

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 November 30, 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).)

#### **List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compound.

**Nora L. McGee,**

*Acting Regional Administrator, Region IX.*

Part 52, 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 F—California**

2. Section 52.220 is amended by adding paragraph (c)(183)(H)(1) to read as follows:

#### **§ 52.220 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*  
(183) \* \* \*

(i) \* \* \*

(H) El Dorado County Air Pollution Control District.

(1) Regulation IX, Rules 900 through 914, adopted September 18, 1990.

\* \* \* \* \*

[FR Doc. 99-25568 Filed 9-30-99; 8:45 am]

BILLING CODE 6560-50-P

### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 61**

[FRL-6443-7]

RIN 2060-AF04

#### **National Emission Standard for Hazardous Air Pollutants; National Emission Standards for Radon Emissions From Phosphogypsum Stacks**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains a correcting amendment to the final regulations for the National Emission Standard for Radon Emissions from Phosphogypsum Stacks, 40 CFR Part 61, Subpart R, which were originally published Wednesday, February 3, 1999 (64 FR 5574). This final rule promulgated revisions to the National Emission Standard for Hazardous Air Pollutants (NESHAP) that set limits on radon emissions from phosphogypsum stacks; and raised the limit on the quantity of phosphogypsum that may be used in indoor laboratory research and development from 700 to 7,000 pounds per experiment, eliminating current sampling requirements for phosphogypsum used in indoor research and development, and clarifying sampling procedures for phosphogypsum removed from stacks for other purposes.

**EFFECTIVE DATE:** October 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Eleanor Thornton-Jones, Office of Radiation and Indoor Air (6602J), at 202-564-9773.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The final regulations that is the subject of this correction affects persons or facilities required to comply with all the limitations set forth in § 61.205(b). In the rule published on February 3, 1999, § 61.205 was amended by revising

the section title and paragraphs (a) and (b).

#### **Review Under Executive Order 12866**

Under Executive Order 12866, (58 FR 51736, October 4, 1993), this action is not a "significant regulatory action" and is not therefore subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty, contain any unfunded mandate, or impose any significant or unique impact on small governments as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). This rule 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), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule is also not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because EPA interprets E.O. 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5-501 of the Order has the potential to influence the regulation. This rule is not subject to E.O. 13045 because it does not establish an environmental standard intended to mitigate health or safety risks. EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the February 3, 1999 **Federal Register** notice.

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 rule will be effective October 1, 1999.

**Need for Correction**

As published, the final regulations contained an error which needs to be corrected.

**List of Subjects in 40 CFR Part 61**

Environmental protection, Air pollution control, Radon.

**Robert Brenner,**

*Acting Assistant Administrator for Air and Radiation.*

Accordingly, 40 CFR Part 61 is corrected by making the following correcting amendment:

**PART 61—[AMENDED]**

1. The authority citation for part 61 continues to read as follows:

**Authority:** 42 U.S.C. 7401, 7412, 7413, 7416, 7601 and 7602.

**§ 61.205 [Amended]**

2. In § 61.205, paragraph (a), in the second sentence “§ 61.206(b)” is revised to read “paragraph (b) of this section”.

[FR Doc. 99-25562 Filed 9-30-99; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 300**

[FRL-6448-7]

**National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Deletion of the 62nd Street Superfund Site from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) Region 4 announces the deletion of the 62nd Street Superfund Site from the National Priorities List (NPL). The NPL constitutes Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the Florida Department of Environmental Protection (FDEP) have determined that the Site poses no significant threat to public health or the environment and therefore, further response measures pursuant to CERCLA are not appropriate.

**EFFECTIVE DATE:** October 1, 1999.

**ADDRESSES:** Comprehensive information on this site is available through the EPA

Region 4 public docket, which is available for viewing at the information repositories at two locations. Locations, contacts, phone numbers and viewing hours are: Record Center, U.S. EPA Region 4, 61 Forsyth Street, Atlanta, Georgia 30303-8909, (404) 562-9530, hours: 8:00 a.m. to 4:00 p.m., Monday through Friday by appointment only;

Tampa/Hillsborough County Public Library/Special Collections, 900 North Ashley, Tampa, Florida 33602, (813) 273-3652, hours: 9:00 a.m. to 9:00 p.m., Monday through Thursday, 9:00 a.m. to 5:00 p.m., Friday through Saturday.

**FOR FURTHER INFORMATION CONTACT:**

Joseph Alfano, U.S. EPA Region 4, Waste Management Division, 61 Forsyth Street, Atlanta, Georgia 30303-8909, (404) 562-8907 or by electronic mail at [alfano.joe@epa.gov](mailto:alfano.joe@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA announces the deletion of the 62nd Street Superfund Site in Tampa, Hillsborough County, Florida from the NPL, which constitutes Appendix B of 40 CFR Part 300. EPA published a Notice of Intent to Delete the 62nd Street Superfund Site from the NPL on August 4, 1999 in the **Federal Register** (64 FR 42328). EPA received no comments on the proposed deletion; therefore, no responsiveness summary is necessary for this Notice of Deletion. EPA identifies sites on the NPL that appear to present a significant risk to public health, welfare, or the environment. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substances Superfund Response Trust Fund (Fund). Pursuant to 40 CFR 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed Remedial Actions if conditions at the site warrant such action. Deletion of a site from the NPL does not affect the responsible party liability or impede agency efforts to recover costs associated with response efforts.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 23, 1999.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

For reasons set out in the preamble, 40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp.; p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp.; p. 193.

**Appendix B—[Amended]**

2. Table 1 of Appendix B to Part 300 is amended by removing the site for Sixty-Second Street Dump, Tampa, Florida.

[FR Doc. 99-25563 Filed 9-30-99; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management****43 CFR Part 1820**

[WO-350-1430-00-24 1A]

RIN 1004-AC83

**Application Procedures**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Land Management (BLM) is issuing final regulations that revise general application procedures by streamlining, modernizing, and clarifying existing provisions and removing obsolete and unnecessary requirements. The final rule describes how to file applications or other documents with BLM; provides guidance on how BLM determines priority for applications filed simultaneously; and spells out procedures for payments and refunds and requirements for publication and posting of notices.

**EFFECTIVE DATE:** November 1, 1999.

**ADDRESSES:** You may send inquiries or suggestions to: Director (630), Bureau of Land Management, 1849 C Street, NW., Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Mary Linda Ponticelli, Telephone: (202) 452-0364 (Commercial or FTS).

**SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Final Rule as Adopted
- III. Responses to Comments
- IV. Procedural Matters

**I. Background**

The existing regulations at 43 CFR part 1820 address general procedures applicable to all BLM land use authorizations. These general procedural regulations serve important