

### *Compliance With Executive Order 13045*

Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks," applies to any rule that: (1) the Office of Management and Budget determines is "economically significant" as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045 because it is not an economically significant rule as defined by E.O. 12866 and because it does not involve decisions based on environmental health or safety risks.

### *Compliance With Executive Order 13084*

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA provides to the Office of Management and Budget a description of the prior consultation and communications the agency has had with representatives of tribal governments and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.

This rule is not subject to E.O. 13084 because it does not significantly or uniquely affect the communities of Indian tribal governments. Utah is not authorized to implement the RCRA hazardous waste program in Indian Country. This action has no effect on the hazardous waste program that EPA implements in Indian Country within the State.

### *Paperwork Reduction Act*

Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies

must consider the paperwork burden imposed by any information request contained in a proposed rule or a Final rule. This rule will not impose any information requirements upon the regulated community.

### *National Technology Transfer and Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Public Law 104-113, section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This action does not involve technical standards. Therefore, EPA did not consider the use of any voluntary consensus standards.

### **List of Subjects in 40 CFR Part 272**

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Incorporation by reference, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

**Authority:** This document is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

**Kerrigan G. Clough,**

*Acting Regional Administrator, Region 8.*

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 0**

[FCC 83-98]

### **Meeting Procedures**

**AGENCY:** Federal Communications Commission

**ACTION:** Final rule.

**SUMMARY:** This document revises the Federal Communications Commission procedural rules pertaining to meeting

procedures. The seven days notice requirement, generally applicable to Commission meetings, applied also to meetings whose only order of business was to decide whether to call a future meeting with shorter notice. In accordance with the Sunshine Act, the Commission exempted those kinds of meetings from the seven days notice requirement. The rule provision delineating the procedure to be followed in announcing meetings on short notice is also revised to eliminate any inconsistency in the text of the rules.

**EFFECTIVE DATE:** January 13, 1999.

### **FOR FURTHER INFORMATION CONTACT:**

Donna Viert, Office of General Counsel  
Federal Communications Commission,  
Washington, D.C. (202) 418-1725.

**SUPPLEMENTARY INFORMATION:** In 1983 the Federal Communications Commission revised its procedural rules pertaining to meeting procedures governed by the Government in the Sunshine Act, 5 U.S.C. § 552b. See *Amendment of Section 0.601(b) and Section 0.605(e) of the Commission's Rules and Regulations*, 93 FCC 2d 565 (1983). This Commission action amending Part 0 of the Commission's rules was inadvertently not published in the **Federal Register**. This omission is corrected by the attached rule change that will become effective immediately upon publication.

### **List of Subjects in 47 CFR Part 0**

Organization and functions, (Government agencies).  
Federal Communications Commission.  
**Magalie Roman Salas,**  
*Secretary.*

### **Rule Changes**

Part 0 of Title 47 of the Code of Federal Regulations are 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, 225, unless otherwise noted.

2. The first sentence of § 0.601(b) is revised to read as follows:

### **§ 0.601 Definitions.**

\* \* \* \* \*

(b) The term *meeting* means the deliberations among a quorum of the Commission, a Board of Commissioners, or a quorum of a committee of Commissioners, where such deliberations determine or result in the joint conduct or disposition of official

agency business, except that the term does not include deliberations to decide whether to announce a meeting with less than seven days notice, or whether a meeting should be open or closed.

\* \* \*

3. The last sentence of § 0.605(e) is revised to read as follows:

**§ 0.605 Procedures for announcing meetings.**

\* \* \* \* \*

(e) \* \* \* In addition to other information, the announcement will contain the vote of each member of the agency who participated in the decision to give less than seven days notice, and the particular reason for that decision.

\* \* \* \* \*

[FR Doc. 99-688 Filed 1-12-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 49 CFR Part 1

[OST Docket No. 1; Amendment 1-297]

#### Organization and Delegation of Powers and Duties; Delegations to the Maritime Administrator

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Secretary of Transportation (Secretary) is delegating his authority under sections 3602, 3603, and 3605 of Public Law 105-261 and under sections 427 and 428 of Public Law 105-383 to the Maritime Administrator. These sections authorize the Secretary to convey certain of the Maritime Administration's National Defense Reserve Fleet (NDRF) vessels and equipment to designated parties, or to parties selected under competitive procedures, as specified in the applicable section. The delegation should be made to the Maritime Administrator because the Maritime Administration has the interest, requisite expertise, capability and responsibility to dispose of merchant-type and similar vessels over 1,500 gross tons for the Federal Government.

**EFFECTIVE DATE:** January 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Richard Weaver, Chief, Division of Management and Organization,

Maritime Administration, MAR-318, Room 7301, 400 Seventh Street, SW, Washington, DC 20590, Phone: (202) 366-2811; or Blane Workie, Office of General Counsel (C-50), Department of Transportation, Room 10424, 400 Seventh Street, SW, Washington, DC 20590, Phone: (202) 366-9314.

**SUPPLEMENTARY INFORMATION:** The Secretary of Transportation is delegating to the Maritime Administrator his authority under sections 3602, 3603, and 3605 of Public Law 105-261 and under sections 427 and 428 of Public Law 105-383. Specifically, under Public Law 105-261, titled the Strom Thurmond National Defense Authorization, and in accordance with the terms prescribed in the applicable section, the Secretary of Transportation may convey from the Maritime Administration's National Defense Reserve Fleet:

Sec. 3602—vessel M/V BAYAMON (United States official number 530007) to a purchaser for use as a self-propelled floating trade exposition to showcase United States technology, industrial products, and services.

Sec. 3603—vessels BENJAMIN ISHERWOOD (TAO-191) and HENRY ECKFORD (TAO-192) to a purchaser for reconstruction of those vessels for sale or charter to a North Atlantic Treaty Organization country for full use as an oiler.

Sec. 3605—vessel ex-USS LORAIN COUNTY (LST-1177) to the Ohio War Memorial, Inc., located in Sandusky, Ohio for use as a memorial to Ohio veterans; as well as any unneeded equipment from other vessels in the National Defense Reserve Fleet, for use to restore the vessel conveyed under section 3605 to museum quality.

In addition, under Public Law 105-383, titled the Coast Guard Authorization Act of 1998, and in accordance with the terms prescribed in the applicable section, the Secretary of Transportation may convey from the Maritime Administration's National Defense Reserve Fleet:

Sec. 427—vessels S.S. AMERICAN VICTORY (United States official number 248005) and S.S. HATTIESBURG VICTORY (United States official number 248651) to the Victory Ship, Inc., located in Tampa, Florida for use as a memorial to the Victory class of ships; as well as any unneeded equipment from other vessels in the National Defense Reserve Fleet to restore the vessel(s) conveyed under section 427 to museum quality.

Sec. 428—vessel JOHN HENRY (United States official number 599294) to a purchaser for use in humanitarian relief efforts,

including the provision of water and humanitarian goods in developing nations.

The Secretary is delegating his authority to convey certain of the Maritime Administration's National Defense Reserve Fleet vessels to the Maritime Administrator because the Maritime Administration has the necessary expertise to dispose of merchant-type and similar vessels over 1,500 gross tons for the Federal Government.

Since this amendment relates to departmental organization, procedure and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Further, since the amendment expedites the Maritime Administration's ability to meet the statutory intent of the sections covered by this delegation, the Secretary finds good cause under 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

#### List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended, effective upon publication, to read as follows:

#### PART 1—[AMENDED]

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

**Authority:** 49 U.S.C. 322; Public Law 101-552, 28 U.S.C. 2672; 31 U.S.C. 3711(a)(2).

2. In § 1.66 (Delegations to Maritime Administrator) the following section (bb) is added at the end thereof.

#### § 1.66 Delegations to Maritime Administrator.

\* \* \* \* \*

(bb) Carry out the functions and exercise the authorities vested in the Secretary by sections 3602, 3603, and 3605 of Public Law 105-261, titled the Strom Thurmond National Defense Authorization; and sections 427 and 428 of Public Law 105-383, titled the Coast Guard Authorization Act of 1998.

Issued at Washington, DC., this 4th day of January, 1999.

**Rodney E. Slater,**  
*Secretary of Transportation.*

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