

with Canadian and Washington State counterparts through the enforcement of recent international treaties and through ongoing Coast Guard programs.

In addition to these activities addressing collisions and powered groundings, we are proceeding to more fully evaluate prospective measures to prevent a drift grounding in the event of a loss of steering or propulsion. The recently implemented International Tug of Opportunity System (ITOS) is an outstanding example of a voluntary private-sector initiative to ensure safe operations.

The Coast Guard's Report to Congress on ITOS has noted that a sufficient number of tugs may not be present in the western Strait of Juan de Fuca and in the offshore areas in the course of routine commercial service. In order to assess this potential deficiency, DOT and the State of Washington have agreed to evaluate the effectiveness of ITOS. In addition, we will jointly fund and manage an analysis of the costs and additional risk reduction benefits that would be afforded by tug escorts for commercial vessels or by stationing a rescue tug in the region. These evaluations will start this winter. We expect that they will be completed by the end of next summer. If the evaluations indicate that pursuit of these measures is warranted, we will proceed with regulatory action at that time.

Since any new tug escort or prepositioned rescue tug requirements would require regulatory action, the Coast Guard is issuing an Advance Notice of Proposed Rulemaking. It provides a more complete picture of implementation options that may be considered in a subsequent rulemaking, and solicits specific comments on and additions to these options.

In addition to incident prevention, the Volpe report also addressed means to better mitigate and respond to incidents should they occur. Three such measures will be further pursued. The first is to review boom prepositioning and boom deployment capabilities to protect shallow shoreline habitats. The second is to review the allocation of response assets and area contingency plans in light of information gained through development of the Volpe report. The third measure is to evaluate the need to preposition a response vessel at the western entrance to the Strait.

The first two measures will be pursued by the Captain of the Port of Puget Sound in consultation with the Area Committee established to coordinate response preparations under the Oil Pollution Act of 1990. Consideration of the last measure, a

prepositioned oil spill response vessel, will be incorporated in the evaluation of a prepositioned rescue tug.

These next steps provide meaningful and reasonable actions to further improve the already high level of marine safety in this region. We look forward to building on the progress and partnerships that have developed to this point as our efforts proceed.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA has determined that the minimum percentage rate for drug testing for the period January 1, 1999, through December 31, 1999, will remain at 25 percent of covered aviation employees for random drug testing and will remain at 10 percent of covered aviation employees for random alcohol testing.

FOR FURTHER INFORMATION CONTACT: Ms. Patrice M. Kelly, Office of Aviation Medicine, Drug Abatement Division, Implementation, Regulations and Policy Branch (AAM-810), Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-8976.

SUPPLEMENTARY INFORMATION:

Administrator's Determination of 1999 Random Drug and Alcohol Testing Rates

In final rules published in the **Federal Register** on February 15, and December 2, 1994 (59 FR 7380 and 62218, respectively), the FAA announced that it will set future minimum annual percentage rates for random alcohol and drug testing for aviation industry employers according to the results which the employers experience conducting random alcohol and drug testing during each calendar year. The rules set forth the formula for calculating an annual aviation industry "violation rate" for random alcohol testing and an annual aviation industry "positive rate" for random drug testing. The "violation rate" for random alcohol tests means the number of covered employees found during random tests given under 14 CFR part 121, appendix

J to have an alcohol concentration of 0.04 or greater plus the number of employees who refused a random alcohol test, divided by the total reported number of employees given random alcohol tests plus the total reported number of employees who refused a random test. The "positive rate" means the number of positive results for random drug tests conducted under 14 CFR part 121, appendix I plus the number of refusals to take random drug tests, divided by the total number of random drug tests plus the number of refusals to take random drug tests. The violation rate and the positive rate are calculated using information required to be submitted to the FAA by specified aviation industry employers as part of an FAA Management Information System (MIS) and form the basis for maintaining or adjusting the minimum annual percentage rates for random alcohol and drug testing as indicated in the following paragraphs.

When the annual percentage rate for random alcohol testing is 25 percent or more, the FAA Administrator may lower the rate to 10 percent of data received under the MIS reporting requirements for two consecutive calendar years indicate that the violation rate is less than 0.5 percent.

When the minimum annual percentage rate for random alcohol testing is 50 percent, the FAA Administrator may lower the rate to 25 percent if data received under the MIS reporting requirements for two consecutive calendar years indicate that the violation rate is less than 1.0 percent but equal to or greater than 0.5 percent.

When the minimum annual percentage rate for random alcohol testing is 10 percent, and the data received under the MIS reporting requirements for that calendar year indicate that the violation rate is equal to or greater than 0.5 percent but less than 1.0 percent, the FAA Administrator must increase the minimum annual percentage rate for random alcohol testing to 25 percent.

When the minimum annual percentage rate for random alcohol testing is 25 percent or less, and the data received under the MIS reporting requirements for that calendar year indicate that the violation rate is equal to or greater than 1.0 percent, the FAA Administrator must increase the minimum annual percentage rate for random alcohol testing to 50 percent.

When the minimum annual percentage rate for random drug testing is 50 percent, the FAA Administrator may lower the rate to 25 percent if data received under the MIS reporting requirements for two consecutive

calendar years indicate that the positive rate is less than 1.0 percent.

When the minimum annual percentage rate for random drug testing is 25 percent, and the data received under the MIS reporting requirements for any calendar year indicate that the reported positive rate is equal to or greater than 1.0 percent, the Administrator will increase the minimum annual percentage rate for random drug testing to 50 percent.

There is a one-year lag in the adjustment in the minimum annual percentage rates for random drug and alcohol testing because MIS data for a given calendar year is not reported to the FAA until the following calendar year. For example, MIS data for 1997 is not reported to the FAA until March 15, 1998, and any rate adjustments resulting from the 1997 data are not effective until January 1, 1999, following publication by the FAA of a notice in the **Federal Register**.

The minimum annual percentage rate for random alcohol testing was 10 percent for calendar year 1998. In this notice, the FAA announces that it has determined that the violation rate for calendar year 1997 is less than one-half of one percent positive, at approximately 0.10 percent, and the minimum annual percentage rate for random alcohol testing for aviation industry employers for calendar year 1999 will remain at 10 percent.

The minimum annual percentage rate for random drug testing was 25 percent in calendar year 1998. The FAA is also announcing that it has determined that the positive rate for calendar year 1997 is less than one percent, at approximately 0.70 percent, and that the minimum annual percentage rate for random drug testing for aviation industry employers for calendar year 1999 will remain at 25 percent.

Dated: November 17, 1998.

Jon L. Jordan,

Federal Air Surgeon.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly Notice of PFC Approvals and Disapprovals. In October 1998, there were 10 applications approved. This notice also includes information on one application,

approved in September 1998, inadvertently left off the September 1998 notice. Additionally, nine approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158). This notice is published pursuant to paragraph (d) of § 158.29.

PFC Applications Approved

PUBLIC AGENCY: Lafayette Airport Commission, Lafayette, Louisiana.

APPLICATION NUMBER: 98-02-U-00-LFT.

APPLICATION TYPE: Use PFC revenue.

PFC LEVEL: \$3.00.

TOTAL PFC REVENUE TO BE USED IN THIS DECISION: \$150,000.

CHARGE EFFECTIVE DATE: September 1, 1995.

ESTIMATED CHARGE EXPIRATION DATE: September 1, 1998.

CLASS OF AIR CARRIERS NOT REQUIRED TO COLLECT PFC'S: No change from previous decision.

BRIEF DESCRIPTION OF PROJECT APPROVED FOR USE: Rehabilitate runway 11/29.

DECISION DATE: September 22, 1998.

FOR FURTHER INFORMATION CONTACT: Ben Guttery, Southwest Region Airports Division, (817) 222-5614.

PUBLIC AGENCY: Savannah Airport Commission, Savannah, Georgia.

APPLICATION NUMBER: 98-03-C-00-SAV.

APPLICATION TYPE: Impose and use a PFC.

PFC LEVEL: \$3.00.

TOTAL PFC REVENUE APPROVED IN THIS DECISION: \$1,111,931.

EARLIEST CHARGE EFFECTIVE DATE: June 1, 2016.

ESTIMATED CHARGE EXPIRATION DATE: November 1, 2016.

CLASS OF AIR CARRIERS NOT REQUIRED TO COLLECT PFC'S: Air taxi/commercial operators.

DETERMINATION: Approved. Based on information in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Savannah International Airport.

BRIEF DESCRIPTION OF PROJECTS APPROVED FOR COLLECTION AND USE: Extend taxiway E; Construct fire station; Reconstruct east end taxiway C;

Runway 18/36 replace keel section; Extend taxiway A to runway 36; General aviation taxiway; PFC development, implementation, and administration.

DECISION DATE: October 2, 1998.

FOR FURTHER INFORMATION CONTACT: Daniel Gaetan, Atlanta Airports District Office, (404) 305-7146.

PUBLIC AGENCY: County of Victoria, Victoria, Texas.

APPLICATION NUMBER: 98-02-C-00-VCT.

APPLICATION TYPE: Impose and use a PFC.

PFC LEVEL: \$3.00.

TOTAL PFC REVENUE APPROVED IN THIS DECISION: \$188,872.

EARLIEST CHARGE EFFECTIVE DATE: January 1, 1999.

ESTIMATED CHARGE EXPIRATION DATE: January 1, 2002.

CLASS OF AIR CARRIERS NOT REQUIRED TO COLLECT PFC'S: None.

BRIEF DESCRIPTION OF PROJECTS APPROVED FOR COLLECTION AND USE: Airfield drainage improvements (phase 1) and upgrade airfield guidance sign system; Airport master plan; Drainage improvements (phase 2); Airport entrance road and terminal access road; Joint seal/pavement repair/mark runways 12L/30R and 17/35 and taxiways A, B, C, and F; Rehabilitate runway lighting runway 12L/35R and apron pavement repair.

DECISION DATE: October 2, 1998.

FOR FURTHER INFORMATION CONTACT: Ben Guttery, Southwest Region Airports Division, (817) 222-5614.

PUBLIC AGENCY: City of Chicago Department of Aviation, Chicago, Illinois.

APPLICATION NUMBER: 98-09-C-00-ORD.

APPLICATION TYPE: Impose and use a PFC.

PFC LEVEL: \$3.00.

TOTAL PFC REVENUE APPROVED IN THIS DECISION: \$1,540,000.

EARLIEST CHARGE EFFECTIVE DATE: September 1, 2017.

ESTIMATED CHARGE EXPIRATION DATE: October 1, 2017.

CLASS OF AIR CARRIERS NOT REQUIRED TO COLLECT PFC'S: Air taxi operators.

DETERMINATION: Approved. Based on information in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Chicago O'Hare International Airport.

BRIEF DESCRIPTION OF PROJECTS APPROVED FOR COLLECTION AND USE: Phase II airport master plan; Terminal apron expansion; Snow removal equipment.