

(ii) No landowner notice is required for abandonments which involve only the sale or transfer of the facilities, and the easement will continue to be used for transportation of natural gas.

8. In § 157.206, new paragraphs (b)(2)(xii) and (b)(3)(iv) are added to read as follows:

§ 157.206 Standard conditions.

* * * * *

(b) Environmental compliance. * * *

(2) * * *

(xii) Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801, et seq.)

(3) * * *

(iv) Paragraphs (b)(2)(i) and (viii) of this section only if it adheres to Commission staff's current "Upland Erosion Control, Revegetation and Maintenance Plan" and "Wetland and Waterbody Construction and Mitigation Procedures" which are available on the Commission Internet home page or from the Commission staff, or gets written approval from the staff or the appropriate Federal or state agency for the use of project-specific alternatives to clearly identified portions of those documents.

* * * * *

PART 380—REGULATIONS IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT

9. The authority citation for Part 380 continues to read as follows:

Authority: 42 U.S.C. 4321-4370-a; 7101-7352; E.O. 12009, 3 CFR 1978 Comp., p. 142.

10. In § 380.4, new paragraphs (a)(31) through (a)(36) are added to read as follows:

§ 380.4 Projects or actions categorically excluded.

(a) * * *

(31) Abandonment of facilities by sale that involves only minor or no ground disturbance to disconnect the facilities from the system;

(32) Conversion of facilities from use under the NGPA to use under the NGA;

(33) Construction or abandonment of facilities constructed entirely in Federal offshore waters that has been approved by the Minerals Management Service and the Corps of Engineers, as necessary;

(34) Abandonment or construction of facilities on an existing offshore platform;

(35) Abandonment, construction or replacement of a facility (other than compression) solely within an existing building within a natural gas facility (other than LNG facilities), if it does not increase the noise or air emissions from the facility, as a whole; and

(36) Conversion of compression to standby use if the compressor is not moved, or abandonment of compression if the compressor station remains in operation.

* * * * *

11. In § 380.12, paragraphs (c)(5) and (c)(10) are revised; paragraphs (e)(6) and (e)(7) are redesignated (e)(7) and (e)(8); and new paragraph (e)(6) is added to read as follows:

§ 380.12 Environmental reports for Natural Gas Act applications.

* * * * *

(c) * * *

(5)(i) Identify facilities to be abandoned, and state how they would be abandoned, how the site would be restored, who would own the site or right-of-way after abandonment, and who would be responsible for any facilities abandoned in place.

(ii) When the right-of-way or the easement would be abandoned, identify whether landowners were given the opportunity to request that the facilities on their property, including foundations and below ground components, be removed. Identify any landowners whose preferences the company does not intend to honor, and the reasons therefore.

* * * * *

(10) Provide the names and mailing addresses of all affected landowners specified in § 157.6(d) and certify that all affected landowners will be notified as required in § 157.6(d).

* * * * *

(e) * * *

(6) Identify all federally listed essential fish habitat (EFH) that potentially occurs in the vicinity of the project. Provide information on all EFH, as identified by the pertinent Federal fishery management plans, that may be adversely affected by the project and the results of abbreviated consultations with NMFS, and any resulting EFH assessments.

* * * * *

12. In Appendix A to Part 380, paragraph 8 in Resource Report 1 and paragraphs 7 and 8 of Resource Report 3 are revised to read as follows:

Appendix A to Part 380—Minimum Filing Requirements for Environmental Reports Under the Natural Gas Act

Resource Report 1—General Project Description

* * * * *

8. Provide the names and address of all affected landowners and certify that all affected landowners will be notified

as required in § 157.6(d). (§§ 380.12(a)(4) and (c)(10))

* * * * *

Resource Report 3—Vegetation and Wildlife

* * * * *

7. Identify all federally listed essential fish habitat (EFH) that potentially occurs in the vicinity of the project and the results of abbreviated consultations with NMFS, and any resulting EFH assessments. (§ 380.12(e)(6))

8. Describe any significant biological resources that would be affected. Describe impact and any mitigation proposed to avoid or minimize that impact. (§§ 380.12(e)(4 & 7))

* * * * *

[FR Doc. 99-27782 Filed 10-22-99; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[OK17-1-7410; FRL-6463-2]

Standards of Performance for New Stationary Sources (NSPS); Supplemental Delegation of Authority to the State of Oklahoma

AGENCY: Environmental Protection Agency (EPA).

ACTION: Delegation of authority.

SUMMARY: The purpose of this document is to inform the public that the EPA approved the updated delegation of authority to the State of Oklahoma for implementation and enforcement of NSPS. This action is in response to a request from the Oklahoma Department of Environmental Quality (ODEQ).

On November 2, 1998, the State of Oklahoma approved an emergency rule that incorporates by reference EPA's New Source Performance Standards in 40 CFR part 60. Both emergency and permanent rules incorporating by reference the NSPS were adopted by the Environmental Quality Board on September 15, 1998 and the permanent rules took effect June 1, 1999. The State adopted all of the NSPS except subpart AAA, New Residential Wood Heaters, and those sections that contain authorities reserved by the EPA.

EFFECTIVE DATE: The effective date of the delegation of authority is October 8, 1999.

ADDRESSES: The related materials in support of this action may be requested by writing to the following address: Environmental Protection Agency, Region 6, Air Planning Section (6PD-L),

1445 Ross Avenue, Dallas, Texas 75202-2733.

Oklahoma Department of Environmental Quality, Air Quality Division, 707 North Robinson, P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677.

FOR FURTHER INFORMATION CONTACT: Mr. Ken Boyce, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202, telephone: (214) 665-7259.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. What is the Authority for delegation?
- II. What was the existing delegation?
- III. What is being delegated?
- IV. What is not being delegated?
- V. What about the NESHAP delegation agreement?
- VI. Administrative requirements.

I. What is the Authority for Delegation?

Sections 110, 111(c)(1) and 301, of the Clean Air Act (ACT) as amended November 15, 1990, authorize EPA to delegate authority to implement and enforce the standards set out in 40 CFR part 60, NSPS.

II. What was the Existing Delegation?

The original delegation of NSPS authority to Oklahoma was granted by EPA on March 25, 1982. This delegation was granted based on the State incorporating the NSPS requirements into future permits; therefore, the delegation excluded the authority to enforce the standards against sources constructed or modified prior to the effective date of the delegation.

III. What is Being Delegated?

On November 2, 1998, under the State's "Emergency Rules" statute (75 Oklahoma Statute, supplement 1998, section 253, Statutes and Reports), the State adopted emergency rules that incorporated by reference the NSPS in 40 CFR part 60. Both emergency and permanent rules were adopted by the Oklahoma Environmental Quality Board on September 15, 1998, and both were signed by the Governor on November 2, 1998. While the emergency rules took effect on November 2, 1998, the Oklahoma legislature reviewed and approved the permanent rules that became effective on June 1, 1999.

After a thorough review of the newly adopted rule, the Regional Administrator has determined that this action was appropriate for all source categories constructed or modified prior to the effective date of this delegation. All sources subject to the requirements of 40 CFR part 60 will now be under the jurisdiction of the State as appropriate.

Since review of the pertinent laws, rules, and regulations for the State has down them to be adequate for implementation and enforcement authority, EPA hereby notifies the public that it has extended the delegation of authority to all sources upon the effective date of the Regional Administrator's letter. Based on ODEQ's additional authority, EPA has updated the delegation agreement. This delegation is based upon the State's incorporation by reference of NSPS which will apply regardless of date. It is also important to note that EPA retains concurrent enforcement authority.

IV. What is not Being Delegated?

It is important to note that no delegation authority is granted to the ODEQ for Indian lands. In 1983, the President established a Federal Indian Policy which emphasized the principle of Indian "self-government," and direct dealing with Indian Nations on a "government-to-government" basis. We have adopted this policy for administration of the environmental programs on Indian lands. Also, no authority is delegated to the State for 40 CFR part 60, subpart AAA, Standards of Performance for New Residential Wood Heaters.

V. What About the NESHAP Delegation Agreement?

This will not affect the 1982 delegation agreement with ODEQ for NESHAPs. Any changes with that agreement will be addressed separately in the future.

VI. Administrative Requirements

Under Executive Order (E.O.) 12866, Regulatory Planning and Review (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore, not subject to review by the Office of Management and Budget.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, as that term is defined in 5 U.S.C. 804(3).

Authority: This document is issued under the authority of sections 101, 110, 111, and 301 of the Act, as Amended (42 U.S.C. 7401, 7410, 7411, and 7601).

Dated: October 7, 1999.

Jerry Clifford,

Acting Regional Administrator, Region 6.

[FR Doc. 99-27796 Filed 10-22-99; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 544

[Docket No.: 99-001; Notice 02]

RIN 2127-AH62

Insurer Reporting Requirements; List of Insurers Required to File Reports

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final Rule.

SUMMARY: This final rule updates the lists in Appendices A, B, and C of Part 544 of passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experiences, pursuant to 49 U.S.C. 33112. Each insurer listed must file a report for the 1996 calendar year not later than October 25, 1999.

DATES: This final rule is effective October 25, 1999.

Reporting Date: Insurers listed in the appendices are required to submit their reports on CY 1996 experience on or before October 25, 1999. Previously listed insurers whose names are removed by this notice need not submit reports for CY 1996. Insurers newly listed in this final rule must submit their reports for calendar year 1996 on or before October 25, 1999. Under part 544, as long as an insurer is listed, it must file reports each October 25. Thus, any insurer listed in the appendices as of the date of the most recent final rule must file a report on the following October 25, and on each succeeding October 25, absent a further amendment removing the insurer's name from the appendices.

FOR FURTHER INFORMATION CONTACT: Ms. Henrietta L. Spinner, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, SW, Washington, DC 20590. Ms. Spinner's telephone number is (202) 366-4802. Her fax number is (202) 493-2290.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 49 U.S.C. 33112, Insurer reports and information, NHTSA requires certain passenger motor vehicle insurers to file an annual report with the agency. Each insurer's report includes information about thefts and recoveries of motor vehicles, the rating rules used by the insurer to establish premiums for comprehensive coverage, the actions taken by the insurer to reduce such premiums, and the actions taken by the