



Federal Register

**Monday,
April 24, 2000**

Part LV

Federal Maritime Commission

Semiannual Regulatory Agenda

FEDERAL MARITIME COMMISSION (FMC)

FEDERAL MARITIME COMMISSION

46 CFR Ch. IV

Unified Regulatory Agenda

AGENCY: Federal Maritime Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: Pursuant to section 4(b) of E.O. 12866 and the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Commission anticipates having under consideration, during the period from April 1, 2000, to March 31, 2001, actions in the areas listed below.

FOR FURTHER INFORMATION CONTACT: For further information concerning

Commission rulemaking proceedings or the status of any matter listed below, contact: Bryant L. VanBrakle, Secretary, 800 North Capitol Street NW., Washington, DC 20573, (202) 523-5725.

SUPPLEMENTARY INFORMATION: Section 602 of the Regulatory Flexibility Act (5 U.S.C. 602) requires the publication of an agenda of items for which regulatory agencies may propose or promulgate a rule which is likely to have a significant economic impact on a substantial number of small entities. Section 4(b) of Executive Order 12866 also requires agencies to publish a regulatory agenda. The agendas include information on regulatory activities being conducted or

reviewed during the succeeding 12 months by the Commission.

The following is the Commission's unified regulatory agenda. The agenda does not necessarily include all petitions for rulemakings that are under staff review.

In addition, the Commission maintains a compilation of the status of pending rulemaking proceedings and a listing of rules that have become final since the publication of the most recent regulatory agenda. This will be made available to the public, including the press and interested persons.

Bryant L. VanBrakle,
Secretary.

Federal Maritime Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4231	The Content of Ocean Common Carrier and Marine Terminal Operator Agreements Subject to the Shipping Act of 1984 (Docket No. 99-13)	3072-AC11

Federal Maritime Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4232	Ocean Common Carriers Subject to the Shipping Act of 1984 (Docket No. 99-10)	3072-AC09

Federal Maritime Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4233	Coloading Practices and Possible Section 16 Exemption for Coloading (Docket Nos. 93-22 and 94-26)	3072-AB75
4234	Financial Responsibility Requirements for Nonperformance of Transportation and Inquiry Into Alternative Forms (Docket No. 94-06; Further Notice of Proposed Rulemaking)	3072-AB80
4235	Port Restrictions and Requirements in the United States/Japan Trade (Docket No. 96-20)	3072-AB97

Federal Maritime Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4236	In the Matter of a Single Individual Contemporaneously Acting as the Qualifying Individual for Both an Ocean Freight Forwarder and a Non-Vessel-Operating Common Carrier (Docket No. 99-23)	3072-AC12

FEDERAL MARITIME COMMISSION (FMC)

Proposed Rule Stage

4231. THE CONTENT OF OCEAN COMMON CARRIER AND MARINE TERMINAL OPERATOR AGREEMENTS SUBJECT TO THE SHIPPING ACT OF 1984 (DOCKET NO. 99-13)**Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC app 1701 et seq; PL 105-258**CFR Citation:** 46 CFR 535**Legal Deadline:** None**Abstract:** The FMC is issuing this Inquiry to solicit comments concerning the appropriate content of agreements filed with the Commission pursuant to

the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act of 1998. The comments received will assist the Commission in preparing a proposal to update or refine the existing content standards.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	08/03/99	64 FR 42057
Inquiry Comment Period End	10/04/99	
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Austin L. Schmitt, Director, Bureau of Trade Analysis, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

Phone: 202 523-5796

Email: austins@fmc.gov

RIN: 3072-AC11

FEDERAL MARITIME COMMISSION (FMC)

Final Rule Stage

4232. OCEAN COMMON CARRIERS SUBJECT TO THE SHIPPING ACT OF 1984 (DOCKET NO. 99-10)**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 553; 21 USC 862; 31 USC 9701; 46 USC app 1701 to 1710; 46 USC app 1712; PL 105-258; PL 105-383; 46 USC app 1714 to 1718**CFR Citation:** 46 CFR 515; 46 CFR 520; 46 CFR 530; 46 CFR 535**Legal Deadline:** None**Abstract:** The FMC proposes to amend its regulations implementing the

Shipping Act of 1984 to clarify the definition of "ocean common carrier" to reflect the Commission's current interpretation of the term. As a result, only ocean common carriers that operate vessels in at least one U.S. trade will be subject to these rules.

Timetable:

Action	Date	FR Cite
NPRM	06/25/99	64 FR 34183
NPRM Comment Period End	08/24/99	
Final Action	04/00/00	
Final Action Effective	04/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Thomas Panebianco, General Counsel, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

Phone: 202 523-5740

Email: thomas_p@fmc.gov

RIN: 3072-AC09

FEDERAL MARITIME COMMISSION (FMC)

Long-Term Actions

4233. COLOADING PRACTICES AND POSSIBLE SECTION 16 EXEMPTION FOR COLOADING (DOCKET NOS. 93-22 AND 94-26)**Priority:** Substantive, Nonsignificant**CFR Citation:** 46 CFR 520.11**Timetable:**

Action	Date	FR Cite
NPRM	11/24/93	58 FR 62077
NPRM Comment Period End	03/11/94	59 FR 5974
Notice of Inquiry (Docket No. 94-26)	11/09/94	59 FR 55826
Comment Period End for NOI (Docket No. 94-26)	12/27/94	
NOI Comment Period Extended to 01/23/95	12/28/94	59 FR 66880
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Thomas Panebianco
Phone: 202 523-5740
Email: thomas_p@fmc.gov**RIN:** 3072-AB75**4234. FINANCIAL RESPONSIBILITY REQUIREMENTS FOR NONPERFORMANCE OF TRANSPORTATION AND INQUIRY INTO ALTERNATIVE FORMS (DOCKET NO. 94-06; FURTHER NOTICE OF PROPOSED RULEMAKING)****Priority:** Other Significant**CFR Citation:** 46 CFR 540.5; 46 CFR 540.9**Timetable:**

Action	Date	FR Cite
NPRM	03/31/94	59 FR 15149
NPRM Comment Period End	05/02/94	
Comment Period Extended to	06/10/94	59 FR 23182
Comment Period Extended to	06/24/94	59 FR 30567
Notice of Inquiry (Docket No. 94-21)	10/14/94	59 FR 52133
Clarification of Notice of Inquiry	11/02/94	59 FR 54878
Comment Period End for Notice of Inquiry	11/28/94	59 FR 52133
Further NPRM (Docket No. 94-06)	06/26/96	61 FR 33059
Discontinuance of Proceeding for Docket No. 94-21	07/03/96	61 FR 39940
Further NPRM Comment Period End	08/26/96	61 FR 33059

FMC

Long-Term Actions

Comment Period 09/25/96 61 FR 43209
 Extended to
 Comment Period 10/15/96 61 FR 50265
 Extended to
 Final Action To Be Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sandra L. Kusumoto
 Phone: 202 523-5787
 Email: sandrak@fmc.gov

RIN: 3072-AB80

4235. PORT RESTRICTIONS AND REQUIREMENTS IN THE UNITED STATES/JAPAN TRADE (DOCKET NO. 96-20)

Priority: Other Significant

CFR Citation: 46 CFR 551

Timetable:

Action	Date	FR Cite
NPRM	11/13/96	61 FR 58160
Comment Period Extended to 01/20/97	12/27/96	61 FR 68200
NPRM Comment Period End	01/13/97	
Final Rule - Report Due 08/26/1999 and Every 180 Days Thereafter	03/04/97	62 FR 9696
Final Rule Effective	04/14/97	
Status Reports and Comments Due 08/05/97	04/16/97	62 FR 18433
Amendment to Final Rule	04/16/97	62 FR 18532
Final Rule Effectiveness Extended to 09/04/97	04/16/97	62 FR 18533

Status Reports and Comments Due 04/16/97

07/01/97

Amendment to Final Rule - Denial of Petition 10/20/97 62 FR 54396

Final Rule Effectiveness Suspended 11/19/97 62 FR 61648
 11/13/97

Final Rule Removed 06/07/99 64 FR 30245

Final Rule Removed 06/07/99

Effective

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Thomas Panebianco
 Phone: 202 523-5740
 Email: thomas__p@fmc.gov

RIN: 3072-AB97

FEDERAL MARITIME COMMISSION (FMC)

Completed Actions

4236. • IN THE MATTER OF A SINGLE INDIVIDUAL CONTEMPORANEOUSLY ACTING AS THE QUALIFYING INDIVIDUAL FOR BOTH AN OCEAN FREIGHT FORWARDER AND A NON-VESSEL-OPERATING COMMON CARRIER (DOCKET NO. 99-23)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553; 31 USC 9701; 46 USC app 1702; 46 USC app 1707; 46 USC app 1709 to 1710; ...

CFR Citation: 46 CFR 515.2; 46 CFR 515.11

Legal Deadline: None

Abstract: The Federal Maritime Commission is amending its regulations pertaining to the licensing requirements of ocean transportation intermediaries in accordance with the Shipping Act of 1984, as modified by the Ocean Shipping Reform Act of 1998.

Timetable:

Action	Date	FR Cite
NPRM	02/14/00	65 FR 7335
NPRM Comment Period End	02/28/00	
Final Rule	03/22/00	65 FR 15252
Final Rule Effective	03/22/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sandra L. Kusumoto, Director, Bureau of Consumer Complaints & Licensing, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

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RIN: 3072-AC12

[FR Doc. 00-5322 Filed 04-21-00; 8:45 am]

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