

that have federalism implications" is defined in the Executive Order to include regulations that have "substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government." This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4).

IX. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement 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 to 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 this final rule in the **Federal Register**. This final 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: December 1, 1999.

James Jones,

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 §180.428, to read as follows:

§ 180.428 Metsulfuron methyl; tolerances for residues.

(a) *General.* (1) Tolerances are established for the combined residues of the herbicide metsulfuron methyl (methyl 2-[[[4-methoxy-6-methyl-1,3,5-triazin-2-yl]amino]carbonyl]amino]sulfonyl]benzoate) and

its metabolite methyl 2-[[[4-methoxy-6-methyl-1-,3,5-triazin-2-yl]amino]carbonyl]amino]sulfonyl]-4-hydroxybenzoate in or on the following raw material agricultural commodities:

Commodity	Parts per million
Barley, grain	0.1
Barley, hay	20.0
Barley, straw	0.3
Grass, fodder	15.0
Grass, forage	15.0
Grass, hay	15.0
Sugarcane	0.05
Wheat, grain	0.1
Wheat, green forage	5.0
Wheat, hay	20.0
Wheat, straw	0.3

(2) Tolerances are established for residues of metsulfuron methyl (methyl-2-[[[4-methoxy-6-methyl-1,3,5-triazin-2-yl] amino]carbonyl] amino]sulfonyl]benzoate) in or on the following raw agricultural commodities:

Commodity	Parts per million
Cattle, fat	0.1
Cattle, kidney	0.5
Cattle, meat	0.1
Cattle, meat byproduct	0.1
Goats, fat	0.1
Goats, kidney	0.5
Goats, meat	0.1
Goats, meat byproduct	0.1
Hogs, fat	0.1
Hogs, kidney	0.5
Hogs, meat	0.1
Hogs, meat byproduct	0.1
Horses, fat	0.1
Horses, kidney	0.5
Horses, meat	0.1
Horses, meat byproduct	0.1
Milk	0.05
Sheep, fat	0.1
Sheep, kidney	0.5
Sheep, meat	0.1
Sheep, meat byproduct	0.1

(b) *Section 18 emergency exemptions.* Time-limited tolerances are established for the combined residues of the herbicide metsulfuron methyl and its 4-hydroxy metabolite (methyl 2-[[[4-methoxy-6-methyl-1,3,5-triazin-2-yl] amino]carbonyl]-amino] sulfonyl]-4-hydroxybenzoate)] in connection with

use of the pesticide under section 18 emergency exemptions granted by EPA. The tolerances will expire and are revoked on the dates specified in the following table.

Commodity	Parts per million	Expiration/Revocation Date
Sorghum, fodder	0.5	12/31/01
Sorghum, forage	0.3	12/31/01
Sorghum, grain	0.4	12/31/01

(c) *Tolerances with regional registrations.* [Reserved]

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

[FR Doc. 99-32652 Filed 12-15-99; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 61

RIN 3067-AD05

National Flood Insurance Program (NFIP); Standard Flood Insurance Policy

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: We (FEMA) are increasing the limit of liability under Coverage D—Increased Cost of Compliance of the Standard Flood Insurance Policy from \$15,000 to \$20,000. New information indicates an expected decrease in annual claims, and based on this decrease, we believe the limit of liability can be increased with no change in premium.

EFFECTIVE DATE: May 1, 2000.

FOR FURTHER INFORMATION CONTACT: Charles M. Plaxico, Jr., Federal Emergency Management Agency, Federal Insurance Administration, (202) 646-3422, (facsimile) (202) 646-4327, or (email) charles.plaxico@fema.gov.

SUPPLEMENTARY INFORMATION: On February 25, 1997, we published in the **Federal Register**, 62 FR 8391, a final rule that adds Coverage D—Increased Cost of Compliance (ICC) to the Standard Flood Insurance Policy. We set the limit of liability for this coverage at \$15,000. We considered several issues in arriving at that figure.

First, the pricing for this coverage has to be actuarially sound with premiums varying, to the extent possible, by risk. Second, § 555 of the National Flood Insurance Reform Act of 1994, which

mandates ICC coverage, sets a cap of \$75 that we may charge for this coverage. Third, our initial estimates were that the number of policyholders receiving benefits under ICC coverage would be between 3400–3700 each year. Fourth, we considered the uncertainties associated with the introduction of the product, especially since we had had no direct experience with ICC coverage.

In making initial estimates of ICC claims, we had access to our loss experience from 1978 through 1994. The latest experience period for estimating ICC claims runs through 1998. Based on our additional experience with flood losses—losses large enough to trigger community declarations of substantial damage—we have decreased the number of expected annual ICC claims to a range of 2700–2900. On this basis, we are confident that the limit of liability for ICC coverage can be increased from \$15,000 to \$20,000 (a 33% increase) with no change in premium. The number of ICC claims actually filed since the introduction of this coverage is small compared to the number that we expected based on our flood claims filed under building coverage. We intend to continue analyzing this discrepancy, make further adjustments in premium charges, coverage amounts, or both as warranted, and to continue our education efforts with policyholders and local officials to make sure that they adequately understand the coverage.

Administrative Procedure Act Determination

We are publishing this final rule without opportunity for prior public comment under the Administrative Procedure Act, 5 U.S.C. 553. This final rule is a rule of agency procedure or practice that is excepted from the prior public comment requirements of § 553(b). The rule makes nonsubstantive, nonsignificant changes to 44 CFR part 61 by conferring a benefit to flood insurance policyholders, increasing coverage for the increased cost of compliance without an increase in premium.

National Environmental Policy Act

The requirements of 44 CFR Part 10, Environmental Consideration, categorically exclude this final rule. We have not prepared an environmental impact assessment.

Executive Order 12866, Regulatory Planning and Review

This final rule is not a significant regulatory action within the meaning of § 2(f) of E.O. 12866 of September 30, 1993, 58 FR 51735, but attempts to adhere to the regulatory principles set

forth in E.O. 12866. The Office of Management and Budget has not reviewed this final rule under E.O. 12866.

Paperwork Reduction Act

The final rule is not subject to the provisions of the Paperwork Reduction Act of 1995.

Executive Order 13132, Federalism

This rule involves no policies that have federalism implications under Executive Order 13132, Federalism, dated August 4, 1999. The rule simply increases coverage for the increased cost of compliance from \$15,000 to \$20,000 without an increase in premium. It involves no preemption of State law nor does it limit State policymaking discretion. In light of the purpose of the rule and the absence of federalism implications, we have not consulted with State and local officials during preparation of this rule.

I certify that the requirements of Executive Order 13132 have been met in a meaningful and timely manner.

Executive Order 12778, Civil Justice Reform

This final rule meets the applicable standards of § 2(b)(2) of E.O. 12778.

Congressional Review of Agency Rulemaking

We have sent this final rule to the Congress and to the General Accounting Office under the Congressional Review of Agency Rulemaking Act, Pub. L. 104–121. The rule is not a “major rule” within the meaning of that Act. It is an administrative action in support of normal day-to-day activities that increases a benefit to policyholders without increasing premiums. It does not result in nor is it likely to result in an annual effect on the economy of \$100,000,000 or more. It will not result in 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 on the ability of United States-based enterprises to compete with foreign-based enterprises. This final rule is exempt (1) from the requirements of the Regulatory Flexibility Act, and (2) from the Paperwork Reduction Act. The rule is not an unfunded Federal mandate within the meaning of the Unfunded Mandates Reform Act of 1995, Pub. L. 104–4. It does not meet the \$100,000,000 threshold of that Act, and any enforceable duties are imposed as a condition of Federal assistance or a duty

arising from participation in a voluntary Federal program.

List of Subjects in 44 CFR Part 61

Flood insurance.

Accordingly, we amend 44 CFR part 61 as follows:

PART 61—INSURANCE COVERAGE AND RATES

1. The authority citation for part 61 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

2. The first sentence of the second paragraph of Coverage D—Increased Cost of Compliance in Article 4 of Appendix A(1) to Part 61 that begins “The limit of liability * * *” is revised to read as follows:

Appendix A(1) to Part 61

* * * * *

Article 4

* * * * *

Coverage D—Increased Cost of Compliance

* * * * *

The limit of liability under this Coverage D (Increased Cost of Compliance) is \$20,000. * * *

* * * * *

2. The first sentence of the second paragraph of Coverage D—Increased Cost of Compliance in Article 4 of Appendix A(2) to Part 61 that begins “The limit of liability * * *” is revised to read as follows:

Appendix A(2) to Part 61

* * * * *

Article 4

* * * * *

Coverage D—Increased Cost of Compliance

* * * * *

The limit of liability under this Coverage D (Increased Cost of Compliance) is \$20,000. * * *

* * * * *

3. The first sentence of the second paragraph of Coverage D—Increased Cost of Compliance in Article 4 of Appendix A(3) to Part 61 that begins “The limit of liability * * *” is revised to read as follows:

Appendix A(3)—to Part 61

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Article 4

* * * * *

Coverage D—Increased Cost of Compliance

* * * * *

The limit of liability under this Coverage D (Increased Cost of Compliance) is \$20,000. * * *

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(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance"; No. 83.516, "Disaster Assistance")

Dated: December 13, 1999.

Jo Ann Howard,

Administrator,

Federal Insurance Administration.

[FR Doc. 99-32657 Filed 12-15-99; 8:45 am]

BILLING CODE 6718-03-P

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****49 CFR Parts 211, 235, 238 and 240**

[Docket No. FRA-99-6625, Notice No. 1]

RIN 2130-AB37

Revised Docket Filing Procedures for Federal Railroad Administration Rulemaking and Adjudicatory Dockets

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Final rule.

SUMMARY: The Federal Railroad Administration has consolidated its docket operations with those of other Department of Transportation operating elements. DOT's nine separate docket facilities have been consolidated into the Centralized Docket Management System and have been converted from a paper-based system to an optical imaging system for more efficient storage, management and retrieval of docketed information. This conversion is intended to provide better service and more widespread access to both the public and government users. This final rule provides details of new docket filing procedures for FRA regulatory and adjudicatory proceedings.

This final rule also amends certain FRA rules to provide accurate information to the public regarding filing requirements for FRA proceedings.

DATES: This final rule is effective February 14, 2000.

ADDRESSES: Dockets opened after September 15, 1998, are available for inspection and copying in DOT's Central Docket Management System located in room PL-401 at the Plaza level of the Nassif Building, 400 Seventh Street, SW, Washington, DC 20590. Docket materials filed in the

Central Docket Management System are also available for viewing and downloading on the Internet at <http://dms.dot.gov>.

All rulemaking comments, comments pertaining to regulatory waiver dockets, railroad block signal applications, special approval proceedings, and submissions related to adjudicatory dockets (e.g. hearings on engineer certification denials or revocations) should be submitted to DOT's Central Docket Management System, 401 Plaza level, Nassif Building at the U.S. Department of Transportation, Room PL 401, 400 Seventh Street, SW, Washington, DC 20590-0001 between the hours of 10 a.m. and 5 p.m.

FOR FURTHER INFORMATION CONTACT:

Mark Tessler, Office of Chief Counsel, Federal Railroad Administration, 1120 Vermont Avenue, N.W., Mail Stop 10, Washington, D.C. 20590 (telephone 202-493-6061) (e-mail address: mark.tessler@fra.dot.gov).

SUPPLEMENTARY INFORMATION: On March 15, 1995, DOT issued a public meeting notice (60 FR 14050) concerning the centralization and computerization of DOT dockets. On June 10, 1996, at 61 FR 29282, the Office of the Secretary (OST) published a final rule revising the filing procedures for OST dockets. FRA's transition to the DOT-wide Central Docket Management System (Central Dockets) began in September 1998. All new regulatory and adjudicatory dockets established after that date are located in the central docket facility. Therefore, all comments and related documents filed in those proceedings should be sent to the docket facility address listed above. Each **Federal Register** notice requesting comments from the public in a proceeding will contain instructions on how to file comments and where they should be sent. While we prefer that all comments and related documents be sent directly to the new facility, FRA will, for the foreseeable future, ensure that documents sent directly to FRA will be forwarded to the Central Docket. The date of receipt will, however, be the date and time logged in at the Central Docket.

Internet Access to Docket Materials

The change in docket filing procedures announced in this notice will provide the public with unprecedented access to FRA's public dockets. All documents in FRA's public dockets established in the central docket system are accessible through the Internet at <http://dms.dot.gov>. Detailed information is available at that Web site to assist the public in viewing

documents filed in FRA's and other DOT administrations' regulatory and adjudicatory proceedings. In order to view documents, a software program called a document image viewer must be installed on your computer. The Web site listed above provides information as to how such viewer programs (also known as "plug-ins"), which are generally available free of charge, may be downloaded onto your computer. When downloaded, the viewer program installs itself into your current Internet browser to enable the documents to be viewed. In many cases, Internet browsers already contain such plug-ins without the need for additional action by the user.

Filing of Submissions to the Central Docket*Paper Filing*

At the present time, to ensure that the highest quality image is captured during the scanning process, we request that documents be typed double spaced on 8½ by 11 inch white paper with dark type (not green) to provide adequate contrast for reproduction. Original documents should be unbound, without tabs, to reduce possible damage to the document during removal of fasteners and to facilitate the use of a high-speed mechanism for automated scanning. Multi-page documents may be clipped with a removable clip or other similar device. Filers are requested to provide one-sided original documents to speed the physical scanning process, but the capability to sort and copy double-sided copies is available. Specific filing instructions will be found on the Central Docket web site. We anticipate that those instructions and technical requirements will periodically change due to advances in document storage and retrieval technology.

In the unlikely event that written materials cannot be scanned they will be stored at FRA's own docket facility and a cross-reference to the location of the material will be noted in the docket file. Similarly, non-scannable items such as videotapes, and non-paper items, will be stored at FRA's docket facility.

Electronic Filing

In addition to traditional paper filings, comments and related files may be submitted electronically to established dockets. Because technology in this area is changing very rapidly, directions and technical requirements for such submissions are not being specified in this notice, but may be found at the Central Docket web site. This will enable the public to take