

Fairness Act of 1996, generally provides that before a rule may take effect, the Agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 30, 1999.

**Peter Caulkins,**

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346(a), and 371.

2. By revising § 180.415 to read as follows:

#### § 180.415 Aluminum tris (O-ethylphosphonate); tolerances for residues.

(a) *General.* Tolerances are established for residues of the fungicide aluminum tris(O-ethylphosphonate) in or on the following food commodities:

| Commodity  | Parts per million | Expiration/Revocation Date |
|--|-------------------|----------------------------|
| Avocados .....                                       | 25                | None                       |
| Bananas .....  | 3.0               | None                       |
| Blueberries .....                                    | 40                | 12/31/00                   |
| Brassica (cole) leafy vegetables group.              | 60                | None                       |
| Caneberries ...                                      | 0.1               | None                       |
| Citrus .....   | 0.5               | None                       |
| Cucurbit vegetables group.                           | 15                | None                       |
| Ginseng root, fresh.                                 | 0.1               | None                       |
| Hops, dried ....                                     | 45                | None                       |
| Leafy vegetables (except brassica vegetables) group. | 100               | None                       |
| Macadamia nuts.                                      | 0.20              | None                       |
| Pineapple .....                                      | 0.1               | None                       |
| Pineapple fodder.                                    | 0.1               | None                       |

| Commodity         | Parts per million | Expiration/Revocation Date |
|-------------------|-------------------|----------------------------|
| Pineapple forage. | 0.1               | None                       |
| Pome fruit .....  | 10                | None                       |
| Onions, dry bulb. | 0.5               | None                       |
| Strawberries ...  | 75                | None                       |
| Tomatoes .....    | 3                 | None                       |

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* Tolerances with regional registration, as defined in § 180.1(n), are established for residues of the fungicide aluminum tris (O-ethylphosphonate) in or on the following raw agricultural commodities:

| Commodity       | Parts per million |
|-----------------|-------------------|
| Asparagus ..... | 0.1               |
| Grapes .....    | 10                |

(d) *Indirect or inadvertent residues.* [Reserved]

[FR Doc. 99-17351 Filed 7-7-99; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

#### 49 CFR Part 1

[OST Docket No. 1; Amdt. 1-300]

#### Organization and Delegation of Powers and Duties; Delegations to the Commandant, United States Coast Guard and Administrator, Maritime Administration

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Secretary of Transportation delegates to the Commandant, United States Coast Guard, authority to implement new ownership requirements for eligibility of vessels measuring less than 100 feet to receive a fishery endorsement to operate in certain fisheries. The Secretary also delegates the authority to assess penalties for fishery endorsement violations to the Commandant, United States Coast Guard. The authority to issue and implement regulations for vessels 100 feet and greater is delegated to the Administrator, Maritime Administration. This rule adds two new paragraphs to 49 CFR 1.46 and 1.66 to reflect these delegations of authority.

**EFFECTIVE DATE:** July 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Richard Weaver, Chief, Division of

Management and Organization, Maritime Administration, MAR-318, Room 7301, 400 Seventh Street, SW., Washington, DC 20590; or Ms. Blane Workie, Office of the General Counsel, C-50, (202) 366-9314, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** The American Fisheries Act (Public Law 105-277) ("the Act") amends current law regarding the ownership requirements for eligibility of a vessel to receive a fishery endorsement to operate in certain fisheries and under certain terms and conditions. The Secretary delegates to the Coast Guard the authority to issue and administer regulations implementing the new requirements for vessels measuring less than 100 feet. Regulations affecting vessels measuring 100 feet and greater will be developed and administered by the Maritime Administration. The Act requires the publication of these regulations by April 1, 2000.

The Act also outlines procedures for implementation and penalties for non-compliance. The Secretary delegates to the Coast Guard the authority to assess penalties for willful noncompliance with the new requirements under the American Fisheries Act because the Coast Guard has current authority, resources, and expertise to assess penalties.

The delegations should be made to the Commandant and to the Maritime Administrator as provided in this amendment to 49 CFR part 1 because the Coast Guard and the Maritime Administration have the requisite expertise, capability, and responsibility for the duties prescribed in the American Fisheries Act. Indeed, the Coast Guard is currently administering documentation requirements for vessels under 100 feet and has resources in place to effectively carry out the American Fisheries Act. Additionally, the Maritime Administration has a long history of administering certain maritime laws that require detailed scrutiny of ownership and control issues as they relate to U.S. citizenship requirements. The Maritime Administration's oversight of the new requirements for vessels 100 feet and greater is a natural extension of its current administration of citizenship enforcement.

We publish this rule as a final rule, effective on the date of publication. Since this amendment relates to departmental management, organization, procedure and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Further, since the

amendment expedites the ability of the Coast Guard and the Maritime Administration to ensure that vessels meet new eligibility requirements for fishery endorsements, the Secretary finds good cause under 5 U.S.C. 553(b) and 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

#### List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, amend part 1 of title 49, Code of Federal Regulations, to read as follows:

#### PART 1—[AMENDED]

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

**Authority:** 49 U.S.C. 322; Pub. L. 101-552, 28 U.S.C. 2672, 31 U.S.C. 3711(a)(2).

2. Amend section 1.46, by adding new paragraph (sss), to read as follows:

##### § 1.46 Delegations to Commandant of the Coast Guard.

\* \* \* \* \*

(sss) Carry out the functions and exercise the authorities vested in the Secretary by sections 203(b), 203(d), and 213(g) of division c, title II, Public Law 105-277, which relate to ownership and control requirements for vessel fishery endorsements for vessels measuring less than 100 feet; and by 203(f) of division c, title II, Public Law 105-277.

3. Amend section 1.66, by adding new paragraph (dd), to read as follows:

##### § 1.66 Delegations to Maritime Administrator.

\* \* \* \* \*

(dd) Carry out the functions and exercise the authorities vested in the Secretary by sections 202(b), 203(b), 203(g), and 213(g) of division c, title II, Public Law 105-277, which relate to ownership and control requirements for vessel fishery endorsements for vessels measuring 100 feet and greater.

Issued in Washington, DC this 28th day of June, 1999.

**Rodney E. Slater,**

*Secretary of Transportation.*

[FR Doc. 99-17306 Filed 7-7-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Parts 177 and 180

[Docket No. RSPA-97-2718 (HM-225A)]

RIN 2137-AD07

#### Hazardous Materials: Revision to Regulations Governing Transportation and Unloading of Liquefied Compressed Gases (Chlorine)

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Final rule; response to petition for reconsideration; limited stay of implementation date; correction; request for comments.

**SUMMARY:** On May 24, 1999, RSPA published a final rule to revise regulations applicable to the transportation and unloading of liquefied compressed gases. The revisions included new inspection, maintenance, and testing requirements for cargo tank discharge systems; revised attendance requirements applicable to liquefied petroleum gas and anhydrous ammonia; and revised requirements for cargo tank emergency discharge control equipment to provide a clear performance standard for passive emergency discharge control equipment that shuts down unloading operations without human intervention. The revised requirements also provide for a remote capability for certain cargo tanks to enable a person attending the unloading operation to shut off the flow of product when away from the motor vehicle during delivery. This document responds to a petition for reconsideration, delays implementation of one provision of the final rule as it applies to chlorine unloading operations, and corrects an instruction in the final rule.

**DATES:** *Effective Dates:* This final rule is effective July 8, 1999. The effective date for the final rule published on May 24, 1999, remains July 1, 1999.

*Implementation Date:* The implementation date for § 177.840(t) as it applies to chlorine cargo tanks is delayed until January 1, 2000.

*Comment Date:* Submit comments on or before September 7, 1999.

**ADDRESSES:** Address written comments to the Dockets Management System, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. Identify the docket number RSPA-97-2718 at the beginning of your comments and submit two copies. If you want to

receive confirmation of receipt of your comments, include a self-addressed, stamped postcard. You may also submit comments by e-mail by accessing the Dockets Management System on the Internet at "http://dms.dot.gov" or by fax to (202) 366-3753.

The Dockets Management System is located on the Plaza Level of the Nassif Building at the Department of Transportation at the above address. You can review public dockets there between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. In addition, you can review comments by accessing the docket management system through the DOT home page (<http://dms.dot.gov>).

**FOR FURTHER INFORMATION CONTACT:** Jennifer Karim or Susan Gorsky, Office of Hazardous Materials Standards, Research and Special Programs Administration, (202) 366-8553; or Nancy Machado, Office of the Chief Counsel, Research and Special Programs Administration, (202) 366-4400.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On May 24, 1999, the Research and Special Programs Administration (RSPA; "we") published a final rule under Docket No. RSPA-97-2718 (HM-225A) (64 FR 28030). The final rule revised regulations applicable to the transportation and unloading of liquefied compressed gases. The revisions include new inspection, maintenance, and testing requirements for cargo tank discharge systems, including delivery hose assemblies, and revised unloading attendance requirements applicable to liquefied petroleum gas and anhydrous ammonia to take account of certain unique operating characteristics.

Further, the final rule revised requirements for cargo tank emergency discharge control equipment to provide a clear performance standard for passive emergency discharge control equipment that shuts down unloading operations without human intervention. The revised requirements also provide for a remote capability for certain cargo tanks to enable a person attending the unloading operation to shut off the flow of product when unloading duties require the person to be away from the motor vehicle during delivery.

The final rule allows two-years for development and testing of emergency discharge control technology. After two years, newly manufactured MC 331 cargo tank motor vehicles must be equipped with emergency discharge control equipment that conforms to the performance standards; MC 330, MC