

enforce its requirements. (See section 307(b)(2).)

**List of Subjects in 40 CFR Part 52**

Environmental protection, Carbon monoxide, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides, Volatile organic compounds.

Dated: February 22, 2006.  
**William Early,**  
*Acting Regional Administrator, Region III.*

■ 40 CFR part 52 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 *et seq.*

**Subpart VV—Virginia**

■ 2. In § 52.2420, the table in paragraph (c) is amended by revising the entries for Chapter 30 to read as follows:

**§ 52.2420 Identification of plan.**

\* \* \* \* \*  
 (c) \* \* \*

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES

State citation (9 VAC 5)	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
* * * * *				
<b>Chapter 30 Ambient Air Quality Standards [Part III]</b>				
5-30-10 .....	General .....	9/8/04	3/3/06 [Insert page number where the document begins].	
5-30-30 .....	Sulfur oxides (sulfur dioxide).	9/8/04	3/3/06 [Insert page number where the document begins].	
5-30-40 .....	Carbon Monoxide .....	9/8/04	3/3/06 [Insert page number where the document begins].	
5-30-50 .....	Ozone (1-hour) .....	9/8/04	3/3/06 [Insert page number where the document begins].	
5-30-55 .....	Ozone (8-hour) .....	9/8/04	3/3/06 [Insert page number where the document begins].	Added Section.
5-30-60 .....	Particulate Matter (PM <sub>10</sub> ).	9/8/04	3/3/06 [Insert page number where the document begins].	
5-30-65 .....	Particulate Matter .....	9/8/04	3/3/06 [Insert page number where the document begins].	Added Section.
5-30-70 .....	Nitrogen dioxide .....	9/8/04	3/3/06 [Insert page number where the document begins].	
5-30-80 .....	Lead .....	9/8/04	3/3/06 [Insert page number where the document begins].	
* * * * *				

\* \* \* \* \*  
 [FR Doc. 06-1944 Filed 3-2-06; 8:45 am]  
**BILLING CODE 6560-50-P**

**DEPARTMENT OF THE INTERIOR**  
**Bureau of Land Management**  
**43 CFR Part 1820**  
**[MT 980-0777-XG]**  
**RIN 1004-AB85**  
**Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Proper Offices for Recording of Mining Claims**  
**AGENCY:** Bureau of Land Management, Interior.  
**ACTION:** Final rule.  
**SUMMARY:** This final rule amends the regulations pertaining to execution and

filing of forms in order to reflect that the Montana State Office of the Bureau of Land Management (BLM) is removing its post office box from the list of State Office addresses and Areas of Jurisdiction included in the Code of Federal Regulations. The public will continue to direct personal, messenger, express mail, direct filing, and other delivery by the United States Postal Services to the same street address as before. This rule will have no impact or cost to the public.  
**DATES:** Effective March 3, 2006.  
**FOR FURTHER INFORMATION CONTACT:** Diane Williams, Regulatory Affairs Group, (202) 452-5030. Persons who use a telecommunications device for the deaf (TDD) may call the Federal

Information Relay Service (FIRS) at 1–800–877–8339, 24 hours a day, 7 days a week.

**ADDRESSES:** You may send inquiries or suggestions to Director (630), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153; Attention: RIN 1004–AB85.

**SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Procedural Matters

**I. Background**

This final rule reflects the administrative action of removing the Montana State Office post office box from the list of State Office addresses and Areas of Jurisdiction included in the Code of Federal Regulations. The street address for the personal filing of documents relating to public lands in Montana, North Dakota and South Dakota remains the same, and this rule makes no other changes in filing requirements. The BLM has determined that this rule has no substantive impact on the public, nor does it impose any costs; it merely updates an address included in the Code of Federal Regulations for the convenience of the public. Therefore, the Department of the Interior, for good cause, finds under 5 U.S.C. 553(b)(B) and 553(d)(3) that notice and public comment procedures are unnecessary and that the rule may take effect upon publication.

**II. Procedural Matters**

*Regulatory Planning and Review*  
(Executive Order 12866)

This final rule is an administrative action to remove a post office box from the address of one of the BLM State Offices. This rule is not subject to review by the Office of Management and Budget under Executive Order 12866. This final regulation will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

This final regulation will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. The final regulation does not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the right or obligations of their recipients, nor does it raise novel legal or policy issues.

*National Environmental Policy Act*

This final rule is a purely administrative regulatory action having

no effect upon the public or the environment. It has been determined that the rule is categorically excluded from environmental review under Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), pursuant to 516 Departmental Manual, Chapter 2, Appendix 1.

*Regulatory Flexibility Act*

Congress enacted the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. Since this final rule is a purely administrative regulatory action having no effects upon the public or the environment, it has been determined that the rule will not have a significant economic effect on a substantial number of small entities.

*Small Business Regulatory Enforcement Fairness Act*

This final rule is a purely administrative regulatory action having no effects upon the public or the economy. This is not a major rule under Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 804(2)). It will not have an annual effect on the economy of \$100 million or more. The rule will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. It will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises.

*Unfunded Mandates Reform Act of 1995*

The BLM has determined that the final rule is not significant under the Unfunded Mandates Reform Act of 1995 because it will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year.

Further, the final rule will not significantly or uniquely affect small governments. It does not require action by any non-Federal government entity. Therefore, the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*), is not required.

*Executive Order 12630, Government Action and Interference With Constitutionally Protected Property Rights (Takings)*

As required by Executive Order 12630, the Department of the Interior has determined that the rule would not

cause a taking of private property. No private property rights would be affected by a rule that merely removes a post office box from an address for the Montana State Office. The Department therefore certifies that this final rule is not governmental action capable of interference with constitutionally protected property rights.

*Executive Order 13132, Federalism*

In accordance with Executive Order 13132, the BLM finds that the rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The final rule does not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. This final rule does not preempt State law.

*Executive Order 12988, Civil Justice Reform*

This final rule is a purely administrative regulatory action having no effects upon the public, does not unduly burden the judicial system, and meets the requirements of Sections 3(a) and 3(b)(2) of the Executive Order.

*Executive Order 13175, Consultation and Coordination With Indian Tribal Governments*

In accordance with the Executive Order 13175, the BLM finds that the rule does not include policies that have tribal implications. This final rule is a purely an administrative action having no effects upon the public or the environment, imposing no costs, and merely removing the post office box from the BLM Montana State Office address included in the Code of Federal Regulations.

*Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*

In accordance with the Executive Order 13211, the BLM has determined that the final rule is not a significant regulatory action under Executive Order 12866 and is not likely to have a significant adverse effect on the energy supply, distribution or use, including a shortfall in supply or price increase. This final rule is a purely administrative action and has no implications under Executive Order 13211.

*Executive Order 13352, Facilitation of Cooperative Conservation*

In accordance with Executive Order 13352, the BLM has determined that this final rule is administrative in

nature, merely removing the post office box from the BLM Montana State Office address included in the Code of Federal Regulations. This final rule does not impede facilitating cooperative conservation; takes appropriate account of and considers the interests of persons with ownership or other legally recognized interests in land or other natural resources; has no effect on local participation in the Federal decision-making process; and provides that agency programs, projects, and activities are consistent with protecting public health and safety.

#### *Paperwork Reduction Act*

The Paperwork Reduction Act does not apply because the rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

#### *Author*

The principal author of this rule is Diane O. Williams, Regulatory Affairs Group (WO 630).

#### **List of Subjects in 43 CFR Part 1820**

Administrative practice and procedure; Archives and records; Public lands.

Dated: February 23, 2006.

#### **Julie A. Jacobson,**

*Acting Assistant Secretary, Land and Minerals Management.*

■ For the reasons discussed in the preamble, the Bureau of Land Management amends 43 CFR part 1820 as follows:

#### **PART 1820—APPLICATION PROCEDURES**

■ 1. The authority citation for part 1820 continues to read as follows:

**Authority:** 5 U.S.C. 552, 43 U.S.C. 2, 1201, 1733, and 1740.

#### **Subpart 1821—General Information**

■ 2. Amend § 1821.10 by amending paragraph (a) by revising the address of the Bureau of Land Management, Montana State Office, to read as following:

#### **§ 1821.10 Where are BLM offices located?**

(a) \* \* \*

State Offices and Areas of Jurisdiction

\* \* \* \* \*

Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669—

Montana, North Dakota and South Dakota.

\* \* \* \* \*

[FR Doc. 06-1991 Filed 3-2-06; 8:45 am]

**BILLING CODE 4310-85-P**

## **DEPARTMENT OF TRANSPORTATION**

### **National Highway Traffic Safety Administration**

#### **49 CFR Parts 591, 592 and 594**

[Docket No. NHTSA-2000-8159; Notice 4]

RIN 2127-AJ63

#### **Certification; Importation of Vehicles and Equipment Subject to Federal Safety, Bumper and Theft Prevention Standards; Registered Importers of Vehicles Not Originally Manufactured To Conform to the Federal Motor Vehicle Safety Standards**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Response to Petitions for Reconsideration.

**SUMMARY:** This document responds to two petitions for reconsideration of the October 4, 2005 final rule that amended regulations pertaining to the importation by registered importers of motor vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety, bumper, and theft prevention standards. The petitioners contend that certification to the Theft Prevention Standard can not be accomplished after the original manufacture of a vehicle and object to a provision in the rule that requires registered importers to certify that either the vehicle is not required to comply with the parts marking requirements of the Theft Prevention Standard or that the vehicle complies with those requirements as manufactured or as modified prior to importation. The agency is denying the petitions. This document also denies a petition for an emergency stay by one of the petitioners.

**FOR FURTHER INFORMATION CONTACT:** For non-legal issues, you may contact Coleman Sachs, Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration, Room 6111, 400 Seventh Street, SW, Washington, DC 20590; Telephone: (202) 366-3151. For legal issues, you may contact Michael Goode, Office of Chief Counsel, Telephone: (202) 366-5263.

**SUPPLEMENTARY INFORMATION:**

## **I. Background**

On November 20, 2000, NHTSA published a Notice of Proposed Rulemaking (NPRM) proposing extensive amendments to the agency's regulations that pertain to the importation by registered importers (RIs) of motor vehicles that were not originally manufactured to comply with all applicable Federal motor vehicle safety, bumper, and theft prevention standards. 65 FR 69810. On August 24, 2004, we published a final rule (69 FR 52070), and on October 4, 2005, we amended several provisions of that final rule in response to a petition for reconsideration (70 FR 57793). One of the amendments in the October 4, 2005 rule required RIs to certify for each nonconforming vehicle that they import that either the vehicle is not required to comply with the parts marking requirements of the Theft Prevention Standard (49 CFR part 541) or that the vehicle complies with those requirements as manufactured, or as modified prior to importation. 49 CFR 592.6(d)(1)(ii); *see* 70 FR at 57801.

The National Insurance Crime Bureau (NICB)<sup>1</sup> submitted a petition for reconsideration objecting to this provision, based on the contention that NHTSA has no authority to allow any entity other than the original manufacturer to certify compliance with the Theft Prevention Standard. The North American Export Committee<sup>2</sup> also filed a petition in support of NICB's petition. In addition, on November 3, 2005, NICB filed a petition for an emergency stay of the effective date of the final rule. We are denying the petitions for reconsideration and the petition for a stay for the reasons discussed below.

## **II. Discussion**

### *A. Theft Prevention Regulations*

The Motor Vehicle Theft Law Enforcement Act of 1984 (Theft Act) (Pub. L. 98-547, 98 Stat. 2754) added Title VI, "Theft Prevention," to the Motor Vehicle Information and Cost Savings Act (Cost Savings Act), 15 U.S.C. 1901 *et seq.* (1982 & Supp.V 1987).<sup>3</sup> The Theft Act required the

<sup>1</sup> NICB states it is a non-profit organization that receives support from approximately 1,000 property/casualty insurance companies. The NICB works with insurers and law enforcement agencies to facilitate the identification, detection, and prosecution of insurance criminals.

<sup>2</sup> The North American Export Committee states it is an entity composed of law enforcement organizations, insurance and vehicle-related business representatives in the U.S., Canada, and Mexico.

<sup>3</sup> Pub. L. 92-513, 86 Stat. 947. The Cost Savings Act, as amended, was repealed in the course of the