

Authority: 33 U.S.C. 1361(a) and (e).

Dated: September 29, 1999.

Michael B. Cook,

Director, Office of Wastewater Management.
[FR Doc. 99-25838 Filed 10-4-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6451-3]

Notice of Establishment of Point of Contact for Small Business Concerns Regarding Compliance Problems Arising from Year 2000 (Y2K) Failures

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 18 of the Y2K Act (P.L. 106-37) provides for suspension of penalties for certain Year 2000 (Y2K) failures by small business concerns. Section 18(b) requires each Federal agency to establish a point of contact to act as a liaison between the agency and small business concerns with respect to problems arising out of Y2K failures and compliance with Federal rules and regulations. The Environmental Protection Agency (EPA) is naming Ginger Gotliffe as its contact for small business concerns. In addition, EPA is naming Gary Jonesi as its contact for larger businesses who have Y2K compliance questions, or any business that has questions about application of EPA's Y2K enforcement policy.

ADDRESSES: Ginger Gotliffe, Office of Enforcement and Compliance Assurance (OECA), U.S. Environmental Protection Agency, Mail Code 2224A, 401 M Street, SW, Washington, DC 20460, phone 202-574-7072, e-mail gotliffe.ginger@epa.gov. Gary Jonesi, Office of Enforcement and Compliance Assurance (OECA), U.S. Environmental Protection Agency, Mail Code 2241A, 401 M Street, SW, Washington, DC 20460, phone 202-564-4002, e-mail jonesi.gary@epa.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Ginger Gotliffe or Mr. Gary Jonesi, at addresses above.

SUPPLEMENTARY INFORMATION: On July 20, 1999, President Clinton signed the "Y2K Act," which generally establishes special substantive and procedural rules for commercial litigation related to Y2K computer failures. Under section 18 of the Y2K Act, Federal agencies shall waive civil monetary penalties for first-time violations by a small business concern of a federally enforceable rule or regulation caused by a Y2K failure occurring through December 31, 2000,

provided that certain conditions are met. For purposes of the Y2K Act, a "small business concern" is defined as an unincorporated business, partnership, corporation, association, or organization, with fewer than 50 full-time employees. The law also provides an exception to the waiver of civil penalties in certain circumstances, for example, if the violation resulted in actual harm or creates an imminent threat to public health, safety, or the environment.

EPA issued a Y2K Enforcement Policy on November 30, 1998. The policy was designed to encourage prompt testing of computer-related equipment to ensure that environmental compliance is not impaired by Y2K failures. Under the policy (published on the Internet at www.epa.gov/year2000 and at 64 FR 11881, March 10, 1999) EPA states that it will waive 100% of the civil penalties that might otherwise apply, and will recommend against criminal prosecution, for environmental violations caused by specific tests designed to identify and eliminate Y2K-related malfunctions. The policy applies to testing-related violations disclosed to EPA by February 1, 2000, subject to certain conditions to ensure protection of public health and the environment.

Dated: September 28, 1999.

Michael Stahl,

Acting Director, Office of Compliance.

[FR Doc. 99-25777 Filed 10-4-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL 6451-4]

Guam: Adequacy Determination of State Municipal Solid Waste Permit Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of tentative determination to fully approve the adequacy of the Guam Municipal Solid Waste Permitting Program, public hearing, and public comment period.

SUMMARY: Section 4005(c)(1)(B) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. 6945(1)(B), requires states to develop and implement permit programs to ensure that municipal solid waste landfills (MSWLFs), which may receive hazardous household waste or small quantity generator hazardous waste will comply with the revised

Federal MSWLF Criteria (40 CFR part 258). RCRA Section 4005(c)(1)(C), 42 U.S.C. 6945(c)(1)(C), requires the Environmental Protection Agency (EPA) to determine whether states have adequate "permit" programs for MSWLFs, but does not mandate issuance of a rule for such determinations. Approved State permit programs provide for interaction between the State and the Owner/Operator regarding site-specific permit conditions. Only those owners/operators located in States with approved permit programs can use the site specific flexibilities provided by 40 CFR part 258 to the extent the State permit program allows such flexibility. EPA notes that, regardless of the approval status of any facility, the federal landfill criteria shall apply to all permitted and unpermitted MSWLF facilities.

Guam is defined as a "State" in 40 CFR part 258.2. Guam has applied for a determination of adequacy under Section 4005(c)(1)(C) of RCRA, 42 U.S.C. 6945(c)(1)(C). EPA Region IX has reviewed Guam's MSWLF permit program application and has made a tentative determination that all portions of Guam's MSWLF permit program are adequate to assure compliance with the revised MSWLF Criteria. Guam's application for program adequacy determination is available for public review and comment at the place(s) listed in the **ADDRESSES** section below during regular office hours.

Although RCRA does not require EPA to hold a public hearing on a determination to approve any State's MSWLF permit program, the Region has tentatively scheduled a public hearing on this determination. If a sufficient number of persons express interest in participating in a hearing by writing to the Region IX Solid Waste Program or calling the contact given below within 30 days of the date of publication of this notice, the Region will hold a hearing in Tiyan, Guam. The Region will notify all persons who submit comments on this notice if it appears that there is sufficient public interest to warrant a hearing. In addition, anyone who wishes to learn whether the hearing will be held may call the person listed in the **CONTACTS** section below.

DATES: All comments on Guam's application for a determination of adequacy must be received by the close of business on November 1, 1999. If there is sufficient interest, a public hearing will be held in Tiyan, Guam at least 45 days from the date of publication of this notice. The State will