

Pit, Spokane County, Spokane, Washington.

A Notice of Intent to Delete for this site was published on June 17, 1999, (64 FR 32468). The closing date for comments was July 16, 1999. EPA received no comments.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund-financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425 of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 18, 1999.

**Charles E. Findley,**

*Acting Regional Administrator, Region 10.*

For the reasons set out in the preamble, 40 CFR Part 300 is amended as follows:

#### PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

#### Appendix B [Amended]

2. Table 1 of appendix B to part 300 is amended by removing “Old Inland Pit, Spokane, Washington.”

[FR Doc. 99–22454 Filed 8–30–99; 8:45 am]

BILLING CODE 6560–50–P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 206

#### Federal Disaster Assistance for Disasters Declared on or after November 23, 1998

##### CFR Correction

In Title 44 of the Code of Federal Regulations, revised as of Oct. 1, 1998, page 471, part 206 is corrected by reinstating § 206.207 to read as follows:

##### § 206.207 Administrative and audit requirements.

(a) *General.* Uniform administrative requirements which are set forth in 44 CFR part 13 apply to all disaster assistance grants and subgrants.

(b) *State administrative plan.* (1) The State shall develop a plan for the administration of the Public Assistance program that includes at a minimum, the items listed below:

(i) The designation of the State agency or agencies which will have the responsibility for program administration.

(ii) The identification of staffing functions in the Public Assistance program, the sources of staff to fill these functions, and the management and oversight responsibilities of each.

(iii) Procedures for:

(A) Notifying potential applicants of the availability of the program;

(B) Conducting briefings for potential applicants and application procedures, program eligibility guidance and program deadlines;

(C) Assisting FEMA in determining applicant eligibility;

(D) Participating with FEMA in conducting damage surveys to serve as a basis for obligations of funds to subgrantees;

(E) Participating with FEMA in the establishment of hazard mitigation and insurance requirements;

(F) Processing appeal requests, requests for time extensions and requests for approval of overruns, and for processing appeals of grantee decisions;

(G) Compliance with the administrative requirements of 44 CFR parts 13 and 206;

(H) Compliance with the audit requirements of 44 CFR part 14;

(I) Processing requests for advances of funds and reimbursement; and

(J) Determining staffing and budgeting requirements necessary for proper program management.

(2) The Grantee may request the RD to provide technical assistance in the preparation of such administrative plan.

(3) In accordance with the Interim Rule published March 21, 1989, the

Grantee was to have submitted an administrative plan to the RD for approval by September 18, 1989. An approved plan must be on file with FEMA before grants will be approved in a future major disaster. Thereafter, the Grantee shall submit a revised plan to the RD annually. In each disaster for which Public Assistance is included, the RD shall request the Grantee to prepare any amendments required to meet current policy guidance.

(4) The Grantee shall ensure that the approved administrative plan is incorporated into the State emergency plan.

(c) *Audit*—(1) *Nonfederal audit.* For grantees or subgrantees, requirements for nonfederal audit are contained in FEMA regulations at 44 CFR Part 14 or OMB Circular A–110 as appropriate.

(2) *Federal audit.* In accordance with 44 CFR part 14, Appendix A, Para. 10, FEMA may elect to conduct a Federal audit of the disaster assistance grant or any of the subgrants.

[55 FR 2304, Jan. 23, 1990; 55 FR 5458, Feb. 15, 1990]

[FR Doc. 99–55526 Filed 8–30–99; 8:45 am]

BILLING CODE 1505–01–D

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 46 CFR Part 69

[USCG–1999–5118]

RIN 2115–AF76

#### Standard Measurement System Exemption from Gross Tonnage

**AGENCY:** Coast Guard, DOT.

**ACTION:** Direct final rule.

**SUMMARY:** By this direct final rule, the Coast Guard amends its vessel tonnage regulations to reinstate a previously allowed method of holding tonnage opening cover plates in place. This amendment will increase flexibility and can decrease costs in vessel design and construction, while in no way diminishing vessel safety. The reinstated method was omitted in error during a comprehensive revision of the tonnage regulations in 1989.

**DATES:** This rule is effective November 29, 1999, unless a written adverse comment, or written notice of intent to submit an adverse comment, reaches the Docket Management Facility on or before November 1, 1999. If an adverse comment, or notice of intent to submit an adverse comment, is received, the Coast Guard will withdraw this direct

final rule and publish a timely notice of withdrawal in the **Federal Register**.

**ADDRESSES:** To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG-1999-5118), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By hand delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions on this rule, call Mr. Peter Eareckson, Marine Safety Center, Coast Guard, telephone 202-366-6441. For questions on viewing or submitting material to the docket, call Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202-366-9329.

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

The Coast Guard encourages you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (USCG-1999-5118), indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under

**ADDRESSES;** but please submit your comments and material by only one means. If you submit them by mail or

hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this rule in view of them.

##### **Regulatory Information**

The Coast Guard is publishing a direct final rule, the procedures of which are outlined in 33 CFR 1.05-55, because no adverse comment is anticipated. If no adverse comment or written notice of intent to submit an adverse comment is received within the specified comment period, this rule will become effective as stated in the **DATES** section. In that case, approximately 30 days before the effective date, we will publish a document in the **Federal Register** stating that no adverse comment was received and confirming that this rule will become effective as scheduled. However, if we receive a written adverse comment or written notice of intent to submit an adverse comment, we will publish a document in the **Federal Register** announcing withdrawal of all or part of this direct final rule. If an adverse comment applies to only part of this rule and it is possible to remove that part without defeating the purpose of this rule, we may adopt as final those parts of this rule on which no adverse comment was received. The part of this rule that was the subject of an adverse comment will be withdrawn. If we decide to proceed with a rulemaking following receipt of an adverse comment, we will publish a separate Notice of Proposed Rulemaking (NPRM) and provide a new opportunity for comment.

A comment is considered "adverse" if the comment explains why this rule would be inappropriate, including a challenge to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change.

##### **Background and Discussion of Changes**

Coast Guard tonnage regulations in 46 CFR part 69, subpart C, provide exemptions from gross tonnage for superstructure spaces open to the weather. To qualify the associated space as open to weather, the end bulkhead is fitted either with shifting boards dropped into channel sections or with a temporary coverplate or boards held in place with hook bolts meeting the specific criteria stated in 46 CFR 69.117(d). Before 1989, the tonnage

regulations allowed a bolting and crosspiece holding arrangement to keep the boards/plates in place. This alternative arrangement effectively "sandwiched" the associated bulkhead between the boards/plates and crosspieces. In a 1989 rulemaking (54 FR 37657, September 12, 1989), we revised and clarified the tonnage measurement regulations in 46 CFR part 69 without "substantive change not called for under Public Law 99-509" (which revised and consolidated the tonnage measurement laws into a new part J of 46 U.S.C. subtitle II). In revising part 69, we omitted this alternative holding method in error.

Recently the Coast Guard received complaints from vessel designers and builders that the deletion of the bolting and crosspiece option for tonnage opening covers reduced flexibility and increased costs in vessel design and construction with no advantage in safety or function. These complaints prompted the Coast Guard to review the 1989 rulemaking. We found that Public Law 99-509, the basis for the 1989 rule, did not address tonnage openings, and no Coast Guard records indicate any disadvantages to the bolting and crosspiece arrangement alternative. Our review determined that the bolting and crosspiece arrangement option was omitted in error during the 1989 rulemaking. We are reinstating this option by amending 46 CFR 69.117(d) and (e) accordingly. Additionally, we are making several editorial changes to this section to improve clarity. Paragraphs (d)(2) and (e)(3) are amended to add references to newly revised paragraphs (d)(5) and (d)(6).

##### **Regulatory Evaluation**

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

This rule will not impose any additional costs on industry. The reinstatement of the bolting and crosspiece arrangement, which was deleted in error in 1989, will allow for increased flexibility in vessel design and construction, while in no way diminishing vessel safety. This

regulation will make the use of the bolting and crosspiece arrangement, already an accepted industry practice, a legal alternative.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule will have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

This regulation will not add any additional costs to industry and will give industry increased flexibility in vessel design and construction. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. Comments submitted in response to this finding will be evaluated under the criteria in the “Regulatory Information” section of this preamble.

#### Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact Mr. Peter Eareckson, Marine Safety Center, Coast Guard, telephone 202–366–6441.

#### Collection of Information

This rule will call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### Federalism

We have analyzed this rule under E.O. 12612 and have determined that this rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

#### Unfunded Mandates Reform Act and Enhancing the Intergovernmental Partnership

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) and E.O. 12875, Enhancing the Intergovernmental Partnership, (58 FR 58093, October 28, 1993) govern the issuance of Federal

regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This rule will not impose an unfunded mandate.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

#### Environment

We considered the environmental impact of this rule and concluded that, under figure 2–1, paragraphs (34)(d) and (e) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. A “Categorical Exclusion Determination” is available in the docket for inspection or copying where indicated under ADDRESSES.

#### List of Subjects in 46 CFR Part 69

Measurement standards, Reporting and recordkeeping requirements, Vessels.

For the reasons discussed in the preamble, the Coast Guard amends 46 CFR part 69 as follows:

#### PART 69—STANDARD MEASUREMENT SYSTEM EXEMPTION FROM GROSS TONNAGE

1. The authority citation for part 69 continues to read as follows:

**Authority:** 46 U.S.C. 2301, 14103; 49 CFR 1.46.

2. In § 69.117—

a. In paragraph (d)(2) introductory text, remove the words “paragraph (d)(4)” and add, in their place, the words “paragraphs (d)(4), (d)(5), and (d)(6)”;

b. Revise paragraph (d)(4) to read as follows;

c. Redesignate paragraph (d)(5) as paragraph (d)(7);

d. Add new paragraphs (d)(5) and (d)(6) to read as follows; and

e. In paragraph (e)(3), remove the words “paragraph (d)(4)” and add, in their place, the words “paragraphs (d)(4), (d)(5), and (d)(6)”;

#### § 69.117 Spaces exempt from inclusion in gross tonnage.

\* \* \* \* \*

(d) \* \* \*

(4) An interior or exterior opening that is temporarily closed by shifting boards dropped into channel sections at the sides of the opening is considered open to the weather if battening, caulking, or gaskets of any material are not used.

(5) An interior or exterior opening that is temporarily closed by cover plates or boards held in place only by hook bolts (see § 69.123, Figure 12) is considered open to the weather—

(i) If hook bolts used to secure cover plates or boards are spaced at least one foot apart and hook over a stiffener installed around the perimeter of the opening;

(ii) If the cover plates or boards fit tightly against the bulkhead; and

(iii) If battening, caulking, or gaskets of any material are not used.

(6) An interior or exterior opening that is temporarily closed by cover plates or boards held in place only by bolts and crosspieces is considered open to the weather—

(i) If the bolts are not installed through the bulkhead;

(ii) If the bolts and crosspieces are not held in place by cleats or other attachments to or through the bulkhead;

(iii) If the cover plates or boards fit tightly against the bulkhead; and

(iv) If battening, caulking, or gaskets of any material are not used.

\* \* \* \* \*

Dated: August 19, 1999.

**Joseph J. Angelo,**

*Director of Standards, Marine Safety and Environmental Protection.*

[FR Doc. 99–22213 Filed 8–30–99; 8:45 am]

BILLING CODE 4910–15–P

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 99–1668; MM Docket No. 98–223; RM–9340; RM–9481; RM–9482]

**Radio Broadcasting Services; Cherry Valley, AR; Cotton Plant, AR**

**AGENCY:** Federal Communications Commission.