

environment and that an environmental impact statement is not required.

This final rule contains no collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time on or before November 17, 1999, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects in 21 CFR Part 173**

Food additives, Incorporation by reference.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 173 is amended as follows:

**PART 173—SECONDARY DIRECT FOOD ADDITIVES PERMITTED IN FOOD FOR HUMAN CONSUMPTION**

1. The authority citation for 21 CFR part 173 continues to read as follows:

**Authority:** 21 U.S.C. 321, 342, 348.

2. Section 173.25 is amended by adding paragraphs (b)(2)(i) and (b)(2)(ii) to read as follows:

**§ 173.25 Ion-exchange resins.**

- \* \* \* \* \*
- (b) \* \* \*
- (2) \* \* \*

(i) The ion-exchange resin identified in paragraph (a)(13) of this section is used to treat water and aqueous food only of the types identified under categories I, II, and VI-B in Table 1 of § 176.170(c) of this chapter: *Provided*, That the temperature of the water or food passing through the resin bed is maintained at 50 °C or less and the flow rate of the water or food passing through the bed is not less than 0.5 gallon per cubic foot per minute.

(ii) The ion-exchange resin identified in paragraph (a)(16) of this section is used to treat water and aqueous food only of the types identified under categories I, II, and VI-B in Table 1 of § 176.170(c) of this chapter, *Provided*, that either:

(A) The temperature of the water or food passing through the resin bed is maintained at 50 °C or less and the flow rate of the water or food passing through the bed is not less than 0.5 gallon per cubic foot per minute; or

(B) Extracts of the resin will be found to contain no more than 1 milligram/kilogram dimethylaminopropylamine in each of the food simulants, distilled water and 10 percent ethanol, when, following washing and pretreatment of the resin in accordance with § 173.25(c)(1), the resin is subjected to the following test under conditions simulating the actual temperature and flow rate of use: "The Determination of 3-Dimethylaminopropylamine in Food Simulating Extracts of Ion Exchange Resins," February 4, 1998, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the Division of Petition Control (HFS-215), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 200 C St. SW., Washington, DC 20204, or may be examined at the Center for Food Safety and Applied Nutrition's Library, 200 C St. SW., rm. 3321, Washington, DC, or at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

\* \* \* \* \*

Dated: September 28, 1999.

**L. Robert Lake,**

*Director, Office of Policy, Planning and Strategic Initiatives, Center for Food Safety and Applied Nutrition.*

[FR Doc. 99-26885 Filed 10-15-99; 8:45 am]

BILLING CODE 4160-01-F

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 63**

[AD-FRL-6460-5]

RIN 2060-AC31

**National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to receipt of adverse comments, EPA is withdrawing an August 19, 1999 direct final rule (64 FR 45187) which would have amended the "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning." The direct final rule would have provided additional compliance options for continuous web cleaning machines, as well as clarifications that apply to steam-heated vapor cleaning machines and to cleaning machines used to clean transformers.

**DATES:** As of October 18, 1999, EPA withdraws the direct final rule published at 64 FR 45187 on August 19, 1999.

**ADDRESSES:** Docket A-92-39 containing information pertaining to this rulemaking is available for public inspection and copying between 8 a.m. and 5:30 p.m., Monday through Friday, excluding holidays. The docket is located in the EPA's Air and Radiation Docket and Information Center, Room M-1500, 401 M Street, SW, Washington, DC 20460, or by calling (202) 260-7548. A reasonable fee may be charged for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Mr. Paul Almodovar, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-0283. Electronic mail address is almodovar.paul@epa.gov.

**SUPPLEMENTARY INFORMATION:** On August 19, 1999 EPA published a direct final rule (64 FR 45187) to amend the "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning." This amendment would provide additional compliance options for continuous web cleaning machines, as well as clarifications that apply to steam-heated vapor cleaning machines and to cleaning machines used to clean transformers.

The EPA stated in the direct final rule that if relevant adverse comments were

received by September 20, 1999, the EPA would publish a notice withdrawing the direct final rule before its effective date of October 18, 1999. The EPA received adverse comments on the direct final rule from two commenters on September 20, 1999 and is, therefore, withdrawing the direct final rule. The EPA will address these comments in a final rule addressing additional compliance options for continuous web cleaning machines before December 2, 1999, the date on which the compliance extension for these types of machines expires.

Dated: October 13, 1999.

**Robert D. Brenner,**

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. 99-27189 Filed 10-15-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[FRL-6456-8]

#### Vermont: Final Authorization of State Hazardous Waste Management Program Revision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Immediate final rule, correction.

**SUMMARY:** On September 24, 1999 (64 FR 51702), EPA published an immediate final rule authorizing revisions to Vermont's hazardous waste management program under the Resource Conservation and Recovery Act (RCRA). Vermont sought authorization for and EPA made a decision to authorize Vermont for all the Land Disposal Regulations incorporated under the Consolidated Checklists for Land Disposal Restrictions listed at (64 FR 51705 and 51706). However, we inadvertently omitted listing the rules listed under Checklist 137 as part of the Consolidated Checklist. The purpose of this document is to correct this error.

**DATES:** The immediate final rule published in September 24, 1999 (64 FR 51702), as corrected by this document, will be effective November 23, 1999, unless EPA receives adverse comments by October 25, 1999. If EPA receives such comments, EPA will publish a timely document withdrawing the rule.

**FOR FURTHER INFORMATION CONTACT:** Geri Mannion, EPA Region I, One Congress Street, Suite 1100 (CHW), Boston, MA 02114-2023; Phone Number: (617) 918-1648.

**SUPPLEMENTARY INFORMATION:**

### I. Technical Correction

On September 24, 1999, EPA published an immediate final rule authorizing revisions to Vermont's hazardous waste management program under RCRA. In listing the rules for which Vermont seeks authorization, we inadvertently omitted Checklist 137 as part of the Consolidated Checklist for Land Disposal Restrictions. The title and **Federal Register** information for Checklist 137 is: Universal Treatment Standards and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes; 59 FR 47982-48110, September 19, 1994 as amended at 60 FR 242-302, January 3, 1995. The Vermont regulations cited at 64 FR 51705 include authority to implement Checklist 137.

### II. Administrative Requirements

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Agency certifies that the rule as amended by this correction will not have a significant economic impact on a substantial number of small entities, because it does not impose any new burdens on small entities. The rule simply authorizes requirements to which small entities are already subject under State law.

The Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4) does not apply to this action because it does not contain a Federal mandate that will result in annual expenditures of \$100 million or more for State, local, and/or tribal governments in the aggregate, or the private sector, and because it does not impose any significant or unique impact on small governments as described in UMRA. This action also does not require prior consultation with State, local, and tribal government officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993) or Executive Order 13084 (63 FR 27655, May 10, 1998) because it does not impose any enforceable duties on these entities or have a significant or unique impact on tribal communities. This action does not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 12612 (52 FR 41685, October 30, 1987) because this action affects only one State and it pertains to the State's proposal to be authorized for updated requirements in the hazardous waste program that the state has voluntarily chosen to operate. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not

economically significant. The Office of Management and Budget has exempted this action from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993). The National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) does not apply to this action because it does not involve technical standards. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the September 24, 1999 **Federal Register** document.

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**. A Major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This correction, together with the rule it amends, will be effective November 23, 1999.

Dated: October 4, 1999.

**John P. DeVillars,**

*Regional Administrator, Region I.*

[FR Doc. 99-26858 Filed 10-15-99; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 62

RIN 3067-AC95

#### National Flood Insurance Program (NFIP); Assistance to Private Sector Property Insurers

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** We (the Federal Insurance Administration of FEMA) are changing the Financial Control Plan (Appendix B of 44 CFR Part 62) that sets standards for evaluating the performance of private insurance companies participating in the Write Your Own program. These