

§ 721.9798 Benzenesulfonic acid, 2,2'-(1,2-ethenediyl)bis[5-[[4-substituted-6-substituted-1,3,5-triazin-2-yl]amino]-, sodium salt (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as a benzenesulfonic acid, 2,2'-(1,2-ethenediyl)bis[5-[[4-substituted-6-substituted-1,3,5-triazin-2-yl]amino]-, sodium salt (PMN P-98-1222) is subject to reporting under this section for the significant new use described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80 (v)(1), (v)(2), (w)(1), (w)(2), (x)(1), and (x)(2).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125 (a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

39. By adding new § 721.9810 to subpart E to read as follows:

§ 721.9810 Substituted amino alkyl triazinyl benzenesulfonic acid derivative (generic).

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a substituted amino alkyl triazinyl benzenesulfonic acid derivative (PMN P-98-1043) is subject to reporting under this section for the significant new use described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125 (a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

40. By adding new § 721.9965 to subpart E to read as follows:

§ 721.9965 Fatty acids, C₁₀₋₁₃ - branched, vinyl esters.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified as fatty acids, C₁₀₋₁₃ - branched, vinyl esters (PMN P-97-482; CAS No. 184785-38-4) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.*

Requirements as specified in § 721.63 (a)(1), (a)(2), (a)(3), (a)(4), (a)(5)(ii) (if data on Cartridge Service Life Testing has been reviewed and approved in writing by EPA). The following respirators may be used as specified in § 721.63 (a)(5)(xii), (a)(5)(xiii), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (a)(6)(v), (b) (concentration set at 1.0 percent), and (c). As an alternative to the respiratory requirements listed here, a manufacturer, importer, or processor may choose to follow the NCEL provisions listed in the TSCA section 5(e) consent order for this substance. The NCEL is 1 ppm.

(ii) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(i), (g)(1)(iii), (g)(1)(v), (g)(1)(vi), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(2)(iv), (g)(2)(v), (g)(3)(i), (g)(3)(ii), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(iv) *Release to water.* Requirements as specified in § 721.90 (a)(4) and (b)(4) (N=6).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125 (a), (b), (c), (d), (e), (f), (g), (h), (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

[FR Doc. 00-179 Filed 1-4-00; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[FCC 99-373]

Delegate Authority to the Wireless Telecommunications Bureau Concerning Procedures for Assigning Domestic Maritime Mobile Service Identities (MMSIs)

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document delegates authority to the Chief, Wireless Telecommunications Bureau to enter into written agreements on a nondiscriminatory basis with qualified entities who desire to issue domestic MMSIs. The Commission takes this action to reduce unnecessary administrative burdens and processing delays for both the maritime community and the Commission.

DATES: Effective February 4, 2000.

FOR FURTHER INFORMATION CONTACT: James Shaffer of the Commission's Wireless Telecommunications Bureau at (202) 418-0680.

SUPPLEMENTARY INFORMATION:

1. This is a summary of the Commission's *Order* FCC 99-373, adopted on November 24, 1999, and released on December 15, 1999. The full text of this *Order* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY A257, 445 12th Street, SW, Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW Washington, DC 20037.

2. On March 6, 1997, we released a Public Notice stating that we were considering revising the procedures governing the assignment of maritime mobile service identities (MMSIs). We stated that we were considering privatizing the issuance of MMSIs by providing blocks of numbers to qualified entities for distribution to ship vessel operators. By this Public Notice, we invited qualified parties to express their interest in participating in distributing MMSIs to ship vessel operators.

3. Our objective was to establish a procedure whereby certain private sector entities would (1) issue an MMSI to any U.S. vessel operator; (2) collect and store information in an electronic database about each vessel issued an MMSI; and, (3) provide database access

to the U.S. Coast Guard. We stated that technical details for this procedure (*e.g.*, where the MMSI database will reside, and how to ensure database access for all parties) would be developed upon mutual agreement between the participants, the Commission, and the U.S. Coast Guard. We have received letters from seven parties expressing interest in issuing domestic MMSIs and supporting our effort to privatize the procedures for issuing domestic MMSIs. We believe that multiple entities will allow increased options for vessel operators to choose an MMSI and that competition between the entities will help insure reasonable fees.

4. In order to expedite the issuing of domestic MMSIs by private entities, we are amending § 0.331 to delegate authority to the Chief, Wireless Telecommunications Bureau to enter into written agreements on a nondiscriminatory basis with qualified entities who desire to issue domestic MMSIs. The form and general terms of these agreements will be announced at a later date by Public Notice, as well as the names and addresses of entities with whom we have entered into written agreements. This list of entities will be updated and announced by Public Notice as necessary. This delegation of authority will reduce unnecessary administrative burdens and processing delays for both the maritime community and the Commission and allow us to expedite the issuing of domestic MMSIs.

5. Our decision to delegate authority to the Chief, Wireless Telecommunications Bureau is procedural in nature and therefore is not subject to the notice and comment and effective date requirements of the Administrative Procedures Act. *See* 5 U.S.C. 553(b)(A), (d); *Kessler v. FCC*, 326 F.2d 673 (D.C. Cir. 1963).

Ordering Clauses

6. The authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), part 0 of the Commission's rules IS AMENDED as set forth in the rule changes below, effective upon the adoption date of this *Order*.

List of Subjects in 47 CFR Part 0

Administrative practice and procedure.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

Accordingly, Title 47 of the Code of Federal Regulations, Part 0, is amended as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for part 0 continues to read as follows:

Authority: Secs. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155.

2. Section 0.131 paragraph (n) is revised to read as follows:

§ 0.131 Functions of the Bureau.

* * * * *

(n) Administers the Commission's commercial radio operator (part 13 of this chapter) and amateur radio programs (part 97 of this chapter) and the program for construction, marking and lighting of antenna structures (part 17 of this chapter) and the issuing maritime mobile service identities (MMSIs).

* * * * *

[FR Doc. 00-176 Filed 1-4-00; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 96-46; FCC 99-341]

Implementation of Section 302 of the Telecommunications Act of 1996: Open Video Systems

AGENCY: Federal Communications Commission.

ACTION: Final rule; order on remand.

SUMMARY: This document amends various Commission rules in connection with the open video system proceeding as a result of rulings in the United States Court of Appeals Fifth Circuit case, *City of Dallas, Texas v. FCC*. The Fifth Circuit considered consolidated appeals of the Commission's open video system rules, affirming in part, reversing in part, and remanding in part, those rules to meet the needs of consumers and competitive entities.

DATES: Effective January 5, 2000.

FOR FURTHER INFORMATION CONTACT:

Steve Broeckaert at (202) 418-7200 or via internet at sbroecka@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Order on Remand*, CS Docket No. 96-46, FCC 99-341, adopted November 9, 1999 and released November 19, 1999. The Commission adopted proposed rules on Open Video Systems in *Notice of Proposed Rule Making*, 61 FR 10496 (1996). The complete text of this *Order on Remand* is available for inspection and copying during normal business hours in the FCC Reference Center

(Room CY-A257) at its headquarters, 445 12th Street, SW Washington, D.C. 20554, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, D.C. 20036, or may be reviewed via internet at <http://www.fcc.gov/csb/>.

Synopsis of Order on Remand

I. Introduction and Background

1. In this *Order on Remand*, the Commission amends its rules in accordance with the Fifth Circuit's decision in *City of Dallas, Texas v. FCC* which reviewed consolidated appeals of the Commission's open video system rules. The Telecommunications Act of 1996 ("1996 Act") added section 653 to the Communications Act of 1934, establishing open video systems as a framework for entry into the video programming marketplace. The Commission adopted a series of orders prescribing rules and policies governing the establishment and operation of open video systems. Among the decisions reached in rulemakings implementing the open video system provision of the 1996 Act, the Commission concluded that Congress did not intend to restrict open video system service to telephone companies alone, and permitted non-local exchange carriers and cable operators to operate, and to obtain carriage on open video systems where consistent with the public interest, convenience, and necessity.

2. Five petitions were filed with the Fifth Circuit and the challenges fell into three separate categories: (i) National Association of Telecommunications Advisors and Officers, the City of Dallas, and the U.S. Conference of Mayors challenged the impact of the Commission's open video system rules on local governments; (ii) National Cable Television Association challenged the treatment of cable operators under the video system rules; and (iii) BellSouth challenged the requirement that open video system operators obtain Commission certification before commencing construction related to open video systems.

3. The Fifth Circuit affirmed the Commission's rules: (i) limiting the fees that localities may charge to open video system operators pursuant to section 653(c)(2)(B) of the Communications Act; (ii) prohibiting localities from requiring open video systems to provide institutional networks; and (iii) prohibiting non-local exchange carrier cable operators and cable operators whose franchises have expired from becoming open video system operators