

Vessels

§ 102–36.505 What must we do when disposing of vessels?

(a) When you dispose of vessels you must indicate on the SF 120, the following information:

(1) If the vessel has been inspected by the Coast Guard.

(2) If testing for hazardous materials has been done. And if so, the result of the testing.

(3) If hazardous materials clean-up is required, and when it will be accomplished by your agency.

(b) In accordance with section 203(i) of the Property Act, the Federal Maritime Administration (FMA), Department of Transportation, is responsible for disposing of surplus vessels weighing 1,500 gross tons or more, which are determined to be merchant vessels or capable of conversion to merchant use. The SF 120 for such vessels shall be forwarded to GSA for submission to FMA.

(c) Disposal instructions regarding vessels in this section do not apply to battleships, cruisers, aircraft carriers, destroyers, and submarines.

Subpart F—Miscellaneous Disposition

§ 102–36.510 What is the authority for transfers under “Computers for Learning”?

(a) The Stevenson-Wydler Technology Innovation Act of 1980, as amended (15 U.S.C. 3710(i)), authorizes Federal agencies to transfer excess education-related Federal equipment to educational institutions or nonprofit organizations for educational and research activities. Executive Order 12999 (3 CFR, 1996 Comp., p. 180) requires the transfer of computer equipment for use by schools or nonprofit organizations.

(b) Each Federal agency is required to identify a point of contact within the agency to assist eligible recipients, and to publicize the availability of such property to eligible communities. Excess education-related equipment may be transferred directly under established agency procedures, or reported to GSA as excess for subsequent transfer to potential eligible recipients as appropriate. Reports of transfers under this authority must be included in the Non-Federal Recipients Report and submitted annually to GSA.

(c) The “Computers for Learning” website has been developed to streamline the transfer of excess and surplus Federal computer equipment to schools and nonprofit educational organizations. For additional information about this program access the “Computers for Learning” website, <http://www.computers.fed.gov>.

Dated: November 2, 1999.

G. Martin Wagner,

Associate Administrator for Governmentwide Policy.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15 and 18

[ET Docket No. 98–80; FCC 99–296]

Conducted Emission Limits

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes to revise the limits on the amount of radio frequency energy that is permitted to be conducted onto the AC power lines. The purpose of these limits is to protect radio services operating below 30 MHz from interference. This proposal would harmonize the standards on conducted emissions with the international standards developed by the International Electrotechnical Commission (IEC), International Special Committee on Radio Interference (CISPR). Such harmonization will facilitate a global marketplace to the benefit of manufacturers and consumers.

DATES: Comments must be submitted on or before January 31, 2000, and reply comments on or before February 29, 2000.

ADDRESSES: All filings must be sent to the Commission’s Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, TW–A325, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: John A. Reed, Office of Engineering and Technology, (202) 418–2455.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s *Notice of Proposed Rule Making* in ET Docket No. 98–80, adopted October 13, 1999, and released October 18, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY–A257), 445 12th Street, SW, Washington, DC, and also may be purchased from the Commission’s copy contractor, International Transcription Services, Inc., (202) 857–3800, 1231 20th Street, NW, Washington, DC 20036.

Summary of the Notice of Proposed Rule Making

1. In the *Notice of Proposed Rule Making*, the Commission proposes to amend parts 15 and 18 of its rules regarding the limits on the amount of radio frequency (RF) energy that is permitted to be conducted onto the AC power lines. The devices regulated under parts 15 and 18 include personal computers, TV and FM receivers, RF lighting devices, microwave ovens, induction cooking ranges and ultrasonic equipment. The conducted RF energy can cause interference to radio communications via two possible paths. First, the RF energy may be carried along the electrical wiring to another device that is also connected to the electrical wiring. Second, at frequencies below 30 MHz where wavelengths are greater than 10 meters, the long stretches of electrical wiring can act as very efficient antennas permitting the RF energy to be radiated over the airwaves.

2. Under parts 15 and 18 of the rules, the potential for interference below 30 MHz is controlled by limiting the levels of RF energy that may be conducted onto the AC power lines. The current standards are based largely on limits that were developed in the late 1970s for digital devices. Accordingly, on May 29, 1998, the Commission adopted a *Notice of Inquiry* (“NOI”), 63 FR 34618, June 25, 1998, in this proceeding to review the conducted emission limits applicable to equipment operating under parts 15 and 18 of its rules. In the NOI, the Commission designated this proceeding as parts of its 1998 biennial review of regulations pursuant to section 11 of the Communications Act of 1934, as amended. Section 11 requires the Commission to review all of its regulations applicable to providers of telecommunications services and determine whether any rule is no longer in the public interest as a result of meaningful economic competition between providers of telecommunications services. While a review of the regulations regarding conducted emission limits for products subject to parts 15 and 18 of the rules is not specifically encompassed by section 11 of the Communications Act of 1934, this review is consistent with the objectives and spirit of section 11. As part of our biennial review, the Commission stated that its goal in this proceeding, among other things, was to examine whether the regulations on conducted emission limits continue to be necessary. It also sought information on the costs of complying with these

regulations and whether these regulations impede new technologies.

3. Based on the comments filed in response to the NOI, the Commission is proposing a number of changes to its rules to reduce the burden of these regulations. Specifically, it is proposing to amend the conducted emission limits to make them generally consistent with international standards developed by the International Electrotechnical Commission (IEC), International Special Committee on Radio Interference (CISPR). The specific proposals are shown below. Consistency with the international standards will promote a global marketplace that will reduce costs for manufacturers and consumers. The Commission is proposing to adopt conducted emission limits for part 18 consumer products, such as microwave ovens, that currently are subject only to radiated emission limits. The Commission also proposes an alternative measurement procedure for part 15 transmitters operating below 30 MHz where the responsible party may demonstrate that the total radiated emissions from the device, including emissions at the fundamental frequency that are conducted onto, and radiated from, the AC power lines, do not exceed the radiated emission limits; such transmitters would not be required to demonstrate compliance with the AC power line conducted limits at the fundamental frequency.

4. Comments are invited on the proposed standards, as well as the expansion of the frequency ranges over which conducted emissions are applied. Comments are also invited on whether these standards will adequately protect communications services against interference and on how compliance with international standards may affect product costs.

5. Comments are also sought on whether a limit on power line conducted emissions could be used by carrier current systems as an optional alternative method of demonstrating compliance with the radiated emission limits outside of the AM broadcast band. In addition, comments are sought on the proposal to clarify when radiated emission measurements below 30 MHz are required for unintentional radiators operating under part 15 of the rules.

6. The Commission proposes that the regulations contained in the *Notice of Proposed Rule Making* become effective for all part 15 and 18 products subsequently authorized under a grant of certification, a Declaration of Conformity, or verification one year or more from the date of publication of the resulting Report and Order in the **Federal Register**. It also proposes that

all products comply with these standards if they are imported or manufactured on or after three years from the date of publication of the Report and Order in the **Federal Register**.

Initial Regulatory Flexibility Analysis

7. As required by the Regulatory Flexibility Act (RFA),¹ the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in this *Notice of Proposed Rule Making* (Notice). Written public comments are requested on the IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the Notice. The Commission will send a copy of this Notice, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration. See 5 U.S.C. 603(a).

Need for, and Objectives of, the Proposed Rule

8. This rule making proposal is initiated to obtain comments regarding proposed changes to the regulations for radio frequency devices that do not require a license to operate. The Commission seeks to determine if its standards regarding the amount of radio frequency energy permitted to be conducted onto the AC power lines should be amended.

Legal Basis

9. The proposed action is taken pursuant to sections 4(i), 301, 302, 303(e), 303(f), and 303(r) of the Communications Act 10 1934, as amended, 47 U.S.C. 154(i), 301, 302, 303(e), 303(f), and 303(r).

Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

10. For purposes of this Notice, the RFA defines a "small business" to be the same as a "small business concern" under the Small Business Act, 15 U.S.C. 632, unless the Commission has developed one or more definitions that are appropriate to its activities.² Under the Small Business Act, a "small business concern" is one that: (1) is independently owned and operated; (2) is not dominant in its field of

operations; and (3) meets any additional criteria established by the Small Business Administration (SBA).³ SBA has defined a small business for Standard Industrial Classification (SIC) category 4812 (Radiotelephone Communications) to be small entities when they have fewer than 1500 employees.⁴ Given this definition, nearly all such companies are considered small.

Description of Projected Reporting, Recordkeeping and Other Compliance Requirements

11. Part 15 and part 18 radio frequency devices are already required to be authorized under the Commission's certification, Declaration of Conformity, or verification procedures as a prerequisite to marketing and importation. The reporting and recordkeeping requirements associated with these equipment authorizations would not be changed by the proposals contained in the Notice. While most part 15 devices already are subject to standards on the amount of radio frequency energy that can be placed on the AC power lines, different limits are being proposed in the Notice. In most cases, depending on the bandwidth of the emission placed on the AC power lines, the emission limits are being relaxed from the current standards. Most part 18 products, such as microwave ovens, are not currently subject to limits on the amount of radio frequency energy that can be placed on the AC power lines. The limits proposed in this Notice would be new requirements. To reduce any perceived burden of compliance with the proposed standards, the Commission is proposing to adopt internationally-recognized standards that currently are specified in the European Union and other countries. This will permit manufacturers of all sizes to market their equipment globally.

Significant Alternatives to Proposed Rules Which Minimize Significant Economic Impact on Small Entities and Accomplish Stated Objectives

12. None.

Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rule

13. None.

¹ 1 See 5 U.S.C. 603. The RFA, see 5 U.S.C. 601 *et. seq.*, has been amended by the Contract With America Advancement Act of 1996, Public Law 104-121, 110 Stat. 847 (1996) (CWAAA). Title II of the CWAAA is the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).

² See 5 U.S.C. 601(3) incorporating by reference the definition of "small business concern" in 5 U.S.C. 632.

³ See 15 U.S.C. 632.

⁴ See 13 CFR 121.201.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 178

[Docket No. RSPA-99-5921(HM-213A)]

RIN 2137-AD34

Hazardous Materials: Cargo Tank Rollover Damage Protection Requirements

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: RSPA is requesting comments on a research study conducted by the University of Michigan Transportation Research Institute (UMTRI) titled "The Dynamics of Tank-Vehicle Rollover and the Implications for Rollover-Protection Devices." The intended effect of this action is to obtain information concerning the need, if any, for amending the Hazardous Materials Regulations (HMR) concerning cargo tank rollover damage protection devices, the costs and benefits associated with such amendments, and ways to minimize impacts on small businesses. This ANPRM addresses DOT specification cargo tanks used for the transportation of liquid hazardous materials.

DATES: Comments must be received by May 15, 2000.

ADDRESSES: Submit written comments to the Dockets Management System, U.S. Department of Transportation, Room PL 401, 400 Seventh Street, SW, Washington, DC 20590-0001. Comments should identify the docket number, RSPA-99-5921 (HM-213A) and submitted in two copies. If you wish to receive confirmation that RSPA has received your comments, include a self-addressed stamped postcard. Comments may also be submitted to the docket electronically by logging onto the Dockets Management System website at <http://dms.dot.gov>. Click on "Help & Information" to obtain instructions for filing the document electronically.

The Docket Management System is located on the Plaza Level of the Nassif Building at the Department of Transportation at the above address. You may review public dockets between

the hours of 10 a.m. and 5 p.m., Monday through Friday, excluding Federal holidays. Internet users may review all comments received by the U.S. Department of Transportation by accessing RSPA's Hazmat Safety website at <http://hazmat.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Karim, Office of Hazardous Materials Standards, Research and Special Programs Administration, telephone (202) 366-8553; Mr. Ronald Kirkpatrick, Office of Hazardous Materials Technology, Research and Special Programs Administration, telephone (202) 366-4545; or Mr. Danny Shelton, Office of Safety and Technology, Federal Highway Administration, telephone (202) 366-6121, U.S. Department of Transportation, 400 Seventh Street SW, Washington, DC.

SUPPLEMENTARY INFORMATION:

I. Background

Between January and May 1991, the National Transportation Safety Board (NTSB) investigated seven highway accidents involving MC 306, MC 307, and MC 312 specification cargo tank motor vehicles that had overturned and released hazardous materials. As a result of these investigations, NTSB published a Hazardous Materials Special Investigation Report on February 2, 1992. NTSB found that, in all cases, the rollover protection devices failed to protect the cargo tank manholes and fittings from damage. NTSB reported that in three of the accidents structural failure of the rollover protection devices caused impact damage to the fittings. In the other four accidents, the design and configuration of the devices were found to be inadequate for protecting and shielding the top fittings from external objects or from striking into the ground. The damaged closures or fittings on top of the cargo tank caused the release of hazardous materials during the accidents.

In each case, the rollover protection devices failed to protect the cargo tank manholes and fittings from damage sufficient to result in loss of lading. The report found that " * * * there is inadequate information about the forces that can be encountered in a rollover accident and the extent to which rollover-protection devices for cargo tanks can reasonably be designed to withstand these forces * * *". In safety recommendation H-92-10, NTSB recommended that RSPA and the Federal Highway Administration (FHWA) conduct a study to analyze the forces and energy involved in cargo tank

rollover crashes. In response to NTSB recommendations, FHWA contracted with the University of Michigan Transportation Research Institute (UMTRI) to conduct a study on cargo tank rollover protection.

II. UMTRI Study

The results of UMTRI's study are found in a November 1998 report titled "The Dynamics of Tank-Vehicle Rollover and the Implications for Rollover-Protection Devices." The study investigated the dynamics of mild, moderate and severe rollover crash events involving cargo tank motor vehicles. The crash situations and vehicle characteristics were influenced by the rollover accidents investigated in the NTSB report. These were all DOT specification cargo tank motor vehicles and, in each incident, the top damage protection structures were impacted. In the UMTRI study, not all simulations resulted in "rollover" to this degree. Vehicle rotations in which the top damage protection is not affected may be more accurately termed "overturn." UMTRI drew conclusions from the simulated rollover crashes based on the position and speed of each modeled tank at the point when it struck the ground. You may obtain copies of the study by calling the Records Center at (202) 366-5046, by mailing a request to the Records Center, RSPA, Room 8421, 400 Seventh Street, SW, Washington, DC 20590, or by downloading the study from the DMS electronic docket at <http://dms.dot.gov>.

III. Request for Comments

RSPA requests comments responding to the questions listed below to facilitate decisions on the potential need for additional changes to the HMR with regard to cargo tank rollover damage protection standards. Commenters are requested to include information pertaining to their experience with damages incurred in other rollover accidents. RSPA also invites comments on any aspect of the UMTRI study not specifically addressed by questions in this ANPRM. Information, including photographs, sketches and accident investigation reports, on rollover accidents in which cargo tank manholes and fittings were, or were not, damaged would be helpful to RSPA in determining whether to revise the current requirements. Similarly, information on release of lading through damaged heads or shell is solicited.

A. Impact Scenarios

Under the heading "Implications of the Results for Minimum Performance Requirements for Rollover-Protection