

II. Public Record

EPA has established a public record for this rulemaking under docket number OPPTS-40029. The record includes the information considered by EPA in evaluating the requested modifications. The record is available for inspection from 12:00 noon to 4 p.m., Monday through Friday, excluding legal holidays, in the TSCA Nonconfidential Information Center, U.S. EPA, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

III. Regulatory Assessment Requirements

A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), it has been determined that this action is not "significant" pursuant to the terms of this Executive Order because the modifications to the subject testing actions do not impose any additional requirements on the public. This action is therefore not subject to review by the Office of Management and Budget (OMB).

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), I hereby certify that this action will not have a significant economic impact on a substantial number of small entities because the modifications do not significantly alter the scope of a test or significantly change the schedule for its completion and because these modifications were made at the request of a member of the regulated community.

C. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. This rule does not impose any Federal mandates on any State, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995.

D. Paperwork Reduction Act

The information collection requirements associated with this rule have been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et. seq. and have been assigned OMB control number 2070-0033 (EPA ICR No. 1139). EPA has determined that this rule does not change existing recordkeeping or reporting requirements nor does it

impose any additional recordkeeping or reporting requirements on the public.

E. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), EPA submitted 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 General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 799
Environmental protection, Chemicals, Chemical export, Hazardous substances, Recordkeeping and Reporting Requirements, Testing.

Dated: June 28, 1996.

Lynn R. Goldman,
Assistant Administrator for Prevention,
Pesticides and Toxic Substances.

Therefore, 40 CFR part 799 is amended as follows:

PART 799—[AMENDED]

1. The authority citation for part 799 continues to read as follows:

Authority: 15 U.S.C. 2603, 2611, 2625.

2. In § 799.5075 by revising paragraphs (c)(1)(ii)(A) and (d) to read as follows:

§ 799.5075 Drinking Water Contaminants Subject to Testing.

*	*	*	*
*			
(c) *	*	*	
(1) *	*	*	
(ii) *	*	*	(A) Each subacute

test shall be completed and the final report submitted to EPA within 12 months of the date specified in paragraph (d)(1) of this section, except for 1,1,2,2-tetrachloroethane. The subacute testing for 1,1,2,2-tetrachloroethane shall be completed and the final report submitted to EPA by December 15, 1995.

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(d) *Effective date.* (1) This section is effective on December 27, 1993 except for paragraphs (a)(1), (a)(2), (c)(1)(i)(A), (c)(1)(ii)(A), (c)(1)(ii)(B), (c)(2)(i)(A), and (c)(2)(ii)(A). The effective date for paragraphs (a)(2), (c)(1)(ii)(B) and (c)(2)(ii)(A) is September 29, 1995. The effective date for paragraphs (a)(1),

(c)(1)(i)(A), and (c)(2)(i)(A) is February 27, 1996. The effective date for paragraph (c)(1)(ii)(A) is July 19, 1996.

(2) The guidelines and other test methods cited in this section are referenced as they exist on the effective date of the final rule.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 1820

[WO-420-4191-02-24 1A]

RIN 1004-AC41

Application Procedures, Execution and Filing of Forms: Correction of State Office Addresses for Filings and Recordings, Proper Offices for Recording of Mining Claims

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: This administrative final rule amends the regulations pertaining to execution and filing of forms in order to reflect the new address of the California State Office of the Bureau of Land Management (BLM), which moved in June 1996. All filings and other documents relating to public lands in California must be filed at the new address of the State Office.

EFFECTIVE DATE: July 19, 1996.

FOR FURTHER INFORMATION CONTACT: Ted Hudson, (202) 452-5042.

SUPPLEMENTARY INFORMATION: This administrative final rule reflects the administrative action of changing the address of the California State Office of BLM. It changes the address for the filing of documents relating to public lands in California, but makes no other changes in filing requirements. Therefore, this amendment is published as a final rule with the effective date shown above.

Because this final rule is an administrative action to change the address for one BLM State Office, BLM has determined that it has no substantive impact on the public. It imposes no costs, and merely updates a list of addresses included in the Code of Federal Regulations for the convenience of the public. The Department of the Interior, therefore, for good cause finds under 5 U.S.C. 553(b)(B) and 553(d)(3) that notice and public procedure thereon are unnecessary and that this rule may take effect upon publication.

Because this final rule is a purely administrative regulatory action having no effects upon the public or the environment, it has been determined that the rule is categorically excluded from review under Section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

This rule was not subject to review by the Office of Management and Budget under Executive Order 12866.

As required by Executive Order 12630, the Department of the Interior has determined that the rule would not cause a taking of private property. No private property rights would be affected by a rule that merely reports address changes for BLM State Offices. The Department therefore certifies that this proposed rule does not represent a governmental action capable of interference with constitutionally protected property rights.

Further, the Department has determined under the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*) that it will not have a significant economic impact on a substantial number of small entities. Reporting address changes for BLM State Offices will not have any economic impact whatsoever.

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

BLM has determined that this rule is not significant under the Unfunded Mandates Reform Act of 1995, because it will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year. Further, this rule will not significantly or uniquely affect small governments.

List of Subjects in 43 CFR Part 1820

Administrative practice and procedure, Application procedures, Execution and filing of forms, Bureau offices of record.

Under the authority of section 2478 of the Revised Statutes (43 U.S.C. 1201), and 43 U.S.C. 1740, subpart 1821, part 1820, group 1800, subchapter A, chapter II of title 43 of the Code of Federal Regulations is amended as set forth below:

PART 1820—APPLICATION PROCEDURES

Subpart 1821—Execution and Filing of Forms

1. The authority citation for part 1820 continues to read as follows:

Authority: R.S. 2478, 43 U.S.C. 1201; 43 U.S.C. 1740, unless otherwise noted.

2. Section 1821.2–1(d) is amended by revising the location and address of the Bureau of Land Management State Office in California to read:

§ 1821.2–1 Office hours; place for filing.

* * * * *

(d) * * *

STATE OFFICE AND AREA OF JURISDICTION

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California State Office, 2135 Butano Dr.,
Sacramento, CA 95825–0451—California
* * * * *

Dated: July 2, 1996.

Sylvia V. Baca,

Deputy Assistant Secretary of the Interior.

[FR Doc. 96–18337 Filed 7–18–96; 8:45 am]

BILLING CODE 4310–84–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 62

RIN 3067–AC26

National Flood Insurance Program; Assistance to Private Sector Property Insurers

AGENCY: Federal Insurance Administration (FIA), Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This final rule amends National Flood Insurance Program (NFIP) regulations establishing the Financial Assistance/Subsidy Arrangement that may be entered into by and between the Administrator and private sector insurers under the Write Your Own (WYO) program. The amendments: (1) Simplify the Arrangement by streamlining the format; (2) reflect recent policy changes regarding loss adjustment and financial operation of the private insurers in the WYO program; and (3) delete references to obsolete operating manuals and handbooks. The amendments also improve the flexibility of the Arrangement and provide information to permit WYO participants to discharge their responsibilities for underwriting, claims adjustment, and financial control procedures established by the Federal Insurance Administration.

EFFECTIVE DATE: October 1, 1996.

FOR FURTHER INFORMATION CONTACT: Edward T. Pasterick, Federal Emergency Management Agency, Federal Insurance Administration, 500 C Street SW., Washington, DC 20472, (202) 646–3443.

SUPPLEMENTARY INFORMATION: On April 3, 1996, FEMA published in the Federal Register, 61 FR 14709, a proposed rule to amend NFIP regulations establishing the Financial Assistance/Subsidy Arrangement that may be entered into by and between the Administrator and private sector insurers under the WYO program.

FEMA received two sets of written comments on the proposed rule. The comments were submitted by two separate Write Your Own companies.

One company expressed concerns over seven (7) issues in the Arrangement. The first concern questioned the Arrangement's incentive system, i.e., adjusting the percentage of retained premium relative to the Company's performance in achieving production goals. The proposed Arrangement provides a minimum of 30.6% of premium income to be retained by a WYO Company for operating and administrative expenses, including marketing expenses. When a WYO company achieves its production or marketing goals, the amount of retained premium income increases from the minimum of 30.6% up to a maximum of 32.6%. The commenter felt that such a provision was punitive and amounted to a retroactive penalty since the marketing goals are tied to the retention of current policies as well as the production of new business.

First of all, the amount of premium income retained by a WYO company (32.6%) includes allowances for marketing activities. Therefore, it is not unreasonable to condition a portion of the retained premium on the success of such marketing activities. Secondly, the unprecedented growth in the number of flood insurance policies during the last two years as a result of this very incentive system is a compelling reason to continue it under the Arrangement. Thirdly, the marketing goals are tied to retention of current policies only to the extent that such policies leave the NFIP entirely. If they go from one WYO company to another, the loss does not adversely affect the first company's goals. Furthermore, policy retention is a commonly accepted component of marketing strategies. In sum, the principle of relating financial incentives to performance is simply a sound business practice and has been retained in the Arrangement.

The commenter expressed a related concern that a standard percentage is unfair to larger companies that carry more policies on their book of business. FEMA has retained the same percentage for all companies participating in the WYO program for the current Arrangement believing that a consistent