

4. Section 556.430 is revised to read as follows:

§ 556.430 Neomycin.

(a) *Acceptable daily intake (ADI)*. The ADI for total residues of neomycin is 6 micrograms per kilogram of body weight per day.

(b) *Tolerances*. Tolerances are established for residues of parent neomycin in uncooked edible tissues as follows:

(1) *Cattle, swine, sheep, and goats*. 7.2 parts per million (ppm) in kidney (target tissue) and fat, 3.6 ppm in liver, and 1.2 ppm in muscle.

(2) *Turkeys*. 7.2 ppm in skin with adhering fat, 3.6 ppm in liver, and 1.2 ppm in muscle.

(3) *Milk*. A tolerance is established for residues of parent neomycin of 0.15 ppm.

Dated: May 28, 1999.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 99-14924 Filed 6-10-99; 8:45 am]

BILLING CODE 4160-01-F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DC036-2017; FRL-6356-4]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Enhanced Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: We are converting the conditional approval of the District of Columbia's (the District's) enhanced vehicle inspection and maintenance (I/M) program which was granted on June 2, 1998 (63 FR 29955) to a full approval. The District's I/M program was conditionally approved as a revision to its State Implementation Plan (SIP) in the rule published on June 2, 1998. The sole condition imposed in EPA's June 2, 1998 conditional approval was that the District's enhanced I/M program begin on or before April 30, 1999. The District began testing vehicles on April 26, 1999, and fulfilled its condition for full approval of the I/M program. The District's program meets all the requirements of the Clean Air Act for enhanced I/M.

DATES: This rule is effective on August 10, 1999, unless EPA receives adverse written comment by July 12, 1999. If adverse comment is received, we will

publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Send written comments to: David L. Arnold, Chief, Ozone and Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. You may inspect copies of the documents relevant to this action during normal business hours at the following locations: Air Protection Division, 14th floor, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and District of Columbia Department of Public Health, Air Quality Division, 2100 Martin Luther King Avenue, S.E., Washington, DC 20020. Please contact Catherine L. Magliocchetti at (215) 814-2174 if you wish to arrange an appointment to view the docket at the Philadelphia office.

FOR FURTHER INFORMATION CONTACT: Catherine L. Magliocchetti, (215) 814-2174, or by e-mail at magliocchetti.catherine@epa.gov.

SUPPLEMENTARY INFORMATION: This Supplementary Information section is organized as follows:

What action is EPA taking today?
Who is affected by this action?
Who will benefit from this action?

What Action is EPA Taking Today?

In this action, we are converting our conditional approval of the District's I/M program as a revision to the SIP to a full approval. The District's enhanced I/M program was conditionally approved and made part of the District's SIP in a rule published on June 2, 1998 (63 FR 29955).

The sole condition imposed in the June 2, 1998 conditional approval was that the District's enhanced I/M program begin on or before April 30, 1999. The District began testing vehicles on April 26, 1999, and thereby has fulfilled the sole condition necessary for full approval of the I/M program. Because the District has fulfilled the condition imposed in the June 2, 1998 rule, we are converting our conditional approval of the I/M SIP to a full approval.

Who is Affected by This Action?

It is important to note that our action today does not impose any new requirements on District residents; we are merely giving full versus conditional federal approval to the District law and regulations that are already in place to implement an enhanced I/M program.

Those laws and regulations were made part of the District's SIP by the final rule published on June 2, 1998 (63 FR 29955).

Who Will Benefit From This Program?

The residents of the District will benefit from this program, which is designed to keep vehicles maintained and operating within pollution control standards. And, since air pollution does not recognize political boundaries, neighboring states' residents will also benefit from implementation of this program which is designed to prevent excessive vehicle pollution.

EPA Action

EPA is converting its conditional approval approval of the District's enhanced I/M SIP to full approval. An extensive discussion of the District's I/M plan and our rationale for its approval was provided in the previous final rule which conditionally approved the I/M SIP (see 63 FR 29955 and 63 FR 15118) and in our Technical Support Document, dated March 10, 1998. This action to convert our conditional approval to full approval is being published without prior proposal because we view this as a noncontroversial revision and we anticipate no adverse comment. However, in a separate document in this **Federal Register** publication, we are proposing to this action should adverse written comments be filed. This action will be effective without further notice unless we receive relevant adverse comment by July 12, 1999. Should we receive such comments, we will publish a withdrawal and inform the public that this action will not take effect. Anyone interested in commenting on this action should do so at this time. If no such comments are received, you are advised that this action will be effective on August 10, 1999.

Administrative Requirements

A. Executive Order 12866

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

B. Executive Order 12875

Under E.O. 12875, 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. If EPA complies by consulting, E.O. 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 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

E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), applies to any rule that the EPA determines (1) is "economically significant," as defined under E.O. 12866, and (2) the environmental health or safety risk addressed by the rule has 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 final 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, EPA may not issue a regulation that is not required by statute, that significantly affects 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. 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. 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

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 a 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 August 10, 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 converting the conditional approval of the District of Columbia's enhanced inspection and maintenance program SIP revision to a full approval 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, Carbon monoxide, Hydrocarbons, Incorporation by reference, Nitrogen dioxide, Ozone,

Enhanced Inspection and Maintenance (I/M).

Dated: May 27, 1999

W. Michael McCabe,
Regional Administrator, Region III.

40 CFR part 52 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 J—District of Columbia

2. In § 52.470, an entry for Title 18, Chapters 4, 6, 7, 11, 26 and 99 is added

at the end of the table in paragraph (c) in the “EPA Approved Regulations in the District of Columbia SIP” to read as follows:

§ 52.470 Identification of plan.

* * * * *

(c) EPA approved regulations.

EPA-APPROVED REGULATIONS IN THE DISTRICT OF COLUMBIA SIP

State citation	Title/Subject	State effective date	EPA approval date	Comments
*	*	*	*	*
Title 18—Vehicles and Traffic				
Chapter 4 Motor Vehicle Title and Registration				
Section 411	Registration of Motor Vehicles: General Provisions.	10/10/86	June 11, 1999.	
Section 412	Refusal of Registration	10/17/97	June 11, 1999.	
Section 413	Application for Registration	9/16/83	June 11, 1999.	
Section 429	Enforcement of Registration and Reciprocity Requirements.	3/4/83	June 11, 1999.	
Chapter 6 Inspection of Motor Vehicles				
Section 600	General Provisions	4/23/82	June 11, 1999.	
Section 602	Inspection Stickers	3/15/85	June 11, 1999.	
Section 603	Vehicle Inspection: Approved Vehicles.	6/29/74; Recodified 4/1/81	June 11, 1999.	
Section 604	Vehicle Inspection: Rejected Vehicles.	11/23/84	4/10/86 51 FR 12322.	
Section 606	Vehicle Inspection: Condemned Vehicles.	6/29/74; Recodified 4/1/81	June 11, 1999.	
Section 607	Placement of Inspection Stickers on Vehicles.	4/7/77; Recodified 4/1/81 ..	June 11, 1999.	
Section 608	Lost, Mutilated or Detached Inspection Stickers.	6/30/72; Recodified 4/1/81	June 11, 1999.	
Section 609	Inspection of Non-Registered Motor Vehicles.	6/30/72; Recodified 4/1/81	June 11, 1999.	
Section 617	Inspection Certification	7/22/94	June 11, 1999.	
Section 618	Automotive Emissions Repair Technician.	7/22/94	June 11, 1999.	
Section 619	Vehicle Emission Recall Compliance.	10/17/97	June 11, 1999.	
Chapter 7 Motor Vehicle Equipment				
Section 701	Historic Motor Vehicles	2/25/78; Recodified 4/1/81	June 11, 1999.	
Section 750	Exhaust Emission Systems.	4/26/77; Recodified 4/1/81	June 11, 1999.	
Section 751	Compliance with Exhaust Emission Standards.	7/22/94	June 11, 1999.	
Section 752	Maximum Allowable Levels of Exhaust Components.	10/17/97	June 11, 1999.	
Section 753	Inspection of Exhaust Emission Systems.	5/23/83	4/10/86 51 FR 12322.	
Section 754	Federal Transient Emissions Test: Testing Procedures.	7/22/94	June 11, 1999.	
Section 755	Federal Transient Emissions Test: Equipment.	7/22/94	June 11, 1999.	
Section 756	Federal Transient Emissions Test: Quality Assurance Procedures.	7/22/94	June 11, 1999.	

EPA-APPROVED REGULATIONS IN THE DISTRICT OF COLUMBIA SIP—Continued

State citation	Title/Subject	State effective date	EPA approval date	Comments
Chapter 11 Motor Vehicle Offenses and Penalties				
Section 1101	Offenses Related to Title, Registration, and Identification Tags.	6/30/72; Recodified 4/1/81	June 11, 1999.	
Section 1103	Offenses Related to Inspection Stickers.	6/30/72; Recodified 4/1/81	June 11, 1999.	
Section 1104	False Statements, Alterations, Forgery, and Dishonest Checks.	11/29/91	June 11, 1999.	
Section 1110	Penalties for Violations	11/29/91	June 11, 1999.	
Chapter 26 Civil Fines for Moving and Non-Moving Violations				
Section 2600.1	Infraction: Inspection, Registration Certificate, Tags.	8/31/90	June 11, 1999.	
Chapter 99 Definitions				
Section 9901	Definitions	10/17/97	June 11, 1999.	

§ 52.473 [Amended]

3. In section 52.473, paragraph (a) is reserved.

[FR Doc. 99-14593 Filed 6-10-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[OPP-300690B; FRL-6076-5]

RIN 2070-AB78

Certain Plant Regulators; Cytokinins, Auxins, Gibberellins, Ethylene, and Pelargonic Acid; Exemptions from the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes exemptions from the requirement of a tolerance for residues of the active ingredients cytokinins, auxins, gibberellins, ethylene, and pelargonic acid in or on all food commodities, when used as plant regulators and applied to plants, seeds, or cuttings and on all food commodities after harvest. It does not apply to residues of these substances that are intended to be produced and used in living plants (also known as plant-pesticides), which are being addressed in a future rulemaking. This regulation also removes any existing crop-specific tolerances and/or exemptions from the requirement of a tolerance for the subject active ingredients and such tolerances are considered to be reassessed as required

by the Food Quality Protection Act of 1996 (FQPA). This regulation eliminates the need to establish maximum permissible levels for residues of the subject active ingredients. EPA has established this regulation on its own initiative to facilitate the addition of new crops, application rates, and uses to the labels of products containing the listed active ingredients when used as plant regulators.

DATES: This regulation is effective June 11, 1999. Objections and requests for hearings must be received by EPA on or before August 10, 1999.

ADDRESSES: Written objections and hearing requests, identified by the docket control number [OPP-300690B], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified by the docket control number, [OPP-300690B], must also be submitted to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 119, Crystal Mall 2 (CM #2), 1921 Jefferson Davis Hwy., Arlington, VA.

A copy of objections and hearing requests filed with the Hearing Clerk may be submitted electronically by sending electronic mail (e-mail) to: oppdocket@epa.gov. Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All copies of electronic objections and hearing requests must be identified by the docket number [OPP-300690B]. No Confidential Business Information (CBI) should be submitted through e-mail. Copies of electronic objections and hearing requests on this rule may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: By mail: Denise Greenway, c/o Product Manager (PM) 90, Biopesticides and Pollution Prevention Division (7511C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 9th fl., CM #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 308-8263, Greenway.Denise@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information****A. Does This Action Apply to Me?**

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to: