

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 State Plan approvals under section 111 of the Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal State Plan approval does not create any new requirements, EPA certifies 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 State Plans on such grounds. *Union Electric Co., v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

#### *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.

#### *Submission to Congress and the General Accounting Office*

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).

#### **Petitions for Judicial Review**

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 8, 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 62**

Environmental protection, Air pollution control, Intergovernmental relations, Hospital/Medical/Infectious Waste Incinerators, Reporting and recordkeeping requirements.

Dated: July 23, 1999.

**William J. Muszynski**,  
*Acting Regional Administrator, Region 2.*

Part 62, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 62—[AMENDED]**

1. The authority citation for part 62 continues to read as follows:

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

#### **Subpart HH—New York**

2. Part 62 is amended by adding § 62.8105 and an undesignated heading to subpart HH to read as follows:

#### **Metals, Acid Gases, Organic Compounds, Particulates and Nitrogen Oxide Emissions From Existing Hospital/Medical/Infectious Waste Incinerators**

##### **§ 62.8105 Identification of plan.**

(a) The New York State Department of Environmental Conservation submitted to the Environmental Protection Agency a "State Plan for implementation and

enforcement of 40 CFR part 60, subpart CE, Emissions Guidelines for Hospitals/Medical/Infectious Waste Incinerators" on September 9, 1998 and supplemented on March 11, May 12, and May 15, 1999.

(b) Identification of sources: The plan applies to all existing HMIWI facilities for which construction was commenced on or before June 20, 1996, as described in 40 CFR Part 60, Subpart Ce.

(c) The effective date for the portion of the plan applicable to existing Hospital/Medical/Infectious Waste Incinerators is October 8, 1999.

[FR Doc. 99-20305 Filed 8-6-99; 8:45 am]

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Parts 5 and 90**

[ET Docket No. 96-256, FCC 98-283]

#### **Revision of the Experimental Radio Service Regulations**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** On November 19, 1998 (63 FR 64199), the Commission published final rules in the Report and Order, which revised the rules governing the Experimental Radio Service. This document contains corrections to that rule.

**EFFECTIVE DATE:** January 19, 1999.

**FOR FURTHER INFORMATION CONTACT:** Rodney Small, Office of Engineering and Technology, (202) 418-2452.

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission published a document amending parts 5 and 90 of the Commission's rules in the **Federal Register** on November 19, 1998, (63 FR 64199). This document corrects the **Federal Register** as it appeared. In rule FR Doc. 98-30381, published on November 19, 1998, 63 FR 64199, the Commission is correcting §§ 5.3(f), 5.59(d), 5.59(f), 5.61(c), 5.61(c)(6), 5.61(c)(9), 5.89(c), 5.105, 5.109(b), and 90.203 of the Commission's rules.

In rule FR Doc. 98-30381 published on November 19, 1998 (63 FR 64199) make the following corrections.

1. On page 64202, in the third column of § 5.3 paragraph (f) is corrected to read as follows:

##### **§ 5.3 Scope of service.**

\* \* \* \* \*

(f) Demonstration of equipment to prospective purchasers by persons

engaged in the business of selling radio equipment.

\* \* \* \* \*

#### § 5.59 [Corrected]

2. On page 64204, in the second column, the first sentence of § 5.59 paragraph (d) is corrected by removing the term "to construct or"; and in the same column, paragraph (f) should be removed.

3. On page 64204, in the third column, in § 5.61, paragraphs (c) introductory text, (c)(6) and (c)(9) are corrected to read as follows:

#### § 5.61 Procedure for obtaining a special temporary authorization.

\* \* \* \* \*

(c) An application for special temporary authorization may be filed in letter form and shall contain the following information:

\* \* \* \* \*

(6) Description of the location(s) and, if applicable, geographical coordinates of the proposed operation.

\* \* \* \* \*

(9) Maximum effective radiated power (ERP) or equivalent isotropically radiated power (EIRP).

\* \* \* \* \*

4. On page 64207, in the first column, in § 5.89, the first sentence in paragraph (c) is corrected to read as follows:

#### § 5.89 School and student authorizations.

\* \* \* \* \*

(c) Operations under this section are limited to 4 watts equivalent isotropically radiated power (EIRP).

\* \* \*

\* \* \* \* \*

5. On page 64207, in the third column, in § 5.105, the first sentence is corrected to read as follows:

#### § 5.105 Authorized bandwidth.

Each authorization issued to a station operating in this service will show, as the prefix to the emission classification, a figure specifying the maximum necessary bandwidth for the emission used. \* \* \*

6. On page 64208, in the first column, in § 5.109, paragraph (b) is corrected to read as follows:

#### § 5.109 Antenna and tower requirements.

(b) The licensee of any radio station that has an antenna structure required to be painted and illuminated pursuant to the provisions of section 303(q) of the Communications Act of 1934, as amended, and part 17 of this chapter, shall perform the inspections and maintain the tower marking and lighting, and associated control equipment, in accordance with the

requirements of part 17, subpart C, of this chapter.

7. On page 64208, in the third column, in § 90.203, the section heading, paragraph (a) introductory text and paragraph (l) are corrected to read as follows:

#### § 90.203 Certification required.

(a) Except as specified in paragraphs (b) and (l) of this section, each transmitter utilized for operation under this part and each transmitter marketed as set forth in § 2.803 of this chapter must be of a type which has been certificated for use under this part.

\* \* \* \* \*

(l) Ocean buoy and wildlife tracking transmitters operating in the band 40.66–40.70 MHz or 216–220 MHz under the provisions of § 90.248 of this part shall be authorized under verification procedure pursuant to subpart J of part 2 of this chapter.

Federal Communications Commission.

**Magalie Roman Salas,**  
*Secretary.*

[FR Doc. 99–20388 Filed 8–6–99; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 63

[IB Docket No. 98–118, FCC 99–51]

### Biennial Review of International Common Carrier Regulations; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** The Federal Communications Commission published in the **Federal Register** of April 19, 1999, a document concerning the biennial review of international common carrier regulations. Inadvertently amendatory instruction 10 contained errors. This document corrects those instructions.

**DATES:** Effective August 9, 1999.

**FOR FURTHER INFORMATION CONTACT:** Douglas Klein or Peggy Reitzel, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418–1470.

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission published a document in the **Federal Register** of April 19, 1999, (64 FR 19063). This correction revises amendatory instruction 10.

In the **Federal Register** Doc. 99–9480 published on April 19, 1999, (64 FR 19063) make the following correction.

On page 19063, in the first column, correct amendatory instruction 10 to read as follows:

#### § 63.12 [Corrected]

10. Section 63.12, paragraph (c)(2) is amended by removing the words "within the meaning of § 63.18(h)(1)", removing paragraph (c)(4), redesignating paragraph (c)(5) as new paragraph (c)(4), and revising it, and revising paragraphs (a), (b), (c)(1) and (d) to read as follows:

Federal Communications Commission.

**Magalie Roman Salas,**  
*Secretary.*

[FR Doc. 99–20391 Filed 8–6–99; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 99–1508; MM Docket No. 98–135; RM–9300 & RM–9383]

### Radio Broadcasting Services; Corrigan and Lufkin, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 261A to Lufkin, Texas, in response to a petition filed by Russell L. Lindley, see 63 FR 41765, August 5, 1998. The coordinates for Channel 261A at Lufkin are 31–16–13 NL and 94–43–50 WL. There is a site restriction 8.5 kilometers (5.3 miles) south of the community. In response to a counterproposal filed by Corrigan Broadcasting Company, we shall allot Channel 232A to Corrigan, Texas, at coordinates 30–59–30 NL and 94–59–41 WL. There is a site restriction 15.7 kilometers (9.8 miles) west of the community. With this action, this proceeding is terminated. A filing window for Channel 261A at Lufkin and Channel 232A at Corrigan will not be opened at this time. Instead, the issue of opening a filing window for these channels will be addressed by the Commission in a subsequent order.

**DATES:** Effective September 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 98–135, adopted July 21, 1999, and released July 30, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW,