

(OMB) has determined that this final rule is a significant regulatory action. Accordingly, it was submitted to OMB for review. Changes made in response to OMB suggestions or recommendations will be documented in the public record. This final rule is not economically significant, as it is not likely to result in an annual effect on the economy of \$100 million or more. It is also not considered a major rule for purposes of Congressional review under Pub. L. 104–121. Finally, it is not significant under the Regulatory Policies and Procedures of the Department of Transportation (44 FR 11034, February 26, 1979).

Under Executive Order 12866 and the Department of Transportation Regulatory Policies, Pub. L. 104–121, the costs associated with this rule are so minimal that further analysis is not necessary. This final rule should result in a net economic benefit, as it reduces the number of prohibited countries, from fourteen (14) in MARAD's current list, to six (6) on the current Country Group E list, which functionally lifts a restraint on trade in the marketplace. In addition, this rule will result in administrative efficiencies, as it will obviate the need for further rulemakings to keep the list of prohibited countries in MARAD's regulations congruent with the Country Group E list.

#### Administrative Procedure Act

The Administrative Procedure Act (5 U.S.C. 553) provides an exception to notice and comment procedures when they are unnecessary or contrary to the public interest. MARAD finds that under 5 U.S.C. 553(b)(3)(B), good cause exists for not providing notice and comment since this final rule is ministerial and merely implements a recognized list of prohibited countries, with no issues of policy discretion. Accordingly, opportunity for public comment is unnecessary. Under 5 U.S.C. 553(d)(3), MARAD finds that, for the same reasons listed above, good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

#### Federalism

We analyzed this final rule in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism") and have determined that it does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. The regulations have no substantial effects on the States, the current Federal-State relationship, or the current distribution of power and responsibilities among

local officials. Therefore, consultation with State and local officials was not necessary.

#### Executive Order 13175

MARAD does not believe that this final rule will significantly or uniquely affect the communities of Indian tribal governments when analyzed under the principles and criteria contained in Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments). Therefore, the funding and consultation requirements of this Executive Order do not apply.

#### Regulatory Flexibility

The Maritime Administrator certifies that this final rule will not have a significant economic impact on a substantial number of small entities. Although there may be a substantial number of small business vessel owners who may desire to transfer their vessels to the foreign registry of a prohibited country, the economic impact will not be significant because under U.S. foreign policy, the vessel owners may not participate in trade activities with these prohibited countries.

#### Environmental Assessment

We have analyzed this final rule for purposes of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and have concluded that under the categorical exclusions provision in section 4.05 of Maritime Administrative Order (MAO) 600–1, "Procedures for Considering Environmental Impacts," 50 FR 11606 (March 22, 1985), neither the preparation of an Environmental Assessment, an Environmental Impact Statement, nor a Finding of No Significant Impact for this rulemaking is required. This rulemaking has no environmental impact.

#### Paperwork Reduction Act

This rulemaking contains no new or amended information collection or recordkeeping requirements that have been approved or require approval by the Office of Management and Budget.

#### Unfunded Mandates Reform Act of 1995

This final rule will not impose an unfunded mandate under the Unfunded Mandates Reform Act of 1995. It will not result in costs of \$100 million or more, in the aggregate, to any of the following: State, local, or Native American tribal governments, or the private sector. This final rule is the least burdensome alternative that achieves this objective of U.S. policy.

#### List of Subjects in 46 CFR Part 221

Administrative practice and procedure, Maritime carriers, Mortgages, Penalties, Reporting and recordkeeping requirements, Trust and trustees.

■ For the reasons set forth in the preamble, 46 CFR part 221 is amended as follows:

#### PART 221—[AMENDED]

■ 1. The authority citation for part 221 continues to read as follows:

**Authority:** 46 App. U.S.C. 802, 803, 808, 835, 839, 841a, 1114(b), 1195; 46 U.S.C. chs. 301 and 313; 49 U.S.C. 336; 49 CFR 1.66.

#### § 221.13 [Amended]

■ 2. Section 221.13 is amended in paragraph (a)(4) by removing the words "an entity within the geographic area formerly known as the Union of Soviet Socialist Republics, Latvia, Lithuania, Estonia, Libya, Iraq, Bulgaria, Albania, North Korea, Laos, Cambodia, Mongolian Peoples Republic, Vietnam, or Cuba," and by inserting in their place the words "an entity within any country listed by the Department of Commerce in 15 CFR part 740, Supplement 1, Country Group E".

By Order of the Maritime Administrator.

Dated: September 2, 2004.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 04–20321 Filed 9–7–04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Part 192

[Docket No. RSPA–02–13208]

RIN 2137–AD01

#### Pipeline Safety: Pressure Limiting and Regulating Stations

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Confirmation of effective date of direct final rule.

**SUMMARY:** In the May 17, 2004, issue of the **Federal Register**, the Research and Special Programs Administration's Office of Pipeline Safety (RSPA/OPS) published a direct final rule that removed an unintended impact of regulations on pressure limiting and regulating stations. The direct final rule modified pressure limits that could have required a reduction in the operating pressure of certain pipelines and been impracticable for other pipelines to

meet. The present document confirms the effective date of that direct final rule.

**EFFECTIVE DATES:** The direct final rule published May 17, 2004 (69 FR 27861), goes into effect October 8, 2004.

**FOR FURTHER INFORMATION CONTACT:** L.M. Furrow by phone at 202-366-4559, by fax at 202-366-4566, by mail at U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, or by e-mail at [buck.furrow@rspa.dot.gov](mailto:buck.furrow@rspa.dot.gov).

**SUPPLEMENTARY INFORMATION:** On May 17, 2004, RSPA/OPS published a direct final rule titled "Pipeline Safety: Pressure Limiting and Regulating Stations" (69 FR 27861). In the direct final rule, RSPA/OPS stated that if it did not receive an adverse comment, as defined in 49 CFR 190.339(c),<sup>1</sup> or notice of intent to file an adverse comment by July 16, 2004, it would publish a confirmation document to announce that the direct final rule would go into effect on September 14, 2004, or at least 30 days after the confirmation document is published, whichever is later.

As of July 16, 2004, only one person, Barb Sachau, submitted a comment on the direct final rule. Ms. Sachau exhorted RSPA/OPS to ensure pipelines are truly safe by adopting additional standards and hiring experts. Because Ms. Sachau addressed pipeline safety in general and did not speak specifically about the direct final rule, we do not consider her comment to be an adverse comment under 49 CFR 190.339(c). Therefore, by this document, we are confirming that the direct final rule will go into effect on October 8, 2004.

Issued in Washington, DC, on August 30, 2004.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*  
[FR Doc. 04-20262 Filed 9-7-04; 8:45 am]

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<sup>1</sup> An adverse comment is one which explains why the rule would be inappropriate, including a challenge to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. Comments that are frivolous or insubstantial will not be considered adverse under this procedure. A comment recommending a rule change in addition to the rule will not be considered an adverse comment, unless the commenter states why the rule would be ineffective without the additional change.

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 00-7145; Notice 3]

RIN No. 2127-AH61

#### Federal Motor Vehicle Safety Standards; Head Impact Protection; Correction

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Correcting amendment.

**SUMMARY:** On February 27, 2004, the National Highway Traffic Safety Administration (NHTSA) published a final rule amending the upper interior impact requirements of the Federal motor vehicle safety standard on occupant protection in interior impact to increase the minimum separation distance between tested areas on vertical surfaces of a motor vehicle. The final rule also added targets for pillar-like structures that do not meet the definition of "pillar," i.e., certain door frames and freestanding vertical seat belt mounting structures. The amendments adding the new targets necessitated changes to certain compliance test requirements, including the approach angles specified for certain target locations. The effective date of these amendments was August 25, 2004.

This document corrects several typographical errors in the amendatory language contained in the February 27, 2004 final rule.

**DATES:** These amendments are effective August 25, 2004.

**FOR FURTHER INFORMATION CONTACT:** The following persons at the NHTSA, 400 Seventh Street, SW., Washington, DC 20590.

For non-legal issues, you may call Dr. William Fan, Office of Crashworthiness Standards, at (202) 366-4922.

For legal issues, you may call George Feygin, Office of the Chief Counsel, at (202) 366-5834.

**SUPPLEMENTARY INFORMATION:** On February 27, 2004, NHTSA published a final rule (69 FR 9226) amending Federal Motor Vehicle Safety Standard

201 "Occupant protection in interior impact." The amendments made two principal changes to the Standard. One of these changed the method used to determine the appropriate distance for excluding impacts on adjacent targets to prevent impact overlap. The second modified the Standard to add test targets to seat belt mounting structures and door frames for certain vehicle configurations. The addition of the new targets required adding new specifications for the new targets to the list of approach angles set forth in S8.13.4.

Further review of the February 27, 2004 final rule indicates that the amendatory instructions issued at that time were incomplete and did not properly describe the changes to the Standard. Those instructions failed to correctly specify that revisions were being made to S8.13.4 and the accompanying Table 1. In addition, the amendatory language failed to identify that revisions were being made to S8.13.4.2(b)(2) by indicating that revisions were being made to S8.13.4.2(b).

In FR Doc. 04-4277 published on February 27, 2004, (69 FR 9217) make the following correction:

#### PART 571—[CORRECTED]

■ On page 9226, in the second column, correct amendatory instruction 2 to read as follows:

■ 2. Section 571.201 is amended by revising the definition of B-pillar in S3 and adding, in alphabetical order, definitions of B-pillar, Door frame, Other door frame, and Seat belt mounting structure to S3; by adding S6.3(e) and SB.13.4.1(e) through (h); revising the introductory text and Table 1 of S8.13.4, S8.13.4.2(b)(2), S8.14, and S10(a) through (b); and by adding S10.14, S10.15 and S10.16 to read as follows:

Issued: August 31, 2004.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*  
[FR Doc. 04-20261 Filed 9-7-04; 8:45 am]

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