

roundworms (*Ascaris suum*, adults and fourth-stage larvae; *Ascarops strongylina*, adults; *Hyostrogylus rubidus*, adults and fourth-stage larvae; *Oesophagostomum* spp., adults and fourth-stage larvae); kidneyworms (*Stephanurus dentatus*, adults and fourth-stage larvae); lungworms (*Metastrongylus* spp., adults); threadworms (*Strongyloides ransomi*, adults and somatic larvae, and prevention of transmission of infective larvae to piglets, via the colostrum or milk, when fed during gestation); lice (*Haematopinus suis*); and mange mites (*Sarcoptes scabiei* var. *suis*). For increased rate of weight gain and improved feed efficiency in growing and finishing swine. For control of clostridial enteritis caused by *Clostridium perfringens* in suckling piglets. For control of swine dysentery associated with *Treponema hydropsyleriae* on premises with a history of swine dysentery but where signs of disease have not yet occurred, or following an approved treatment of disease condition.

(ii) **Limitations.** For use in swine feed only. Feed as the only feed for 7 consecutive days. For weaned growing and finishing swine, feed bacitracin methylene disalicylate Type C medicated feed from weaning to market weight for increased rate of weight gain and improved feed efficiency. For pregnant sows, feed bacitracin methylene disalicylate to sows from 14 days before through 21 days after farrowing on premises with a history of clostridial scours. Withdraw ivermectin-containing feeds 5 days before slaughter.

Dated: February 26, 1999.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 99-6527 Filed 3-17-99; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 256

Outer Continental Shelf Regulations

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Correction to correcting amendments.

SUMMARY: This document contains a correction to the correcting amendments which were published on February 24, 1999 (64 FR 9065). These regulations relate to leasing in the Outer Continental Shelf (OCS), 30 CFR part 256.

EFFECTIVE DATE: March 18, 1999.

FOR FURTHER INFORMATION CONTACT: Kumkum Ray (703) 787-1600.

SUPPLEMENTARY INFORMATION: As published, the correcting amendments contain an error which is inaccurate and needs to be clarified. The correcting amendments document contained several technical revisions to citations listed throughout title 30 of the Code of Federal Regulations. The document incorrectly indicated “§ 256.76(a)(3)” was revised; it should have revised “§ 256.77(d)(3).”

Correction of Publication

Accordingly, the publication on February 24, 1999, 64 FR 9065, which was the subject of FR Doc. 99-4599, is corrected as follows:

On page 9066, in the second column, amendatory instruction number 7 is corrected to read as follows:

§ 256.77 [Corrected]

7. In § 256.77(d)(3), the citation “250.12” is revised to read “250.112”.

Dated: March 10, 1999.

John Mirabella,

Acting Chief, Engineering and Operations Division.

[FR Doc. 99-6610 Filed 3-17-99; 8:45am]

BILLING CODE 4310-MR-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IA 059-1059a; FRL-6310-7]

Approval and Promulgation of Implementation Plans; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving a revision to the Iowa State Implementation Plan (SIP) which provides for the attainment and maintenance of the particulate matter (PM₁₀) National Ambient Air Quality Standard (NAAQS) in Buffalo, Iowa. This revision approves two state Administrative Consent Orders (ACOs) which require reductions of PM₁₀ emissions from two major sources of PM in Buffalo, Iowa. Approval of this SIP revision will make the state ACOs Federally enforceable.

DATES: This direct final rule is effective on May 17, 1999 without further notice, unless the EPA receives adverse comment by April 19, 1999. If adverse comment is received, the EPA will publish a timely withdrawal of the

direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Comments may be addressed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

Copies of the state submittal are available at the following addresses for inspection during normal business hours: Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; and the Environmental Protection Agency, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551-7603.

SUPPLEMENTARY INFORMATION: This section provides additional information by answering the following questions:

What is an SIP?

What is the NAAQS?

What air quality problems occurred in Buffalo, Iowa?

How was the problem addressed?

What is the control strategy?

Is the SIP revision approvable?

What are the Section 172(e) requirements?

Additional information is contained in the state submittal and in the EPA technical support document for this notice which can be obtained by contacting the EPA at the address above.

What Is an SIP?

Each state has an SIP containing rules, control measures, and strategies used to attain and maintain the NAAQS. The SIP is frequently updated by the state in order to maintain a current and effective air pollution control program and to keep current with ongoing Federal requirements. The EPA must review and approve revisions to the state SIP. The Iowa SIP is published in 40 Code of Federal Regulations (CFR) Part 52, Subpart Q. The state of Iowa has submitted the control measures discussed below for approval in the Iowa SIP. Once measures have been approved in the SIP, the EPA has the authority to directly enforce the approved control measures.

What Is the NAAQS?

The EPA has established NAAQS for a number of pollutants including PM. These standards are set at levels to protect public health and welfare. The standards are published in 40 CFR Part 50. If ambient air monitors measure violations of the standard, states are

required to identify the cause of the problem and to take measures which will bring the area back within the level of the NAAQS. The 24-hour NAAQS for PM₁₀ is 150 micrograms per cubic meter (µg/m³), and the annual standard is 50 µg/m³.

What Air Quality Problems Occurred in Buffalo, Iowa?

In 1994 and 1995 there were violations of both the 24-hour and annual PM₁₀ standards at the state air monitor in Buffalo, Iowa.

How Was the Problem Addressed?

The Iowa Department of Natural Resources (IDNR) Air Quality Bureau, using air dispersion modeling, identified two major PM sources which contributed to the PM₁₀ NAAQS violations. These were the Lafarge Corporation Portland cement manufacturing facility and the Linwood Mining and Minerals Corporation lime manufacturing facility. Results of the modeling were used to establish emission reductions necessary to prevent actual or modeled violations of the PM₁₀ NAAQS. The modeling was performed in accordance with EPA requirements. (A detailed discussion of the modeling protocol and results was provided in the state SIP submittal and is available for review upon request.)

What Is the Control Strategy?

The IDNR negotiated enforceable emission limitations and other control measures, means, and techniques, as well as schedules and timetables for compliance, sufficient to ensure that the NAAQS for PM₁₀ will be achieved and maintained in the future. These control measures were developed in conformance with the requirements of 40 CFR Part 51, Subpart G—Control Strategy.

These enforceable commitments have been incorporated into state ACOs with Lafarge Corporation and Linwood Mining and Minerals Corporation respectively. These documents constitute the basis for the state's control strategy.

The critical control strategy conditions for each source include a number of process and operational changes which will reduce the process and fugitive emissions from material processing, handling, and transporting. The ACOs contain an enforceable schedule for implementation and completion of the control strategy conditions.

Have the Requirements for Approval of an SIP Revision Been Met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR Part 51, Appendix V. In addition, as explained above and in more detail in the technical support document which is part of this notice, the revision meets the substantive SIP requirements of the Clean Air Act (CAA or the Act) including Section 110 and implementing regulations.

What Are the Section 172(e) Requirements?

On July 18, 1997, the EPA relaxed the PM₁₀ NAAQS. Section 172(e) of the CAA requires the EPA Administrator to promulgate regulations applicable to areas such as Buffalo, which did not attain the old standard, when the standard is relaxed. The promulgated regulations shall provide for controls which are not less stringent than the controls applicable to areas designated nonattainment before such relaxation. The EPA has not yet promulgated these regulations.

With respect to the Buffalo area, the ACOs require that each facility implement PM₁₀ control strategies designed to prevent future violations of the old PM₁₀ NAAQS. Because the new PM₁₀ 24-hour NAAQS by itself can be considered to be a relaxation of the 24-hour PM₁₀ standard and there is no real distinction between the old and new annual PM₁₀ NAAQS, the control strategies designed to demonstrate compliance with the old PM₁₀ NAAQS should also suffice to ensure compliance with the new PM₁₀ NAAQS. Thus, the revised SIP should meet the future requirements that may be mandated in the yet-to-be promulgated Section 172(e) rulemaking. The state has committed to revise its SIP to meet the Section 172(e) regulations when promulgated, if necessary.

Final Action: The EPA is approving a revision to the Iowa SIP which requires source-specific PM₁₀ emission reductions which will result in attainment and maintenance of the PM₁₀ NAAQS.

The EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, the 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 May 17, 1999 without further notice unless the Agency receives adverse comments by April 19, 1999.

If the EPA receives such comments, then the EPA will publish a document withdrawing the final rule and 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. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on May 17, 1999, and no further action will be taken on the proposed rule.

Administrative Requirements

A. Executive Order (E.O.) 12866

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

B. Executive Order 12875

Under E.O. 12875 the 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 the EPA consults with those governments. If the EPA complies by consulting, E.O. 12875 requires the EPA to provide to the OMB a description of the extent of the 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 the 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 the 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 is not an economically significant regulatory action as defined by E.O. 12866, and it does not address an environmental health or safety risk that would have a disproportionate effect on children.

D. Executive Order 13084

Under E.O. 13084, the 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 the EPA consults with those governments. If the EPA complies by consulting, E.O. 13084 requires the EPA to provide to the OMB, in a separately identified section of the preamble to the rule, a description of the extent of the 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, E.O. 13084 requires the EPA to develop an effective process permitting elected officials 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. This action does not involve or impose any requirements that affect Indian tribes. Accordingly, the requirements of Section 3(b) of E.O. 13084 do not apply to this rule.

E. Regulatory Flexibility Act (RFA)

The 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 CAA 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 CAA, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids the 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, the 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, the 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 the EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The 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 preexisting 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. The 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 U.S. Comptroller General 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 17, 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, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: February 19, 1999.

William Rice,

Acting Regional Administrator, Region VII.

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 Q—Iowa

2. In § 52.820 the entries for Permit Nos. 98-AQ-07 and 98-AQ-08 are added to the end of the table in paragraph (d), to read as follows:

§ 52.820 Identification of plan.

* * * * *

(d) EPA-approved Iowa source-specific permits.

Name of source	Order/permit No.	State effective date	EPA approval date	Comments
Linwood Mining and Minerals Corporation.	98-AQ-07	3/13/98	March 18, 1999; 64 FR 13346.	PM ₁₀ control plan for Buffalo, Iowa.
Lafarge Corporation	98-AQ-08	3/19/98	March 18, 1999; 64 FR 13346.	PM ₁₀ control plan for Buffalo, Iowa.

[FR Doc. 99-6498 Filed 3-17-99; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL180-1a; FRL-6308-2]

Approval and Promulgation of Implementation Plan; Illinois

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On October 13, 1998, the State of Illinois submitted a site-specific State Implementation Plan (SIP) revision revising Volatile Organic Compound (VOC) Reasonably Available Control Technology (RACT) requirements at Central Can Company (CCC), in Chicago, Illinois. The SIP revision allows CCC to apply can coating control rules to pail coating operations limited to certain conditions. This rulemaking action approves, using the direct final process, the Illinois SIP revision request.

DATES: This rule is effective on May 17, 1999, unless EPA receives adverse written comments by April 19, 1999. If adverse comment is received, EPA will publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the revision request and Technical Support Document (TSD) for this rulemaking action are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Mark J. Palermo at (312) 886-6082 before visiting the Region 5 Office).

FOR FURTHER INFORMATION CONTACT: Mark J. Palermo, Environmental Protection Specialist, at (312) 886-6082.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1990, Congress enacted amendments to the 1977 Clean Air Act (Act); Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. Section 182(b)(2) of the Act requires States to adopt RACT rules covering "major sources" of VOC for all areas classified moderate nonattainment for ozone and above.¹ The Chicago ozone nonattainment area (Cook, DuPage, Kane, Lake, McHenry, and Will Counties and Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County) is classified as "severe" nonattainment for ozone, and therefore is subject to the Act's RACT requirement. Under section 182(d) of the Act, sources located in severe ozone nonattainment areas are considered "major sources" if they have the potential to emit 25 tons per year or more of VOC. CCC's Chicago facility has the potential to emit more than 25 tons of VOC per year, and, consequently, is subject to RACT requirements.² On September 9, 1994, EPA approved several rules under 35 Ill. Adm. Code Parts 211 and 218 pertaining to VOC RACT for the Chicago severe ozone nonattainment area as a revision to the Illinois SIP (59 FR 46562). The Illinois rules replaced the Chicago area Federal Implementation Plan (FIP), and the rules are generally patterned after the FIP's RACT requirements.

¹ A definition of RACT is cited in a General Preamble-Supplement published at 44 FR at 53761 (September 17, 1979). RACT is defined as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available, considering technological and economic feasibility.

² It should be noted throughout the discussions that follow that volatile organic emissions are referred to as VOC emissions. In Illinois' regulations, the State uses the term "Volatile Organic Material (VOM)" rather than VOC. The State's definition of VOM is equivalent to EPA's definition of VOC, and are interchangeable when discussing volatile organic emissions. For consistency with the Act and with EPA policy, the term VOC is used in this rulemaking.

Included in the rules are requirements for can coating and miscellaneous metal parts coating. The general compliance options under the Illinois coating rules provide for specific coating VOC content limits, the use of daily-weighted average VOC limits for particular coating lines, or the use of add-on control equipment requirements to limit emissions from a coating line. The rules contain different VOC content limits. In addition, the rules contain a special compliance provision for can coating not available for miscellaneous metal parts coating. Can coating operations can comply with RACT through means of cross-line averaging, whereby daily actual emissions from can coating lines that under-comply with the general compliance methods can be averaged with can coating lines that over-comply. As long as the actual average emissions from all the can coating lines at the source do not exceed a special limit established through equations provided under the rules, the source's can coating operation is in compliance with RACT. The rules for miscellaneous metals coating, on the other hand, require each coating line to meet one of the three compliance options, without the use of cross-line averaging.

CCC coats a variety of cans and pails at its Chicago, Illinois facility. Under Illinois' part 218 rules, the can coating requirements apply to cans with walls thinner than 29 gauge (0.0141 inch). A pail, on the other hand, has walls constructed of 29 gauge or thicker material, and is subject to the miscellaneous metals requirements of the Illinois rules.

CCC's historic practice has been to coat both cans and pails on the same coating lines at the same time, since in many instances CCC's cans and pails will have the same size and shape except for wall thickness. If CCC was able to treat pails as cans under the Illinois rules, all of its coating operations would be able to comply with the can coating cross-line averaging provisions. As the rules currently exist, CCC would have to coat