

**Authority:** 42 U.S.C. 6905, 6912(a), 6921, 6922, 6924(y), and 6938.

2. Section 261.4 is amended by adding paragraph (b)(15) to read as follows.

**§ 261.4 Exclusions**

\* \* \* \* \*

(b) \* \* \*

(15) Leachate or gas condensate collected from landfills where certain solid wastes have been disposed, provided that:

(i) The solid wastes disposed would meet one or more of the listing descriptions for Hazardous Waste Codes K169, K170, K171, and K172 if these wastes had been generated after the effective date of the listing (February 8, 1999);

(ii) The solid wastes described in paragraph (b)(15)(i) of this section were disposed prior to the effective date of the listing;

(iii) The leachate or gas condensate do not exhibit any characteristic of hazardous waste nor are derived from any other listed hazardous waste;

(iv) Discharge of the leachate or gas condensate, including leachate or gas condensate transferred from the landfill to a POTW by truck, rail, or dedicated pipe, is subject to regulation under sections 307(b) or 402 of the Clean Water Act.

(v) After February 13, 2001, leachate or gas condensate will no longer be exempt if it is stored or managed in a surface impoundment prior to discharge. There is one exception: if the surface impoundment is used to temporarily store leachate or gas condensate in response to an emergency situation (e.g., shutdown of wastewater treatment system), provided the impoundment has a double liner, and provided the leachate or gas condensate is removed from the impoundment and continues to be managed in compliance with the conditions of this paragraph after the emergency ends.

\* \* \* \* \*

[FR Doc. 99-3426 Filed 2-10-99; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[FRL-6232-1]

**National Oil and Hazardous Substances Contingency Plan; National Priorities List Update**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of deletion of the Whittaker Corporation Superfund Site from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of the Whittaker Corporation Superfund Site in Minnesota from the National Priorities List (NPL). The NPL is Appendix B of 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. This action is being taken by EPA and the State of Minnesota, because it has been determined that Responsible Parties have implemented all appropriate response actions required. Moreover, EPA and the State of Minnesota have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** February 11, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Gladys Beard at (312) 886-7253, Associate Remedial Project Manager, Superfund Division, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at the local information repository located at: Minnesota Pollution Control Agency, 520 Lafayette Rd. North, St. Paul, Minnesota 55155-4194. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. The contact for the Regional Docket Office is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Whittaker Corporation located in Minneapolis, Minnesota. A Notice of Intent to Delete for this site was published December 14, 1998 (63 FR 68714). The closing date for comments on the Notice of Intent to Delete was January 12, 1999. EPA received no comments and therefore no Responsiveness Summary was prepared.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. 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. Section 300.425(e)(3) of the NCP states that

Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs 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: January 27, 1999.

**William E. Munro,**

*Acting Regional Administrator, Region V.*

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 "Whittaker Corp., Minneapolis, Minnesota."

[FR Doc. 99-3142 Filed 2-10-99; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**49 CFR Part 195**

[Docket No. PS-144; Amendment 195-65]

[RIN 2137-AC78]

**Risk-Based Alternative to Pressure Testing Older Hazardous Liquid and Carbon Dioxide Pipelines Rule; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a final rule published November 4, 1998 (63 FR 59475). This final rule allows operators of older hazardous liquid and carbon dioxide pipelines to elect a risk-based alternative in lieu of the existing hydrostatic pressure test rule. This document makes a minor correction by removing an unrelated sentence that

inadvertently appeared in Table 4 of the Appendix B.

**EFFECTIVE DATE:** February 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mike Israni, (202) 366-4571, or e-mail: mike.israni@rspa.dot.gov.

**SUPPLEMENTARY INFORMATION:** When RSPA published the final rule in the **Federal Register**, it inadvertently included an unrelated sentence "This section has been revised to include

reference to ANSI/NFPA 59A in paragraph (a) as follows:" in the 'Indicator' column of Table 4 in Appendix B. This document corrects the text in Table 4 of Appendix B by removing that sentence. RSPA regrets any confusion this erroneous sentence may have caused.

**Correction of Publication**

Accordingly, the publication on November 4, 1998, of the final rule, in

the **Federal Register** (63 FR 59475) is corrected as follows:

\* \* \* \* \*

**Appendix B [Corrected]**

On page 59482, in the Table 4, 'Indicator' column is corrected to read as follows:

\* \* \* \* \*

TABLE 4.—PRODUCT INDICATORS

Indicator	Considerations	Product Examples
H .....	Highly volatile and flammable .....	(Propane, butane, Natural Gas Liquid (NGL), ammonia).
	Highly toxic .....	(Benzene, high Hydrogen Sulfide content crude oils).
M .....	Flammable—flashpoint <100F .....	(Gasoline, JP4, low flashpoint crude oils).
L .....	Non-flammable—flashpoint 100+F .....	(Diesel, fuel oil, kerosene, JP5, most crude oils).
	Highly volatile and non-flammable/non-toxic .....	Carbon Dioxide.

\* \* \* \* \*

Issued in Washington, D.C. on February 3, 1999.

**Kelley S. Coyner,**

*Administrator, Research and Special Programs Administration.*

[FR Doc. 99-3428 Filed 2-10-99; 8:45 am]

BILLING CODE 4910-60-P

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 567**

[Docket No. NHTSA-99-5047]

RIN 2127-AG65

**Vehicle Certification; Contents of Certification Labels for Multipurpose Passenger Vehicles and Light Duty Trucks**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Final rule.

**SUMMARY:** This rule amends NHTSA's regulations on vehicle certification that specify the contents of the certification labels that manufacturers are required to affix to new motor vehicles. The amendment requires the certification label for multipurpose passenger vehicles (MPVs) and trucks with a gross vehicle weight rating (GVWR) of 6,000 pounds or less to specify that the vehicle complies with all applicable Federal motor vehicle safety and theft prevention standards. Under the prior regulations, the certification labels on these vehicles needed only to state that the vehicles comply with all applicable Federal motor vehicle safety standards.

The amendment conforms the certification requirements to legislation making the theft prevention standard applicable to MPVs and trucks rated at 6,000 pounds or less.

**DATES:** The amendment established by this final rule will be effective on June 11, 1999. As such, the amendment applies to MPVs and trucks with a GVWR of 6,000 pounds or less that are manufactured on or after that date.

Any petitions for reconsideration must be received by NHTSA not later than March 29, 1999.

**ADDRESSES:** Any petitions for reconsideration should refer to the docket number above and be submitted to Administration, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. (202-366-5238).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

This rule was preceded by a notice of proposed rulemaking (NPRM) that NHTSA published on June 25, 1998 (63 FR 34623). As explained in the NPRM, in June 1996, NHTSA received a letter from American Honda Motor Co., Inc. (Honda) seeking clarification of certain vehicle certification requirements in 49 CFR Part 567. The letter noted that section 567.4(g)(5)(ii) of those regulations requires the certification label on 1987 and subsequent model year passenger cars manufactured on or after April 24, 1986, to state that the vehicle "conforms to all applicable

Federal motor vehicle safety, bumper, and theft prevention standards in effect on the date of manufacture . . . ." Honda's letter further noted that under a provision of the Anti Car Theft Act of 1992 now codified at 49 U.S.C. 33101, the definition of vehicles subject to the major parts marking requirements of the theft prevention standard was expanded to include "a multi-purpose passenger vehicle or light duty truck when that vehicle or truck is rated at not more than 6,000 pounds gross vehicle weight." This prompted Honda to observe that the language prescribed for certification labels at 49 CFR 567.4(g)(5) may have to be amended to reflect these vehicles' conformity with the theft prevention standard.

In its response to Honda's letter, NHTSA noted that although the Anti Car Theft Act of 1992 contains no explicit requirement for such an amendment to the vehicle certification regulations, the agency agreed that this amendment should be made so that the certification requirements for MPVs and trucks with a GVWR of 6,000 pounds or less are consistent with those in sections 567.4(g)(5)(i) and (ii) that apply specifically to passenger cars.

Accordingly, the NPRM proposed to amend the certification regulations to require the certification label for MPVs and trucks with a GVWR of 6,000 pounds or less to specify that the vehicle complies with all applicable Federal motor vehicle safety and theft prevention standards. The NPRM also stated that this requirement would apply to vehicles manufactured on or after January 1, 1999 so that affected manufacturers would have adequate lead time to exhaust their existing inventory of certification labels and