

it maintains the NPL as the list of those sites. As described in 40 CFR 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the site warrant such action. Deletion of the site from the NPL does not affect responsible party liability or impede EPA efforts to recover costs associated with response efforts.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, as that term is defined in 5 U.S.C. 804(3).

#### **Lists of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: June 4, 1998.

**Myron O. Knudson,**

*Acting Regional Administrator, Region 6.*

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

#### **PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757; 3 CFR 1991 Comp. P 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

#### **Appendix B to Part 300 [Amended]**

2. Table 1 of Appendix B to part 300 is amended by removing the site “Southern Shipbuilding, Slidell, Louisiana.”

[FR Doc. 98–15949 Filed 6–15–98; 8:45 am]

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### **FEDERAL EMERGENCY MANAGEMENT AGENCY**

#### **44 CFR Part 62**

RIN 3067–AC85

#### **National Flood Insurance Program (NFIP); Assistance to Private Sector Property Insurers**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** The Federal Insurance Administration is revising the effective date of the Financial Assistance/Subsidy Arrangement (“the Arrangement”) to October 1, 1998. The

Arrangement governs the duties and obligations of insurers that participate in the Write Your Own (WYO) Program of the National Flood Insurance Program (NFIP) and also sets forth the responsibilities of the Government to provide financial and technical assistance to these insurers.

**EFFECTIVE DATE:** October 1, 1998.

#### **FOR FURTHER INFORMATION CONTACT:**

Edward T. Pasterick, Federal Emergency Management Agency, Federal Insurance Administration, 500 C Street, SW., Washington, DC 20472, 202–646–3443, (facsimile) 202–646–3445, (email) Edward.Pasterick@fema.gov.

**SUPPLEMENTARY INFORMATION:** On July 24, 1997, FEMA published in the **Federal Register**, 62 FR 39908, a final rule amending the regulations of the National Flood Insurance Program (NFIP) to include the revised Financial Assistance/Subsidy Arrangement for 1997–1998 governing the duties and obligations of insurers participating in the Write Your Own (WYO) Program of the National Flood Insurance Program (NFIP). The 1997–1998 Arrangement ends September 30, 1998. Except for the new effective date of October 1, 1998, the Arrangement for 1998–1999 is unchanged from last year's version.

Any private insurance company participating under the current 1997–1998 Arrangement will be sent, during July 1998, a copy of the offer for 1998–1999 together with related materials and submission instructions. Any private insurance company not currently participating in the WYO program but wishing to consider FEMA's Arrangement offer for 1998–1999, may do so by requesting a copy of the offer by writing: Federal Emergency Management Agency, ATTN: Federal Insurance Administrator, WYO Program, Washington, DC 20472.

#### **National Environmental Policy Act**

This final rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental assessment has been prepared.

#### **Executive Order 12898, Environmental Justice**

The socioeconomic conditions to this rule were reviewed and a finding was made that no disproportionately high and adverse effect on minority or low income populations would result from this final rule.

#### **Executive Order 12866, Regulatory Planning and Review**

This rule is not a significant regulatory action within the meaning of sec. 2(f) of E.O. 12866 of September 30, 1993, 58 FR 51735, and has not been

reviewed by the Office of Management and Budget. Nevertheless, this final rule adheres to the regulatory principles set forth in E.O. 12866.

#### **Paperwork Reduction Act**

This rule does not contain a collection of information and is therefore not subject to the provisions of the Paperwork Reduction Act.

#### **Executive Order 12612, Federalism**

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

#### **Executive Order 12778, Civil Justice Reform**

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

#### **List of Subjects in 44 CFR Part 62**

Claims, Flood insurance.

Accordingly, 44 CFR part 62 is amended as follows:

#### **PART 62—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS**

1. The authority citation for Part 62 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978; 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

#### **Appendix A to Part 62 [Amended]**

2. The *Effective Date* of Appendix A of part 62 is revised to read as follows:

#### **Appendix A to Part 62—Federal Emergency Management Agency, Federal Insurance Administration, Financial Assistance/Subsidy Arrangement**

\* \* \* \* \*

*Effective Date:* October 1, 1998.

\* \* \* \* \*

Dated: June 9, 1998.

**Jo Ann Howard,**

*Administrator, Federal Insurance Administration.*

[FR Doc. 98–15962 Filed 6–15–98; 8:45 am]

BILLING CODE 6718–03–P

### **NATIONAL SCIENCE FOUNDATION**

#### **45 CFR Part 672**

#### **Antarctic Conservation Act of 1978, Civil Monetary Penalties**

**AGENCY:** National Science Foundation.

**ACTION:** Final rule with a request for comments.

**SUMMARY:** The National Science Foundation (NSF) is revising its inflation adjustments of civil monetary penalties that may be imposed for inadvertent and deliberate violations of the Antarctic Conservation Act of 1978 because a procedural error prevented the original adjustments from taking effect.

**DATES:** This rule is effective July 16, 1998.

Comments, however, are welcome at any time and will be considered in making future revisions.

**ADDRESSES:** All comments should be addressed to: John Chester, Assistant General Counsel, Office of the General Counsel, Room 1265, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

**FOR FURTHER INFORMATION CONTACT:** John Chester on (703) 306-1060 (voice) and (703) 306-0149 (facsimile)—those are not toll-free numbers—or by electronic mail as jchester@nsf.gov through INTERNET.

**SUPPLEMENTARY INFORMATION:** The Federal Civil Penalties Inflation Adjustment Act of 1990 (104 Stat. 890; 28 U.S.C. 2461 note) as amended by the Debt Collection Improvement Act of 1996 (section 31001(s)(1) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Pub. L. 104-134, approved 4/26/96) directs each Federal agency to adjust, by regulation, each civil monetary penalty provided by law within the jurisdiction of that agency to compensate for the effects of inflation. The only civil monetary penalties within the jurisdiction of the National Science Foundation are those imposed for violations of the Antarctic Conservation Act of 1978 (16 U.S.C. 2401 *et seq.*). On November 20, 1996 NSF published an amendment to its rules governing enforcement of that law adding a new section setting out the penalties for inadvertent and deliberate violations and adjusting those penalties for inflation as provided in the Debt Collection Improvement Act.

Unfortunately, NSF did not submit that amendment to the Congress and Comptroller General as required by section 801(a) of title 5 of the United States Code and therefore it did not take effect. This rule, which will be submitted to Congress and GAO as soon as it is published, replaces the 1996 one.

Because section 31001(s)(2) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 provides

that the first adjustment of a civil monetary penalty made pursuant to its amendment to the Debt Collection Improvement Act “may not exceed 10 percent of such penalty”, the Foundation is adjusting these penalties in two steps: a 10 percent increase effective on August 1, 1998 and an increase to the full amount called for in the amended Debt Collection Improvement Act on August 1, 1999. The latter adjustment takes into account inflation through June 1997, rather than June 1995 as in the 1996 adjustment. Future adjustments will be made at least once every four years as called for in the amended Debt Collection Improvement Act.

Because this action merely makes adjustments required by statute, public comments were not solicited prior to its issuance.

#### Required determinations

##### *Executive Order 12612—Federalism*

This final rule will not have a substantial effect on the States, on the relationship between the national government and the states, or the distribution of power and responsibilities among the various levels of government. Thus, in accordance with Executive Order 12612, preparation of a Federalism assessment is not warranted.

##### *Executive Order 12866—Regulatory Planning and Review*

I have determined, under the criteria set forth in Executive Order 12866, that this rule is not a significant regulatory action requiring review by the Office of Information and Regulatory Affairs.

##### *Executive Order 12988—Civil Justice Reform*

I have reviewed this rule in light of section 3 of Executive Order 12988 and certify for the National Science Foundation that this rule meets the applicable standards provided in section 3(a) and 3(b)(2) of that order.

##### *Regulatory Flexibility Act*

I certify, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, that this final rule will not have a significant economic impact on a substantial number of small entities.

##### *Paperwork Reduction Act of 1995*

There are no new information collection requirements in this final rule.

#### *Unfunded Mandates Reform Act of 1995*

This final rule will not result in the expenditure, in the aggregate, of \$100,000,000 or more in any one year and therefore preparation of a statement is not required by section 202(a) Unfunded Mandates Reform Act of 1995 [2 U.S.C. 1532(a)].

#### **List of Subjects in 45 CFR Part 672**

Administrative practice and procedure, Antarctica.

For the reasons set out in the preamble and under the authority of 28 U.S.C. 2461 note, 45 CFR Part 672 is amended as follows:

#### **PART 672—ENFORCEMENT AND HEARING PROCEDURES; TOURISM GUIDELINES**

1. The authority citation for Part 672 continues to read as follows:

**Authority:** 16 U.S.C. 2401 *et seq.*, 28 U.S.C. 2461 note.

2. Revise § 672.24 to read as follows:

##### **§ 672.24 Maximum civil monetary penalties for unintentional and intentional violations.**

(a) For violations occurring before August 1, 1998, the maximum civil penalty that may be assessed under §§ 672.20(b) and 672.23(a) is set by the statute at \$5,000 for unintentional violations and \$10,000 for intentional violations.

(b) For violations occurring between August 1, 1998 and July 31, 1999, the maximum civil penalty is adjusted under authority of the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) to \$5,500 for unintentional violations and \$11,000 for intentional violations.

(c) For violations occurring after July 31, 1999, the maximum civil penalty is adjusted under authority of the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) to \$12,000 for unintentional violations and \$25,000 for intentional violations.

Dated: June 11, 1998.

**Lawrence Rudolph,**

*General Counsel, National Science Foundation.*

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