

version of a revision or new edition of a work. Guide 7 advises that solicitation for the sale of works not yet published should not represent that the publication has been published and should disclose that the publication is planned or contemplated and that inquiries or orders are being solicited to determine demand for the publication. Guide 8 advises against misrepresenting the jurisdictional scope of works offered for sale. Guide 9 pertains to disclosures in catalog listings describing law publications.

Guides 10–13 address practice that take place after the purchase of legal reference materials. Guide 10 pertains to subscription renewals. It advises that subscription renewal notices should not be sent to anyone who is not a current subscriber of the work, and that notices should indicate renewal numbers (i.e., first or second renewal). Guides 11 through 13 related to disclosures that should be made on publications themselves. Guide 11 advises sellers to disclose specific information identifying the publication (e.g., titles and subtitles of books and series, the edition number, original title of revised publication, authors, editors, publisher). Guide 12 warns against the use of misleading jurisdictional designations on publications. Guide 13 specifies certain disclosures that should be made on supplements (e.g., title of publication or set to which the supplement belongs, the names or authors, editors, or compilers of the publication and the supplements, and the date covered by the supplement, or the month and year of issuance of each replacement sheet).

Guide 14 pertains to upkeep services and is designed to furnish the seller and buyer with a clear understanding of what upkeep services are being ordered. Many upkeep services provides for automatic shipment of supplementation materials. The Guide advises that sellers should clearly and conspicuously disclose the provisions of such automatic upkeep services before any agreement for the purchase of legal materials is entered, that they should provide upkeep services that include only materials that are absolutely essential to make a set or series functional, and that they should not require the purchase of other, non-basic upkeep services.

Guide 15 concerns the billing process and includes recommendations regarding account management and information that should appear on invoices and billing statements. Guide 16 states that sellers should not add to a publication materials that are not substantially germane to its subject matter. Finally, Guide 17 advises

generally against misleading or deceptive representations regarding a publication or supplementation or any service offered in connection therewith.

## II. Regulatory Review Program

The Commission has determined to review all current Commission rules and guides periodically. These reviews seek information about the cost and benefits of the Commission's rules and guides and their regulatory and economic impact. The information obtained assists the Commission in identifying rules and guides that warrant modification or rescission. Therefore, the Commission solicits comments on, among other things, the economic impact of and the continuing need for the Law Book Guides; possible conflict between the Guides and state, local, or other federal laws; and the effect on the Guides of any technological, economic, or other industry changes.

## III. Request for Comment

The Commission solicits written public comment on the following questions:

(1) Is there a continuing need for the Law Book Guides?

(a) What benefits have the Guides provided to purchasers of the legal reference materials affected by the Guides?

(b) Have the Guides imposed costs on purchasers?

(2) What changes, if any, should be made to the Guides to increase the benefits of the Guides to purchasers? How would these changes affect the costs the Guides impose on firms who conform to the Guides? How would these changes affect the benefits to purchasers?

(3) What significant burdens or costs, including costs of compliance, have the Guides imposed on firms who conform to the Guides? Have the Guides provided benefits to such firms? If so, what benefits?

(4) What changes, if any, should be made to the Guides to reduce the burdens or costs imposed on firms who conform to the Guides? How would these changes affect the benefits provided by the Guides?

(5) Do the Guides overlap or conflict with other federal, state, or local laws or regulations?

(6) Since the Guides were issued, what effects, if any, have changes in relevant technology or economic conditions had on the Guides? For example, do sellers use E-mail or the Internet to promote or sell legal reference materials covered by the Guide? If so, in what manner? Does use

of this new technology affect consumers' rights or sellers' responsibilities under the Guides?

(7) Are there private industry standards addressing the practices covered by the Guides?

(8) Are there any abuses occurring in the promotion, sale, or distribution of legal reference materials covered by the Guides that are not dealt with in the Guides? If so, what mechanisms should be explored to address such abuses (e.g., consumer education, industry self-regulation, revisions to the Guides)?

## List of Subjects in 16 CFR Part 256

Advertising, Law, Trade practices.

**Authority:** 15 U.S.C. 41–58.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 99–6596 Filed 3–17–99; 8:45 am]

BILLING CODE 6750–01–M

## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 4

RIN 1515–AC35

#### Vessel Equipment Temporarily Landed for Repair

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the Customs Regulations to provide for the temporary landing in the United States of vessel equipment in need of repair, without requiring entry of that equipment under a Temporary Importation Bond (TIB). It is proposed that such equipment be permitted to be landed for repair and relading aboard the same vessel, subject to Customs issuance of a special permit or license for the landed equipment, under an International Carrier Bond. Uncertainty exists whether the relading of repaired equipment on vessels departing the United States would satisfy the TIB requirement that such merchandise be exported. The proposed amendments will eliminate this uncertainty while still allowing Customs adequate control over such unladings and ladings.

**DATES:** Comments must be received on or before May 17, 1999.

**ADDRESSES:** Written comments may be addressed to and inspected at the Regulations Branch, U.S. Customs Service, 1300 Pennsylvania Avenue, N.W., 3rd Floor, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:**  
Larry L. Burton, Office of Regulations  
and Rulings, 202-927-1287.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 446, Tariff Act of 1930, as amended (19 U.S.C. 1446), provides that vessels arriving in the United States from foreign ports may retain vessel equipment and other named items aboard without the payment of duty. The statute also provides, however, that any of the named items that are landed and delivered from such a vessel are considered and treated as imported merchandise.

The cited statute is implemented by § 4.39 of the Customs Regulations (19 CFR 4.39), paragraph (b) of which provides that any articles other than cargo or baggage that are landed for delivery for consumption in this country are treated the same as any other imported article. Articles imported for consumption into the United States are subject to merchandise entry and the payment of applicable duty.

It is Customs' view that when necessary equipment is unladed from a vessel only temporarily for the purpose of being repaired and then reladed, it is not being delivered for consumption into the commerce of the United States. It is also clear, however, that when anything is landed in the United States, Customs has the duty and responsibility to exercise sufficient control and to protect the revenue from any unlawful introduction of merchandise into the commerce of the country.

There has been a lack of uniformity in the treatment that Customs has accorded vessel equipment temporarily landed for repair and relading. Some ports have employed Temporary Importation Bond (TIB) procedures in seeking to provide the necessary mechanisms for Customs control and the protection of the revenue, but a problem exists with the use of a TIB for this purpose. While a TIB would adequately protect the revenue during the period when vessel equipment was in the United States, the bond provisions could only be satisfied and potential liability extinguished when the covered equipment was exported from the United States. Exportation is defined in § 101.1 of the Customs Regulations (19 CFR 101.1), which provides that something is exported when it is separated from the goods of this country with the intent that it be made a part of the goods belonging to some foreign country. Customs does not believe that relading vessel equipment that is intended to remain aboard that vessel meets the definition of exportation so that TIB

bond liability may be adequately terminated.

Section 4.30 of the Customs Regulations (19 CFR 4.30) provides that in all cases relevant to the present circumstances, no cargo, baggage, or other articles may be unladed from or laded upon any vessel arriving directly or indirectly from a foreign port or place, unless the Customs port director issues a permit allowing the activity (Customs Form 3171). This would provide adequate control by Customs over equipment unladings and ladings in terms of advance notice and actual knowledge.

Further, operators of vessels, or vessel agents acting in their stead, either here in place or can be required by local Customs officials to obtain International Carrier Bonds as reproduced in § 113.64, Customs Regulations (19 CFR 113.64). Paragraph (b) of that bond provision (§ 113.64(b)) obligates the bond for matters relating to the unlading, safekeeping, and disposition of merchandise, supplies, crew purchases, and other articles to be found on a vessel. This would provide adequate protection of the revenue in terms of any potential introduction of temporarily landed vessel equipment into the commerce of the United States.

This proposal would add a new paragraph (g) to § 4.39 of the Customs Regulations (19 CFR 4.39(g)) to provide that equipment of a vessel arriving either directly or indirectly from a foreign port or place, if in need of repair, may be landed temporarily in order to be repaired. Unlading and relading would be in accord with the permit provisions of § 4.30, and the appropriate International Carrier Bond would be obligated as provided under § 113.64(b).

**Comments**

Before adopting this proposal, consideration will be given to any written comments that are timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4, Treasury Department Regulations (31 CFR 1.4), and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9:00 a.m. and 4:30 p.m. at the Regulations Branch, U.S. Customs Service, 1300 Pennsylvania Avenue, N.W., 3rd Floor, Washington, D.C.

**Regulatory Flexibility Act and Executive Order 12866**

Because the proposed rule would merely provide a different method to allow vessel equipment to be

temporarily landed for repair without the payment of duty, it is certified pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that, if adopted, the proposed rule will not have a significant economic impact on a substantial number of small entities. Accordingly, it is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604. Nor does the document meet the criteria for a "significant regulatory action" as specified in E.O. 12866.

**Paperwork Reduction Act**

The collections of information contained in this notice of proposed rulemaking have been previously reviewed and approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 and assigned OMB control numbers 1515-0013 (Application-Permit-Special License, Unlading-Lading, Overtime Services (Customs Form 3171)) and 1515-0144 (Customs Bond Structure (Customs Form 301 and Customs Form 5297)). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number assigned by OMB. Although this document restates the collections of information without substantive change, comments are specifically requested concerning:

Whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

The accuracy of the estimated burden associated with the proposed collections of information (see below);

How to enhance the quality, utility, and clarity of the information to be collected;

How to minimize the burden of complying with the proposed collections of information, including the application of automated collection techniques or other forms of information technology; and

Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

The collection of information in this proposed regulation is in § 4.39. This information is required and will be used to effect the temporary unlading and lading of vessel equipment landed for repair, in order to ensure enforcement of the Customs and related laws and the

protection of the revenue. The likely respondents are business or other for-profit institutions.

*Estimated annual reporting and/or recordkeeping burden:* one hour.

*Estimated average annual burden per respondent/recordkeeper:* one hour.

*Estimated number of respondents and/or recordkeepers:* one.

*Estimated annual frequency of responses:* one.

Comments concerning suggestions for reducing the burden of the collections of information should be sent to the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, N.W., 3rd Floor, Washington, D.C. 20229. A copy should also be sent to U.S. Customs Service, Information Services Group, Attention: J. Edgar Nichols, Room 3.2-C, 1300 Pennsylvania Avenue, N.W., Washington, D.C. 20229. Comments should be submitted within the time frame that comments are due regarding the substance of the proposal.

Drafting Information: The principal author of this document was Larry L. Burton, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

#### List of Subjects in 19 CFR Part 4

Customs duties and inspection, Entry, Inspection, Merchandise, Reporting and recordkeeping requirements, Vessels.

#### Proposed Amendments to the Regulations

It is proposed to amend part 4, Customs Regulations (19 CFR part 4), as set forth below.

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. The general authority citation for part 4 as well as the specific authority citation for § 4.39 would continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1431, 1433, 1434, 1624; 46 U.S.C. App. 3, 91;  
\* \* \* \* \*

Section 4.39 also issued under 19 U.S.C. 1446;  
\* \* \* \* \*

2. It is proposed to amend § 4.39 by adding a new paragraph (g) to read as follows:

**§ 4.39 Stores and equipment of vessels and crews' effects; unloading or lading and retention on board.**  
\* \* \* \* \*

(g) Equipment of a vessel arriving either directly or indirectly from a foreign port or place, if in need of

repairs in the United States, may be unladen from and reladen upon the same vessel under the procedures set forth in § 4.30 relating to the granting of permits and special licenses on Customs Form 3171 (CF 3171). Adequate protection of the revenue is insured under the appropriate International Carrier Bond during the period that equipment is temporarily landed for repairs (see § 113.64(b) of this chapter), and so resort to the procedures established for the temporary importation of merchandise under bond is unnecessary. Once equipment which has been unladen under the terms of a CF 3171 has been reladen on the same vessel, potential liability for that transaction existing under the bond will be extinguished.

Approved: February 23, 1999.

**Raymond W. Kelly,**

*Commissioner of Customs.*

**John P. Simpson,**

*Deputy Assistant Secretary of the Treasury.*

[FR Doc. 99-6640 Filed 3-17-99; 8:45am]

BILLING CODE 4820-02-P

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[CA 210-0118; FRL-6310-8]

#### Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; South Coast Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing a limited approval and limited disapproval of a revision to the California State Implementation Plan (SIP) for the South Coast Air Quality Management District ("SCAQMD"). SCAQMD Rule 1110.2, concerns the control of oxides of nitrogen (NO<sub>x</sub>) emissions from gaseous and liquid fueled stationary and portable internal combustion engines.

The intended effect of proposing limited approval and limited disapproval of this rule is to regulate emissions of NO<sub>x</sub> in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA's final action on this proposed rule will incorporate this rule into the federally approved SIP. EPA has evaluated the rule and is proposing a simultaneous limited approval and limited disapproval under provisions of the CAA regarding EPA action on SIP submittals and general rulemaking

authority because these revisions, while strengthening the SIP, do not fully meet the CAA provisions regarding plan submissions and requirements for nonattainment areas.

**DATES:** Comments must be received on or before April 19, 1999.

**ADDRESSES:** Comments may be mailed to: Andrew Steckel, Rulemaking Office [AIR-4], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule and EPA's evaluation report of the rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule are also available for inspection at the following locations:

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765-4182

**FOR FURTHER INFORMATION CONTACT:** Ed Addison, Rulemaking Office, [AIR-4], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1160.

#### SUPPLEMENTARY INFORMATION:

##### I. Applicability

This **Federal Register** action for the South Coast Air Quality Management District excludes the Los Angeles County portion of the Southeast Desert AQMD, otherwise known as the Antelope Valley Region in Los Angeles County, which is now under the jurisdiction of the Antelope Valley Air Pollution Control District as of July 1, 1997. The rule being proposed for approval into the California SIP is South Coast Air Quality Management District (SCAQMD) Rule 1110.2, Emissions from Gaseous- and Liquid-Fueled Engines. Rule 1110.2 was submitted by the State of California to EPA on May 18, 1998.

##### II. Background

On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. The air quality planning requirements for the reduction of NO<sub>x</sub> emissions through reasonably available control technology (RACT) are set out in section 182(f) of the Clean Air Act.