Repetitive Torque Check

(b) Concurrent with the accomplishment of the requirements of paragraph (a) of this AD: Perform a torque check of the attachment screws of the power feeder terminals in accordance with the procedures specified in Boeing Maintenance Tip 737 MT 24–003, dated May 14, 1998. Repeat the torque check thereafter at intervals not to exceed 1,000 flight hours, in accordance with the maintenance tip.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) This amendment becomes effective on April 19, 1999.

Issued in Renton, Washington, on March 29, 1999.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–8133 Filed 4–1–99; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 195–0101a FRL–6235–8]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Yolo-Solano Air Quality Management District, Monterey Bay Unified Air Pollution Control District, South Coast Air Quality Management District, Santa Barbara County Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, and Kern County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on revisions to the California State Implementation Plan. The revisions concern rules from the following Districts: Yolo-Solano Air Quality Management District (YSAQMD), Monterey Bay Unified Air Pollution Control District (MBUAPCD), South Coast Air Quality Management District (SCAQMD), Santa Barbara County Air Pollution Control District (SBCAPCD), Sacramento Metropolitan Air Quality Management District (SMAQMD), and Kern County Air Pollution Control District (KNCAPCD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rules control VOC emissions from organic solvent cleaning, and surface preparation and cleanup. Thus, EPA is finalizing the approval of these revisions into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

DATES: This rule is effective on June 1, 1999 without further notice, unless EPA receives adverse comments by May 3, 1999. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 ''M'' Street, S.W., Washington, D.C. 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 ''L'' Street, Sacramento, CA 95812

Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616

Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Court, Monterey, CA 93940

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765

Santa Barbara County Air Pollution Control District, 26 Castilian Drive B–23, Goleta, CA 93117

Sacramento Air Quality Management District, 8411 Jackson Road, Sacramento, CA 95826

Kern County Air Pollution Control District, 2700 M Street, Suite 302, Bakersfield, CA 93301

FOR FURTHER INFORMATION CONTACT: Andrew Steckel, Rulemaking Office, AIR–4, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744–1185.

SUPPLEMENTARY INFORMATION:

I. Applicability

The part of this **Federal Register** action which applies to the South Coast Air Quality Management District excludes the Los Angeles County portion of the Southeast Desert AQMA, otherwise known as the Antelope Valley Region in Los Angeles County, which is now under the jurisdiction of the Antelope Valley Air Pollution Control District as of July 1, 1997.

The rules being approved into the California SIP include: YSAQMD Rule 2.31—Surface Preparation and Cleanup, MBUAPCD Rule 433—Organic Solvent Cleaning, SCAQMD Rule 1122—Solvent Degreasers, SBCAPCD Rule 321—Solvent Cleaning Operations, SMAQMD Rule 454—Degreasing Operations, and KNCAPCD Rule 410.3—Organic Solvent Cleaning Operations. These rules were submitted by the California Air Resources Board (CARB) to EPA on November 30, 1994, June 3, 1997, September 8, 1997, March 10, 1998, May 18, 1998, and June 23, 1998 respectively.

II. Background

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the Clean Air Act, as amended in l977 (1977 Act or pre-amended Act), that included the Sacramento Metro Area, which includes Yolo County and part of Solano County, the Monterey Bay Area, the South Coast Air Basin, the Santa Barbara-Santa Maria-Lompoc Area, and the Southeast Desert Modified Air Quality Management Area. 43 FR 8964, 40 CFR 81.305. On May 26, 1988, EPA notified the Governor of California, pursuant to section 110(a)(2)(H) of the 1977 Act, that the above districts' portions of the California SIP were inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP—Call). On November 15, 1990, the Clean

Air Act Amendments of 1990 were enacted. Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q. In amended section 182(a)(2)(A) of the CAA, Congress statutorily adopted the requirement that nonattainment areas fix their deficient reasonably available control technology (RACT) rules for ozone and established a deadline of May 15, 1991 for states to submit corrections of those deficiencies.

Section 182(a)(2)(A) applies to areas designated as nonattainment prior to enactment of the amendments and classified as marginal or above as of the date of enactment. It requires such areas to adopt and correct RACT rules pursuant to pre-amended section 172 (b) as interpreted in pre-amendment guidance.[1] EPA's SIP-Call used that guidance to indicate the necessary corrections for specific nonattainment areas. The Sacramento Metro Area is classified as severe, the Monterey Bay Area as serious, the South Coast Air Basin as extreme, the Santa Barbara-Santa Maria-Lompoc Area as serious, therefore, these areas were subject to the RACT fix-up requirement and the May 15, 1991 deadline. However, the Southeast Desert Air Basin portion of Kern County was not a pre-amendment nonattainment area and, therefore, was not designated and classified upon enactment of the amended ACT. For this reason KNCAPCD is not subject to section 182(a)(2)(A) RACT fix-up requirement. The KNCAPCD is, however, still subject to the requirements of EPA's SIP-Call, because the SIP-Call included all of Kern County.[2]

The State of California submitted many revised RACT rules for incorporation into its SIP on November 30, 1994, June 3, 1997, September 8, 1997, March 10, 1998, May 18, 1998, and June 23, 1998, including the rules being acted on in this document. This document addresses EPA's direct-final action for YSAQMD Rule 2.31—Surface Preparation and Cleanup, MBUAPCD Rule 433—Organic Solvent Cleaning, SCAQMD Rule 1122—Solvent Degreasers, SBCAPCD Rule 321—Solvent Cleaning Operations, SMAQMD Rule 454—Degreasing Operations, and KNCAPCD Rule 410.3—Organic Solvent Cleaning Operations. YSAQMD adopted Rule 2.31 on April 27, 1994, MBUAPCD adopted Rule 433 on March 26, 1997, SCAQMD adopted Rule 1122 on July 11, 1997, SBCAPCD adopted Rule 321 on September 18, 1997, SMAQMD adopted Rule 454 on April 3, 1997, and KNCAPCD adopted Rule 410.3 on May 7, 1998. These submitted rules were found to be complete on January 30, 1995 (2.31), September 5, 1997 (433), October 20, 1997 (1122), July 17, 1998 (454) and August 25, 1998 (410.3) pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51 Appendix V[3] and is being finalized for approval into the SIP.

These rules regulate VOC emissions from organic solvent cleaning operations, and surface preparation and clean-up activities. VOCs contribute to the production of ground level ozone and smog. This rules were originally adopted as part of these Districts' effort to achieve the National Ambient Air Quality Standard (NAAQS) for ozone and in response to EPA's SIP-Call and the section 182(a)(2)(A) CAA requirement. The following is EPA's evaluation and final action for this rule.

III. EPA Evaluation and Action

In determining the approvability of a VOC rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). The EPA interpretation of these requirements, which forms the basis for today's action, appears in the various EPA policy guidance documents listed in footnote 1. Among those provisions is the requirement that a VOC rule must, at a minimum, provide for the implementation of RACT for stationary sources of VOC emissions. This requirement was carried forth from the pre-amended Act.

For the purpose of assisting state and local agencies in developing RACT rules, EPA prepared a series of Control Technique Guideline (CTG) documents. The CTGs are based on the underlying requirements of the Act and specify the presumptive norms for what is RACT for specific source categories. Under the CAA, Congress ratified EPA's use of these documents, as well as other Agency policy, for requiring States to ''fix-up'' their RACT rules. See section 182(a)(2)(A). The CTG applicable to MBUAPCD Rule 433, SCAQMD Rule 1122, SBCAPCD Rule 321, SMAQMD Rule 454, and KNCAPCD Rule 410.3 is entitled, Control of Volatile Organic Emissions from Solvent Metal Cleaning, EPA–450/2–77–022, November 1977. YSAQMD Rule 2.31 controls emissions from a source category for which EPA has not issued a CTG. Accordingly this rule was evaluated against the general RACT requirements of the Clean Air Act (CAA section 110 and part D). The rule was also compared with other district rules covering the same source category to ensure consistency. Further interpretation of EPA policy are found in the Blue Book, referred to in footnote 1. In general, these guidance documents have been set forth to ensure that VOC rules are fully enforceable and strengthen or maintain the SIP.

There is currently no version of YSAQMD Rule 2.31, Surface Preparation and Cleanup SIP. The submitted rule includes the following provisions:

- Applicability section defining who is subject to the rule,
- Exemptions for dry cleaning and solvent cleaning operations, which are subject to other district rules. Wipe cleaning, automated spray systems, aerosol products and cleaning of high precision optics are exempted from specific provisions of this rule.
- Standard VOC limits for solvents to perform cleaning activities,′
- Monitoring and record keeping section containing the description of records that must be kept and a listing of test methods to be used in determining compliance.

On February 26, 1996, EPA approved into the SIP a version of Rule 433—Organic Solvent Cleaning that had been adopted by MBUAPCD on June 15, 1994. MBUAPCD submitted Rule 433—Organic Solvent Cleaning includes the following significant changes from the current SIP:

- A revised applicability section with an added reference to the National Emission Standard for Hazardous Air Pollutants (NESHAP),

[1] Among other things, the pre-amendment guidance consists of those portions of the proposed Post-1987 ozone and carbon monoxide policy that concern RACT, 52 FR 45044 (November 24, 1987); ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations, Clarification to Appendix D of November 24, 1987 **Federal Register** Notice'' (Blue Book) (notice of availability was published in the **Federal Register** on May 25, 1988); and the existing control technique guidelines (CTGs).

[2] The Sacramento Metro Area, the Monterey Bay Area, the South Coast Air Basin, the Monterey Bay Area, and the Santa Barbara-Santa Maria-Lompoc Area retained their designation and were classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. The Southeast Desert Air Basin Portion of Kern County was designated nonattainment on November 6, 1991 (56 FR 56649). On April 25, 1995, EPA published a final rule granting the State's request to reclassify the Sacramento Metro Area to severe from serious (60 FR 20237). This reclassification became effective on June 1, 1995. On December 10, 1997, EPA published a final rule reclassifying the Santa Barbara-Santa Maria-Lompoc Area to serious from moderate. This reclassification became effective on January 9, 1998.

[3] EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

- A revised rule effectiveness date which coincides with the rule adoption date,
- A reference to MBUAPCD Rule 101—Definitions, in lieu of a detailed listing of exempt compounds, and
- an added reference to EPA's Guidelines for Determining Capture Efficiency, dated January 9, 1995.

On November 4, 1996, EPA approved into the SIP a version of Rule 1122—Solvent Degreasers that had been adopted by SCAQMD on April 5, 1991. SCAQMD submitted Rule 1122—Solvent Degreasers includes the following significant changes from the current SIP:

- The rule language was modified to eliminate ambiguities between Rule 1122—Solvent Degreasers, and 1171—Solvent Cleaning Operations,
- The requirements covering remote reservoir cold cleaners were removed from this rule to be regulated under Rule 1171,
- Limits the VOC content of cleaning material for batch loaded cold cleaners to 50 grams per liter, or less,
- Augmented methods of controlling emissions from open top vapor degreasers by adding the requirements of a superheated vapor zone, and an automated parts handling system,
- Added design requirements and control standards for Air-tight and air-less cleaning systems,
- Added and defined ''clean air solvent'' and describes how to obtain clean air solvent certification, which, when displayed, qualifies for an exemption from the requirements of this rule,
- Exempts degreasing operations using halogenated solvents, which are regulated under 40 CFR Part 63, Subpart T (NESHAP), and
- Requires monthly records to be kept in the format shown in appendix A to this rule.

There is currently no version of SBCAPCD Rule 321—Solvent Cleaning Operations in the SIP. The submitted Rule includes the following provisions:

- An applicability section,
- Exempts cleaning operations employing solvents with 2% or less VOC content, and cleaning operations using halogenated solvents regulated under 40 CFR Part 63, Subpart T (NESHAP).
- Definitions of pertinent terms,
- General and specific design and operating requirements covering all types of solvent cleaning operation.
- Test methods to be used to determine compliance with the requirements of this rule, and
- Record keeping requirements.

On August 4, 1994, EPA approved into the SIP a version of Rule 454—Degreasing Operations that had been adopted by SMAQMD on February 23, 1993. SMAQMD submitted Rule 454—Degreasing Operations includes the following significant changes from the current SIP:

- Added an exemption for cleaning solvents with VOC content of 5% or less, by weight,
- Exempts solvent cleaning operations using halogenated solvents which fall under the requirements of 40 CFR Part 63, Subpart T (NESHAP), and
- Referenced SMAQMD Rule 101—General Provisions and Definitions in lieu of the detailed listing of exempt components.

On October 7, 1996, EPA approved into the SIP a version of Rule 410.3—Organic Solvent Degreasing Operations that had been adopted by KNCAPCD on March 7, 1996. KNCAPCD submitted Rule 410.3—Organic Solvent Degreasing Operations includes the following significant changes from the current SIP:

- Added the definition of ''low volatility solvents'' and provided an exemption from the free-board height requirement, when using this type of solvents, and
- Added an exemption for degreasers using halogenated solvents which must comply with the requirements of 40 CFR Part 63, Subpart T (NESHAP).

EPA has evaluated the submitted rules and has determined that they are consistent with the CAA, EPA regulations, and EPA policy. Therefore, YSAQMD Rule 2.31—Surface Preparation and Cleanup, MBUAPCD Rule 433—Organic Solvent Cleaning, SCAQMD Rule 1122—Solvent Degreasers, SBCAPCD Rule 321—Solvent Cleaning Operations, SMAQMD Rule 454—Degreasing Operations, and KNCAPCD Rule 410.3—Organic Solvent Cleaning Operations are being approved under section 110(k)(3) of the CAA as meeting the requirements of section 110(a) and part D.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective June 1, 1999 without further notice unless the Agency receives adverse comments by May 3, 1999.

If the EPA receives such comments, then EPA will publish a timely withdrawal of the direct final rule informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on June 1, 1999 and no further action will be taken on the proposed rule.

IV. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order (E.O.) 12866, entitled ''Regulatory Planning and Review.''

B. Executive Order 12875

Under Executive Order 12875, Enhancing the Intergovernmental Partnership, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a state, local, or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 12875 requires EPA to provide to the Office of Management and Budget a description of the extent of EPA's prior consultation with representatives of affected state, local, and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, E.O. 12875 requires EPA to develop an effective process permitting elected officials and other representatives of state, local, and tribal governments ''to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates.''

Today's rule does not create a mandate on state, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of E.O. 12875 do not apply to this rule.

C. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be ''economically significant'' as defined under E.O. 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13084

Under Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.*, v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

F. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement 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 rule 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 of the rule in the **Federal Register**. This rule is not a ''major'' rule as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 1, 1999. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the **Federal Register** on July 1, 1982.

Dated: February 16, 1999.

Laura Yoshii,

Deputy Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c)(207)(i)(C)(*7*),

(249), (254)(i)(C)(*3*), (255)(i)(A)(*3*), (256)(i)(C) and (258), to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(207) * * *

(i) * * *

(C) * * *

(*7*) Rule 2.31, adopted on April 27, 1994.

* * * * *

(249) New and amended regulations for the following APCD's were submitted on September 8, 1997, by the Governor's designee.

(i) Incorporation by reference.

(A) South Coast Air Quality Management District.

(*1*) Rule 1122, adopted on March 2, 1979 and amended on July 11, 1997.

* * * * *

(254) * * *

(i) * * *

(C) * * *

(*3*) Rule 321, adopted on February 24, 1971 and revised on September 18, 1997.

* * * * *

(255) * * *

(i) * * *

(A) * * *

(*3*) Rule 454, adopted on June 5, 1979 and amended on April 3, 1997.

* * * * *

(256) * * *

(i) * * *

(C) Kern County Air Pollution Control District.

(*1*) Rule 410.3, adopted on June 26, 1979 and revised on May 7, 1998.

* * * * *

(258) New and amended regulations for the following APCD's were submitted on June 3, 1997, by the Governor's designee.

(i) Incorporation by reference.

(A) Monterey Bay Unified Air Pollution Control District.

(*1*) Rule 433, adopted on June 15, 1994 and revised on March 26, 1997.

* * * * *

[FR Doc. 99–8083 Filed 4–1–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–6317–6]

National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Williams Pipe Line Disposal Pit Site from the National Priorities List (NPL).

SUMMARY: The U.S. Environmental Protection Agency (EPA) announces the deletion of the Williams Pipe Line Disposal Pit Site (Site) in Minnehaha County, Sioux Falls, South Dakota, from the National Priorities List(NPL). The NPL is Appendix B of Title 40 of the Code of Federal Regulations (40 CFR) part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA in consultation with the state of South Dakota has determined that the Site poses no significant threat to public health or the environment and, therefore, no further remedial measures pursuant to CERCLA are appropriate.

EFFECTIVE DATE: April 2, 1999.

FOR FURTHER INFORMATION CONTACT: Dennis Jaramillo, U.S. Environmental Protection Agency, Region 8, 999 18th Street, Suite 500, Mailcode: 8EPR–SR, Denver, CO 80202, telephone (303) 312–6580.

SUPPLEMEMTARY INFORMATION: The site to be deleted from the NPL is: the Williams Pipe Line Disposal Pit in Minnehaha County, Sioux Falls, South Dakota.

A Notice of Intent to Delete for this site was published on November 25, 1998, (63 FR 65161). The closing date for comments on the Notice of Intent to Delete was January 4, 1999. No comments were received during the comment period. In response, since no comments were received EPA is going forward with the Site deletion from the NPL.

EPA identifies sites that appear to present a significant risk to public health, welfare, and the environment and it maintains the NPL as a list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action in the future, NCP § 300.425(e)(3). Deletion of a site from the NPL does not affect the responsible party of liability or impede agency efforts to recover cost associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: March 24, 1999.

William P. Yellowtail,

Regional Administrator, Region VIII.

For reasons set out in the preamble 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p 193.

Appendix B [Amended]

2. Table 1 of appendix B to part 300 is amended by removing the site Williams Pipe Line Co. Disposal Pit, Sioux Falls, SD''.

[FR Doc. 99–7908 Filed 4–1–99; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. RSPA–97–2095; Amendment 195–66]

[RIN 2137–AC 11]

Pipeline Safety: Adoption of Consensus Standards for Breakout Tanks

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

ACTION: Final Rule.

SUMMARY: This final rule incorporates by reference consensus standards for aboveground steel storage tanks into the hazardous liquid pipeline safety regulations. These standards apply to the design, construction, and testing of new tanks, and the repairs, alterations and replacement of existing tanks. All new and existing breakout tanks are also subject to the operating and maintenance requirements specified in this rule. The incorporation by reference of these thirteen standards will significantly improve the minimum level of safety applicable to the transportation and storage of petroleum and petroleum products at breakout tanks throughout the United States.

DATES: *Effective Date:* This final rule takes effect May 3, 1999. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register May 3, 1999.

Compliance date: Except under § 195.432, compliance with consensus