

Proposed Rules

Federal Register

Vol. 64, No. 201

Tuesday, October 19, 1999

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

Control of Release of Solid Materials at Licensed Facilities: Notice of Extension of Public Comment Period on Issues Paper

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of extension of public comment period on Issues Paper.

SUMMARY: The Nuclear Regulatory Commission (NRC) is conducting an early and ongoing enhanced participatory process to consider issues and possible alternatives related to setting specific requirements on control of releases of solid materials. The NRC previously announced that the public comment period to provide early input on the issues and alternatives would end on November 15, 1999, however it is extending the comment period to December 22, 1999.

FOR FURTHER INFORMATION CONTACT: Frank Cardile; e-mail fpc@nrc.gov, telephone: (301) 415-6185; Office of Nuclear Material Safety and Safeguards, USNRC, Washington DC 20555-0001.

SUPPLEMENTARY INFORMATION: The NRC previously announced in a **Federal Register** Notice (FRN) dated June 30, 1999 (64 FR 35090), that it is considering issues and possible alternatives related to setting specific requirements on control of releases of solid materials. The FRN included an Issues Paper which describes issues and possible alternatives related to controlling the release of solid materials. The FRN also indicated that NRC is supplementing its standard rulemaking process by conducting enhanced public participatory activities to solicit early and ongoing public input, including whether the NRC should proceed with a rulemaking. This enhanced process includes four facilitated public meetings which were originally scheduled from August through November 1999, in Chicago,

San Francisco, Atlanta, and Washington, DC. It also included a request in the FRN for written or electronic comments on the Issues Paper to be submitted by November 15, 1999.

The first public meeting planned was to be held in Chicago, Illinois, on August 4 and 5, 1999. However the NRC decided to postpone the Chicago meeting and reschedule it because several stakeholder groups indicated that the short time frame between publication of the June 30, 1999, FRN and the August 4-5 meeting did not allow for adequate preparation and participation. The postponed meeting has been rescheduled for December 7-8, 8:30 am-5:00 pm, in Chicago, IL, at the Palmer House Hilton, 17 East Monroe Street.

To coincide with the rescheduling of the Chicago meeting, the NRC is extending the period for submittal of written and electronic comments until December 22, 1999.

Dated at Rockville, Maryland, this 13th day of October 1999.

For the Nuclear Regulatory Commission.

Catherine Haney,

Acting Chief, Rulemaking and Guidance Branch, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 99-27208 Filed 10-18-99; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Federal Housing Enterprise Oversight

12 CFR Part 1750

RIN 2550-AA02

Risk-Based Capital

AGENCY: Office of Federal Housing Enterprise Oversight, HUD.

ACTION: Proposed rule; extension of public comment period for the second notice of proposed rulemaking.

SUMMARY: On April 13, 1999, the Office of Federal Housing Enterprise Oversight (OFHEO) published a notice of proposed rulemaking (NPR) entitled "Risk-Based Capital" in the **Federal Register** (64 FR 18083). This notice, known as NPR 2, is the second such proposal related to the development of

a regulation to establish risk-based capital standards for the Federal Home Loan Mortgage Corporation (Freddie Mac) and the Federal National Mortgage Association (Fannie Mae). NPR 2 sets forth the specifications for the risk-based capital stress test, completing OFHEO's risk-based capital proposal.

On June 14, 1999, OFHEO issued a notice granting earlier requests to extend the comment period on NPR 2 from August 11, 1999 to November 10, 1999. OFHEO has recently received additional requests to extend the comment period beyond November 10, 1999. Those requesting another extension to the comment period state that they need additional time to replicate and analyze the stress test and to understand the test as applied to a variety of possible starting points.

OFHEO is extending the comment period for NPR 2 from November 10, 1999 to March 10, 2000. This decision is based on OFHEO's recognition that the commenters need additional time to replicate the stress test and analyze the proposal. This extension will insure that all interested parties have ample opportunity to participate in the rulemaking process by providing meaningful comment on the various technical and policy issues involved in the development of the risk-based capital regulation.

DATES: The comment period is extended until March 10, 2000.

ADDRESSES: Send written comments to Anne E. Dewey, General Counsel, Office of General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW., Fourth Floor, Washington, DC 20552. Written comments may also be sent by electronic mail to RegComments@OFHEO.gov.

FOR FURTHER INFORMATION CONTACT: Patrick J. Lawler, Director of Policy Analysis and Chief Economist; David J. Pearl, Director, Research, Analysis and Capital Standards; or Gary L. Norton, Special Counsel to the Director, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW., Fourth Floor, Washington, DC 20552, telephone (202) 414-3800 (not a toll-free number). The telephone number for the Telecommunications Device for the Deaf is (800) 877-8339.

Dated: October 13, 1999.

Armando Falcon,

Director, Office of Federal Housing Enterprise Oversight.

[FR Doc. 99-27179 Filed 10-18-99; 8:45 am]

BILLING CODE 4220-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter 1

[Docket No. FAA-1999-6342]

Occupational Safety and Health Issues for Airline Employees

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The FAA prescribes and enforces standards and regulations affecting occupational safety and health with respect to U.S.-registered civil aircraft in operation. These regulatory responsibilities directly and completely encompass the safety and health aspects of the work environment of aircraft crewmembers. However, the FAA has not promulgated specific regulations that address all employee safety and health issues associated with working conditions on aircraft. The FAA will hold a public meeting on December 10, 1999, to gather information on issues that have not been previously regulated. If the results of the review suggest that specific regulations should be adopted in response to occupational safety and health issues for airline employees, the changes will be proposed through the regulatory process.

DATES: The public meeting will be on December 10, 1999, in Washington, DC. The meeting will begin at 9 a.m. Persons not able to attend a meeting are invited to provide written comments, which must be received on or before March 8, 2000.

ADDRESSES: The public meeting will be held at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591 in the 3rd floor auditorium. Persons unable to attend the meeting may mail their comments in duplicate to: U.S. Department of Transportation Dockets, Docket No. FAA-1999-6342, 400 Seventh Street, SW., Plaza Room 401, Washington, DC 20590. Comments also may be sent electronically to the Dockets Management System (DMS) at the following Internet address: <http://dms.dot.gov/> at anytime. Commenters who wish to file comments

electronically, should follow the instructions on the DMS web site.

Comments may be filed and/or examined at the Department of Transportation Dockets, Plaza Room 401 between 10 a.m. and 5 p.m. weekdays except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Requests to present a statement at the meeting or questions regarding the logistics of the meeting should be directed to Ms. Cindy Nordlie, Federal Aviation Administration, Office of Rulemaking, ARM-108, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7627; fax (202) 267-5075.

Questions concerning the subject matter of the meeting should be directed to Mr. Gene Kirkendall, Federal Aviation Administration, Flight Standards Service, AFS-220, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7701; fax (202) 267-5229.

SUPPLEMENTARY INFORMATION:

Background

In a 1975 **Federal Register** notice (40 FR 29114, July 10, 1975), the Federal Aviation Administration (FAA) stated that pursuant to its complete and exclusive responsibility for the regulation of the safety of civil aircraft, the FAA prescribes and enforces standards and regulations affecting occupational safety or health with respect to U.S.-registered civil aircraft in operation. (An aircraft was described as "in operation" from the time it is first boarded by a crewmember, preparatory to a flight, to the time the last crewmember leaves the aircraft after completion of that flight, including stops on the ground during which at least one crewmember remains on the aircraft, even if the engines are shut down.) The FAA added that, with respect to civil aircraft in operation, these regulatory responsibilities directly and completely encompass the safety and health aspects of the work environment of aircraft crewmembers. The FAA stated that aircraft design and operational factors are indivisible from occupational safety or health factors insofar as they affect the workplace of those crewmembers and that aircraft design and operational problems affecting the flight safety of crewmembers necessarily affect their occupational safety or health. The FAA also noted that regulatory solutions to these problems necessarily involve practices, means, methods, operations, or processes needed to control the workplace environment of aircraft crewmembers.

In the notice, the FAA stated that it had issued numerous regulations directly affecting the workplace of pilots, flight engineers, flight attendants, and other persons whose workplace is on an aircraft in operation. Such regulations included aircraft performance and structural integrity, safety equipment for emergency ditching and evacuation, fire protection, protective breathing rescue aids, and emergency exits used by crewmembers. Other regulations affecting the crewmember workplace have addressed cockpit lighting, crewmember seat belts, toxicity and other characteristics of materials in the crewmember workplace, noise reduction, smoke evacuation, ventilation, heating, and pressurization.

The FAA is now reviewing its regulatory oversight of occupational safety and health issues for airline employees. If the results of the review suggest that specific regulation of areas involving occupational safety and health issues is appropriate for airline employees, the changes would be proposed through the regulatory process.

The FAA considered a number of alternative approaches to occupational safety and health concerns. During a preliminary review, the FAA considered delegating certain areas of responsibility to the Occupational Safety and Health Administration (OSHA), similar to what was developed by the Federal Railroad Administration in 1978. However, the FAA has determined that this would be impractical for several reasons including: (1) State OSHA requirements can be more protective than Federal OSHA requirements and can vary among states, resulting in multiple standards; (2) current OSHA requirements were not developed for aircraft in operation; and (3) OSHA's jurisdiction is limited to the United States and therefore would not apply to international operations. The FAA also considered voluntary programs by airlines, but questions whether voluntary programs would be adequate because there would not be standardization among the airlines regarding occupational safety and health issues.

Specific Issues for Public Comment

There are several specific issues on which the FAA seeks comment at the public meeting. These key issues are intended to help focus public comments on areas about which information is needed by the FAA in completing its review of the occupational safety and health issues for airline employees. The comments at the meeting need not be