

prevent arrears in the payment of such costs. Any deposits in excess of actual expenses will be refunded to the depositor.

(k) The person who files a petition for judicial review of an order under section 408(d)(5) or (e) of the Act shall pay the costs of preparing the record on which the order is based unless the person has no financial interest in the petition for judicial review.

(l) No fee under this section will be imposed on the Inter-Regional Research Project Number 4 (IR-4 Program).

(m) The Administrator may waive or refund part or all of any fee imposed by this section if the Administrator determines in his or her sole discretion that such a waiver or refund will promote the public interest or that payment of the fee would work an unreasonable hardship on the person on whom the fee is imposed. A request for waiver or refund of a fee shall be submitted in writing to the Environmental Protection Agency, Office of Pesticide Programs, Registration Division (7505C), Washington, DC 20460. A fee of \$1,650 shall accompany every request for a waiver or refund, except that the fee under this sentence shall not be imposed on any person who has no financial interest in any action requested by such person under paragraphs (a) through (k) of this section. The fee for requesting a waiver or refund shall be refunded if the request is granted.

(n) All deposits and fees required by the regulations in this part shall be paid by money order, bank draft, or certified check drawn to the order of the Environmental Protection Agency. All deposits and fees shall be forwarded to the Environmental Protection Agency, Headquarters Accounting Operations Branch, Office of Pesticide Programs (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. The payments should be specifically labeled "Tolerance Petition Fees" and should be accompanied only by a copy of the letter or petition requesting the tolerance. The actual letter or petition, along with supporting data, shall be forwarded within 30 days of payment to the Environmental Protection Agency, Office of Pesticide Programs, Registration Division, (7504C) Washington, DC 20460. A petition will not be accepted for processing until the required fees have been submitted. A petition for which a waiver of fees has been requested will not be accepted for processing until the fee has been waived or, if the waiver has been denied, the proper fee is submitted after notice of denial. A request for waiver or refund

will not be accepted after scientific review has begun on a petition.

(o) This fee schedule will be changed annually by the same percentage as the percent change in the Federal General Schedule (GS) pay scale. In addition, processing costs and fees will periodically be reviewed and changes will be made to the schedule as necessary. When automatic adjustments are made based on the GS pay scale, the new fee schedule will be published in the **Federal Register** as a Final Rule to become effective 30 days or more after publication, as specified in the rule. When changes are made based on periodic reviews, the changes will be subject to public comment.

[FR Doc. 98-13994 Filed 5-26-98; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 360

[Docket No. MARAD-1998-3865]

RIN 2133-AB34 (FINAL)

Transfer of Marine Equipment to Ship Operators and Shipyards; Removal of Obsolete Regulations

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Final rule.

SUMMARY: The Maritime Administration (MARAD) is removing as obsolete its regulations relating to the transfer of marine equipment to ship operators and shipyards.

EFFECTIVE DATE: May 27, 1998.

FOR FURTHER INFORMATION CONTACT: Eugene Magee, Chief, Division of Reserve Fleet, Maritime Administration, 400 Seventh St. S.W., Room 2112, Tel. (202) 366-5752.

SUPPLEMENTARY INFORMATION: 46 CFR part 360 prescribes regulations for the transfer by MARAD of marine equipment on board vessels in the National Defense Reserve Fleet (NDRF) to operators of U.S.-flag merchant ships and to shipyards for the construction or repair of U.S.-flag merchant ships, on the basis of replacement at the earliest possible date.

The provisions contained in 46 CFR part 360 have been in effect over 25 years, and MARAD has found that such marine equipment on board NDRF vessels, which average 42 years in age, is now commercially obsolete and cannot be used by current U.S.-flag merchant ships. However, such

equipment may be needed to support inactive ships in MARAD's Ready Reserve Force Fleet or other retention ships in the NDRF and therefore should be retained.

Accordingly, the subject transfer regulation serves no useful purpose, and MARAD is hereby removing 46 CFR Part 360 as obsolete in this final rule.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Planning and Review)

This rulemaking is not considered to be an economically significant regulatory action under section 3(f) of Executive Order 12866. Also, it is not a major rule under Pub. L. 104-121, 5 U.S.C. 804, or a significant rule under the Department's Regulatory Policies and Procedures. Accordingly, it has not been reviewed by the Office of Management and Budget.

MARAD has determined that this rulemaking presents no substantive issue which it could reasonably expect to produce meaningful public comment since it is merely removing obsolete regulations. Accordingly, MARAD has determined that the notice and public comment procedure otherwise required by the Administrative Procedure Act, 5 U.S.C. 553(c), is unnecessary and good cause exists, pursuant to 5 U.S.C. 553(d)(3), to make the changes effective upon publication.

Federalism

The Maritime Administration has analyzed this rulemaking in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that these regulations do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Maritime Administration certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities. 46 CFR Part 360 is being removed as obsolete, as it currently serves no useful purpose.

Environmental Assessment

The Maritime Administration has considered the environmental impact on this rulemaking and has concluded that an environmental impact statement is not required under the National Environmental Policy Act of 1969.

Paperwork Reduction Act

This rulemaking contains no reporting requirement that is subject to OMB approval under 5 CFR Part 320,

pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501, *et seq.*).

List of Subjects in 46 CFR Part 360

Government property, Maritime carriers.

PART 360—[REMOVED]

Accordingly, under the authority of 46 App. U.S.C. 1114(b), 46 CFR part 360 is hereby removed in its entirety.

Dated: May 20, 1998.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 98-13878 Filed 5-26-98; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-98-3837, Notice 1]

RIN 2127-AH07

Federal Motor Vehicle Safety Standards; Metric Conversion of Tire Standards

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

ACTION: Final rule; technical amendment.

SUMMARY: This document revises selected Federal Motor Vehicle Safety Standards (FMVSS) on tires by converting English measurements specified in those standards to metric measurements. This is one of several rulemaking actions that NHTSA is undertaking to implement the Federal policy that the metric system of measurement is the preferred system of weights and measures for United States trade and commerce. The conversions are not intended to make any changes in the stringency of the affected FMVSS. A companion final rule published in today's **Federal Register** converts, from English measurements to metric measurements, selected FMVSSs that do not relate to tires.

This document also includes a technical amendment to the standard on tire selection and rims for motor vehicles other than passenger cars so that tire information provided on labels may use abbreviations for units of weight (mass) measurement.

DATE: This final rule is effective May 27, 2003. Optional early compliance with the changes made in this final rule is permitted beginning May 27, 1998.

ADDRESSES: Petitions for reconsideration of this final rule should refer to the docket and notice number cited in the heading of this final rule and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. It is requested, but not required, that 10 copies be submitted.

FOR FURTHER INFORMATION CONTACT: Mr. Kevin Cavey, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Mr. Cavey's telephone number is: (202) 366-5271.

SUPPLEMENTARY INFORMATION:

I. Background Information

Section 5164 of the Omnibus Trade and Competitiveness Act (Pub. L. 100-418), makes it United States (U.S.) policy that the metric system of measurement is the preferred system of weights and measures for United States trade and commerce. Executive Order 12770 directs Federal agencies to comply with the Act by adopting a conversion schedule for their programs by September 30, 1992. In a **Federal Register** document of April 21, 1992 (57 FR 14619), the National Highway Traffic Safety Administration (NHTSA) published its plan to use the metric system in NHTSA programs, and included an implementation schedule to convert the Federal Motor Vehicle Safety Standards (FMVSSs) to metric measurements.

In a final rule published on March 15, 1995 (60 FR 13639), NHTSA completed the first phase of metrication, converting English measurements in the following FMVSSs to the metric system: Standard No. 102, *Transmission shift lever sequence, starter interlock, and transmission braking effect*; Standard No. 103, *Windshield defrosting and defogging systems*; Standard No. 104, *Windshield wiping and washing systems*; Standard No. 107, *Reflecting surfaces*; Standard No. 110, *Tire selection and rims*; Standard No. 112, *Headlamp concealment devices*; Standard No. 114, *Theft protection*; Standard No. 115, *Vehicle identification number—basic requirements*; Standard No. 120, *Tire selection and rims for motor vehicles other than passenger cars*; Standard No. 124, *Accelerator control systems*; Standard No. 126, *Truck-camper loading*; Standard No. 205, *Glazing materials*; Standard No. 206, *Door locks and door retention components*; Standard No. 207, *Seating systems*; Standard No. 212, *Windshield mounting*, and Standard No. 216, *Roof crush resistance*.

In the March 14, 1995 final rule, NHTSA established the following principles for converting English system measurements to the metric system:

(1) Equivalent conversions are generally favored, not exact ones;

(2) The term "mass" is favored over the term "weight," except when "weight" is used as part of a defined term;

(3) Force measurements are converted by specifying in the regulatory language the steps for making the conversion; and

(4) Dual measurements (i.e., both English and metric measurements) are used in a standard when it seems likely that it will be read by persons not fully accustomed to using the metric system. NHTSA stated its intent to follow these principles in future metrication rulemakings.

II. Notice of Proposed Rulemaking for Second Phase

On April 21, 1997, NHTSA began its second phase of metricating the FMVSSs by publishing a notice of proposed rulemaking to convert English measurements in the following Federal Motor Vehicle Safety Standards to the metric system: Standard No. 101, *Controls and displays*; Standard No. 109, *New pneumatic tires*; Standard No. 111, *Rearview mirrors*; Standard No. 116, *Motor vehicle brake fluids*; Standard No. 117, *Retreaded pneumatic tires*; Standard No. 119, *New pneumatic tires for vehicles other than passenger cars*; Standard No. 123, *Motorcycle controls and displays*; Standard No. 201, *Occupant protection in interior impact*; Standard No. 202, *Head restraints*; Standard No. 203, *Impact protection for the driver from the steering control system*; Standard No. 204, *Steering control rearward displacement*; Standard No. 209, *Seat belt assemblies*; Standard No. 210, *Seat belt assembly anchorages*; Standard No. 219, *Windshield zone intrusion*; Standard No. 220, *School bus rollover protection*; Standard No. 222, *School bus passenger seating and crash protection*; Standard No. 301, *Fuel system integrity*; and Standard No. 302, *Flammability of interior materials*.

The agency raised issues concerning the following proposed conversions:¹

Exact Versus Equivalent Conversions—In the NPRM, NHTSA stated that although it generally favors the use of equivalent conversions, it will not use equivalent conversions where there is a specific safety need or other reason to make an exact conversion. For

¹ The issues relating to the other standards addressed in the NPRM are discussed in today's companion notice.