

participate in the public hearing, if held by EPA on this subject.

**ADDRESSES:** Written comments should be sent to Ms. Heidi Hall, Chief, Solid Waste Program, mail code WST-7, EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105. The public hearing, if held, will be held at the Guam Environmental Protection Agency's Main Conference Room, Building 15-6101 Mariner Avenue, Tiyan, Guam. Copies of Guam's application for adequacy determination are available at the following address for inspection and copying: Guam Environmental Protection Agency, Calibration Laboratory Building, 15-6101 Mariner Ave. Tiyan, Barrigada, Guam between the hours of 8:00 a.m. and 5:00 p.m.

**FOR FURTHER INFORMATION CONTACT:** EPA Region IX 75 Hawthorne Street, San Francisco, California 94105 attention Ms. Beth Godfrey, mail code WST-7, telephone 415 744-2095.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

On October 9, 1991, EPA promulgated revised Criteria for MSWLFs (40 CFR part 258). Subtitle D of RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), requires states to develop permitting programs to ensure that MSWLFs comply with the Federal Criteria under 40 CFR part 258. Subtitle D also requires in Section 4005(c)(1)(C), 42 U.S.C. 6945(c)(1)(C), that EPA determine the adequacy of state municipal solid waste landfill permit programs to ensure that facilities comply with the revised Federal Criteria. To fulfil this requirement, the Agency has promulgated the Final State Implementation Rule (SIR). The rule specifies the requirements which State programs must satisfy to be determined adequate.

EPA interprets the requirement for states to develop "adequate" programs for permits or other forms of prior approval and conditions (for example license to operate) to impose several minimum requirements. First, each State must have enforceable standards for new and existing MSWLFs that are technically comparable to EPA's revised MSWLF criteria. Next, the State must have the authority to issue a permit or other notice of prior approval and conditions to all new and existing MSWLFs in its jurisdiction. The State also must provide for public participation in permit issuance and enforcement, as required in Section 7004(b) of RCRA, 42 U.S.C. 6974(b). Finally, the State must show that it has

sufficient compliance monitoring and enforcement authorities to take specific action against any owner or operator that fails to comply with an approved MSWLF program.

EPA Regions will determine whether a State has submitted an "adequate" program based on the interpretation outlined above. EPA expects States to meet all of these requirements for all elements of a MSWLF program before it gives full approval to a MSWLF program.

**B. Guam**

On August 24, 1998 EPA Region IX received Guam's final MSWLF Permit Program application for adequacy determination. Region IX reviewed the final application, submitted comments to Guam, and requested additional information about the state program implementation. Guam addressed EPA's comments, provided the requested additional information, and submitted a revised final application for adequacy determination on June 16, 1999. Region IX has reviewed Guam's revised application and has tentatively determined that all portions of Guam's MSWLF program meet all the requirements necessary to qualify for full program approval and ensures compliance with the revised Federal Criteria.

The public may submit written comments on EPA's tentative determination until November 1, 1999. Copies of Guam's application are available for inspection and copying at the location indicated in the **ADDRESSES** section of this notice.

To ensure full compliance with the Federal Criteria, Guam has revised its current MSWLF permitting requirements by amendment of the Solid Waste Disposal Rules and Regulations. This document has incorporated those requirements from the federal criteria not found in Guam's existing MSWLF program and are applicable to all existing MSWLFs and to all MSWLF permit applications. Guam will implement its MSWLF permit program through enforceable permit conditions.

EPA will consider all public comments on its tentative determination received during the public comment period and during any public hearing held. Issues raised by those comments may be the basis for a determination of inadequacy for Guam's program. EPA will make a final decision on approval of Guam's program and will give notice of the final determination in the **Federal Register**. The notice shall include a summary of the reasons for the final

determination and a response to all significant comments.

Section 4005(a) of RCRA, 42 U.S.C. 6945(a), provides that citizens may use the citizen suit provisions of Section 7002 of RCRA, 42 U.S.C. 6972, to enforce the Federal Criteria in 40 CFR part 258 independent of any State enforcement program. As EPA explained in the preamble to the final MSWLF criteria, EPA expects that any owner or operator complying with provisions in a State program approved by EPA should be considered to be in compliance with the Federal Criteria. See 56 FR 50978, 50995 (October 9, 1991).

**Compliance With Executive Order 12866**

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

**Certification Under the Regulatory Flexibility Act**

Pursuant to the provisions of 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. It does not impose any new burdens on small entities. This notice, therefore, does not require a regulatory flexibility analysis.

**Authority:** This notice is issued under the authority of Section 4005 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6946.

Dated: September 21, 1999.

**Felicia Marcus,**

*Regional Administrator.*

[FR Doc. 99-25840 Filed 10-4-99; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6451-5]

**Notice of Proposed Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act**

**AGENCY:** Environmental Protection Agency

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. 9601-9675,

notice is hereby given that a proposed purchaser agreement ("Purchaser Agreement") associated with the Boyles Galvanizing Site in Philadelphia, Pennsylvania was executed by the Environmental Protection Agency and the Department of Justice and is now subject to public comment, after which the United States may modify or withdraw its consent if comments received disclose facts or considerations which indicate that the Purchaser Agreement is inappropriate, improper, or inadequate. The Purchaser Agreement would resolve certain potential EPA claims under Section 107 of CERCLA, 42 U.S.C. 9607, against the New Kensington Community Development Corporation ("Purchaser"). The settlement would require the Purchaser to, among other things, deliver the sum of \$64,800 of the purchase price to the United States at the time of closing and abide by certain land use restrictions intended to protect public health and welfare.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed Purchaser Agreement. The Agency's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103.

**DATES:** Comments must be submitted on or before November 4, 1999.

**ADDRESSES:** *Availability:* The proposed Purchaser Agreement and additional background information relating to the proposed Purchaser Agreement are available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103. A copy of the proposed Purchaser Agreement may be obtained from Suzanne Canning, U.S. Environmental Protection Agency, Regional Docket Clerk (3RC00), 1650 Arch Street Philadelphia, PA 19103. Comments should reference the "Boyles Galvanizing Site Prospective Purchaser Agreement" and "EPA Docket No. III-99-006-DC," and should be forwarded to Suzanne Canning at the above address or through electronic mail at "canning.suzanne@epa.gov."

**FOR FURTHER INFORMATION CONTACT:** Andrew S. Goldman (3RC41), Sr. Assistant Regional Counsel, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, PA 19103, Phone: (215) 814-2487.

Dated: September 28, 1999.

**Abraham Ferdas,**

*Acting Regional Administrator, U.S. Environmental Protection Agency, Region III.*  
[FR Doc. 99-25841 Filed 10-4-99; 8:45 am]  
BILLING CODE 6560-50-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-3140-EM]

### California; Amendment No. 2 to Notice of an Emergency

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

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of an emergency for the State of California, (FEMA-3140-EM), dated September 1, 1999, and related determinations.

**EFFECTIVE DATE:** September 24, 1999

**FOR FURTHER INFORMATION CONTACT:** Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3772.

**SUPPLEMENTARY INFORMATION:** The notice of an emergency for the State of California is hereby amended to include the following area among those areas determined to have been adversely affected by the catastrophe declared an emergency by the President in his declaration of September 1, 1999:

Trinity County for emergency protective measures, including the limited removal of debris which poses a health and safety hazard to the general public, as authorized under Title V. This assistance excludes regular time costs for subgrantees regular employees.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

**Robert J. Adamcik,**

*Deputy Associate Director, Response and Recovery Directorate.*  
[FR Doc. 99-25819 Filed 10-4-99; 8:45 am]  
BILLING CODE 6718-02-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1297-DR]

### Delaware; Major Disaster and Related Determinations

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

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major disaster for the State of Delaware (FEMA-1297-DR), dated September 21, 1999, and related determinations.

**EFFECTIVE DATE:** September 21, 1999.

**FOR FURTHER INFORMATION CONTACT:** Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3772.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated September 21, 1999, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the State of Delaware, resulting from Hurricane Floyd on September 15-17, 1999, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. 93-288, as amended ("the Stafford Act"). I, therefore, declare that such a major disaster exists in the State of Delaware.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance, Public Assistance, and Hazard Mitigation in the designated areas. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Steven A. Adukaitis of the Federal Emergency Management