

**SUMMARY:** This document advises of transition assistance that will be provided in connection with implementation of the Public Housing Assessment System (PHAS) for public housing agencies (PHAs) with fiscal years ending on September 30, 1999, and December 31, 1999. HUD also gives notice that it will issue PHAS Advisory Scores and Management Assessment Scores as provided in the **SUPPLEMENTARY INFORMATION** of this document.

**FOR FURTHER INFORMATION CONTACT:** For further information contact the Real Estate Assessment Center (REAC), Attention: Wanda Funk, U.S. Department of Housing and Urban Development, 1280 Maryland Avenue, SW, Suite 800, Washington DC, 20024; telephone Customer Service Center at (888)-245-4860 (this is a toll free number). Persons with hearing or speech impairments may access that number via TTY by calling the Federal Information Relay Service at (800) 877-8339. Additional information is available from the REAC Internet Site, <http://www.hud.gov/reac>. Persons with hearing or speech impairments may access that number via TTY by calling the Federal Information Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** HUD's rule implementing the PHAS was published on September 1, 1998 (64 FR 46596), and became effective October 1, 1998. Although the PHAS regulation became effective October 1, 1998, the September 1, 1998 final rule provided PHAs with a delayed implementation date for the PHAS. The final rule took into consideration the time that was needed by PHAs to make the transition to the new assessment system. As provided by the September 1, 1998 final rule, the PHAS was scheduled to be implemented for PHAs with fiscal years ending on and after September 30, 1999.

On June 22, 1999 (64 FR 33348), HUD published a proposed rule to amend certain provisions of the PHAS regulation, codified at 24 CFR part 902. The Quality Housing and Work Responsibility Act of 1998 (Pub.L. 105-276, approved October 21, 1998) (commonly referred to as the "Public Housing Reform Act") made certain changes to the statutory basis for the PHAS, which needed to be reflected in the regulation. Additionally, during the scheduled PHAS transition year (September 1998 to September 1999), HUD gained experience and valuable information from its physical inspection of PHA properties, testing the PHAS systems, and talking to PHAs about the PHAS. As a result of the experience and

information gained, HUD determined that certain changes should be made to the PHAS regulation. These changes were described in the preamble to the June 22, 1999, proposed rule.

HUD's public comment period on the June 22, 1999, proposed rule closed August 23, 1999. Many of the PHAs who commented on this rule have fiscal years ending September 30, 1999, and December 31, 1999, making them the first PHAs to be issued PHAS scores under the September 1, 1998 rule. These PHAs requested additional time to prepare for compliance with the PHAS requirements, and HUD will grant them additional time as provided in this notice.

#### **PHAs With Fiscal Years Ending 9/30/99 and 12/31/99**

For PHAs with fiscal years ending September 30, 1999, or December 31, 1999, HUD will not issue PHAS scores for the fiscal years ending on these dates. For these PHAs, in lieu of a PHAS score, HUD will issue the following:

*PHAS Advisory Score.* A PHA with a fiscal year ending September 30, 1999, or December 31, 1999, will be issued a PHAS advisory score. The PHA must comply with the requirements of 24 CFR part 902 (the PHAS regulation) so that HUD may issue the advisory score.

1. Physical inspections will continue to be performed by HUD, as part of the PHAS advisory score process, using HUD's uniform physical inspection protocols. In the event, however, that changes are made to HUD's Dictionary of Deficiencies, PHAS advisory scores will be revised and reissued to reflect these changes.

2. For these PHAs to successfully make the transition to the PHAS, they must comply with the requirements of PHAS, and be assessed by HUD under the PHAS, if only on an advisory basis.

*Management Assessment Score.* A PHA with a fiscal year ending September 30, 1999, or December 31, 1999, will receive an assessment score on the basis of HUD's assessment of the PHA's management operations in accordance with 24 CFR part 902, subpart D of the PHAS regulation (PHAS Indicator #3, Management Operations).

#### **PHAs With Fiscal Years Ending After 12/31/99**

PHAs with fiscal years ending after December 31, 1999 will be issued PHAS scores.

HUD is completing work on its final rule to follow the June 22, 1999 proposed rule. HUD will issue a consensus-based final rule that will reflect the provisions of this Notice,

address the public comments, and describe all changes to the PHAS regulation made as a result of the public comment and review process.

Dated: October 15, 1999.

**Deborah Vincent,**

*General Deputy Assistant Secretary for Public and Indian Housing.*

**Donald J. LaVoy,**

*Acting Director, Real Estate Assessment Center.*

[FR Doc. 99-27457 Filed 10-20-99; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Coast Guard**

#### **33 CFR Part 117**

[CGD01-99-178]

#### **Drawbridge Operation Regulations: Thames River, CT.**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the Amtrak Bridge, mile 3.0, across the Thames River in New London, Connecticut. This deviation from the regulations allows the bridge owner to require a two-hour advance notice for openings, Sunday through Thursday, 10 p.m. to 12 a.m. and 1 a.m. to 4:30 a.m., October 17, 1999, through November 11, 1999. This action is necessary to facilitate the replacement of structural steel at the bridge.

**DATES:** This deviation is effective from October 17, 1999, through November 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joe Schmied, Project Officer, First Coast Guard District, at (212) 668-7195.

**SUPPLEMENTARY INFORMATION:** The Amtrak Bridge, mile 3.0, across the Thames River in New London, Connecticut, has a vertical clearance of 30 feet at mean high water, and 33 feet at mean low water in the closed position.

The bridge owner, National Railroad Passenger Corporation (Amtrak), has requested a deviation from the operating regulations governing the bridge to facilitate the replacement of deteriorated structural steel at the bridge. The Coast Guard previously allowed Amtrak to deviate from the operating regulations at this bridge to facilitate electrical modifications between August 2, 1999,

and September 30, 1999. During the process of the electrical modifications it was discovered that deterioration to the structural steel at the bridge had occurred. As a result, the bridge owner has requested a second deviation to replace the deteriorated structural steel.

Thirty days notice to the Coast Guard for approval of the maintenance repairs was not given by the bridge owner because this work involves vital, unscheduled maintenance that must be performed without undue delay. The Coast Guard has approved Amtrak's request because the work was determined to be necessary for public safety and the continued operation of the bridge.

This deviation to the operating regulations allows the bridge owner to require a two-hour advance notice for bridge openings for the Amtrak Bridge, mile 3.0, across the Thames River in New London, Connecticut. The deviation will be in effect from Sunday through Thursday, 10 p.m. to 12 a.m. and 1 a.m. to 4:30 a.m., October 17, 1999, through November 11, 1999. Requests for bridge openings can be made by calling (860) 395-2355 or on marine radio channel 13 VHF/FM. Mariners requiring an emergency opening are advised to call Amtrak's Chief Dispatcher at (617) 345-7569. Vessels that can pass under the bridge without an opening may do so at all times.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 14, 1999.

**Robert F. Duncan,**

*Captain, U.S. Coast Guard, Acting  
Commander, First Coast Guard District.*

[FR Doc. 99-27553 Filed 10-20-99; 8:45 am]

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## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### 36 CFR Part 1275

RIN 3095-AA91

#### Nixon Presidential Materials

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Final rule.

**SUMMARY:** This rule amends regulations on preservation and processing of and access to the Presidential historical materials of Richard M. Nixon in

NARA's custody to reflect the 1998 decision of the U.S. Court of Appeals that the private or personal segments of the original tape recordings must be returned to the Nixon estate. The amended rule affects NARA and the Nixon estate. Other members of the public are not affected because no public access to the private and personal segments of the tapes has ever been permitted.

**EFFECTIVE DATE:** November 22, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Nancy Allard at telephone number 301-713-7360, ext. 226, or fax number 301-713-7270.

#### SUPPLEMENTARY INFORMATION:

NARA published a notice of proposed rulemaking on July 14, 1999 (64 FR 37922). One comment supporting the proposed rule was received from a member of the public. Accordingly, we are adopting the proposed rule without change.

This rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. It is not a major rule as defined in the Congressional Review Act. As required by the Regulatory Flexibility Act, I certify that this rule will not have a significant impact on a substantial number small entities because it applies only to NARA and the estate of former President Nixon.

#### List of Subjects in 36 CFR Part 1275

Archives and records.

For the reasons set forth in the preamble, NARA amends part 1275 of title 36, Code of Federal Regulations, as follows:

### PART 1275—PRESERVATION AND PROTECTION OF AND ACCESS TO THE PRESIDENTIAL HISTORICAL MATERIALS OF THE NIXON ADMINISTRATION

1. The authority citation for part 1275 continues to read as follows:

**Authority:** Sec. 102(a) of the National Archives and Records Administration Act of 1984, Pub. L. 98-497; 44 U.S.C. 2104; and secs. 103 and 104 of the Presidential Recordings and Materials Preservation Act 88 Stat. 1695; 44 U.S.C. 2111 note.

2. Revise paragraph (a) of § 1275.48 to read as follows:

#### § 1275.48 Transfer of materials.

(a) The Archivist will transfer sole custody and use of those materials determined to be private or personal, or to be neither related to abuses of governmental power nor otherwise of general historical significance, to former President Nixon's estate, or, when

appropriate and after notifying the Nixon estate, to the former staff member having primary proprietary or commemorative interest in the materials. Such materials to be transferred include all segments of the original tape recordings that have been or will be identified as private or personal.

\* \* \* \* \*

3. Revise paragraph (e) of § 1275.64 to read as follows:

#### § 1275.64 Reproduction of tape recordings of Presidential conversations.

\* \* \* \* \*

(e) The Archivist shall produce and maintain a master preservation copy of the original tape recordings for preservation purposes. The Archivist shall ensure that the master preservation copy, like the portions of the original tape recordings retained by the Archivist, does not contain those segments of the tape recordings which have been identified as private or personal and which have been transferred to the Nixon estate in accordance with § 1275.48.

Dated: October 14, 1999.

**John W. Carlin,**

*Archivist of the United States.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-300934; FRL-6386-1]

RIN 2070-AB78

#### Metolachlor; Extension of Tolerance for Emergency Exemptions

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This regulation extends time-limited tolerances for the combined residues of the herbicide metolachlor and its metabolites in or on spinach at 0.3 part per million (ppm) for an additional 19½-month period and grass forage at 10 ppm and grass hay at 0.2 ppm for an additional 2-year period. These tolerances will expire and be revoked on December 31, 2001. This action is in response to EPA's granting of emergency exemptions under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act authorizing use of the pesticide on spinach and grass grown for seed. Section 408(l)(6) of the Federal Food, Drug, and Cosmetic Act