

EPA must consider and use "voluntary consensus standards" (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

I. 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 November 29, 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).) EPA encourages interested parties to comment in response to the proposed rule rather than petition for judicial review, unless the objection arises after the comment period allowed for in the proposal.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Ozone.

Dated: September 17, 1999.

John P. DeVillars,

Regional Administrator, Region I.

Part 52 of 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 EE—New Hampshire

2. Section 52.1520 is amended by adding paragraphs (c)(61) and (62) to read as follows:

§ 52.1520 Identification of plan.

* * * * *

(c) * * *

(61) Revisions to the State Implementation Plan submitted by the New Hampshire Department of Environmental Services on July 9, 1998.

(i) Additional materials.

(A) "New Hampshire Stage II Comparability Analysis," prepared by the New Hampshire Department of

Environmental Services, dated July 1, 1998.

(62) Revisions to the State Implementation Plan submitted by the New Hampshire Department of Environmental Services on June 7, 1994.

(i) Additional materials.

(A) Letter from the New Hampshire Department of Environmental Services dated June 7, 1994 submitting a revision to the New Hampshire State Implementation Plan.

(B) "Clean Fuel Fleet Equivalency Demonstration," prepared by the New Hampshire Department of Environmental Services, dated May, 1994.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[W191-01-7322; FRL-6446-7]

Approval and Promulgation of Implementation Plans; Wisconsin; Withdrawal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Because EPA received adverse comment, we are withdrawing the direct final rule for the approval of a site-specific revision to the Wisconsin sulfur dioxide (SO₂) State Implementation Plan (SIP). We published the direct final rule on August 16, 1999 (64 FR 44415), approving alternate SO₂ emission limits for Murphy Oil, located in Superior, Wisconsin. We stated in the direct final rule that if we received adverse comment by September 15, 1999, we would publish a timely notice of withdrawal in the **Federal Register**. We subsequently received adverse comment on the direct final rule. We will address those comments in a subsequent final action based on the parallel proposal also published on August 16, 1999 (64 FR 44451). As stated in the parallel proposal, we will not institute a second comment period on this action.

DATES: As of September 29, 1999, EPA withdraws the direct final rule published at 64 FR 44415, on August 16, 1999.

ADDRESSES: Copies of the SIP revision, public comments on the rulemaking, and other materials relating to this rulemaking are available for inspection at the following address: (It is recommended that you telephone Christos Panos at (312) 353-8328, before

visiting the Region 5 Office.) United States Environmental Protection Agency, Region 5, Air and Radiation Division, Air Programs Branch (AR-18J), Regulation Development Section, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Christos Panos, Regulation Development Section, Air Programs Branch (AR-18J), Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8328.

List of Subjects in 40 CFR Part 52

Environmental protection, Intergovernmental relations, Sulfur dioxide.

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

Therefore the amendment to 40 CFR part 52 which added § 52.2570(c)(99) is withdrawn.

Dated: September 17, 1999.

Francis X. Lyons,

Regional Administrator, Region 5.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300929; FRL-6385-6]

RIN 2070-AB78

Pymetrozine; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes a permanent tolerance for pymetrozine [1,2,4-triazin-3(2H)-one,4,5-dihydro-6-methyl-4-[(3-pyridinylmethylene) amino]] in or on tuberous and corm vegetables (Subgroup 1-C), at 0.02 parts per million (ppm). Novartis Crop Protection, Inc. of Greensboro, North Carolina 27419, requested this tolerance under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996.

DATES: This regulation is effective September 29, 1999. Objections and requests for hearings, identified by docket control number OPP-300929, must be received by EPA on or before November 29, 1999.

ADDRESSES: Written objections and hearing requests may be submitted by mail, in person, or by courier. Please follow the detailed instructions for each