

Is SubA a wholly-owned subsidiary of the parent company? Yes.

Example No. 9. Parent company owns 100% of the voting shares of SubA. SubA has outstanding options exercisable into its voting shares. These options are held by a party that is not a wholly-owned subsidiary of the parent.

Is SubA a wholly-owned subsidiary of the parent company? No.

Example No. 10. Parent company owns 100% of the voting shares of SubA. SubA has outstanding options exercisable into the parent company's voting shares. These convertible securities are held by a party that is not a wholly-owned subsidiary of the parent.

Is SubA a wholly-owned subsidiary of the parent company? Yes.

Example No. 11. Parent company owns 100% of the common stock of SubA. SubA has a class of preferred stock outstanding. That preferred stock is 100% owned by a party that is not a wholly-owned subsidiary of the parent company. The common equity has full voting rights. The preferred stock is non-voting.

Is SubA a wholly-owned subsidiary of the parent company? Yes.

Appendix D—Regulatory Flexibility Act Certification

I, Arthur Levitt, Chairman of the Securities and Exchange Commission, hereby certify pursuant to 5 U.S.C. 605(b) that proposed amendments to Rule 3–10 of Regulation S–X and Item 310 of Regulation S–B, as well as new Rule 3–16 of Regulation S–X and new Exchange Act Rule 12h–5, if adopted, will not have a significant economic impact on a substantial number of small entities. The amendments and new rules largely codify the positions the staff has developed through Staff Accounting Bulletin No. 53, later interpretations and the registration statement review process. Since the registrants already follow these standards, the proposed amendments would not impose a significant impact. Additionally, a review of Division responses to SAB 53 exemptive requests over the last ten years indicates that only one request related to an offering that was registered on a small business form, and that company would not meet the definition of small business entity for Regulatory Flexibility Act purposes. Accordingly, the proposed amendments and new rules would not have a significant economic impact on a substantial number of small entities.

Dated: February 26, 1999.

Arthur Levitt,
Chairman.

[FR Doc. 99–5444 Filed 3–4–99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 94

[FRL–6307–2]

RIN 2060–AI17

Extension of Comment Period for Control of Emissions of Air Pollution From New CI Marine Engines At or Above 37 Kilowatts; Proposed Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; notice of extension of comment period.

SUMMARY: EPA is extending the comment period for the proposed rule for the control of emissions of air pollution from new CI marine engines at or above 37 kilowatts. The Notice of Proposed Rulemaking (NPRM) was published in the **Federal Register** on December 11, 1998 (63 FR 68507). The close of the comment period for the proposed rule was originally February 26, 1999. EPA is extending the closure of the comment period to March 15, 1999. This extension is being granted while taking into consideration the court-ordered signature date for the final rule of November 23, 1999.

DATES: Comments regarding all issues related to the proposed rule will be accepted until March 15, 1999.

ADDRESSES: Comments on this proposal should be sent to Public Docket A–97–50 at the U.S. Environmental Protection Agency, 401 M Street, S.W., Room M–1500, Washington, DC 20460. EPA requests that a copy of comments also be sent to Jean Marie Revelt, U.S. EPA, Engine Programs and Compliance Division, 2000 Traverwood Dr., Ann Arbor, MI 48105.

FOR FURTHER INFORMATION CONTACT: Margaret Borushko, U.S. EPA, Engine Programs and Compliance Division, (734) 214–4334; Borushko.Margaret@epa.gov.

SUPPLEMENTARY INFORMATION: On December 11, 1998 EPA published a proposal for an emission control program for new compression-ignition marine engines rated at or above 37 kilowatts (63 FR 68507). The comment period was scheduled to end February 26, 1999.

EPA held a public hearing on January 19, 1999, to provide opportunities for the regulated community and other interested parties to comment on issues pertaining to the proposed rule. At the hearing, several commenters requested a longer comment period. EPA has also received several written requests to

extend the comment period by 30 days to give affected parties more time to address the issues raised in the NPRM. While EPA agrees that an extension of the comment period may be beneficial, EPA is concerned with allowing the full 30 days requested, given the court ordered requirement to finalize this rulemaking by November 23, 1999. Therefore, EPA is proposing to extend the comment period to March 15, 1999.

Dated: February 25, 1999.

Robert Perciasepe,

Assistant Administrator for Air and Radiation.

[FR Doc. 99–5488 Filed 3–4–99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 136

[FRL–6307–3]

Guidelines Establishing Test Procedures for the Analysis of Pollutants; Measurement of Mercury in Water; Notice of Data Availability and Request for Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of data availability and request for comment.

SUMMARY: On May 26, 1998 (63 FR 28867), EPA proposed to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under section 304(h) of the Clean Water Act by adding EPA Method 1631: Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence. EPA Method 1631 measures mercury reliably at the low levels associated with ambient water quality criteria for mercury. The comment period on the proposal closed on July 29, 1998. EPA obtained additional effluent and environmental data after the close of the comment period and intends to consider these data in its final rulemaking concerning the use of EPA Method 1631. Therefore, EPA is making these additional data available for public review and comment.

DATES: Written comments on this notice must be submitted on or before April 5, 1999.

ADDRESSES: Written or electronic comments on this notice may be submitted. Written comments on this notice may be sent to “EPA Method 1631–Notice of Data Availability,” Comment Clerk, Water Docket MC–4101, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C.

20460. Commenters are requested to submit any references cited in their comments. Commenters also are requested to submit an original and three copies of their written comments and enclosures. Commenters who want receipt of their comments acknowledged should include a self-addressed, stamped envelope. No facsimiles (faxes) will be accepted.

Electronic comments should be addressed to the E-mail address: ow-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file and avoid use of special characters and any form of encryption, or may be submitted in WordPerfect 5.1 or 6.1. Electronic comments must be identified as "EPA Method 1631-Notice of Data Availability." Electronic comments on this notice may be filed online at many Federal Depository Libraries. Electronic comments will be transferred into a paper version for the official record. EPA will attempt to clarify electronic comments if there is an apparent error in transmission.

A copy of the supporting documents and data received by the Agency during and pursuant to the comment period for the proposed rule are available for review at EPA's Water Docket, Room EB57, 401 M Street, S.W., Washington, D.C. 20460. For access to the Docket materials, call (202) 260-3027 between 9:00 a.m. and 3:30 p.m. Eastern Time for an appointment.

The complete text of this **Federal Register** notice and EPA Method 1631 may be viewed or downloaded on the Internet at <http://www.epa.gov/ost/rules>.

FOR FURTHER INFORMATION CONTACT: Dr. Maria Gomez-Taylor, U.S. Environmental Protection Agency, Office of Science and Technology, Engineering and Analysis Division (4303), 401 M Street, S.W., Washington, D.C., 20460, or call (202) 260-1639.

SUPPLEMENTARY INFORMATION:

On May 26, 1998 (63 FR 28867), EPA proposed to add EPA Method 1631: Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence to 40 CFR Part 136 for National Pollutant Discharge Elimination System (NPDES) data gathering and compliance monitoring under the Clean Water Act (CWA). Mercury is a toxic pollutant as defined in Section 307(a)(1) of the CWA and at 40 CFR 401.16 and is a priority pollutant as listed in 40 CFR Part 423, Appendix A. EPA Method 1631 was proposed under the authority of Sections 301, 304(h), and 501(a) of the CWA. The Agency developed EPA Method 1631 in order to measure

mercury reliably at the low levels associated with ambient water quality criteria (WQC) for mercury included in the National Toxics Rule (40 CFR 131.36) and Water Quality Guidance for the Great Lakes System (60 FR 15366). A further description of the development and validation of EPA Method 1631 is provided in the proposed rule.

Following the close of the comment period, the Agency obtained additional analytical data pertinent to EPA Method 1631. The additional data consist of results from laboratory studies and municipal and industrial effluent analyses conducted using EPA Method 1631. This notice makes available for public review and comment these analytical data. Generally, the data supplements existing data by demonstrating the applicability of EPA Method 1631 to a variety of municipal and industrial effluents. The Agency intends to consider these additional data in formulating the final rule for the use of EPA Method 1631.

Today's notice solicits comments only on the new data which confirm or refute the Agency's findings about the acceptability of EPA Method 1631 for the determination of mercury at the low levels associated with Water Quality Criteria. Specifically, the Agency seeks comment on the use of EPA Method 1631 to accurately measure mercury at low levels in a variety of water matrices based on the new data. The Agency does not intend to reopen the comment period on the entire proposed rule. Therefore, there is no need to submit comments on other aspects of the proposal.

The Agency does not interpret the new data as warranting any modification of the proposed rule nor do they indicate a reason to change the Agency's rationale for proposing EPA Method 1631. The Agency believes that these data support the Agency's conclusion that EPA Method 1631 is applicable to a variety of water effluents including municipal and industrial effluents.

Dated: March 1, 1999.

J. Charles Fox,

Assistant Administrator for Water.

[FR Doc. 99-5493 Filed 3-4-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 372

[OPPTS-400137; FRL-6054-2]

RIN 2070-AC00

Acetonitrile; Community Right-to-Know Toxic Chemical Release Reporting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Denial of petition.

SUMMARY: EPA is denying a petition to remove acetonitrile from the list of chemicals subject to the reporting requirements under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act of 1990 (PPA). EPA has reviewed the available data on this chemical and has determined that acetonitrile does not meet the deletion criterion of EPCRA section 313(d)(3). Specifically, EPA is denying this petition because EPA's review of the petition and available information resulted in the conclusion that acetonitrile meets the listing criteria of EPCRA section 313(d)(2)(B) and (d)(2)(C) due to its potential to cause neurotoxicity and death in humans and its contribution to the formation of ozone in the environment, which causes adverse human health and environmental effects.

FOR FURTHER INFORMATION CONTACT: Daniel R. Bushman, Petitions Coordinator, 202-260-3882 or e-mail: bushman.daniel@epa.gov, for specific information regarding this document or for further information on EPCRA section 313, contact the Emergency Planning and Community Right-to-Know Information Hotline, Environmental Protection Agency, Mail Code 5101, 401 M St., SW., Washington, DC 20460, Toll free: 1-800-535-0202, in Virginia and Alaska: 703-412-9877, or Toll free TDD: 1-800-553-7672.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does This Document Apply To Me?

This document does not make any changes to existing regulations. However, you may be interested in this document if you manufacture, process, or otherwise use acetonitrile. Potentially interested categories and entities may include, but are not limited to the following: