

Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This action will be effective April 11, 2005.

#### List of Subjects in 40 CFR Part 271

Environmental protection,  
Administrative practice and procedure,  
Confidential business information,  
Hazardous material transportation,  
Hazardous waste, Indians lands,  
Intergovernmental relations, Penalties,  
Reporting and recordkeeping  
requirements.

**Authority:** This action is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: January 18, 2005.

A. Stanley Meiburg,

Deputy Regional Administrator, Region 4.

[FR Doc. 05-2457 Filed 2-8-05; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1, 2, and 25

[IB Docket No. 99-67; FCC 03-283]

#### Implement the Global Mobile Personal Communications by Satellite (GMPCS) Memorandum of Understanding and Arrangements

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** The Commission adopted new rules and policies pertaining to portable Global Mobile Personal Communications by Satellite (GMPCS) transceivers, *i.e.*, satellite telephones and other portable transceivers operated by end users for communication via direct radio links with satellites. These devices are used for both voice and data communication and may be used for internet access or other modes of broadband communication. Certain rules contained new information

collection requirements and were published in the **Federal Register** on February 6, 2004. This document announces the effective date of these published rules.

**DATES:** The amendments to 47 CFR 1.1307, 2.1033, 2.1204, 25.129 and 25.132 published at 69 FR 5707, February 6, 2004, became effective on March 8, 2004.

**FOR FURTHER INFORMATION CONTACT:** William Bell, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554, (202) 418-0741 or via the Internet at [William.Bell@fcc.gov](mailto:William.Bell@fcc.gov).

**SUPPLEMENTARY INFORMATION:** On July 22, 2004, the Office of Management and Budget (OMB) approved the information collection requirements contained in 47 CFR 1.1307, 2.1033, 2.1204, 25.129 and 25.132 pursuant to OMB Control No. 3060-1063. Accordingly, the information collection requirements contained in these rules became effective on March 8, 2004.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-2503 Filed 2-8-05; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 15

[ET Docket No. 98-153; FCC 04-285]

#### Ultra-Wideband Transmission Systems

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document responds to two petitions for reconsideration that were filed in response to the Commission's decision to establish regulations for unlicensed ultra-wideband ("UWB") operation. It also responds to the rule making proposals contained in the *Memorandum Opinion and Order and Further Notice of Proposed Rule Making* in this docket. The order establishes new rules for wideband unlicensed devices operating in the 5925-7250 MHz, 16.2-17.7 GHz, and 22.12-29 GHz bands.

**DATES:** Effective March 11, 2005.

**FOR FURTHER INFORMATION CONTACT:** John Reed (202) 418-2455, Policy and Rules Division, Office of Engineering and Technology.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Second Report and Order and Second Memorandum*

*Opinion and Order* ("2nd R&O and 2nd MO&O"), FCC 04-285, adopted December 15, 2004, and released December 16, 2004. The full text of this document is available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. 445 12th Street, Room CY-B402, Washington, DC, (202) 488-5300; FAX (202) 488-5563. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365.

#### Summary of Second Report and Order

1. On February 14, 2002, the Commission adopted a *First Report and Order* implementing regulations to permit the unlicensed operation of ultra-wideband transmission systems. In response to fourteen petitions for reconsideration, a *Memorandum Opinion and Order and Further Notice of Proposed Rule Making* ("MO&O and FNPRM") was adopted on February 13, 2003, 69 FR 19746 and 69 FR 19773, April 22, 2003. Specifically, the Commission proposed amendments to four areas of its part 15 regulations. These amendments addressed: (1) The operation of low PRF systems in the 3.1-10.6 GHz band; (2) the measurement procedures applied to frequency hopping vehicular radar systems operating in the 22-29 GHz band; (3) the peak power limits applicable to wide-bandwidth, non-UWB part 15 transmitters; and (4) the elimination of the UWB definition.

2. *Low PRF UWB systems.* In the *FNPRM*, the Commission invited comment on whether to amend the rules to permit the operation of any UWB product under the UWB standards currently designated for hand-held devices as long as the PRF does not exceed 200 kHz and the equipment employs a pulsed or an impulse modulation. In the *2nd R&O*, the Commission declines to amend its rules stating that low PRF systems can have a higher potential for causing interference unless some type of signal processing is incorporated in the victim receiver. The Commission will accommodate the requests from the equipment developers by increasing the peak power emission limit for select frequency bands available under the non-UWB part 15 regulations.

3. *Non-UWB peak power emission limits.* When an average emission limit