large number of franchised dealerships across the country.

Analysis of Comments: This rulemaking directly affects only vehicle manufacturers, which are not small businesses. Therefore, no regulatory flexibility analysis is necessary. The secondary effects that these regulations may have on particular smaller businesses (i.e., dealerships), which would not be increases in burden, but loss of sole access to information, should be minor. Moreover, these regulations generally maintains the status quo that currently exists between dealerships and independent technicians. Today's regulations should not greatly affect dealerships or independent technicians, since the vast majority of the emission-related information required by this rule has, according to commenters, long been provided voluntarily by the manufacturers. In its comments submitted August 13, 1993, Association of International Automobile Manufacturers, Inc. (AIAM), for example, stated that in spite of the fact that there have been no requirements mandating the availability of service information, nearly all manufacturers have made information readily available. According to AIAM, the aftermarket asserts such information is not available, because they are unwilling to pay the fair cost of the information.

Other small businesses (i.e., independent technicians) are also not directly regulated by this rulemaking. Moreover, according to the statements of many commenters, any secondary effects from these regulations are likely to be minor, as much of the information required to be made available under this rulemaking is, according to the commenters, already available to the aftermarket.

Aftermarket parts manufacturers, whose products are not covered by the information availability requirements of section 202(m)(5), will be in the same position following the effective date of this rule as they were before the effective date. They will be able to design, develop and manufacture parts as before or they can enter into agreements with the manufacturers to purchase design specifications.

EPA Decision: A regulatory flexibility analysis is not required, since there is no significant impact on affected entities.

V. Administrative Requirements

A. Administrative DesignationUnder Executive Order 12866, [58Federal Register 51,735 (October 4,

1993)] the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

(1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities:

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or,

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, OMB has notified EPA that it considers this a "significant regulatory action" within the meaning of the Executive order. EPA has submitted this action to OMB for review. Changes made in response to OMB suggestions or recommendations will be documented in the public record.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 requires Federal agencies to identify potentially adverse impacts of Federal regulations upon small entities. In instances where significant impacts are possible on a substantial number of these entities, agencies are required to perform a Regulatory Flexibility Analysis. EPA has determined that the regulations finalized today will not have a significant impact on a substantial number of small entities. This regulation will also positively affect independent repair shops and mechanics. The standardization requirements contained in these regulations will enhance the ability of independent mechanics to diagnosis and repair malfunctions.

Therefore, as required under section 605 of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* I certify that this regulation does not have a significant impact on a substantial number of small entities.

C. Unfunded Mandates Act

Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must

prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in the aggregate; or by the private sector, of \$100 million or more. Under Section 205, EPA must select the most costeffective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the action promulgated today does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local or tribal governments in the aggregate, or to the private sector. Therefore, the requirements of the Unfunded Mandates Act do not apply to this action.

D. Electronic Copies of Rulemaking Documents

Electronic copies of the preamble and the regulatory text of this direct final rulemaking are available on the Office of Air Quality Planning and Standards (OAQPS) Technology Transfer Network Bulletin Board System (TTNBBS). Instructions for accessing TTNBBS and downloading the relevant files are described below.

TTNBBS can be accessed using a dialin telephone line (919) 541–5742 and a 1200, 2400, or 9600 bps modem (equipment up to 14.4 Kbps can be accommodated). The parity of the modem should be set to N or none, the data bits to 8, and the stop bits to 1. When first signing on the bulletin board, the user will be required to answer some basic informational questions to register into the system. After registering, proceed through the following options from a series of menus:

(T) Gateway to TTN Technical Areas (Bulletin Boards)(M) OMS

(K) Rulemaking and Reporting
At this point, the system will list all
available files in the chosen category in
chronological order with brief
descriptions. File information can be
obtained from the "READ.ME" file. To
download a file, the user needs to
choose a file transfer protocol
appropriate for the user's computer from
the options listed on the terminal.

TTNBBS is available 24 hours a day, 7 days a week except Monday morning from 8–12 Eastern Time, when the system is down for maintenance and backup. For help in accessing the system, call the systems operator at