

Commodity	Parts per million
Cattle, mbyp .....	1.0
Goat, fat .....	1.0
Goat, meat .....	1.0
Goat, mbyp .....	1.0
Hog, fat .....	1.0
Hog, meat .....	1.0
Hog, mbyp .....	1.0
Horse, fat .....	1.0
Horse, meat .....	1.0
Horse, mbyp .....	1.0
Milk, fat (=n in whole milk) .....	0.5
Sheep, fat .....	1.0
Sheep, meat .....	1.0
Sheep, mbyp .....	1.0

**§ 180.205 [Amended]**

d. By removing from § 180.205(a), *Paraquat*, the entries for bean straw; hops, fresh; hop vines; lentil, hay; oat grain; peanut, vines; poultry, fat; poultry, meat; poultry, mbyp; rye grain, and sunflower, seed hulls.

**§§ 180.221, 180.244, and 180.250 [Removed]**

e. By removing §§ 180.221, 180.244, and 180.250.

**§ 180.262 [Amended]**

f. By removing, from § 180.262(a), *Ethoprop*; *tolerances for residues*, the entry for mushrooms.

**§ 180.363 [Removed]**

g. By removing § 180.363.

**§ 180.384 [Amended]**

h. By removing from § 180.384(a), *N,N-dimethylpiperidinium chloride*; *tolerances for residues*, the entries for cotton forage; cottonseed; cottonseed meal; eggs; milk; poultry, fat; poultry, mbyp; and poultry, meat.

**§ 180.520 [Removed]**

i. By removing § 180.520.

**PART 185—[AMENDED]**

1. In part 185:

a. The authority citation for part 185 continues to read as follows:

**Authority:** 21 U.S.C. 346a, 348.

**§§ 185.1500 and 185.4650 [Removed]**

b. By removing §§ 185.1500 and 185.4650.

**PART 186—[AMENDED]**

1. In part 186:

a. The authority citation for part 186 continues to read as follows:

**Authority:** 21 U.S.C. 342, 348, and 371.

**§§ 186.1500 [Removed]**

b. By removing § 186.1500.

[FR Doc. 99-8635 Filed 4-6-99; 8:45 am]

BILLING CODE 6560-50-F

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 25**

[IB Docket No. 99-81; RM-9328; FCC 99-50]

**The Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Communications Commission (FCC) proposes to amend the regulations covering the 1.6/2.4 GHz Mobile Satellite Service (MSS) to incorporate the rules for the 2 GHz MSS in a Notice of proposed rulemaking (Notice). The Notice also seeks comment on non-service link issues, service rules, and frequency coordination. The actions are necessary to establish service rules for the 2 GHz MSS and to obtain public comment on policies for the 2 GHz MSS. The effect of amending the existing 1.6/2.4 GHz MSS rules to incorporate the 2 GHz MSS is to simplify and harmonize the rules for these types of satellite services in the Commission's rules.

**DATES:** Submit comments on or before June 24, 1999 and submit reply comments on or before July 26, 1999.

**ADDRESSES:** Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., Washington, D.C. 20554. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an

electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

**FOR FURTHER INFORMATION CONTACT:**

**Technical Information:** Alex Roytblat, 202-418-7501; **Legal Information:** Chris Murphy, 202-418-2373 or Howard Griboff, 202-418-0657.

**SUPPLEMENTARY INFORMATION:**

1. The Commission is authorized to conduct this rulemaking pursuant to its statutory authority contained in the Communications Act of 1934, as amended. 47 U.S.C. 154(i), 303(v). The Notice proposes to grant in part the Petition for Expedited Rulemaking (RM-9328) filed by ICO Services Limited, which requests that the Commission establish service rules for the 2 GHz mobile satellite service by amending the existing Big LEO mobile satellite service rules rather than by developing an entirely new set of rules. The Notice also proposes not to adopt financial qualification entry criteria because all of the proposed systems can be accommodated in the available spectrum. The Notice proposes four main spectrum assignment options. The first is a "flexible band arrangement" that would grant each system 2.5 MHz in uplink and downlink spectrum, group systems in segments based on the particular technology used, and provide expansion spectrum between the assigned segments for additional system requirements. The second proposes a "negotiated entry" approach that would license all the applicants across the entire band and leave it to them to coordinate their operations with the Commission being available to resolve disputes. The third and fourth options, respectively, are a "traditional band arrangement" in which the spectrum would be divided equally among the applicants, and a proposal to auction licenses in the event that none of the preceding three options is viable. The Notice also asks commenters to propose different spectrum assignment alternatives or whether there are other viable approaches or combinations to sharing this spectrum.

2. The Notice reviews each proposed service rule and seeks comment on specific proposals for applying the rules to the 2 GHz MSS. For instance, the Notice seeks comment on the appropriate license term for 2 GHz MSS systems and whether they should be required to build their systems with public safety capabilities such as

position determination and automatic number identification. The Notice also requests commenters to address the need for service to rural and unserved areas, including Indian reservations, in their comments, and the role that these new systems can play in meeting this need. Specifically, the Notice asks commenters to address whether one criterion for resolution of expansion band coordination disputes should be whether a licensee is providing service to unserved areas, or whether licensees should be granted extensions of system implementation milestones if they will provide service to unserved communities.

3. In addition, the Notice seeks comment whether and how orbital debris mitigation practices should be applied to 2 GHz mobile satellite systems. The Notice also seeks comment on out-of-band emission requirements and incorporating the Global Mobile Personal Communications Service and handset roaming authorization procedures addressed in a rulemaking recently adopted by the Commission (IB Docket No. 99-67, FCC 99-37 (released March 5, 1999)). Moreover, the Notice acknowledges relocation issues associated with the authorization of the 2 GHz MSS and offers commenters an opportunity to address any in-band sharing issues, particularly as they may affect the Commission's choice of assignment methods in this proceeding. Finally, the Notice seeks input on international coordination of the U.S. 2 GHz MSS band arrangement. In this regard, the Notice seeks input on ways the U.S. band arrangement could achieve compatibility with the existing European 2 GHz MSS band arrangement.

#### **Initial Regulatory Flexibility Analysis**

Pursuant to the Regulatory Flexibility Act of 1990, 5 U.S.C. 601-612, (RFA) as amended by the Contract with America Advancement Act of 1996, Public Law No. 104-121, 110 Stat. 847, the Commission's Initial Regulatory Flexibility Analysis with respect to this Notice of Proposed Rulemaking is as follows:

*Reason for and Objectives of the Proposed Rule:* This Notice of Proposed Rulemaking (Notice) seeks comment on various proposals for creating a spectrum assignment approach that would accommodate all proposed 2 GHz MSS systems and provide service to consumers as quickly as possible. This Notice also seeks comment on proposals for service rules to apply to 2 GHz MSS systems. These actions are necessary for the Commission to evaluate these proposals and seek comment from the

public on any other alternatives. The objective of this proceeding is to assign the 2 GHz MSS spectrum in an efficient manner and create rules to ensure systems implement their proposals in a manner that serves the public interest. We believe that adoption of the proposed rules will reduce regulatory burdens and, with minimal disruption to existing permittees and licensees, result in the continued development of 2 GHz MSS and other satellite services to the public.

*Legal Basis:* This Notice is adopted pursuant to Sections 1, 4(i), 303(r), 303(v), 307, 309(a), 309(j), 310, 319(d), 321(b), 332, 359 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 303(r), 303(v), 307, 309(a), 309(j), 310, 319(d), 321(b), 332, 359 and 5 U.S.C. 553 of the Administrative Procedures Act.

*Description and Estimate of Small Entities Subject to the Rules:* The Commission has not developed a definition of small entities applicable to geostationary or non-geostationary orbit fixed-satellite or mobile satellite service operators. Therefore, the applicable definition of small entity is the definition under the Small Business Administration (SBA) rules applicable to Communications Services, Not Elsewhere Classified. This definition provides that a small entity is one with \$11.0 million or less in annual receipts. According to Census Bureau data, there are 848 firms that fall under the category of Communications Services, Not Elsewhere Classified which could potentially fall into the 2 GHz MSS category. Of those, approximately 775 reported annual receipts of \$11 million or less and qualify as small entities. The rules proposed in this Notice apply only to entities providing 2 GHz mobile satellite service. Small businesses may not have the financial ability to become 2 GHz MSS system operators because of the high implementation costs associated with satellite systems and services. At least one of the 2 GHz MSS applicants may be considered a small business at this time. We expect, however, that by the time of implementation it will no longer be considered a small business due to the capital requirements for launching and operating its proposed system. Since there is limited spectrum and orbital resources available for assignment, we estimate that no more than 9 entities will be approved by the Commission as operators providing these services. Therefore, because of the high implementation costs and the limited spectrum resources, we do not believe that small entities will be impacted by this rulemaking to a great extent.

*Reporting, Recordkeeping, and Other Compliance Requirements:* The proposed action in this Notice would affect those entities applying for 2 GHz MSS space station and earth station authorizations and those applying to participate in assignment of 2 GHz MSS spectrum. In the case where there is not any mutual exclusivity, applicants will be required to follow the streamlined application procedures of part 25 for space and earth station licenses by submitting the information required by Form 312, where applicable. In the case where there is mutual exclusivity between applicants for authorizations and spectrum reservations in the case of letter of intent filers, the competitive bidding rules of part 1 will be used to determine the licensee and/or spectrum designee. If auctions are required, applicants and letter of intent filers will have to comply with the requirement to file a short-form (FCC Form 175). Completion of short-form FCC Form 175 to participate in an auction is not estimated to be a significant economic burden for these entities. The action proposed will also affect auction winners in that it will require them to submit a long Form 312 application for authorization. Submission of Form 312 will be required by all 2 GHz MSS applicants and letter of intent filers whether selected through the competitive bidding process or not.

*Federal Rules that Overlap, Duplicate or Conflict with These Proposed Requirements:* None. One of the main objectives of the Notice is to eliminate any existing overlap or duplication of rules between the 2 GHz MSS and other satellite services.

*Steps Taken to Minimize Significant Economic Impact on Small Entities and Significant Alternatives Considered:* In developing the proposals contained in this Notice, we have attempted to minimize the burdens on all entities in order to allow maximum participation in the 2 GHz MSS market while achieving our other objectives. We seek comment on the impact of our proposals on small entities and on any possible alternatives that could minimize the impact of our rules on small entities. In particular, we seek comment on alternatives to the reporting, recordkeeping, and other compliance requirements discussed above. Written comments are requested on this Initial Regulatory Flexibility Analysis. These comments must be filed in accordance with the same filing deadlines set for comments on the other issues in this Notice of Proposed Rulemaking, but they must have a separate and distinct heading designating them as responses to the Regulatory Flexibility Analysis.

The Public Affairs, Reference Operations Division, shall send a copy of this Notice to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act.

*Comments are solicited:* Written comments are requested on this Initial Regulatory Flexibility Analysis. These comments must be filed in accordance with the same filing deadlines set for comments on the other issues in this Notice of Proposed Rulemaking, but they must have a separate and distinct heading designating them as responses to the Regulatory Flexibility Analysis.

#### List of Subjects in 47 CFR Part 25

Satellites.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 99-8510 Filed 4-6-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Parts 171, 177, 178, 180

[Docket No. RSPA-97-2718 (HM-225A)]

RIN 2137-AD07

#### Hazardous Materials: Revision to Regulations Governing Transportation and Unloading of Liquefied Compressed Gases

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice of Negotiated Rulemaking Committee Meeting.

**SUMMARY:** RSPA gives notice of a negotiated rulemaking advisory committee (the Committee) meeting for May 4-5, 1999. This notice is issued in accordance with the provisions of the Federal Advisory Committee Act. The purpose of this meeting is for the Committee to negotiate the content of a final rule to be issued by RSPA. The final rule will address requirements for alternative safety standards for preventing and mitigating unintentional releases of hazardous materials during the unloading of cargo tank motor vehicles in liquefied compressed gas service. The public is invited to attend; an opportunity for members of the public to make oral presentations will be provided if time permits.

**DATES:** The May 4-5, 1999 meeting is scheduled from 8:30 a.m. to 4 p.m.

**ADDRESSES:** The meeting will take place at the Department of Transportation, Room 6244-6248, 400 Seventh Street, SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Karim or Susan Gorsky, (202) 366-8553, Office of Hazardous Materials Standards, Research and Special Programs Administration, Department of Transportation. Facilitator: Philip J. Harter, The Mediation Consortium, (202) 887-1033.

**SUPPLEMENTARY INFORMATION:** On March 22, 1999, RSPA published in the **Federal Register** a notice of proposed rulemaking (64 FR 13856) recommending alternative safety standards for preventing and mitigating unintentional releases of hazardous materials during the unloading of cargo tank motor vehicles in liquefied compressed gas service. This proposed rule was developed through consensus by the Committee. The Committee was established to develop recommendations for alternative safety standards for preventing and mitigating unintentional releases of hazardous materials during the unloading of cargo tank motor vehicles in liquefied compressed gas service. Meeting summaries and other relevant materials are placed in the public docket and can be accessed through (<http://dms.dot.gov>).

Issued in Washington, DC, on April 2, 1999, under authority delegated in 49 CFR Part 1.

**Thomas G. Allan,**

*Acting Director, Office of Hazardous Materials Standards, Research and Special Programs Administration.*

[FR Doc. 99-8629 Filed 4-6-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Parts 192 and 195

[Docket No. RSPA-98-4733; Notice 1]

RIN 2137-AD25

#### Pipeline Safety: Gas and Hazardous Liquid Pipeline Repair

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** We are proposing to adopt a safety performance standard for the repair of corroded or damaged steel pipe in gas or hazardous liquid pipelines. Because present safety standards specify particular methods of repair, operators

must get approval from government regulators to use innovative repair technologies. The proposed standard would encourage technological innovations and reduce repair costs without reducing safety.

**DATES:** Submit written comments by June 7, 1999.

**ADDRESSES:** All comments should identify the docket number and title of this action, which are stated above in the heading. Comments may be mailed or delivered to the Docket Facility, U.S. Department of Transportation, Room #PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. The original and two copies should be submitted. Persons who want confirmation of mailed comments must include a self-addressed stamped postcard. Comments may also be e-mailed to [ops.comments@rspa.dot.gov](mailto:ops.comments@rspa.dot.gov) in ASCII or text format. The Dockets Facility is open from 10:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays when the facility is closed.

**FOR FURTHER INFORMATION CONTACT:** L. M. Furrow at (202)366-4559 or [furrowl@rspa.dot.gov](mailto:furrowl@rspa.dot.gov). Comments may be read on the internet at <http://dms.dot.gov>. General information about RSPA's pipeline safety program can be obtained at <http://ops.dot.gov>.

#### SUPPLEMENTARY INFORMATION:

#### Current Pipeline Repair Safety Standards

If a pipeline operator discovers an unsafe pipe dent during the construction of a steel gas transmission line or main to be operated at 20 percent or more of specified minimum yield strength (SMYS), DOT safety standards require that the operator remove the dent by cutting out the damaged piece of pipe as a cylinder (49 CFR 192.309(b)). This repair requirement does not allow operators to use new or more innovative technologies to repair the dent.

One of the DOT maintenance standards for steel gas transmission lines operating at 40 percent or more of SMYS similarly disallows the use of new technologies (49 CFR 192.713). Under this standard, if an operator discovers an imperfection or damage to pipe that impairs the serviceability of the line, the operator must either replace the pipe or repair it by installing a full encirclement split sleeve of appropriate design. Although this standard permits operators to use two widely-accepted methods of pipe repair, because it prescribes methods of repair rather than what the repair should accomplish, the standard lacks