

12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

This rule does not create a mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

On August 4, 1999, President Clinton issued a new executive order on federalism, Executive Order 13132, (64 FR 43255 (August 10, 1999),) which will take effect on November 2, 1999. In the interim, the current Executive Order 12612 (52 FR 41685 (October 30, 1987),) on federalism still applies. This rule will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 12612. This rule will not result in the imposition of any additional requirements on any State, local governments or other political subdivisions within any State. Accordingly, the requirements of section 6(c) of Executive Order 12612 do not apply to this rule.

XIII. Executive Order 13084

What Is Executive Order 13084 and Is It Applicable to This Final Rule?

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 consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials 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 does not significantly or uniquely affect the communities of

Indian tribal governments because it does not significantly or uniquely affect their communities. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, hazardous waste, Intergovernmental relations, Natural resources, Oil pollution, penalties, Reporting and record keeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 10, 1999.

Timothy Fields, Jr.,

Assistant Administrator, Office of Solid Waste and Emergency Response.

40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

2. Table 1 of Appendix B to Part 300 is amended by adding the following site in alphabetical order to read as follows:

Appendix B to Part 300—National Priorities List

TABLE 1.—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes(a)
	* * * * *		
MO	Pools Prairie	Neosho.	
	* * * * *		

(a) A=Based on issuance of health advisory by Agency for Toxic Substance and Disease Registry (if scored, HRS score need not be ≤ 28.50).
C=Sites on Construction Completion list.
S=State top priority (included among the 100 top priority sites regardless of score).
P=Sites with partial deletion(s).

[FR Doc. 99–24166 Filed 9–16–99; 8:45 am]
BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 63

[IB Docket No. 95–118, FCC 96–79]

Streamlining the International Section 214 Authorization Process and Tariff Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rules; announcement of effective date.

SUMMARY: This document announces the effective date of rules governing the international Section 214 authorization process and tariff requirements. The amended rules lowered the barriers to entry, which will encourage more applicants to enter the international market. The amended rules contained new information collection requirements and were subject to review and approval by the Office of Management and Budget (OMB). Due to an administrative error, two rules were not included in the Commission's

submission to OMB. Subsequently, the Commission sought approval for the information collection requirements contained in these rule sections. OMB approved the information collection on August 17, 1999. This document announces that Sections 63.19 and 63.53 (c) are now effective.

EFFECTIVE DATES: Sections 63.19 and 63.53 (c) published at 61 FR 15724 (April 9, 1996) became effective on August 17, 1999.

FOR FURTHER INFORMATION CONTACT: Peggy Reitzel, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418–1470.

SUPPLEMENTARY INFORMATION: On February 29, 1996, the Commission adopted a report and order that streamlined the international Section 214 authorization process and tariff requirements, a summary of which was published in the **Federal Register**. See 61 FR 15724, April 9, 1996. The report and order contained new paperwork burdens. The Commission sought and received approval from the Office of Management and Budget (OMB) for all but two of the information collections contained in the report and order. Through a clerical error, 47 CFR 63.19 and 63.53(c) were inadvertently omitted from the Commission's information collection submission to OMB. The Commission subsequently sought OMB approval for 47 CFR 63.19 and 63.53(c). The information collections for these two rules were approved by OMB on August 17, 1999. See OMB Nos. 3060-0686. This publication satisfies the statement that the Commission would publish a document announcing the effective date of the rules.

List of Subjects in 47 CFR Part 63

Communications common carriers.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 99-24233 Filed 9-16-99; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 92-235; FCC 99-203]

Private Land Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule; stay.

SUMMARY: By this document, the Commission grants petitions to stay rule changes providing that frequencies formerly assigned on a shared basis to the Power Radio Service, Petroleum Radio Service, or Railroad Radio Service must be coordinated by the frequency coordinator formerly solely responsible for the service in question (or be coordinated with that coordinator's prior written concurrence). The stay will remain in effect pending resolution of petitions for reconsideration of the rule changes, during which time any Industrial/Business Pool coordinator may coordinate these frequencies.

DATES: Effective August 5, 1999. The Commission will publish a document announcing the termination of this stay.

FOR FURTHER INFORMATION CONTACT: Scot Stone of the Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, at (202) 418-0680.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Fourth Memorandum Opinion and Order* in PR Docket No. 92-235, FCC 99-203, adopted August 4, 1999, and released August 5, 1999. The complete text may be purchased from the Commission's copy contractor, International Transcription Services, 1231 20th Street, NW, Washington, DC 20036, telephone (202) 857-3800, facsimile (202) 857-3805. Alternative formats (computer diskette, large print, audio cassette, and Braille) are available to persons with disabilities by contacting Martha Contee at (202) 418-0260, TTY (202) 418-2555, or at mcontee@fcc.gov. The full text of the *Fourth Memorandum Opinion and Order* is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th St., SW, Room CY-A257, Washington, DC 20554. The full text of the *Fourth Memorandum Opinion and Order* can also be downloaded at:

<http://www.fcc.gov/Bureaus/Wireless/Orders/1998/fcc99203.txt> or
<http://www.fcc.gov/Bureaus/Wireless/Orders/1998/fcc99203.wp>

Summary of the Fourth Memorandum Opinion and Order

1. On July 7 and 9, 1999, respectively, MRFAC, Inc. (MRFAC) and Forest Industries Telecommunications (FIT) requested that the Commission stay the effective date of recent amendments to 47 CFR 90.35, 90.175, until the issues raised in their petitions for reconsideration are addressed.

2. Formerly, the Private Land Mobile Radio service frequencies in the bands below 512 MHz were divided into twenty separate radio services, including the Power, Petroleum, Forest Products, Manufacturers, and Railroad Radio Services. The Commission certified one frequency coordinator to make frequency recommendations for each service. The coordinators for the services mentioned were, respectively, UTC, the Telecommunications Association (UTC), the American Petroleum Institute (API), FIT, MRFAC, and the American Association of Railroads (AAR).

3. In the *Second Report and Order* in this proceeding, 62 FR 18834 (rel. April 17, 1997), the Commission consolidated the twenty services into two broad frequency pools, Public Safety and Industrial/Business. All of the services

listed above were consolidated into the Industrial/Business Pool. Generally, the Commission allowed coordination of any Industrial/Business frequency by any of the coordinators of the services that were consolidated into that pool, who would then notify the other in-pool frequency coordinators within one business day. The Commission provided, however, that frequencies formerly allocated *solely* to the Power, Petroleum, or Railroad Radio Service could be coordinated only by the relevant frequency coordinator. The Commission made this exception in order to ensure that licensees in those services, who sometimes use radio as a critical tool for responding to emergencies that could be extremely dangerous to the general public, not incur harmful interference from other licensees.

4. API sought reconsideration of the *Second Report and Order*, on the grounds that this exception did not provide sufficient protection to incumbent petroleum operations because most of the frequencies formerly allocated to the Petroleum Radio Service were shared with other services. In the *Second Memorandum Opinion and Order* in this proceeding, 64 FR 36258 (rel. July 6, 1999), the Commission amended the rules to require that frequencies formerly allocated to the Power, Petroleum, or Railroad Radio Services on an exclusive or shared basis be coordinated only by the frequency coordinator of the relevant service, or, at the relevant frequency coordinator's discretion, with its written concurrence.

5. MRFAC and FIT have raised substantial issues regarding the propriety and utility of the rule changes adopted in the *Second Memorandum Opinion and Order*. It is likely that they will incur much greater harm if the rules are permitted to take effect than might accrue to UTC and API if they are stayed. We conclude, therefore, on balance, that MRFAC and FIT have shown that it is in the public interest to grant the requested stay while the Commission examines these issues, in order to permit frequency coordinators to continue coordinating frequencies they have coordinated for years, and preserve coordination customers' options. We also find that limiting the stay to certain frequency coordinators or certain frequencies would engender greater confusion than it would avoid. Therefore, we shall stay in their entirety the changes to §§ 90.35 and 90.175 of the Commission's Rules requiring that frequencies formerly allocated on a shared basis to the Power, Petroleum, or Railroad Radio Services be coordinated