

408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply.

#### V. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must 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 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 24, 1999.

**Peter Caulkins,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346(a) and 371.

#### § 180.416 [Amended]

2. In § 180.416, by amending paragraph (b) by changing the date "10/31/98" to read "12/31/01".

[FR Doc. 99-26202 Filed 10-7-99; 8:45 am]

BILLING CODE 6560-50-F

### DEPARTMENT OF TRANSPORTATION

#### Maritime Administration

#### 46 CFR Part 204

[Docket No. MARAD-1999-6309]

#### Redelegation of Authority To Settle Federal Tort Claims

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Final rule.

**SUMMARY:** The Administrator of the Maritime Administration (MARAD) redelegates claim settlement authority under the Federal Tort Claims Act solely to MARAD's Office of the Chief Counsel and removes the settlement authority from MARAD's Associate Administrator for Administration and the Superintendent of the United States Merchant Marine Academy. Before this redelegation, the Associate Administrator for Administration had authority to settle tort claims and to authorize payments of \$50,000 or less, and the Superintendent of the Merchant Marine Academy had authority to settle tort claims and to authorize payments of \$20,000 or less. These changes are necessary to consolidate the settlement authority in the Office of the Chief Counsel and will make the Federal Tort Claims process easier for claimants.

**DATES:** This rule is effective October 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. J. Patrick Wiese, Chief, Division of Litigation, Office of the Chief Counsel, Maritime Administration, (202) 366-5191; 400 Seventh Street, SW, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** In 49 CFR 1.45(a)(2), the Secretary of Transportation delegated to each Agency Administrator the authority to act under any statute, Executive Order, or regulation and in sections (a)(3) and (a)(16) specifically delegated the authority to request the Attorney General to approve a Federal tort claim in excess of \$100,000, and the authority to settle claims of \$100,000 or less. The Administrator of MARAD (Administrator) redelegated authority under the Federal Tort Claims Act, as amended, 28 U.S.C. 2672, to the Chief Counsel of MARAD, the Associate Administrator for Administration of MARAD, and the Superintendent of the United States Merchant Marine Academy.

The regulations at 46 CFR part 204 set forth the requirements for settlement of claims against MARAD. Prior to this rule, § 204.7 (Delegation of authority) provided that the Chief Counsel had the authority to settle Federal tort claims subject to the written approval of the U.S. Attorney General for payments in excess of \$100,000; the Associate Administrator for Administration had the authority to settle tort claims and to authorize payments of \$50,000 or less, and the Superintendent of the Merchant Marine Academy had authority to settle tort claims and to authorize payments of \$20,000 or less.

This rule redelegates the settlement authority under the Federal Tort Claims Act by removing the settlement authority from the Superintendent of the Merchant Marine Academy and the Associate Administrator for Administration and consolidating the authority in the Chief Counsel. The amended § 204.7 (Delegation of authority) will consolidate the settlement authority in the Office of the Chief Counsel. These changes will make the Federal Tort Claims process easier for claimants.

The MARAD Administrator should make this redelegation because the Office of the Chief Counsel has the requisite expertise and capability to carry out the responsibilities under the Federal Tort Claims Act. In practice, the Associate Administrator and Superintendent seek the legal advice of the Chief Counsel when settling tort claims. The consolidation of all agency authority with respect to tort claims in the Office of Chief Counsel is a natural extension of its current administration of tort claims.

MARAD publishes this rule as a final rule, effective on the date of publication. Under 5 U.S.C. 553(b), notice and comment are unnecessary because the rule relates to departmental management, organization, procedure and practice. Further, since the amendment expedites the ability of MARAD to settle Federal Tort Claims, the Administrator finds good cause under 5 U.S.C. 553(b) and 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

#### List of Subjects in 46 CFR Part 204

Claims, Delegation of authority.

Accordingly, MARAD amends 46 CFR part 204 as follows:

#### PART 204—CLAIMS AGAINST THE MARITIME ADMINISTRATION UNDER THE FEDERAL TORT CLAIMS ACT

1. The authority citation for part 204 is revised to read as follows:

**Authority:** 28 U.S.C. 2672; 28 CFR 14.11; 49 CFR 1.45(a)(2), (3), and (16).

#### § 204.4 [Amended]

2. Section 204.4 is amended as follows:

a. By adding in the first sentence of paragraph (b) before the words "Maritime Administration" the words "Office of the Chief Counsel of the".

b. By removing from the second sentence of paragraph (b) the words "which does not have settlement authority over the claim" and by adding

in their place the words "other than the Office of the Chief Counsel".

c. By removing from the second sentence of paragraph (b) the words "the official vested with such authority" and by adding in their place the words "the Office of the Chief Counsel".

d. By removing from the second sentence of paragraph (b) the parenthetical "(see § 204.13, this part)."

3. Section 204.7 is revised to read as follows:

**§ 204.7 Delegation of authority.**

(a) Subject to written approval of the Attorney General of the United States of any payment in excess of \$100,000, the Chief Counsel of the Maritime Administration is authorized to approve the award, compromise, or settlement of any tort claim and to authorize payment of the claim.

(b) The Chief Counsel is authorized to deny any claim and to settle and authorize payment of any tort claim involving the Maritime Administration in an amount not exceeding \$100,000.

4. Section 204.8 is revised to read as follows:

**§ 204.8 Where to file claims.**

Claimants must file claims with the Chief Counsel (MAR-220), Maritime Administration, Department of Transportation, Room 7232, SW, Washington, DC 20590 at the Nassif Building, 7th and D Streets.

Dated: October 4, 1999.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 99-26262 Filed 10-7-99; 8:45 am]

BILLING CODE 4910-81-P

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 99-1945; MM Docket No. 99-226; RM-9603]

#### Radio Broadcasting Services; Toquerville, UT

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 280C at Toquerville, Utah, in response to a petition filed by Mountain West Broadcasting. See 64 FR 34753, June 29, 1999. The coordinates for Channel 280C at Toquerville are 37-15-12 NL and 113-17-00 WL. With this action, this proceeding is terminated. A filing window for Channel 280C at

Toquerville will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

**DATES:** Effective November 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 99-226, adopted September 15, 1999, and released September 24, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Utah, is amended by adding Toquerville, Channel 280C.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 99-26306 Filed 10-7-99; 8:45 am]

BILLING CODE 6712-01-P

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 99-1945; MM Docket No. 99-224; RM-9605]

#### Radio Broadcasting Services; Parowan, UT

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 300C2 at Parowan, Utah, in response to a petition filed by Mountain West

Broadcasting. See 64 FR 34752, June 29, 1999. The coordinates for Channel 300C2 at Parowan are 37-50-30 NL and 112-49-30 WL. With this action, this proceeding is terminated. A filing window for Channel 300C2 at Parowan will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

**DATES:** Effective November 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 99-224, adopted September 15, 1999, and released September 24, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Utah, is amended by adding Parowan, Channel 300C2.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 99-26307 Filed 10-7-99; 8:45 am]

BILLING CODE 6712-01-P

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 99-1945; MM Docket No. 99-80; RM-9493]

#### Radio Broadcasting Services; Hubbardston, MI

**AGENCY:** Federal Communications Commission.