58.20. On December 14, 1979, the Colorado Air Pollution Control Division submitted a revision to the Colorado SIP concerning compliance with these Federal monitoring regulations. EPA determined that the submittal met the requirements of 40 CFR 58.20, and on July 9, 1980 the revisions were approved (45 FR 46072).

II. Revisions Submitted July 7, 1993

After a review of its monitoring SIP, the State deemed necessary further revisions to the plan to conform it to all the requirements of 40 CFR part 58. Therefore, in a letter dated July 7, 1993, the Governor of Colorado submitted a revised Air Quality Monitoring SIP, which had been adopted on March 18, 1993 by the Colorado Air Quality Control Commission. This submittal updates the State's air quality monitoring plan and makes it consistent with 40 CFR part 58.

The revisions address air quality surveillance network design, network description, station designations, air quality monitoring criteria, data reporting, annual review of the State's monitoring network, prevention of significant deterioration monitoring, and public notification. No public comments were received by the State on this SIP. The State believes that the monitoring SIP revisions will provide for the continued implementation, maintenance and enforcement of the state air pollution control program aimed at meeting the National Ambient Air Quality Standards (NAAQS), as well as bring the SIP into conformance with Federal requirements for ambient air quality monitoring.

EPA is acting on these revisions without prior proposal because the Agency views these amendments as noncontroversial and anticipates no adverse comments. This action will be effective November 22, 1993 unless, by October 25, 1993, notice is received that adverse or critical comments will be submitted.

If such notice is received, this action will be withdrawnbefore the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective November 22, 1993.

III. This Action

EPA is approving Colorado's SIP revision, submitted by the Governor with a letter dated July 7, 1993. These revisions amend the Air Quality Monitoring SIP to bring it into conformance with Federal requirements in 40 CFR part 58. This submittal completely replaces the previous version of the Air Quality Monitoring plan. EPA is approving these revisions because they provide for the continued implementation, maintenance and enforcement of the NAAQS. This action was requested by the State of Colorado.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to a SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

IV. Executive Order (EO) 12291

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years. EPA has submitted a request for a permanent waiver for Table 2 and Table 3 SIP revisions. OMB has agreed to continue the temporary waiver until such time as it rules on EPA's request.

V. Regulatory Flexibility

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

Approvals of SIP submittals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-state relationship under the Clean Air Act, preparation of a regulatory 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. E.P.A.*, 427 U.S. 246, 256–66 (1976); 42 U.S.C. 7410(a)(2).

VI. Petitions

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 November 22, 1993. 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 must 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

Air pollution control, Carbon monoxide, Environmental protection, Hydrocarbons, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 15, 1993.

Jack W. McGraw,

Acting Regional Administrator.

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. 7401–7671q.

Subpart G—Colorado

2. Section 52.346 is added to read as follows:

§ 52.346 Air quality monitoring requirements.

In a letter and submittal dated July 7, 1993, from the Governor of Colorado to the EPA Region VIII Administrator, the State submitted a revised Air Quality Monitoring State Implementation Plan. The plan was adopted by the State on March 18, 1993 and completely replaces the previous version of the Air Quality Monitoring plan as identified at 40 CFR 52.320 (c)(17). The revisions updated the plan to bring it into conformance with the Federal requirements for air quality monitoring as found in 40 CFR part 58. The State commits to meet these Federal requirements.

[FR Doc. 93–23391 Filed 9–22–93; 8:45 am]

BILLING CODE 6560–50–F

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Administration

48 CFR Parts 2401, 2402, 2414, 2415, 2419, and 2452

[Docket No. R–93–1600; FR–2473–F–04]

HUD Acquisition Regulation; Technical Amendments and Corrections

AGENCY: Office of the Assistant Secretary for Administration, HUD.

ACTION: Final rule; technical amendments.

SUMMARY: The purpose of this final rule is to amend the HUD Acquisition Regulation (HUDAR) to update existing coverage with respect to the Department's structure and responsibilities; and to make technical amendments to the regulation by correcting obsolete references.

EFFECTIVE DATE: October 25, 1993.

FOR FURTHER INFORMATION CONTACT: Edward L. Girovasi, Jr., Director, Policy and Evaluation Division, Office of Procurement and Contracts, room 5262, 451 Seventh Street, SW., Washington, DC 20410–3000 (voice (202) 708–0294, TDD (202) 708–1112). (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

Background

The uniform regulation for the procurement of supplies and services by Federal departments and agencies, the Federal Acquisition Regulation (FAR), was promulgated on September 19, 1983 (48 FR 42102). The FAR is codified in title 48, chapter 1, of the Code of Federal Regulations. HUD promulgated its regulation to implement the FAR on March 1, 1984 (49 FR 7696).

The HUDAR (title 48, chapter 24 of the Code of Federal Regulations) is prescribed by the Assistant Secretary for Administration under section 7(d) of the Department of HUD Act (42 U.S.C. 3535(d)); section 205(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(c)); the Secretary's delegation effective October 9, 1985 (50 FR 42097); and the general authorization in FAR 1.301.

The purpose of this final rule is to amend the HUDAR to update existing coverage with respect to the Department's structure and responsibilities; and to correct obsolete references.

HUDAR 2401.104–2 is revised to provide for a different example to explain how HUD supplements material contained in the FAR. The existing example of ratifications is no longer valid since the FAR now contains ratification coverage in FAR 1.602–3.

HUDAR 2402.101 is updated to remove the reference to the Consolidated Supply Program from the definition of "Head of Contracting Activity" in subparagraph (1), as that program has been terminated; and updates references in the definition of "Primary Organization Heads".

HUDAR 2413.505–2(a) is removed as the Form HUD–24001, Order for Supplies or Services, is now obsolete. HUD now uses the Optional Form 347 and the HUD 2542 for individual purchases not exceeding the small purchase limit.

HUDAR 2414.406–4 is corrected to require that the Head of the Contracting Activity, not the Field Office Manager, obtain the concurrence of counsel when making determinations regarding mistakes in bids discovered after award. The language is also revised to better conform to the language in the FAR.

The citation at HUDAR 2414.407–701 is corrected to read 2414.407–70.

The prescription at HUDAR 2415.407(b) regarding the clause at 2452.215–71, DUNS Contractor Establishment Number is removed. The clause itself was removed in the most recent revision to the HUDAR (57 FR 59786), but the prescription was not.

HUDAR 2415.604 is revised to increase the threshold from $500,000 to $1,000,000 for use of a Source Evaluation Board (SEB) as opposed to a Technical Evaluation Panel (TEP). The TEP process is slightly less formal than the SEB process, and the increase is needed to keep pace with inflation in that HUD's contract awards are now significantly higher than they were when the $500,000 threshold was established.

HUDAR 2419.201–70 regarding the appointment of Regional Small Business Specialists is removed. Because of the recent consolidation of contracting activities in the Regional Offices, and the requirement in HUDAR 2419.201(d) that each HCA designate a Small Business/Small Disadvantaged Business Specialist, this function represents a duplication of effort.

The provision at HUDAR 2452.215–70, Proposal Content and Outline, is corrected to change the date from April 1984 to December 1992. The content was revised in the December 1992 HUDAR revision, but the date was not changed.

Finally, the clause at 2452.237–73, Conduct of Work (Alternate I), paragraph (c)(2), is corrected to cite FAR 52.243–1 instead of 52.243–2.

The Department has determined that this document need not be published as a proposed rule, as is generally required by the Administrative Procedure Act (APA) since this rule merely makes technical amendments and corrections to existing HUD regulations and the public is not affected by the changes.

Other Matters

Paperwork Reduction Act

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520) requires that Federal agencies obtain approval from the Office of Management and Budget (OMB) before collecting information from 10 or more persons. There are no information collection requirements contained in these technical amendments to the HUDAR.

National Environmental Policy Act

A Finding of No Significant Impact with respect to the environment required by the National Environmental Policy Act (42 U.S.C. 4321–4347) is unnecessary, since these technical amendments are categorically excluded under HUD regulations at 24 CFR 50.20(k).

Executive Order 12291, Federal Regulation

This rule does not constitute a "major rule" as that term is defined in section 1(b) of Executive order 12291 on Federal Regulation issued on February 17, 1981. Analysis of this rule indicates that it does not (1) have an annual effect on the economy of $100 million or more; (2) cause a major increase in cost or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

As required by section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601), the undersigned hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities because it merely makes technical amendments to the Department's regulations.

Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that the policies contained in this rule will not have substantial direct effects on States or their political

subdivisions, or the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government. The rule makes technical corrections to the agency's regulations. As a result, the rule is not subject to review under the Order.

Executive Order 12606, The Family

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this rule will not have potential for significant impact on family information, maintenance, and general well-being, and, thus, is not subject to review under the Order. The rule involves Departmental procurement procedures.

Semiannual Agenda of Regulations

This rule was not listed in the Department's Semiannual Agenda of Regulations published on April 26, 1993 (58 FR 24382).

List of Subjects in 48 CFR Parts 2401, 2402, 2414, 2415, 2419 and 2452

Government procurement, HUD acquisition regulations.

Accordingly, title 48, chapter 24 of the Code of Federal Regulations, is amended as follows:

SUBCHAPTER A—GENERAL

PART 2401—FEDERAL ACQUISITION REGULATIONS SYSTEM

1. The authority citation for 48 CFR part 2401 continues to read as follows:

Authority: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

2. Section 2401.104–2, the heading and paragraph (b)(2) are revised to read as follows:

2401.104–2 Arrangement of regulations.

* * * * *

(b) * * *

(2) When HUD supplements material contained in the FAR, it is given a unique number containing the numerals "70" or higher. The rest of the number will parallel the FAR part, subpart, section, subsection, or paragraph it is supplementing. For example, FAR 14.407, Award, does not contain a provision for the steps to be taken when only one bid is received. The HUDAR provides this information. Since the subject matter supplements what is contained in FAR 14.407, the HUDAR section supplementing the FAR is numbered 2414.407–70.

* * * * *

PART 2402—DEFINITIONS OF WORDS AND TERMS

3. The authority citation for 48 CFR part 2402 continues to read as follows:

Authority: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

2402.101 [Amended]

4. Section 2402.101, paragraph (1) under the definition of "Head of Contracting Activity", is amended by removing the words "and the Consolidated Supply Program".

5. In section 2402.101, the definition for "Primary Organization Heads" is amended by removing the words "Under Secretary," and adding, in their place, the words "Deputy Secretary", and by removing the words "the President of the Solar Energy and Energy Conservation Bank,".

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACTING TYPES

PART 2413—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

6. The authority citation for 48 CFR part 2413 continues to read as follows:

Authority: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

2413.505–2 [Removed and Redesignated]

7. Section 2413.505–2, paragraph (a) is removed and paragraph (b) is redesignated as paragraph (a).

PART 2414—SEALED BIDDING

8. The authority citation for 48 CFR part 2414 continues to read as follows:

Authority: 41 U.S.C. 253; 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

9. Section 2414.406–4 is revised to read as follows:

2414.406–4 Mistakes after award.

(d) For determinations under FAR 14.406–4(b)(1) and (2), the Head of the Contracting Activity will obtain the concurrence of the Office of General Counsel (Headquarters) or Regional Counsel (Regions) before notification to the contractor. The Contracting Officer shall be notified promptly of action to be taken.

2414.407–701 [Redesignated as 2414.407–70]

10. The designation of § 2414.407–701 is corrected to read 2414.407–70. (The text of the section remains unchanged.)

PART 2415—CONTRACTING BY NEGOTIATION

11. The authority citation for 48 CFR part 2415 continues to read as follows:

Authority: 41 U.S.C. 253; 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

2415.407 [Amended]

12. In Section 2415.407, paragraph (b) is removed.

2415.604(b) [Amended]

13. Section 2415.604(b) is amended by removing all references to "$500,000"and adding, in their place, $1,000,000".

SUBCHAPTER D—SOCIOECONOMIC PROGRAMS

PART 2419—SMALL BUSINESS

14. The authority citation for 48 CFR part 2419 continues to read as follows:

Authority: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

2419.201–70 [Removed]

15. Section 2419.201–70 is removed.

SUBCHAPTER H—CLAUSES AND FORMS

PART 2452—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

16. The authority citation for 48 CFR part 2452 continues to read as follows:

Authority: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

2452.215–70 [Amended]

17. In Section 2452.215–70, the date of "(APR 1984)" is corrected to read "(DEC 1992)".

2452.237–73 [Amended]

18. In section 2452.237–73, Alternate I, paragraph (c)(2), the reference to "FAR 52.243–2" is corrected to read, "FAR 52.243–1".

Dated: September 10, 1993.

Marilynn A. Davis,

Assistant Secretary for Administration.

[FR Doc. 93–22752 Filed 9–22–93; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[Docket No. 920407–2519; I.D. # 091393B]

Atlantic Tuna Fisheries; Atlantic Bluefin Tuna

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

ACTION: Closure of the school Atlantic bluefin tuna component of the Angling

category in waters off New Jersey and states north.

SUMMARY: NMFS closes the fishery for school Atlantic bluefin tuna conducted by Angling category fishermen in the waters off New Jersey and states north. Closure of this fishery is necessary because the annual adjusted quota of 36.7 metric tons (mt) of school Atlantic bluefin tuna allocated for this category in waters off New Jersey and states north has been attained. The intent of this action is to prevent overharvest of the quota established for this fishery.

EFFECTIVE DATE: The closure is effective from 0001 hours local time September 21 through December 31, 1993.

FOR FURTHER INFORMATION CONTACT: Richard B. Stone or Aaron E. King, 301–713–2347.

SUPPLEMENTARY INFORMATION: Regulations promulgated under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) regulating the harvest of Atlantic bluefin tuna by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Section 285.22(d)(2) of the regulations provides for an annual quota of 53 mt of school Atlantic bluefin tuna to be caught, retained, possessed or landed north of 38 degrees 47 minutes N. latitude (New Jersey and states north) by individuals in the Angling category. This quota was adjusted to 36.7 mt (58 FR 36154) based on overages from the 1992 season. The Assistant Administrator for Fisheries, NOAA (AA), is authorized under § 285.20(b)(1) to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of Atlantic bluefin tuna will equal any quota under § 285.22. The AA is further authorized under § 285.20(b)(1) to prohibit fishing for, or retention of, Atlantic bluefin tuna by those fishing in the category subject to the quota when the catch of tuna equals the quota established under § 285.22. The AA has determined, based on the reported catch, that the annual quota of school Atlantic bluefin tuna for those fishing in waters off New Jersey and states north will be attained by September 20, 1993. Therefore, since the area south of 38 degrees 47 minutes N. latitude (Delaware and states south) has been previously closed (58 FR 45074), all catching, retaining, possessing or landing of any school Atlantic bluefin tuna along the Atlantic coast, and harvested under § 285.22(d) must cease at 0001 local time on September 21, 1993.

Classification

This action is required by 50 CFR 285.20(b)(1) and complies with E.O. 12291.

Authority: 16 U.S.C. 971 *et seq.*

List of Subjects in 50 CFR Part 285

Fisheries, Penalties, Reporting and recordkeeping requirements, Treaties.

Dated: September 17, 1993.

Richard H. Schaefer,

Director of Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 93–23286 Filed 9–20–93; 9:23 am]

BILLING CODE 3510–22–P

---

50 CFR Part 611

[Docket No. 930362–3203; I.D. No. 010893A]

Pelagic Fisheries of the Western Pacific Region

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: NMFS removes Federal regulations governing foreign longline fishing for pelagic species, other than tuna, in the exclusive economic zone (EEZ) off the Commonwealth of the Northern Mariana Islands (CNMI) and the west coast of the U.S. mainland. Foreign fishing in these areas is governed by the Preliminary Fishery Management Plan for Pacific Billfish, Oceanic Sharks, Wahoo, and Mahimahi (PMP). The Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (FMP), which manages all domestic and most foreign fishing for pelagic species off the coasts of Hawaii and U.S. territories of the western Pacific, has largely replaced the PMP. Withdrawing the PMP and its implementing rules will reduce the complexity caused by having two separate management approaches for foreign fishing.

DATES: Effective date: October 25, 1993.

FOR FURTHER INFORMATION CONTACT: James J. Morgan, NMFS, at (310) 980–4036; or Alvin Z. Katekaru, NMFS, at (808) 955–8831.

SUPPLEMENTARY INFORMATION: The PMP was implemented on April 1, 1980 (45 FR 14581), to allow and manage otherwise-prohibited foreign longline fishing for pelagic species within the EEZ of the Pacific Ocean, excluding the EEZ off Alaska. Alaska is well beyond the range of these pelagic species. At that time, there was some interest in foreign longline fishing for billfish in the EEZ. Subsequently, the Western Pacific Fishery Management Council (WPFMC) prepared an FMP for the same species to manage both foreign and domestic fishing within the EEZ of the western Pacific Ocean, except for those portions of the EEZ off the CNMI and the west coast of the U.S. mainland (52 FR 5984, February 27, 1987). Since the CNMI had chosen not to participate as a member of the WPFMC, the FMP did not include conservation and management measures applicable to the EEZ around the CNMI in the management area of the FMP. Also, the Pacific Fishery Management Council (PFMC) decided not to prepare a plan for the west coast, because the State of California regulations were considered sufficient for managing fisheries for pelagic species off the west coast. Therefore, the PMP now only covers foreign longline fishing for pelagic species within the EEZ off the CNMI and the west coast of the U.S. mainland.

A proposed rule on this action was published in the **Federal Register** on April 30, 1993 (58 FR 26090). No comments were received.

Since implementation of the Magnuson Fishery Conservation and Management Act (Magnuson Act), foreign longlines have not fished for pelagic species within the EEZ of the Pacific Ocean. Apparently, the expense of taking an observer and meeting the other requirements is not justified when measured against the uncertainty of the potential harvest. Opportunities to harvest these highly migratory species extend well beyond the EEZ.

If foreign fishermen decide to seek access to pelagic species in either the EEZ of the CNMI or the west coast of the U.S. mainland, those requests could be dealt with appropriately by the PFMC or the WPFMC. Both the WPFMC and the PFMC requested that NMFS withdraw the PMP.

In view of the above, the PMP and its implementing rules are withdrawn. This rule amends 50 CFR 611.81 by removing paragraphs that implemented the PMP, i.e., paragraphs (i), (j)(1), and (k). Several other paragraphs in § 611.81 are redesignated, or revised to correct cross-references.

Subsequent to publishing the proposed rule, a technical revision has been made to amend appendix C to subpart A, paragraph C, as well as the caption to Figure 3 of the same part in order to delete references to PMP regulatory provisions now withdrawn.

Classification

The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has determined that the PMP and its implementing regulations