

February 4, 2002. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Order 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, we are adopting as a final rule, without change, the interim rule amending 9 CFR part 94 that was published at 66 FR 62913 on December 4, 2001.

Authority: 7 U.S.C. 450, 7711, 7712, 7713, 7714, 7751, and 7754; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 26th day of March 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02-7776 Filed 3-29-02; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 264a

Reserve Bank Directors-Actions and Responsibilities

AGENCY: Board of Governors of the Federal Reserve System (Board).

ACTION: Final Rule.

SUMMARY: The Board is removing 12 CFR 264a (Reserve Bank Directors-Actions and Responsibilities). The regulation has been superceded by a regulation of the Office of Government Ethics (Interpretation, Exemptions and Waiver Guidance Concerning 18 U.S.C. 208 (Acts Affecting A Personal Financial Interest)).

EFFECTIVE DATES: April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Cary K. Williams, Assistant General Counsel, Legal Division (202/452-3295) or Bryan A. Bonner, Senior Attorney, Legal Division (202/452-3719). For users of the Telecommunications Device for the Deaf (TDD)only, please call 202/263-4869.

SUPPLEMENTARY INFORMATION:

Background

18 U.S.C. 208(a) prohibits an officer or employee of the executive branch, of any independent agency of the United States, of the District of Columbia, or Federal Reserve bank director, officer, or employee, or any special Government employee from participating in an official capacity in particular matters in which he/she has a personal financial interest, or in which certain persons or organization with which he/she is affiliated have a financial interest. 18 U.S.C. 208 (b) permits waivers of the disqualification provision in certain cases, either on an individual basis or pursuant to general regulation. 12 CFR 264a was promulgated for the purpose of assuring preservation of and adherence to the intent of both the Federal Reserve Act and section 208 of title 18, United States Code, as it applies to directors of Federal Reserve Banks, to include the prohibitions and waiver criteria set out in 18 U.S.C. 208(a) & (b).

5 CFR 2640 was promulgated after 12 CFR 264a. 5 CFR 2640 identifies those financial interests which, by regulation, may be exempt from the general prohibitions set out in 18 U.S.C. 208 (a). 5 CFR 2640 also provides interpretation of the 18 U.S.C. 208 (a) prohibitions, as well as guidance to agencies on the factors to consider when issuing individual waivers under 18 U.S.C. 208 (b). 12 CFR 264a is superceded by 5 CFR 2640. Accordingly, the Board is removing it.

List of Subjects in 12 CFR Part 264a

Federal Reserve System

Authority and Issuance

PART 264a - RESERVE BANK DIRECTORS-ACTIONS AND RESPONSIBILITIES [Removed and Reserved]

For the reasons set forth in the preamble, under the authority of 18 U.S.C. 208, the Board is removing and reserving part 264a in chapter II of title 12 of the Code of Federal Regulations.

By order of the Secretary of the Board, acting pursuant to delegated authority for the

Board of Governors of the Federal Reserve System, March 26, 2002.

Jennifer J. Johnson

Secretary of the Board.

[FR Doc. 02-7660 Filed 3-29-02; 8:45 am]

BILLING CODE 6210-01-S

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[WY-001-0007a, WY-001-0008a, WY-001-0009a; FRL-7166-2]

Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Withdrawal of Direct Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to the State of Wyoming's withdrawal of the August 9, 2000, August 7, 2001 and August 13, 2001 submittals to the EPA that revise the Wyoming State Implementation Plan (SIP), EPA is withdrawing the direct final rule to partially approve and partially disapprove these revisions that restructure and modify the State's air quality rules. In the direct final rule, published on February 6, 2002 (67 FR 5485), we stated that if we received adverse comment by March 8, 2002, the rule would be withdrawn and would not take effect. EPA subsequently received a letter from the State of Wyoming (on March 8, 2002) withdrawing the three submittals that EPA is taking action on in our February 6, 2002 direct final rule. EPA also received adverse comments from the Wyoming Outdoor Council (on March 7, 2002). Since, in addition to receiving adverse comments, the State of Wyoming withdrew their submittals, the direct final rule is withdrawn and will not take effect. In the "Proposed Rules" section of today's **Federal Register** publication, we are withdrawing the proposed rule published on February 6, 2002 (67 FR 5552).

EFFECTIVE DATE: The direct final rule is withdrawn as of April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Megan Williams, EPA Region VIII, (303) 312-6431 or Laurel Dygowski, EPA Region VIII, (303) 312-6144.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule located in the Rules and Regulations section of the February 6, 2002 **Federal Register** (67 FR 5485).

List of Subjects in 40 CFR Part 52

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

Dated: March 25, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

Accordingly, the addition of 40 CFR 52.2620(c)(30) and the amendment to 40 CFR 52.2622 are withdrawn as of April 1, 2002.

[FR Doc. 02-7772 Filed 3-29-02; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 52

[CA 255-0320b; FRL-7164-7]

Interim Final Determination That the State of California Has Conditionally Corrected Deficiencies and Stay of Sanctions, San Joaquin Valley Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Based on a proposed conditional approval, EPA is making an interim final determination by this action that California has corrected the deficiencies for which a sanctions clock began on April 7, 2000. This action will stay the imposition of the offset sanction and defer the imposition of the highway sanction. Although this action is effective upon publication, we will take comment on the proposed rulemaking and publish a final rule taking into consideration any comments received. Elsewhere in today's **Federal Register**, EPA has published a proposed rulemaking conditionally approving the State of California's submittal of a revision to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) PM-10 portion of the California State Implementation Plan (SIP). That proposed rulemaking provides the public with an opportunity to comment on EPA's action. We will consider any comments received before taking final action on the State's submittal.

DATES: This interim final determination is effective on April 1, 2002. Comments will be accepted until May 31, 2002.

ADDRESSES: Mail comments to Andy Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

You can inspect copies of the submitted rule revisions and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted rule revisions and TSD at the following locations: Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814. San Joaquin Valley Unified Air Pollution Control District, 1990 East Gettysburg Street, Fresno, CA 93726.

FOR FURTHER INFORMATION CONTACT: Karen Irwin, Planning Office (AIR-2), U.S. Environmental Protection Agency, Region IX; (415) 947-4116.

SUPPLEMENTARY INFORMATION: Throughout this document, "we," "us" and "our" refer to EPA.

I. Background

On July 23, 1996, the State of California submitted a revision to the SJVUAPCD portion of the PM-10 SIP, for which we published a limited approval and limited disapproval on March 8, 2000 (65 FR 12118). Our disapproval action started an 18-month clock beginning on April 7, 2000, for the imposition of the offset sanction (followed by a highway sanction 6 months later). The State subsequently submitted revised SIP rules on December 6, 2001. In the Proposed Rules section of today's **Federal Register**, we have proposed conditional approval of the State's December 6, 2001, submittal. Based on that proposal, we believe that it is more likely than not that the State has corrected the original section 189(a) and section 110(a) disapproval deficiencies. Therefore, EPA is taking this final rulemaking action, effective on publication, finding that the State has corrected the deficiencies identified in the March 8, 2000, final action that started the clock for imposition of sanctions. However, EPA is also providing the public with an opportunity to comment on this final action. If, based on any comments on this action and any comments on EPA's proposed conditional approval of the State's submittal, EPA determines that the State's submittal is not conditionally approvable and this final action was inappropriate, EPA will either propose

or take final action finding that the State has not corrected the original disapproval deficiencies. At that time, EPA will also issue an interim final determination or a final determination that the deficiencies have not been corrected. Until EPA takes such an action, the application of sanctions will continue to be deferred and/or stayed.

This action does not stop the sanctions clock that started for this area on April 7, 2000. However, this action will temporarily stay the imposition of the offsets sanction and will defer the imposition of the highway sanction until we finalize the conditional approval or withdraw it based on adverse comments. If we must withdraw the proposed conditional approval action based on adverse comments or we subsequently determine that the State, in fact, did not correct the disapproval deficiencies or subsequently does not fulfill the conditions of the conditional approval, the sanctions consequences described in the sanctions rule will apply (59 FR 39832, August 4, 1994, codified at 40 CFR 52.31).

II. EPA Action

We are making an interim final determination that the State has corrected the prior disapproval deficiencies that are associated with sanctions. Based on this action, imposition of the offset sanction will be stayed and imposition of the highway sanction will be deferred until we take action proposing or finally disapproving in whole or part the State submittal. After EPA has reviewed any comments, EPA will either finalize its conditional approval and issue a final determination to stay the offset sanction and defer the highway funding sanction, or EPA will withdraw this interim final determination and the sanctions will be reimposed in accordance with 40 CFR 51.31(d).

Because EPA has preliminarily determined that the State has corrected the deficiencies identified in EPA's limited disapproval action, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for comment before this action takes effect (5 U.S.C. 553(b)(3)).¹ EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public

¹ As previously noted, however, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date, and EPA will consider any comments received in determining whether to reverse such action.