

# Rules and Regulations

Federal Register

Vol. 66, No. 27

Thursday, February 8, 2001

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 405 and 406

[Docket No. FAA-2001-8607; Amendment Nos. 405-2, 406-2]

RIN 2120-AH18

#### Civil Penalty Actions in Commercial Space Transportation: Delay of Effective Date

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** In accordance with a memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, this action temporarily delays for 60 days the effective date of a rule entitled Civil Penalty Actions in Commercial Space Transportation, published in the **Federal Register** on January 10, 2001 (66 FR 2176). That rule amends the procedures for assessment and adjudication of civil penalties in space transportation enforcement actions.

**DATES:** The effective date of the final rule amending 14 CFR part 405 and revising 14 CFR part 406 published in the **Federal Register** on January 10, 2001, at 66 FR 2176, is delayed for 60 days, from February 9, 2001, until April 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mardi Ruth Thompson, Office of the Chief Counsel (AGC-200A), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3073, facsimile (202) 267-5106, or e-mail: [mardi.thompson@faa.gov](mailto:mardi.thompson@faa.gov).

## SUPPLEMENTARY INFORMATION:

### Background

In accordance with a memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001 (66 FR 7702), this action temporarily delays for 60 days the effective date of a rule entitled Civil Penalty Actions in Commercial Space Transportation, published in the **Federal Register** on January 10, 2001 (66 FR 2176). That rule amends the procedures for assessment and adjudication of civil penalties in space transportation enforcement actions.

### Good Cause for No Notice and Immediate Adoption

To the extent that 5 U.S.C. section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the FAA's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(B) and 553(d)(3). Seeking public comment is impracticable, unnecessary and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this action effective immediately upon publication. This action does not affect the close of the comment period, which remains February 9, 2001.

Issued in Washington, DC on January 31, 2001.

**Patricia G. Smith,**

*Associate Administrator for Commercial Space Transportation.*

[FR Doc. 01-3209 Filed 2-7-01; 8:45 am]

**BILLING CODE 4910-13-P**

## POSTAL SERVICE

### 39 CFR Part 111

#### Standards Governing the Design of Curbside Mailboxes

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service is revising U.S. Postal Service Standard 7A, *Mailboxes, City and Rural Curbside*, which governs the design of curbside mailboxes. This revision was developed through a consensus process and was approved by a committee of representatives from mailbox manufacturers, mailbox accessory manufacturers, and the Postal Service.

**EFFECTIVE DATE:** This rule shall be effective on February 8, 2001.

**FOR FURTHER INFORMATION CONTACT:** Annamarie Gildea, U.S. Postal Service, 475 L'Enfant Plaza SW., Room 7142, Washington, DC 20260-1127. (202) 268-3558.

### SUPPLEMENTARY INFORMATION:

The revised standard, which shall be designated U.S. Postal Service Standard 7B, *Mailboxes, Curbside*, adopts the recommendations of the USPS Curbside Mailbox Standard Revision Consensus Committee. The members of the Committee met as an advisory group and negotiated among themselves and with the Postal Service to reach a consensus on a new standard. Further, Committee members were responsible for representing other interested individuals and organizations that were not present at Committee meetings and keeping them informed of the Committee's proceedings. As part of the consensus process, the Postal Service agreed to use a recommendation by the Committee as the basis of the new standard. In addition, each private member of the Committee agreed that, if it agreed to a recommendation by the Committee, it would support that recommendation and the new standard to the extent that it reflects the recommendation. After the Consensus Committee held several meetings that were open to the public, the Committee approved and recommended the standard set forth below and agreed that the benefits of the standard outweighed its costs.

Changes incorporated in the proposed new standard include the following: