rule with comment period.

SUMMARY: This document extends the comment period for a final rule with comment period, ''Medicare and Medicaid Programs; Physicians' Referrals to Health Care Entities With Which They Have Financial Relationships,'' published in the **Federal Register** (66 FR 856) on January 4, 2001. That rule prohibits physicians from referring patients for the furnishing of certain designated health services to health care entities with which they (or a member of their immediate family) have a financial relationship, if payment for the services may be made under the Medicare program. The comment period that would have closed on April 4, 2001 is extended 60 days.

DATES: The comment period is extended to 5 p.m. on June 4, 2001.

FOR FURTHER INFORMATION CONTACT: Joanne Sinsheimer, (410) 786–4620.

SUPPLEMENTARY INFORMATION: On January 4, 2001, we issued a final rule with comment period in the **Federal Register** (66 FR 856) that incorporated into regulations the provisions in paragraphs (a), (b), and (h) of section 1877 of the Social Security Act (the Act). Under section 1877 of the Act, if a physician or a member of a physician's immediate family has a financial relationship with a health care entity, the physician may not make referrals to that entity for certain health services (designated health services) under the Medicare program, unless an exception applies. In addition, section 1877 of the Act provides that an entity may not present or cause to be presented a Medicare claim or bill to any individual, third party payer, or other entity for designated health services furnished under a prohibited referral, nor may we make payment for a designated health service furnished under a prohibited referral. We announced that the public comment period for the rule would close at 5 p.m. on April 4, 2001.

Because commenters have requested more time to analyze the potential consequences of the rule, and given the breadth of the statute and the variety of financial relationships to which it applies, we have decided to extend the comment period for an additional 60 days. This document announces the extension of the public comment period to June 4, 2001.

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

(Catalog of Federal Domestic Assistance Program No. 93.773 Medicare—Hospital