

(d) Within 120 days of receiving payments, the local government must certify to BLM that it has made an appropriate distribution of funds.

**§ 1881.51 Are there general procedures applicable to all PILT payments?**

(a) The minimum payment that the BLM will disburse to any unit of general local government is \$100.00 (one hundred dollars).

(b) If Congress appropriates insufficient monies to provide full payment to each unit of general local government during any fiscal year, the BLM will reduce proportionally all payments in that fiscal year.

**§ 1881.52 May a State enact legislation to reallocate or redistribute PILT payments?**

A State may enact legislation to reallocate or redistribute PILT payments. If a State does enact legislation, it must:

(1) Notify the BLM if it enacts legislation which requires reallocating or redistributing payments to smaller units of general local government (see 31 U.S.C. 6907);

(2) Provide the BLM a copy of the legislation within 60 days of enactment;

(3) Provide the name and address of the State government office to which BLM should send the payment;

(4) Distribute to its smaller units of general local government within 30 days of receiving the payment; and

(5) Not reduce the payment made to smaller units of general local government to pay the cost of State legislation which reallocates or redistributes payments.

**§ 1881.53 What is BLM's procedure on PILT payments to a State that enacts distribution legislation?**

The BLM would:

(a) Notify the State that a single payment will be disbursed to the designated State government office beginning with the Federal fiscal year following the fiscal year in which the State enacted legislation; and

(b) Provide the State with appropriate information that identifies the entitlement lands data on which BLM bases the payment.

**§ 1881.54 What happens if a State repeals or amends distribution legislation?**

(a) The State must immediately notify the BLM in writing that it has repealed or amended the legislation and furnish BLM with a copy of the new law.

(b) The BLM must:

(1) Determine if the State's process complies with 31 U.S.C. 6907. If BLM determines that it does not, we must notify the designated State government office that BLM will disburse payment

directly to eligible units of general local government; and

(2) Start the payments with the Federal fiscal year in which the BLM receives a copy of the State's amendatory legislation. If BLM receives a copy of the legislation after July 1, payments made directly to eligible units of general local government will not begin until the next Federal fiscal year.

**§ 1881.55 Can a unit of general local government protest the results of payment computations?**

Any affected unit of general local government may file a protest with the BLM.

**§ 1881.56 How does a unit of general local government file a protest?**

The protesting unit of general local government must:

(a) Submit evidence to indicate the possibility of error(s) in the computations or the data on which BLM bases the computations; and

(b) File the protest by the first business day of the calendar year following the end of the fiscal year for which BLM made the payments.

**§ 1881.57 Can a unit of general local government appeal a rejection of a protest?**

Any affected unit of general local government may appeal BLM's decision to reject a protest to the Interior Board of Land Appeals under the provisions of 43 CFR part 4.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 13 and 80

[WT Docket No. 00-48; RM-9499; FCC 00-105]

#### Maritime Communications

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Commission proposes to consolidate, revise and streamline Rules governing maritime communications. These rule changes address new international maritime requirements, improve the operational ability of all users of marine radios and remove unnecessary or duplicative requirements from the Commission's Rules. This proposed action will not only reduce significantly the number of regulations applicable to the maritime community, but by removing duplicative regulations, it will reduce the potential for confusion.

**DATES:** Comments are due July 24, 2000, Reply Comment are due August 22, 2000.

**ADDRESSES:** Parties who choose to file comments by paper must file an original and four copies to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th St., SW., Room TW-A325, Washington, DC 20554. Comments may also be filed using the Commission's Electronic Filing System, which can be accessed via the Internet at [www.fcc.gov/e-file/ecfs.html](http://www.fcc.gov/e-file/ecfs.html).

**FOR FURTHER INFORMATION CONTACT:**

Keith Fickner or Ghassan Khalek, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rule Making*, WT Docket No. 00-48, FCC 00-105, adopted March 17, 2000, and released on March 24, 2000. The full text of this *Notice of Proposed Rule Making* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20037. The full text may also be downloaded at: [www.fcc.gov/Bureaus/Wireless/Notices/2000/fcc00105.doc](http://www.fcc.gov/Bureaus/Wireless/Notices/2000/fcc00105.doc). Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418-0260 or TTY (202) 418-2555.

In this *Notice of Proposed Rule Making*, the Commission seeks comment on the proposals: (1) To modify the Commission's Rules to reflect revised international standards and recommendations which were endorsed by the International Maritime Organization (IMO) and the International Telecommunication Union (ITU), many at the initiation of the United States; and to reflect significant changes in IMO and ITU performance standards and regulations; (2) to allow radio-teletypewriter, data, telemetry, and telecommand transmissions on frequencies reserved for Morse code transmissions; (3) to apply the Commission's Global Maritime Distress and Safety System (GMDSS) Rules, or alternative safety measures, to the commercial fishing industry; (4) to create a new Restricted GMDSS Radio Operator License in order to provide a subordinate class of GMDSS license for radio operators aboard ships that operate exclusively within Sea Area A1

(an area extending approximately 20 miles from the coast); (5) to accept a proof of passing certificate from the United States Coast Guard training program, which includes both theoretical examinations and practical demonstrations of the candidate's ability to operate GMDSS equipment, as evidence that an applicant has met the obligations for any GMDSS operator license issued by the Commission; and (6) to remove the certification for Class A, B, and S emergency position indicating radiobeacons, which operate at 121.5 MHz and 243 MHz, due to their ineffectiveness in lifesaving operations.

### Regulatory Flexibility Analysis

The Regulatory Flexibility Act (RFA)<sup>1</sup> requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities."<sup>2</sup> In this *Notice of Proposed Rule Making*, the Commission proposes to consolidate, revise, and streamline the Commission's Rules governing maritime communications. The purpose of these proposed rule changes is to address new international maritime requirements, improve the operational ability of all users of marineradios and remove unnecessary or duplicative requirements from the Commission's Rules. In an effort to clarify the existing regulations, the Commission also proposes to make minor and non-substantive modifications to Part 80 of the Commission's Rules. The proposed rule changes do not impose any additional compliance burden on small entities regulated by the Commission. Accordingly, the Commission certifies, pursuant to section 605(b) of the RFA, that the rules proposed in this *Notice of Proposed Rule Making* will not, if promulgated, have a significant economic impact upon a substantial number of small entities, as that term is defined by the RFA.<sup>3</sup> The Commission shall send a copy of this *Notice of Proposed Rule Making*, including a copy of this certification, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with the RFA. We shall also publish a copy of this certification in the **Federal Register**.

### List of Subjects 47 CFR Parts 13 and 80

Communications equipment, Radio.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Part 195

[Docket No. RSPA-99-6355; Notice 3]

#### Pipeline Safety: Pipeline Integrity Management in High Consequence Areas

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes regulations to test, repair and validate through analysis the integrity of most hazardous liquid pipelines that could affect populated areas, commercially navigable waterways, and areas unusually sensitive to environmental damage. RSPA's Office of Pipeline Safety (OPS) proposes to define these areas as high consequence areas. In these proposed high consequence areas, OPS is proposing that an operator develop and follow an integrity management program that continually assesses and evaluates the integrity of those pipelines that could affect a high consequence area, through internal inspection or pressure testing, and data integration and analysis.

Through this required program, OPS expects operators to comprehensively evaluate the entire range of threats to pipeline integrity by analyzing all available information about the pipeline and consequences of a failure. This would include information on the potential for damage due to excavation, data gathered through the required integrity assessment, results of other inspections and tests required by the pipeline safety regulations, including corrosion control monitoring and cathodic protection surveys, and information about how a failure could affect the high consequence area, such as location of water intakes.

The proposed rule requires an operator to take prompt action to address the integrity issues raised by the assessment and analysis. This means an operator must evaluate and repair all defects that could reduce a pipeline's integrity according to specified risk

criteria. The integrity of these pipelines would be further assured through other remedial actions, and preventive and mitigative measures.

**DATES:** Interested persons are invited to submit comments on this notice of proposed rulemaking (NPRM) by June 23, 2000. Late filed comments will be considered to the extent practicable.

**ADDRESSES:** You may submit written comments by mail or delivery to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. It is open from 10:00 a.m. to 5:00 p.m., Monday through Friday, except federal holidays. You also may submit written comments to the docket electronically. To do so, log on to the following Internet Web address: <http://dms.dot.gov>. Click on "Help & Information" for instructions on how to file a document electronically. All written comments should identify the docket and notice numbers stated in the heading of this notice. Anyone desiring confirmation of mailed comments must include a self-addressed stamped postcard.

**FOR FURTHER INFORMATION CONTACT:** Mike Israni, (202) 366-4571, or by e-mail: [mike.israni@rspa.dot.gov](mailto:mike.israni@rspa.dot.gov), regarding the subject matter of this proposed rule, or the Dockets Facility (202) 366-9329, for copies of this proposed rule or other material in the docket. All materials in this docket may be accessed electronically at <http://dms.dot.gov>. General information about the RSPA/Office of Pipeline Safety programs may be obtained by accessing OPS's Internet home page at <http://ops.dot.gov>.

### SUPPLEMENTARY INFORMATION:

#### Background

This proposed rulemaking is the culmination of experience gained from inspections, accident investigations and risk management and system integrity initiatives. This experience has given us the foundation for proposing a rulemaking that addresses in a comprehensive manner NTSB recommendations, Congressional mandates and pipeline safety and environmental issues raised over the years.

#### Accident analyses

Office of Pipeline Safety (OPS) and National Transportation Safety Board (NTSB) investigations and analyses of major pipeline incidents have emphasized the importance of ensuring safety and environmental protection in areas of population density and in areas unusually sensitive to environmental

<sup>1</sup> 5 U.S.C. 603.

<sup>2</sup> 5 U.S.C. 605(b). 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.

<sup>3</sup> 5 U.S.C. 605(b).