

except for paragraph 20 of the stipulation.

(G) Board Order issued on June 12, 1998, by the Montana Board of Environmental Review adopting and incorporating the stipulation of the Montana Department of Environmental Quality and Yellowstone Energy Limited Partnership including the stipulation and exhibit A and attachments to the stipulation except for paragraph 20 of the stipulation.

(ii) Additional Material.

(A) All portions of the September 6, 1995 Billings/Laurel SO2 SIP submittal other than the stipulations and exhibit A's and attachments to the stipulations.

(B) All portions of the August 27, 1996 Billings/Laurel SO2 SIP submittal other than the stipulations and exhibit A's and attachments to the stipulations.

(C) All portions of the April 2, 1997 Billings/Laurel SO2 SIP submittal other than the stipulations and exhibit A's and attachments to the stipulations.

(D) All portions of the July 29, 1998 Billings/Laurel SO2 SIP submittal that are not covered in section 52.1370(c)(47) above other than the stipulations and exhibit A's and attachments to the stipulations.

(E) April 28, 1997 letter from Mark Simonich, Director, Montana Department of Environmental Quality, to Richard R. Long, Director, Air Program, EPA Region VIII.

(F) January 30, 1998 letter from Mark Simonich, Director, Montana Department of Environmental Quality to Richard R. Long, Director, Air Program, EPA Region VIII.

(G) August 11, 1998 letter from Mark Simonich, Director, Montana Department of Environmental Quality, to Kerrigan G. Clough, Assistant Regional Administrator, EPA Region VIII.

(H) September 3, 1998 letter from Mark Simonich, Director, Montana Department of Environmental Quality, to Richard R. Long, Director, Air Program, EPA Region VIII.

(I) March 24, 1999 commitment letter from Marc Racicot, Governor of Montana, to William Yellowtail, EPA Regional Administrator.

(J) May 20, 1999 letter from Mark Simonich, Director, Montana Department of Environmental Quality, to Richard R. Long, Director, Air and Radiation Program, EPA Region VIII.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 3

[IB Docket No. 98-96, FCC 99-150]

#### Biennial Review

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document examines the development of a transition plan to ensure that the transition from the Commission to privately owned accounting authorities in the settlement of accounts for maritime mobile, maritime satellite, aircraft and hand-held terminal radio services. The Commission seeks further comment in this proceeding on how best to implement this privatization. The Commission initiated this proceeding pursuant to the Telecommunications Act of 1996, which directs the Commission to undertake a review every even-numbered year of all regulations that apply to providers of telecommunications services to determine whether any such regulation is no longer necessary.

**DATES:** Comments are due on or before August 23, 1999; and reply comments are due on or before September 8, 1999. Written comments by the public on the proposed information collections are due September 27, 1999.

**ADDRESSES:** Office of the Secretary, Federal Communications Commission, 445 12th St., SW, Washington, DC 20554. A copy of any comments on the proposed information collection contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th St., SW, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** John Copes, Attorney-Advisor, Multilateral and Development Branch, Telecommunications Division, International Bureau, (202) 418-1478. For additional information concerning the proposed information collection contained in the FNPRM contact John Copes at (202) 418-1478, or via the Internet at [jcopes@fcc.gov](mailto:jcopes@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's FNPRM, FCC 99-150, adopted on June 21, 1999, and released on July 13, 1999. The full text of the FNPRM is available for inspection and copying during normal business hours in the Federal Communications Commission, Reference Information Center (Room CY-A257), 445 12th St., SW, Washington, DC 20554. The complete

text of the FNPRM may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th St., NW, Washington, DC 20036, (202) 857-3800. The FNPRM contains proposed information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under the PRA. OMB, the general public and other Federal agencies are invited to comment on the proposed information collections contained in this proceeding.

#### Summary of FNPRM

1. In July 1998, the Commission adopted a Notice of Proposed Rulemaking (63 FR 39800, July 24, 1998) (NPRM) to streamline further the regulations and authorization of privately owned accounting authorities that settle accounts in the maritime mobile and maritime mobile-satellite radio services.

2. On June 21, 1999, the Commission adopted a Report and Order and Further Notice of Proposed Rulemaking (FCC 99-150) to make final the proposals in its July 1999 NPRM and to institute a transition period leading to the handing over of its functions to private accounting authorities. A final rule relating to this proceeding is published elsewhere in this issue of the **Federal Register**. In the Report and Order (R&O) portion of the document, the Commission affirmed its proposal to withdraw from performing the functions of an accounting authority and to rely solely upon the private accounting authorities to provide account-settlement services for maritime and satellite communications.

3. In the FNPRM, the Commission declined to appoint another accounting authority to take over the function of "accounting authority of last resort" that the Commission has traditionally performed. The Commission has traditionally not required U.S. users of maritime and satellite communications to designate a specific accounting authority to settle its accounts with foreign cost stations. Rather, the Commission has been willing to accept accounts from such foreign coast stations and to attempt to locate the user, send them the bill and remit their payment. The Commission noted that, upon the Commission's withdrawal as an accounting authority, there would be no one to accept such accounts and that it would be necessary to designate someone as the new accounting authority of last resort or to provide some other alternative, such as a formula to divide undesigned

accounts among certified authorities or to require customers to designate an accounting authority at the time they send the communications. No one volunteered to perform the function, though the Commission concluded that it would not designate anyone as the accounting authority of last resort. The Commission also concluded that a formula would require someone to administer it and would probably be difficult to administer. The Commission concluded that it would be better to require users to designate an accounting authority for each call. Such a requirement would eliminate undesignated calls or the need to designate someone to handle them. The Commission noted that another way to accomplish the same end would be to require users to presubscribe to the services of an accounting authority in the same manner that users are now required to presubscribe to a carrier to handle their long-distance telephone calls.

4. In the FNPRM the Commission also tentatively concluded to delay its withdrawal as an accounting authority for three years and to institute a transition period to ensure an orderly transition to reliance solely upon private accounting authorities. The Commission was responding to arguments by the Federal governmental agencies for which it provides account-settlement services, who argued that they need three years to budget for the increased costs that they will face once the Commission withdraws as an accounting authority. The Commission now settles accounts for government agencies at no charge. Because private accounting authorities typically charge a fee for service, the agencies will need to budget for money to pay the fees. The Commission noted that during the transition period it would notify other users of their need to find an alternative accounting authority. Finally, the Commission asks interested persons to identify any areas where they believe Commission withdrawal would cause problems, so that they may be addressed and resolved.

#### **Regulatory Flexibility Act**

5. As required by the Regulatory Flexibility Act, 5 U.S.C. 603, we are required to prepare an Initial Regulatory Flexibility Analysis (IRFA) for the proposals contained in the FNPRM, unless we certify that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities." The purpose of this FNPRM is to seek comment on how best to implement the proposals adopted in the R&O. The proposals in

the FNPRM do not impose any additional compliance burden on small entities dealing with the Commission. Rather, the FNPRM seeks comment on a proposed transition period and any problem areas that should be addressed during this transition period. The transition period is intended to ensure that the Commission's withdrawal as an accounting authority shall be as smooth as possible. We anticipate that the proposals will reduce any regulatory and procedural burdens on small entities. Accordingly, we certify, pursuant to Section 605(b) of the Regulatory Flexibility Act, that the rules proposed in this FNPRM will not, if promulgated, have a significant economic impact upon a substantial number of small business entities, as that term is defined by the Regulatory Flexibility Act. The Commission's Office of Public Affairs, Reference Operations Division, shall send a copy of this document, including this certification, to the Chief Counsel for Advocacy of the Small Business Administrations in accordance with the Regulatory Flexibility Act. We shall analyze the information submitted during the comment period and, if we determine at the time that we issue a final rule that such final rule changes will have a significant economic impact on a significant number of small business entities, we shall prepare a Final Regulatory Flexibility Analysis.

#### **Copies to Private Accounting Authorities and Governmental Users**

6. The Commission's Office of Public Affairs, Reference Operations Division, shall send a copy of this FNPRM, including the Initial Regulatory Flexibility Analysis, to the current U.S.-certified private accounting authorities (Mackay Communications Inc.; Radio-Holland Communications, Inc.; Seven Seas Communications, Inc.; KFS World Communications (d/b/a Globe Wireless); 7 Cs Ltd; Mobile Marine Radio, Inc.; EXXON Communications Company; Raytheon Service Company; and Global Communications Corporation) and to the current governmental users (U.S. Coast Guard, Department of Defense). A list of those agencies is in an Attachment to this summary.

#### **Initial Paperwork Reduction Act of 1995 Analysis**

7. The FNPRM contains a proposed information collection. As part of our continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to comment on the proposed information collections contained in this FNPRM, as required

by the Paperwork Reduction Act of 1995, Pub. L. 104-13. Public and agency comments are due on September 27, 1999. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Persons wishing to comment on the proposed and/or modified information collections should file written comments on or before August 23, 1999. The Office of Management and Budget (OMB) must submit its written comments on the proposed and/or modified information collections, if any, on or before 60 days after the date of publication of the summary of this FNPRM in the **Federal Register**. In addition to filing comments with the Secretary, they should also submit a copy of any comments on the information collections contained herein to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington, DC 20554, or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov) and to Virginia Huth, OMB Desk Officer, 10236 NEOB, 725-17th Street, NW, Washington, DC 20503.

8. Parties in this proceeding may file comments and replies on paper or electronically. Under Section 1.419 of the Commission's Rules, 47 CFR 1.419, parties filing comments on paper must file an original and four copies of all comments, reply comments, and supporting documents. If parties want each Commissioner to receive a personal copy of their comments, they must file an original plus nine copies. Persons who wish to participate informally may submit two copies of their comments, stating thereon the docket number of this proceeding. Comments and reply comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th St., SW, Washington, DC 20554. Those filing written pleadings in person should file them at the counter TW-A325 located in the lobby of 445 12th Street, SW. Additionally, parties must file a copy of their comments, replies and supporting documents with the Commission's copy contractor, International Transcription Service, Inc., 1231 20th St., NW, Washington, DC 20036. Comments and reply comments

will be available for public inspection during regular business hours in the FCC Reference Information Center (Room CY-A257) at 445 12th St. SW. For additional information about this proceeding, please contact John Copes at (202) 418-1478.

#### Supplementary Information Regarding Paperwork Reduction Act Analysis

OMB Control Number: 3060-XXXX.

Title: Designation of Accounting Authority for Maritime Mobile and Maritime Mobile-Satellite Radio Communications.

Form Number: N/A.

Respondents: Federal Government; State, local or tribal governments; businesses or other for profit entities; individuals or households.

Number of Respondents: 2,600.

Estimated Time per Response: 1.0 hour.

Frequency of Response: One-time reporting requirement; Third Party Disclosure.

Total Annual Burden: 2,600 hours.

Total Annual Cost: None.

Needs and Uses: When the Commission withdraws as an accounting authority, it will be necessary for those users who rely upon the Commission to settle their maritime and satellite radio accounts. As a result of this FNPRM, the Commission may decide the best way to accomplish this is to require all users to designate a particular accounting authority to settle their radio accounts.

#### Electronic Filing of Comments

9. Pursuant to Section 1.49(f) of the Commission's Rules, 47 CFR 1.49(f), Parties may file their comments, replies and supporting documents in electronic form via the Internet. Such parties should use the Commission's Electronic Comment Filing System, which they can access using the following Internet address: <<http://www.fcc.gov/e-file/ecfs.html>>

Further information on the process of submitting comments electronically is available at <<http://www.fcc.gov/e-file/>>. Pursuant to Section 1.419(d) of the Commission's Rules, 47 CFR 1.419(d), Parties need file only one copy of an electronic submission. In completing the transmittal screen, a party filing a comment, reply or supporting document should include his or her full name, U.S. Postal Service mailing address and the lead Docket number for this proceeding, which is IB Docket No. 98-96. The Commission will consider electronically filed comments that conform to the guidelines of this section part of the record in this

proceeding and accord them the same treatment as comments filed on paper.

10. Parties filing comments, replies and supporting documents on paper must also file their submissions on diskette. Such a submission should be on a 3.5 inch diskette formatted in an IBM-compatible format, using MS DOS and Word Perfect 5.1 for Windows or compatible software. The diskette should be submitted in "read only" mode. The diskette should be clearly marked with the party's name, the proceeding to which it is addressed (in this case, IB Docket No. 98-96), the type of pleading (comment or reply) and the date of submission. The diskette should be accompanied by a cover letter setting forth the same information. Each diskette should contain only one party's pleading, preferably in a single electronic file. The party should submit one copy of the diskette to John Copes, International Bureau, Telecommunications Division, 445-12th St., SW, Room 6-C847, Washington, DC 20554. The party should file an exact copy of the diskette, identically marked, with the Commission's copy contractor, International Transcription Service, Inc., at 1231 20th St., NW, Washington, DC 20036.

#### Conclusion

11. *It is ordered* pursuant to Sections 4(i), 4(j), 11, 201-205 and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 161, 201-205 and 303(r), that this FNPRM *Is hereby adopted* and comments *Are requested* as described above.

12. *It is further ordered* that the Office of Public Affairs, Reference Operations Division, *Shall send* a Copy of this FNPRM, including the regulatory flexibility certification, to the Chief Counsel for Advocacy of the Small Business Administration.

#### List of Subjects in 47 CFR Part 3

Accounting.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

#### Attachment—Government Agencies Who Use the Federal Communications Commission as an Accounting Authority

Department of Agriculture  
Department of Air Force  
Department of the Army  
Coast Guard  
Department of Commerce  
Defense Information Systems Agency  
Department of Energy  
Federal Aviation Administration  
Federal Emergency Management Agency

Department of Health and Human Services  
Department of the Interior  
Department of Justice  
Department of the Navy  
Department of Navy—Command  
National Aeronautics and Space Administration  
National Science Foundation  
Office of Secretary of Defense  
On-Site Inspection Agency  
Department of State  
Department of Treasury  
United States Information Agency  
U.S. Postal Service  
Department of Veteran Affairs

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#### DEPARTMENT OF TRANSPORTATION

##### Research and Special Programs Administration

##### 49 CFR Parts 171, 173, 174, 175, 176, and 177

[Docket No. RSPA-98-4952 (HM-223)]

RIN 2137-AC68

##### Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Supplemental advance notice of proposed rulemaking; extension of comment period.

SUMMARY: On April 27, 1999, the Research and Special Programs Administration (RSPA, "we") published a supplemental advance notice of proposed rulemaking (ANPRM) inviting public comment on the applicability of the Hazardous Materials Regulations to loading, unloading, and storage of hazardous materials. In response to a petition filed by the Transportation Trades Department of the AFL-CIO, we are extending until August 25, 1999, the period for filing comments to the supplemental ANPRM.

DATES: Submit comments by August 25, 1999. To the extent possible, we will consider comments received after this date in making our decision on whether to proceed to develop a proposed rule.

ADDRESSES: Submit comments to the Dockets Management System, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590-0001. Comments should identify Docket Number RSPA-98-4952 and be submitted in two copies. If you wish to receive confirmation of receipt of your written comments, include a self-addressed, stamped postcard. You may also submit comments by e-mail by