is not authorized to implement the
RCRA hazardous waste program in
Indian country. This action has no effect
on the hazardous waste program that
EPA implements in the Indian country
within the State.

Paperwork Reduction Act
Under the Paperwork Reduction Act,
44 U.S.C. 3501 et seq., Federal agencies
must consider the paperwork burden
imposed by any information request
contained in a proposed rule or a final
rule. This rule will not impose any
information requirements upon the
regulated community.

National Technology Transfer and
Advancement Act
Section 12(d) of the National
Technology Transfer and Advancement
Act of 1995 ("NTTAA"), Public Law
104–113, section 12(d) (15 U.S.C. 272
note) directs EPA to use voluntary
consensus standards in its regulatory
activities unless to do so would be
inconsistent with applicable law or
otherwise impractical. Voluntary
consensus standards are technical
standards (e.g., materials specifications,
test methods, sampling procedures, and
business practices) that are developed or
adopted by voluntary consensus
standards bodies. The NTTAA directs
EPA to provide Congress, through OMB,
explanations when the Agency decides
to not use available and applicable
voluntary consensus standards.

This action does not involve technical
standards. Therefore, EPA did not
consider the use of any voluntary
consensus standards.

List of Subjects in 40 CFR Part 271
Environmental Protection,
Administrative practice and procedure,
Confidential business information,
Hazardous waste, Hazardous waste
transportation, Incorporation by
reference, Indian lands,
Intergovernmental relations, Penalties,
Reporting and recordkeeping
requirements, Water pollution control,
Water supply.

Authority: This action is issued under the
authority of sections 2002(a), 3006 and
7004(b) of the Solid Waste Disposal Act as
amended 42 U.S.C. 6921(a), 6926, 6974(b).

Dated: August 2, 1999.

Jack McGraw,
Acting Regional Administrator, Region 8.

[FR Doc. 99–20551 Filed 8–9–99; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION
AGENCY
40 CFR Part 281
[FRL–6414–6]
North Carolina; Approval of State
Underground Storage Tank Program
AGENCY: Environmental Protection
Agency.
ACTION: Notice of tentative
determination on application of state of
North Carolina for final approval, public
hearing and public comment period.

SUMMARY: The State of North Carolina
has applied for approval of its
underground storage tank program for
petroleum and hazardous substances
under Subtitle I of the Resource
Conservation and Recovery Act (RCRA).
The Environmental Protection Agency
(EPA) has reviewed the North Carolina
application and has made the tentative
determination that the North Carolina
underground storage tank program for
petroleum and hazardous substances
satisfies all of the requirements
necessary to qualify for approval. North
Carolina's application for approval is
available for public review and
comment. A public hearing will be held
to solicit comments on the application,
unless insufficient public interest is
expressed.

DATES: Written comments on the North
Carolina approval application, as well as
requests to present oral testimony,
must be received by the close of
business on September 9, 1999. A
public hearing is scheduled for
September 13, 1999, unless insufficient
public interest is expressed. EPA reserves
the right to cancel the public hearing if
sufficient public interest is not
communicated to EPA in writing by
September 9, 1999. EPA will determine by
September 14, 1999, whether there is
significant interest to hold the public hearing.

The State of North Carolina will participate
in the public hearing held by EPA on
this subject.

ADDRESS: Copies of the North
Carolina approval application are
available during the hours of 9 am to 5
pm at the following addresses for
inspection and copying:
North Carolina Department of
Environment and Natural Resources,
Underground Storage Tank Section,
2728 Capital Boulevard, Parker-
Lincoln Building, Raleigh, North
Carolina 27604, Phone: (919) 733–
8486;
U.S. EPA Docket Clerk, Office of
Underground Storage Tanks, 1235
Jefferson Davis Highway—1st Floor,
Arlington, Virginia 22202, Phone:
(703) 603–9231; and,
U.S. EPA Region 4, Underground
Storage Tank Section, Atlanta Federal
Center, 15th Floor, 61 Forsyth Street,
S.W., Atlanta, Georgia 30303, Phone:
(404) 562–9277.

Written comments should be sent to
Mr. John K. Mason, Chief of
Underground Storage Tank Section, U.S.
EPA Region 4, 61 Forsyth Street S.W.,
Atlanta, Georgia 30303, telephone (404)
562–9277.

Unless insufficient public interest is
expressed, EPA will hold a public
hearing on the State of North Carolina's
application for program approval on
September 13, 1999, at 7 pm at the
North Carolina Department of
Environment and Natural Resources
Archdale Building, Ground Floor
Hearing Room, 512 North Salisbury
Street, Raleigh, North Carolina 27604–
1148. Anyone who wishes to learn
whether or not the public hearing on
the State's application has been canceled
should telephone the following contacts
after September 14, 1999.
Mr. John K. Mason, Chief, Underground
Storage Tank Section, U.S. EPA
Region 4, 61 Forsyth Street, S.W.,
Atlanta, Georgia 30303, Phone: (404)
562–9277; or,
Mr. Burrie Boshoff, Chief, Underground
Storage Tank Section, North Carolina
Department of Environment and
Natural Resources, Post Office Box
29578, Raleigh, North Carolina
27626–0578, Phone: (919) 733–8486.

FOR FURTHER INFORMATION CONTACT:
Mr. John K. Mason, Chief, Underground
Storage Tank Section, U.S. EPA
Region 4, 61 Forsyth Street S.W.,
Atlanta, Georgia 30303, phone: (404)
562–9277.

SUPPLEMENTARY INFORMATION:
A. Background
Section 9004 of the Resource
Conservation and Recovery Act (RCRA)
authorizes EPA to approve State
underground storage tank programs to
operate in the State in lieu of the
Federal underground storage tank (UST)
program. Program approval may be
granted by EPA pursuant to RCRA
Section 9004(b), if the Agency finds that
the State program is: “no less stringent”
than the Federal program for the seven
elements set forth at RCRA Section
9004(a)(1) through (7); includes the
notification requirements of RCRA
section 9004(a)(6); and provides for
adequate enforcement of compliance
with UST standards of RCRA Section
9004(a).
B. North Carolina

The State of North Carolina submitted their draft state program approval application to EPA by letter dated December 8, 1992. After reviewing the package and coordinating with the State, EPA submitted final comments to the State for review. North Carolina submitted their complete state program approval application for EPA’s tentative approval on January 16, 1998.

North Carolina adopted UST program regulations that became effective on January 1, 1991. Prior to the adoption of the regulations, North Carolina solicited public comment and held a public hearing on the draft UST program regulations. EPA has reviewed the North Carolina application, and has tentatively determined that the State’s UST program for petroleum and hazardous substances meets all of the requirements necessary to qualify for final approval.

EPA will hold a public hearing on its tentative decision on September 13, 1999, unless insufficient public interest is expressed. The public may also submit written comments on EPA’s tentative determination until September 9, 1999. Copies of the North Carolina application are available for inspection and copying at the location indicated in the Addresses section of this document.

EPA will consider all public comments on its tentative determination received at the hearing, or received in writing during the public comment period. Issues raised by those comments may be the basis for a decision to deny final approval to North Carolina. EPA expects to make a final decision on whether or not to approve the North Carolina UST program by October 12, 1999, and will give notice of it in the Federal Register. The notice will include a summary of the reasons for the final determination and a response to all major comments.

Compliance With Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), P.L. 104-4, establishes requirements for Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments and the private sector. Under sections 202 and 205 of the UMRA, EPA generally must prepare a written statement of economic and regulatory alternatives analyses for proposed and final rules with Federal mandates, as defined by the UMRA, that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. The section 202 and 205 requirements do not apply to today’s action because it is not a “Federal mandate” and because it does not impose annual costs of $100 million or more.

Today’s rule contains no Federal mandates for State, local or tribal governments or the private sector for two reasons. First, today’s action does not impose new or additional enforceable duties on any State, local or tribal governments or the private sector because the requirements of the North Carolina program are already imposed by the State and subject to State law. Second, the Act also generally excludes from the definition of a “Federal mandate” duties that arise from participation in a voluntary Federal program. North Carolina’s participation in an approved UST program is voluntary.

Even if today’s rule did contain a Federal mandate, this rule will not result in annual expenditures of $100 million or more for State, local, and/or tribal governments in the aggregate, or the private sector. Costs to State, local and/or tribal governments already exist under the North Carolina program, and today’s action does not impose any additional obligations on regulated entities. In fact, EPA’s approval of state programs generally may reduce, not increase, compliance costs for the private sector.

The requirements of section 203 of the UMRA also do not apply to today’s action. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, section 203 of the UMRA requires EPA to develop a small government agency plan. This rule contains no regulatory requirements that might significantly or uniquely affect small governments. The Agency recognizes that although small governments may own and/or operate USTs, they are already subject to the regulatory requirements under existing state law which are being approved by EPA, and, thus, are not subject to any additional significant or unique requirements by virtue of this program approval.

Certification Under the Regulatory Flexibility Act

EPA has determined that this approval will not have a significant economic impact on a substantial number of small entities. Such small entities which own and/or operate USTs are already subject to the regulatory requirements under existing State law which are being approved by EPA. EPA’s approval does not impose any additional burdens on these small entities. This is because EPA’s approval would simply result in an administrative change, rather than a change in the substantive requirements imposed on these small entities.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. This rule approves regulatory requirements under existing State law to which small entities are already subject. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Compliance With Executive Order 13045

Executive Order 13045 applies to any rule that the Office of Management and Budget determines is “economically significant” as defined under Executive Order 12866, and that EPA determines that 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.

Compliance With 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, any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an
National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Pub. L. No. 104–113, section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This action does not involve technical standards. Therefore, EPA did not consider the use of any voluntary consensus standards.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., Federal agencies must consider the paperwork burden imposed by an information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List of Subjects in 40 CFR Part 281

Environmental protection, Administrative practice and procedure, Hazardous materials, State program approval, Underground storage tanks.

Authority: This notice is issued under the authority of Section 9004 of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: July 29, 1999.

A. Stanley Meiburg,
Acting, Regional Administrator, Region 4.

[FR Doc. 99–20313 Filed 8–9–99; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Chapter IV

[HCFA–3250–N3]

RIN 0938–AI92

Medicare Program; Negotiated Rulemaking; Coverage and Administrative Policies for Clinical Diagnostic Laboratory Tests; Announcement of Additional Public Meetings

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of meetings.

SUMMARY: This document announces an additional public meeting of the Negotiated Rulemaking Committee on Coverage and Administrative Policies for Clinical Laboratory Tests. The Committee was mandated by section 4554(b) of the Balanced Budget Act of 1997, and established under the Federal Advisory Committee Act.

DATES: The meetings are scheduled as follows:

1. August 30, 1999, 9 a.m. to 3 p.m.
2. August 31, 1999, 8 a.m. to 1 p.m.

ADDRESSES: The meetings will be held at the Hubert H. Humphrey Building, Room 800, 200 Independence Ave., SW., Washington, DC. 20201.

FOR FURTHER INFORMATION CONTACT: Jackie Sheridan,(410) 786–4635

SUPPLEMENTARY INFORMATION:

We published a notice in the Federal Register on June 3, 1998 (63 FR 30166) announcing the intent to form a negotiated rulemaking committee to provide advice and make recommendations to the Secretary on the content of a proposed rule that will establish national coverage and administrative policies for clinical laboratory tests payable under Part B of the Medicare program. The notice also announced the dates of the Committee meetings that began on July 13, 1998. The Committee held meetings through January 1999.

The Committee wishes to meet again on August 30 and 31, 1999. The opportunity for public comments will be 9:00 a.m. on August 30, 1999. The meetings will be held at the Hubert H. Humphrey Building, Room 800, 200 Independence Avenue, SW, Washington, DC 20201. The purpose of the meeting is to discuss the Committee's comments on the draft proposed rule. The meetings are open to the public without advance registration.