

Small Business Regulatory Enforcement Fairness Act of 1996

This final rule is not a major rule as defined by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. This rule will not result in an annual effect on the economy of \$100,000,000 or more, a major increase in costs or prices, or have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 25

Administrative practice and procedure, Business and industry, Computer technology, Courts, Firearms, Law enforcement officers, Penalties, Privacy, Reporting and recordkeeping requirements, Security measures, Telecommunications.

Accordingly, § 25.9 of part 25 of title 28 of the Code of Federal Regulations is proposed to be amended as follows:

PART 25—DEPARTMENT OF JUSTICE INFORMATION SYSTEMS**Subpart A—The National Instant Criminal Background Check System**

1. The authority section for Subpart A continues to read as follows:

Authority: Pub. L. 103-159, 107 Stat. 1536.

§ 25.9 [Amended]

2. In § 25.9, paragraph (b) is revised to read as follows:

* * * * *

(b) The FBI will maintain an automated NICS Audit Log of all incoming and outgoing transactions that pass through the system.

(1) The NICS Audit Log will record the following information: type of transaction (inquiry or response), line number, time, date of inquiry, header, message key, ORI, and inquiry/response data (including the name and other identifying information about the prospective transferee and the NTN). In cases of allowed transfers, all information in the NICS Audit Log related to the person or the transfer, other than the NTN assigned to the transfer and the date the number was assigned, will be destroyed not more than 90 days after the date the request for the NICS check is received. NICS Audit Log records relating to denials will be retained for 10 years, after which time they will be transferred to a Federal Records Center for storage. The NICS will not be used to establish any system for the registration of firearms,

firearm owners, or firearm transactions or dispositions, except with respect to persons prohibited from receiving a firearm by 18 U.S.C. 922 (g) or (n) or by state law.

(2) The NICS Audit Log will be used to analyze system performance, assist users in resolving operational problems, support the appeals process, or support audits of the use of the system. Searches may be conducted on the NICS Audit Log by time frame, i.e., by day or month, by FFL, or by a particular state or agency. Information in the NICS Audit Log pertaining to allowed transfers may only be directly accessed by the FBI for the purpose of conducting audits of the use and performance of the NICS. Permissible uses include extracting and providing information from the NICS Audit Log to ATF in connection with ATF's inspections of FFL records, provided that ATF destroys the information about allowed transfers within the retention period for such information set forth in § 25.9(b)(1) and maintains a written record certifying the destruction. Such information, however, may be retained and used as long as needed to pursue cases of identified misuse of the system. The NICS, including the NICS Audit Log, may not be used by any Department, agency, officer, or employee of the United States to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions. The NICS Audit Log will be monitored and reviewed on a regular basis to detect any possible misuse of the NICS data.

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 Dated: February 27, 1999.

Janet Reno,

Attorney General.

[FR Doc. 99-5343 Filed 3-1-99; 2:36 pm]

BILLING CODE 4410-06-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[FRL-6306-7]

Public Hearing for Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport, Technical Correction, and Notice of Availability of Additional Technical Documents

AGENCY: Environmental Protection Agency (EPA).

ACTION: Supplemental notice of proposed rulemaking; announcement of public hearing.

SUMMARY: The EPA is announcing that it will hold a public hearing on March 12, 1999, if a hearing is requested, on a supplemental notice of proposed rulemaking (SNPR) on petitions submitted under section 126 of the Clean Air Act. The EPA will not hold a public hearing if one is not requested by March 9, 1999. The SNPR was signed on the same day as this notice, made immediately available to the public on EPA's website at <http://www.epa.gov/airlinks>, and will be published shortly in the **Federal Register**.

In the SNPR, EPA is proposing action on recent requests from Maine and New Hampshire which ask EPA to now make findings of significant contribution under the 8-hour ozone standard regarding sources named in their August 1997 section 126 petitions. The EPA has previously proposed action on the petitions from these States with respect to the 1-hour ozone standard as part of a proposal on eight petitions that were submitted individually by eight Northeastern States (63 FR 52213, September 30, 1998; and 63 FR 56292, October 21, 1998). The SNPR supplements that proposal.

DATES: A public hearing on the section 126 SNPR will be held on March 12, 1999 in Washington, DC, if requested by March 9. The comment period on the SNPR ends on April 11, 1999. Comments must be postmarked by the last day of the comment period and sent directly to the Docket Office listed in **ADDRESSES** (in duplicate form if possible). Please refer to **SUPPLEMENTARY INFORMATION** for additional information on the comment period and public hearing.

ADDRESSES: The public hearing, if there is one, will be held at the EPA Auditorium at 401 M Street SW, Washington, DC, 20460.

Comments may be submitted to the Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-97-43, U.S. Environmental Protection Agency, 401 M Street SW, room M-1500, Washington, DC 20460, telephone (202) 260-7548. Comments and data may also be submitted electronically by following the instructions under **SUPPLEMENTARY INFORMATION** of this document. No confidential business information (CBI) should be submitted through e-mail.

Documents relevant to this action are available for inspection at the Docket Office, at the above address, between 8:00 a.m. and 5:30 p.m., Monday through Friday, excluding legal holidays. A reasonable copying fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

Questions concerning the public hearing should be directed to JoAnn Allman at the address given below under

SUPPLEMENTARY INFORMATION. Questions concerning the SNPR should be addressed to Carla Oldham, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, MD-15, Research Triangle Park, NC, 27711, telephone (919) 541-3347, email at oldham.carla@epa.gov.

SUPPLEMENTARY INFORMATION:**Public Hearing**

The EPA will conduct a public hearing on the section 126 SNPR on March 12, 1999 beginning at 10:00 a.m., if requested by March 9, 1999. The EPA will not hold a hearing if one is not requested. Please check EPA's webpage at <http://www.epa.gov/airlinks> on March 10, 1999 for the announcement of whether the hearing will be held. If there is a hearing, it will be held at the EPA Auditorium at 401 M Street SW, Washington, DC, 20460. The metro stop is Waterfront, which is on the green line. Persons planning to present oral testimony at the hearings should notify JoAnn Allman, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, MD-15, Research Triangle Park, NC 27711, telephone (919) 541-1815, email allman.joann@epa.gov no later than March 9, 1999. Oral testimony will be limited to 5 minutes each. Any member of the public may file a written statement before, during, or by the close of the comment period. Written statements (duplicate copies preferred) should be submitted to Docket No. A-97-43 at the above address. The hearing schedule, including lists of speakers, will also be posted on EPA's webpage at <http://www.epa.gov/airlinks> prior to the hearing. A verbatim transcript of the hearing, if held, and written statements will be made available for copying during normal working hours at the Air and Radiation Docket and Information Center at the above address.

Availability of Related Information

The official record for this rulemaking, as well as the public version, has been established under docket number A-97-43 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:00 a.m. to 5:30 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located at the address in

ADDRESSES at the beginning of this document. Electronic comments can be sent directly to EPA at: A-and-R-Docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number A-97-43. Electronic comments on the SNPR may be filed online at many Federal Depository Libraries.

Dated: February 25, 1999.

John Seitz,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 99-5232 Filed 3-2-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 435**

[FRL-6237-8]

RIN 2040-AD14

Effluent Limitations Guidelines and New Source Performance Standards for Synthetic-Based and Other Non-Aqueous Drilling Fluids in the Oil and Gas Extraction Point Source Category

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; correction, announcement of meeting.

SUMMARY: The synthetic-based drilling fluids proposed rule was published on February 3, 1999, at 64 FR 5487. Today's notice changes the public meeting announced for Dallas, Texas, on March 5, 1999, to Houston, Texas, on March 17, 1999.

DATES: A public meeting will be held during the comment period, on Wednesday, March 17, 1999, from 9:00 a.m. to 12:00 noon. The previously scheduled meeting for March 5, 1999, is canceled.

ADDRESSES: The public meeting will be held at the University of Houston, Central Campus, Entrance 14, Cullen Boulevard, Science and Research Building, Room 116, Houston, Texas 77204. If you wish to present formal comments at the public meeting you should have a written copy for submittal. No meeting materials will be distributed in advance of the public meeting; all materials will be distributed at the meeting.

FOR FURTHER INFORMATION: Questions concerning this notice can be directed to

Joseph Daly at (202) 260-7186 or by facsimile at (202) 260-7185.

SUPPLEMENTARY INFORMATION: The public meeting will provide a brief overview of the proposed rule including the scope of the proposed regulation, the technology basis for developing the limitations, and a discussion of the economic and environmental impacts projected as a result of the proposed rule. The public meeting will provide those attending the opportunity to comment on the proposed rule.

Dated: February 25, 1999.

Tudor T. Davies, Director,

Office of Science and Technology.

[FR Doc. 99-5362 Filed 3-2-99; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 2 and 95**

[WT Docket No. 99-66, RM-9157, FCC 99-23]

Establishment of a Medical Implant Communications Service in the 402-405 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes to establish a Medical Implant Communications Service ("MICS") operating in the 402-405 MHz band. MICS operations would consist of high-speed, ultra low power, nonvoice transmissions to and from implanted medical devices such as cardiac pacemakers and defibrillators. This document also proposes to allocate the 402-405 MHz band to the mobile service on a shared basis, designate this allocation for use by the MICS, and to amend the Commission's Rules to codify service rules for the MICS. The proposed rules will allow use of newly-developed, life-saving medical technology without harming other users of the frequency band.

DATES: Comments are due on or before April 9, 1999, and Reply Comments are due on or before April 26, 1999.

FOR FURTHER INFORMATION CONTACT: Gene Thomson, Policy and Rules Branch, Public Safety and Private Wireless Telecommunications Bureau, (202) 418-0680.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making* ("Notice"), WT Docket No. 99-66, FCC 99-23, adopted