

submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 9, 1998.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

Therefore, 40 CFR part 721 is amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

§§ 721.723, 721.1525, 721.1737, 721.1740, 721.7360 [Removed]

2. By removing §§ 721.723, 721.1525, 721.1737, 721.1740, and 721.7360.

[FR Doc. 98-31390 Filed 11-23-98; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL MARITIME COMMISSION

46 CFR Parts 510, 514, and 582

Anti-Rebate Certification Filing Requirements

AGENCY: Federal Maritime Commission.
ACTION: Waiver of filing requirement.

SUMMARY: The Commission is waiving the requirement for chief executive officers of common carriers and other entities to file by December 31, 1998, a written certification that the firm has a policy against rebating that was recently promulgated to each owner, officer and employee of the firm, with details of the firm's efforts to prevent illegal rebating and that the firm will cooperate with Commission efforts to end illegal rebating. This action is being taken to alleviate the filing burden on the public and the collection burden on the Commission, in light of changes made by the Ocean Shipping Reform Act of 1998 ("OSRA") which removes the filing requirement on May 1, 1999, when OSRA becomes effective.

EFFECTIVE DATE: November 24, 1998.

FOR FURTHER INFORMATION CONTACT: Bryant L. VanBrakle, Director, Bureau of Tariffs, Certification and Licensing, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, D.C. 20573-0001, (202) 523-5796, E-mail: bryant@fmc.gov.

SUPPLEMENTARY INFORMATION: Section 15(b) of the Shipping Act of 1984, 46 U.S.C. 1714(b) ("1984 Act") requires the chief executive officer of each common carrier and other entities designated by the Federal Maritime Commission to file with the Commission a periodic written certification made under oath. The chief executive officer must certify: that the firm has a policy prohibiting rebating; that the policy was recently promulgated to each owner, officer and employee of the firm; that it has provided details of the efforts made by the firm to prevent illegal rebating; and that the firm will cooperate with the Commission in its efforts to end these illegal practices.

The section 15(b) requirement is implemented by the Commission's regulations at 46 CFR Part 582, 46 CFR 514.1(c)(1)(iii), 46 CFR 510.16(a)(6), and 46 CFR 510.25, which require the chief executive officer of every common carrier and ocean freight forwarder to file an Anti-Rebate Certification ("ARC") as prescribed by the form in Appendix A of Part 582. ARCs are required when a carrier files its initial tariff and when a freight forwarder applicant submits its initial application for a freight forwarder license.

Thereafter, ARCs are required to be filed by December 31 of each even-numbered calendar year. Failure to file an ARC may result in the cancellation of a carrier's tariffs, the striking of a carrier's name as a participant to any conference rate tariffs in which it participates or suspension of a freight forwarder's license and possibly the assessment of civil penalties.

The 1984 Act, as amended by the Ocean Shipping Reform Act of 1998 ("OSRA"), removes the ARC requirements from section 15 effective May 1, 1999, four months after they are due from the approximately 5000 subject firms on December 31, 1998. The ARC program consumes a large amount of the Commission's resources. In addition, it generally takes several months to process receipts, follow-up on deficient filings and to complete the tariff cancellation/freight forwarder license suspension process. In short, it is unlikely that the 1999/2000 program could be completed by May 1, 1999. Moreover, continuation of this requirement would place a great strain

on agency resources at a time when they will be needed to work on program changes required by OSRA. The Commission, therefore, has determined to waive this requirement for the ARC filing due December 31, 1998.

This waiver is strictly for administrative convenience. The Commission makes clear that the 1984 Act, both currently and as will be amended by OSRA, prohibits the payment, receipt or solicitation of illegal rebates. This waiver of certification requirements does not modify, in any manner, the Commission's enforcement obligations or efforts with respect to past or future rebate activity.

Now therefore, it is ordered that pursuant to 5 U.S.C. 553 and sections 15 and 17 of the Shipping Act of 1984 (46 U.S.C. app 1714 and 1716), the requirements of 46 CFR Part 582, 46 CFR 514.1(c)(1)(iii), 46 CFR 510.16(a)(6), and 46 CFR 510.25 for the filing due December 31, 1998, are waived effective November 24, 1998.

Pursuant to 5 U.S.C. 553(b) and (d) we find that prior public notice, opportunity for comment, and delayed effective date are neither necessary nor practical inasmuch as this waiver merely relieves restrictions otherwise applicable.

By the Commission.

Joseph C. Polking,

Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96-66, RM-8729, RM-8821]

Radio Broadcasting Services; Sibley, IA, and Brandon, SD

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 261A to Brandon, South Dakota. See 61 FR 15442, April 8, 1996; The reference coordinates for Channel 261A at Brandon, South Dakota, are 43-36-02 and 96-31-15. With this action, the proceeding is terminated.

EFFECTIVE DATE: December 23, 1998.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 418-2177.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order* in MM Docket No. 96-66,