

the MAS or other multiple award contract (during the one-year period immediately following contract award) and as of the date the concern submits its re-certification (for the one-year period after any re-certification).

3. Revise § 121.1004(a)(3) to read as follows:

**§ 121.1004 What time limits apply to size protests?**

(a) \* \* \*

(3) *Multiple Award Contracts.* (i) Except as set forth in paragraph (a)(3)(ii) of this section, protests relating to the award of a MAS or other multiple award contract are considered timely if they meet the requirements of paragraphs (a)(1) or (a)(2) of this section.

(ii) Protests relating to the award of a contract under the General Services Administration's MAS Program, including the Federal Supply Schedule, are considered timely if received by the contracting officer within 10 days of a concern being listed on the multiple award schedule.

(iii) Protests relating to re-certifications issued pursuant to § 121.404(c) are considered timely if received by the contracting officer within 10 days of a concern being listed on an agency's website or published in the **Federal Register** or otherwise. Protests relating to individual awards or orders issued pursuant to the MAS Program or other multiple award contracts are considered timely if received by the contracting officer at any time prior to the expiration of the contract period (including renewals).

\* \* \* \* \*

**PART 124—8(A) BUSINESS DEVELOPMENT/SMALL DISADVANTAGED BUSINESS STATUS DETERMINATIONS**

4. The authority citation for part 124 continues to read as follows:

**Authority:** 15 U.S.C. 634(b)(6), 636(j), 637(a), 637(d) and Pub. L. 99-661, Pub. L. 100-656, sec. 1207, Pub. L. 101-37, Pub. L. 101-574, and 42 U.S.C. 9815.

5. Revise § 124.503(h)(2) to read as follows:

**§ 124.503 How does SBA accept a procurement for award through the 8(a) BD program?**

\* \* \* \* \*

(h) \* \* \*

(2)(i) A concern can continue to receive orders as an 8(a) small business under the General Services Administration's Multiple Award Schedule (MAS) Program, including the Federal Supply Schedule, and other multiple award contracts, including

Governmentwide Acquisition Contracts (GWACs) and multi-agency contracts, with respect to any orders issued pursuant to the MAS or other multiple award contract having a NAICS code with the same or higher size standard as the one(s) under which it qualified for a period of one year from the date of its certification or re-certification as a small business.

(ii) A concern can continue to receive orders under the MAS Program, including the Federal Supply Schedule, and multiple award contracts, including GWACs and multi-agency contracts, even after it no longer meets the requirement of paragraph (h)(2)(i) of this section, but such award will not count as an award to an 8(a) small business.

\* \* \* \* \*

Dated: April 21, 2003.

**Hector V. Barreto,**

*Administrator.*

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**CONSUMER PRODUCT SAFETY COMMISSION**

**16 CFR Part 1026**

**Standards of Conduct for Outside Attorneys Practicing Before the Consumer Product Safety Commission; Termination of Rulemaking**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** In November 2000, the Consumer Product Safety Commission published a notice of proposed rulemaking to issue a new rule addressing the behavior of attorneys on matters before the Commission. 65 FR 66515. The Commission has now decided that such a new rule is not necessary, and has terminated this regulatory proceeding.

**FOR FURTHER INFORMATION CONTACT:** Melissa V. Hampshire, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207; (301) 504-7631; [mhampshire@cpsc.gov](mailto:mhampshire@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission does not have rules governing the behavior of attorneys outside the context of a formal adjudication. The Commission conducts the majority of its business outside of such adjudications. In November 2000 the Commission proposed a new rule that would cover attorney conduct outside of formal adjudications.

The Commission received five comments opposing the proposal. These comments criticized the proposed rule on the following grounds: (1) The rule is unnecessary because there is no attorney misconduct problem at the Commission and existing state bar regulations are adequate to regulate any future attorney misconduct; (2) the "bad faith" standard set forth in the proposed rule is vague and overly broad; and (3) the procedures contained in the proposed rule are inadequate to protect the rights of the attorneys subject to it. The Commission received one comment endorsing the need for a new rule and favoring the standards and enforcement procedures contained in it.

The Commission has evaluated the comments and has decided the proposed attorney conduct rules are not necessary and, accordingly, the November 2000 notice of proposed rulemaking is withdrawn.

Dated: April 22, 2003.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[CA264-373; FRL-7488-3]**

**Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District, Yolo-Solano Air Quality Management District**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing a limited approval and limited disapproval of revisions to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) and Yolo-Solano Air Quality Management District (YSAQMD) portions of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from industries storing, loading, and transferring organic liquids as part of their operations. We are proposing action on local rules regulating these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act). We are taking comments on this proposal and plan to follow with a final action.