PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

2. In §81.318, the ozone table is amended by removing the Paducah area and its entries in the first alphabetical list and the entry for Livingston County in the second alphabetical list and by

adding in alphabetical order to the second listing of counties the following entries to read as follows:

§81.318 Kentucky.

betical fist and by * * * *

KENTUCKY—OZONE

| Designated area | | Designation | | | | Classification | |
|---------------------|---|---------------------|---|------------------------------|---|----------------|------|
| | | Date ¹ | | Туре | | Date 1 | Туре |
| * Livingston Cou | * | * April 10, 1995 | * | * Unclassifiable/Attainment. | * | | * |
| * | * | * | * | * Unclassifiable/Attainment. | * | | * |
| * | * | * | * | * | * | | * |

¹ This date is November 15, 1990, unless otherwise noted.

[FR Doc. 95–2775 Filed 2–6–95; 8:45 am] BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-40

[FPMR Temp. Reg. G-54, Rev. 1, Supp. 1] RIN 3090-AF20

Use of Contractor for Express Small Package Transportation

AGENCY: Federal Supply Service, GSA. **ACTION:** Temporary regulation.

SUMMARY: FPMR Temp. Reg. G–54, Rev. 1 mandates the use of the GSA's contractor by Federal civilian executive agencies when next day express small package transportation is required. The regulation contains a description of the services provided, an attachment listing the rates and accessorial charges, and information concerning the provisions of the contract. This supplement extends the expiration date of FPMR Temp. Reg. G–54, Rev. 1 from November 15, 1994 to November 15, 1995.

DATES: Effective date: February 7, 1995.

FOR FURTHER INFORMATION CONTACT: Brenda Pollock, Transportation Management Division (FBX),

Washington, DC 20406, 703–305–5671. **SUPPLEMENTARY INFORMATION:** The current contract, awarded in 1990, is for mandatory use by civilian agencies. However, GSA will resolicit for express small package transportation in 1995, and agencies will elect whether to be a mandatory user or not, before solicitation issuance. If they choose to

be non-mandatory, they will be able to

obtain contract service and prices at a later date if the contractor agrees to do so

GSA has determined that this rule is not a significant rule for the purposes of Executive Order 12866.

Regulatory Flexibility Act

This rule is not required to be published in the **Federal Register** for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

List of Subjects in 41 CFR Part 101-40

Freight, Government property management, Moving of household goods, Office relocations, Transportation.

PART 101-40-[AMENDED]

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

In 41 CFR Chapter 101, the following supplement to FPMR Temp. Reg. G–54, Rev. 1 is added to the appendix at the end of Subchapter G to read as follows:

Appendix to Subchapter G—Temporary Regulations

General Services Administration, Washington, DC 20405

Federal Property Management Regulations, Temporary Regulation G-54, Revision 1, Supplement 1

To: Heads of Federal agencies Subject: Use of contractor for express small package transportation

Date: December 28, 1994.

- 1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation G–54, Revision 1.
- 2. Effective date. This supplement is effective February 7, 1995.

- 3. Expiration date. This supplement expires November 15, 1995, unless sooner canceled, revised, or extended.
 - 4. Background.
- a. Under subsection 201(a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(a)), the General Services Administration (GSA) is responsible for prescribing policies and procedures that are advantageous to the Government in terms of economy, efficiency, or service, regarding program activities in the area of transportation and traffic management. GSA has entered into a contract with Federal Express Corporation (FedEx) for the transportation of express small packages from, to, and between specified locations in the United States (including Alaska and Hawaii) and Puerto Rico, where the contractor or its agent presently provides or will provide next day service. In consideration of the contract rates and to the extent provided in the contract, the Government has agreed to place transportation requirements for express small package service with FedEx. Agencies covered by the scope of the contract must use this contract at the rates specified for their express small package delivery requirements.
- b. GSA's express small package contract with FedEx provides that, where possible, express small package shipments within the contiguous United States, Alaska, Hawaii, and Puerto Rico, must be delivered by noon the next business day. The contract also requires FedEx to satisfy the Private Express Statutes and is consistent with these statutes. These statutes require shipments consisting of "letters" as defined in 39 CFR part 310 to be delivered by noon the next business day; delivery after noon to these points where noon delivery is possible would not satisfy the contract and would violate the Private Express Statutes. A determination must be made that the letter is urgent in accordance with the Private Express Statutes.
- 5. Explanation of change. The expiration date in paragraph 3 of FPMR Temporary