

1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Since tolerances and exemptions that are established on the basis of a FIFRA section 18 petition under FFDCA section 408, such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. In addition, the Agency has determined that this action will not have a substantial direct effect on 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, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the Executive Order to include regulations that 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." This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4).

#### IX. 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 this final rule in the **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 8, 2000.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346(a) and 371.

2. In § 180.472, by alphabetically adding the following commodities to the table in paragraph (b) to read as follows:

#### § 180.472 Imidacloprid; tolerances for residues.

	*	*	*	*	*
(b)	*	*	*		
Commodity	Parts per million			Expiration/revocation date	
* * *	*	*	*	*	
Sweet corn, fodder .....		0.2		12/31/01	
Sweet corn, forage .....		0.1		12/31/01	
Sweet corn, grain .....		0.05		12/31/01	
* * *	*	*	*	*	

[FR Doc. 00-3493 Filed 2-15-00; 8:45 am]

BILLING CODE 6560-50-F

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 180

#### Tolerances and Exemptions from Tolerances for Pesticide Chemicals in Food

##### CFR Correction

In Title 40 of the Code of Federal Regulations, parts 150-189, revised as of July 1, 1999, page 434, § 180.438(a) table is corrected by adding "0.4" under the heading "parts per million" for the entry "Brassica, head and stem subgroup".

[FR Doc. 00-55504 Filed 2-15-00; 8:45 am]

BILLING CODE 1505-01-D

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 51

[CC Docket Nos. 98-147, 98-11, 98-26, 98-32, 98-78, 98-91, FCC 99-413]

#### Deployment of Wireline Services Offering Advanced Telecommunications Capability

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, we determine that US West may not avoid the obligations placed on incumbent LECs under section 251(c) of the Act in connection with the provision of advanced services. We find that when xDSL-based advanced services both originate and terminate "within a telephone exchange," and provide subscribers with the capability of communicating with other subscribers in that same exchange, they are properly classified as "telephone exchange service." We also find that xDSL-based advanced services constitute "exchange access" when they provide subscribers with the ability to communicate across exchange boundaries for the purposes of originating or terminating telephone toll services.

**DATES:** Effective December 23, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Christopher Libertelli, Attorney Advisor, Common Carrier Bureau, Policy and Program Planning Division, 202-418-1580.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Order on Remand* in CC Docket 98-147, 98-11, 98-26, 98-78, 98-91, FCC 99-413, adopted on December 23, 1999 and released on December 23, 1999. The complete text of the *Order on Remand* is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, S.W., Washington, D.C. and also may be purchased from the Commission's copy contractor, International Transcription Services (ITS Inc.), CY-B400, 445 12th Street, S.W., Washington, D.C.

#### Synopsis of the Order on Remand

##### I. Introduction

1. We conclude that advanced services are telecommunications services. The Commission has repeatedly held that specific packet-switched services are "basic services," that is to say, pure transmission services. xDSL and packet switching are simply transmission technologies. We