

and contrary to the public interest in that:

(a) The suspension is necessary to reflect current marketing conditions and to assure orderly marketing conditions in the marketing area, in that such rule is necessary to permit the continued pooling of the milk of dairy farmers who have historically supplied the market without the need for making costly and inefficient movements of milk;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. One comment supporting the suspension was received.

Therefore, good cause exists for making this order effective less than 30 days from the date of publication in the **Federal Register**.

List of Subjects in 7 CFR Part 1106

Milk marketing orders.

For the reasons set forth in the preamble, 7 CFR Part 1106 is amended as follows for the period of September 1, 1999, through August 31, 2000:

PART 1106—MILK IN THE SOUTHWEST PLAINS MARKETING AREA

1. The authority citation for 7 CFR Part 1106 continues to read as follows:

Authority: 7 U.S.C. 601–674.

§ 1106.6 [Suspended in part]

2. In § 1106.6, the words “during the month” are suspended.

§ 1106.7 [Suspended in part]

3. In § 1106.7 paragraph (b)(1), the words beginning with “of February through August” and continuing to the end of the paragraph are suspended.

§ 1106.13 [Suspended in part]

4. In § 1106.13, paragraph (d)(1) is suspended in its entirety.

Dated: August 26, 1999.

Richard M. McKee,

Deputy Administrator, Dairy Programs.

[FR Doc. 99–22905 Filed 9–1–99; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Rural Business-Cooperative Service

Rural Utilities Service

Farm Service Agency

7 CFR Part 1924

RIN 0575–AC11

Manufactured Housing Thermal Requirements

AGENCIES: Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: The Rural Housing Service (RHS), a part of the former Farmers Home Administration (FmHA), and now an agency within the Rural Development mission area of the U.S. Department of Agriculture, is amending its regulations regarding the thermal requirements for manufactured homes. The intended effect is to make the references to thermal requirements for manufactured homes consistent with requirements for the U.S. Department of Housing and Urban Development (HUD) zones that correspond to the RHS climatic zones. This will reduce the burden on the manufactured housing industry, RHS field personnel, and most importantly RHS customers.

EFFECTIVE DATE: October 4, 1999.

FOR FURTHER INFORMATION CONTACT: Samuel J. Hodges III, Architect, Program Support Staff, Rural Housing Service, U.S. Department of Agriculture, Stop 0761, Washington, DC 20250–0761, Telephone: (202) 720–9653.

SUPPLEMENTARY INFORMATION:

Classification

This rule has been determined to be significant and was reviewed by the Office of Management and Budget under Executive Order 12866.

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, “Environmental Program.” It is the determination of the issuing agency that this action does not constitute a major Federal action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91–190, an Environmental Impact Statement is not required.

Intergovernmental Consultation

This action affects the following programs as listed in the Catalog of Federal Domestic Assistance:

10.405 Farm Labor Housing Loans and Grants

10.410 Very Low to Moderate Income Housing Loans

10.415 Rural Rental Housing Loans

All of the affected programs, except 10.410 Very Low to Moderate Income Housing Loans, are subject to the provisions of Executive Order 12372 that requires intergovernmental consultation with State and local officials prior to making individual loans.

Civil Justice Reform

The final rule has been reviewed under Executive Order 12998, Civil Justice Reform. In accordance with this rule:

(1) Unless otherwise specifically provided all state and local laws and regulations that are in conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule except as specifically prescribed in the rule; and (3) administrative proceedings of the National Appeals Division (7 CFR part 11) must be exhausted before bringing suit.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act (44 U.S.C. 3507), the information collection requirements included in this rule have been approved through 7 CFR part 3550. The assigned OMB number is 0575–0172. This rule does not impose any new information collection or recordkeeping requirements from those approved by the Office of Management and Budget.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, RHS generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with “Federal mandates” that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires RHS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome

alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector. Thus today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Background

Subsection 502(e)(1) of the Housing Act of 1949, 42 U.S.C. 1472(e)(1), establishes standards for manufactured homes which will be financed with RHS single family housing loans under section 502 of the Housing Act of 1949. Subsection 502(e)(1)(C) provides that manufactured homes must meet the energy conservation requirements applicable to other non-manufactured housing financed by RHS single family housing loans until the agency established energy conserving requirements under section 502(e)(2). The purpose of this regulation is to establish energy conserving requirements specifically designed for manufactured homes pursuant to section 502(e)(2).

The section 502(e) criteria for energy conserving requirements for RHS financed manufactured housing require that the requirements: "(A) reduce the operating costs for a borrower by maximizing the energy savings and be cost-effective over the life of the manufactured home or the term of the loan, whichever is shorter, taking into account variations in climate, types of energy used, the cost to modify the home to meet such requirements, and the estimated value of the energy saved over the term of the mortgage; and (B) be established so that the increase in the annual loan payment resulting from the added energy conserving requirements in excess of those required by the standards prescribed under title VI of the Housing and Community Development Act of 1974 [42 U.S.C. 5401 *et seq.*] shall not exceed the projected savings in annual energy costs."

The agency is adopting the energy conserving standards established by HUD under title VI of the Housing and Community Development Act of 1974 and, as hereinafter discussed, has determined that these zoned standards maximize energy savings and are cost-effective to the borrower. Under this final rule manufactured homes will no longer be required to meet the RHS thermal requirements applicable to non-manufactured single family housing financed by RHS. Exhibit D of 7 CFR part 1924, subpart A, adopts the HUD thermal design zone requirements for

the Federal Manufactured Home Construction and Safety Standards (FMHCSS) that correspond to the RHS climatic zones.

The existing RHS requirements for a manufactured unit are: (1) The unit must meet the FMHCSS, and (2) the unit must meet the same RHS thermal requirements as are applicable to other, non-manufactured single family housing, financed by RHS prior to the National Energy Policy Act of 1992. Since HUD increased its energy requirements for manufactured homes (58 FR 54975, Oct. 25, 1993, effective Oct. 25, 1994), RHS has compared these new requirements with the RHS thermal requirements to evaluate the differences.

Our analysis indicates that the thermal performance of a unit built to the HUD requirements is roughly comparable to the thermal performance of a unit built to the requirements of the corresponding RHS climatic zones. The table below lists the HUD zones that are roughly comparable to the RHS climatic zones.

RHS climate zone (degree-days)	HUD zones (state boundary)
0-1000	1
1001-2500	2
2501-4500	2
4501-6000	3
>6000	3

The HUD increases in the thermal requirements of the building envelope are substantial. However, HUD's requirements are not based on climatic region; instead, they are based on state boundary. As an example, in the State of California there are 5 RHS climatic zones; whereas, HUD has identified the entire state as a single zone (HUD Zone 2). In California, the HUD-code home would be acceptable to RHS in climatic zones with 4500 or less heating degree days. However, in colder climates of California, the HUD Zone 2 unit would not be adequate. The HUD Zone 3 requirements are roughly comparable to the RHS requirements for climatic zones with 4501 or more heating degree days. Similar comparisons can be made in other states.

On this basis, in order to simplify requirements we are amending our current energy requirements for manufactured housing to adopt the design requirements for the HUD zones that correspond to the RHS climatic zones.

These are the benefits to the manufactured housing industry, RHS, and most importantly, RHS customers:

1. Manufacturers will no longer have to conform with the energy

requirements of two Federal agencies. As required by federal law, manufacturers will continue to follow the FMHCSS for non-thermal requirements.

2. Manufacturers will not have to retain qualified consultants to certify that designs conform with the existing RHS thermal requirements.

3. Manufacturers will no longer have to substantiate design conformance to RHS thermal standards.

4. Loan processing will be expedited since less paperwork will have to be reviewed by RHS loan approval officials.

5. RHS will reduce its regulatory requirements.

6. This will simplify on-site inspection by the RHS Community Development Managers (CDM). Since each local office already knows their climatic zone, and since HUD requires the thermal zone for which a unit is built to be posted on a sticker in the unit, a CDM could quickly determine if a unit is acceptable by simply inspecting the HUD required sticker.

RHS's current requirement for a separate certification sticker would be deleted.

7. The RHS customer will have a wider selection of manufactured homes to choose from.

8. The energy efficiency of the manufactured home will be roughly the same and in some cases exceed existing RHS thermal requirements.

9. The elimination of a separate energy efficiency requirement applicable only to RHS manufactured homes will make lending institutions more willing to make loans to guarantee RHS customers for manufactured homes.

Discussion of Comments

On October 6, 1998 RHS published a proposed rule in the **Federal Register**, 63 FR 53616. The five comments received were from persons representing organizations that are directly affected by the rule. The commenters included a housing developer and rural development consultant, an engineer with a manufactured housing producer and representatives from federal agencies involved in financing manufactured homes.

All commenters approved or supported the adoption of the FMHCSS thermal design zone requirements that correspond to RHS climatic zones. The positive comments on the proposed rule included such statements as it "is a positive measure", "reduce paper work", "improves loan processing", "streamlines lending procedure for manufactured housing in rural areas", "eliminates the need for manufacturers

and RHS staff becoming familiar with different standards", "will reduce the cost of housing for low and moderate income applicants", "will give loan applicants a greater range of choices of housing design, style and size for their family needs", "improves the agencies relationship with the manufactured housing industry and lending community" and "improves the services to the customer." The Agency has not changed the basic structure or content of the proposed rule.

Finally, one commenter suggested that a requirement be added to Rural Development (RD) Form 1924-25, "Plan Certification", that would require the dealer-contractor to certify the unit meet the FMHCSS thermal design zone requirements that correspond to RHS climatic zones. The FMHCSS requires that the manufacturer permanently affix a "Heating Certificate" that certifies the design zone that the manufactured home complies with. This Heating Certificate is affixed to an interior surface of the home that is readily visible to the Agency staff and the homeowner. It is the Agency's position that the determination as to which FMHCSS thermal design zone requirement corresponds to the appropriate RHS climatic zones is best covered early in the loan making process and will be addressed at or before the pre-construction conference. Therefore, the Agency has not changed RD Form 1924-25.

List of Subjects in 7 CFR part 1924

Agriculture, Construction and repair, Construction management, Energy conservation, Housing, Loan programs—Agriculture, Low and moderate income housing.

Therefore, chapter XVIII, title 7, Code of Federal Regulations is amended as follows:

PART 1924—CONSTRUCTION AND REPAIR

1. The authority citation for part 1924 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Subpart A—Planning and Performing Construction And Other Development

2. Exhibit D of subpart A to part 1924 is amended by adding paragraph IV. G to read as follows:

Exhibit D to Subpart A—Thermal Performance Construction Standards

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IV. Minimum Requirements

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G. New Manufactured Housing

The Uo Value Zone indicated on the "Heating Certificate" for comfort heating shall be equal to or greater than the HUD Zone listed in the following table:

RHS climate zones (winter degree days)	FMHCSS (HUD code) Uo value zones
0-1000	1
1001-2500	2
2501-4500	2
4501-6000	3
> 6000	3

Example: If a manufactured home is to be located in a geographic area having between 2501 and 4500 RHS winter degree days, the Agency will accept a Uo value Zone 2 unit or Zone 3 unit constructed to the HUD FMHCSS.

If a central air conditioning system is provided by the home manufacturer, a "Comfort Cooling Certificate" must be permanently affixed to an interior surface of the unit that is readily visible. This certificate may be combined with the heating certificate on the data plate.

* * * * *

Dated: August 26, 1999.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 99-22902 Filed 9-1-99; 8:45 am]

BILLING CODE 3410-XV-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-AWP-9]

Name Change of Guam Island, Agana NAS, GU Class D Airspace Area

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule, correction and delay of effective date.

SUMMARY: This action corrects a final rule that was published in the **Federal Register** on Monday, August 2, 1999 (64 FR 41780), Airspace Docket No. 99-AWP-9, changing the name of Guam Island, Agana NAS, GU, Class D airspace area to Guam International Airport, GU, Class D airspace area and delaying the effective date to November 4, 1999. The geographical coordinates for the airport were published incorrectly.

EFFECTIVE DATE: 0901 UTC, November 4, 1999.

FOR FURTHER INFORMATION CONTACT:

Debra Trindle, Airspace Specialist, Airspace Branch, AWP-520.10, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, CA 90261, telephone (310) 725-6613.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 99-19692, Airspace Docket No. 99-AWP-9, published on August 2, 1999, changed the name of Guam Island, Agana NAS, GU, Class D airspace area to Guam International Airport, GU, Class D airspace area. The geographical airport reference points listed in that document were incorrect. This action corrects those errors.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the legal description for Guam International Airport, GU, Class D airspace area is corrected as follows:

PART 71—[CORRECTED]

§ 71.1 [Corrected]

On page 41780, column 3, correct the geographical coordinates of the Guam International Airport, GU, Class D airspace area, incorporated by reference in § 71.1, as follows:

* * * * *

AWP GU D Guam International Airport, GU—[Corrected]

Guam International Airport, GU
(Lat. 13°29'00"N, long. 144°47'46"E)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.3 mile radius of Guam International Airport.

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Issued in Los Angeles, California, on August 19, 1999.

Dawna J. Vicars,

Assistant Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 99-22892 Filed 9-1-99; 8:45 am]

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