

(g) International CRA manual input, A, B, C, and factor reports on a CD-ROM.

(h) A hard copy of the International CRA manual input and the C report International CRA manual input, A, B, C, and factor reports on a CD-ROM.

(i) Cost Segment 3 CRA Worksheets and all supporting files, including the MODS-Based Costing Studies—PRC Version. Include all databases, SAS and other programs, and output worksheets.

(j) Cost Segment 7 CRA Worksheets and all supporting files.

(k) The number of weighted tallies by international service separately for clerks and mailhandlers, and for city delivery carriers in-office; clerk and mailhandler tallies should be further separated for mail processing, window service, and all other.

(l) Coefficients of variation for:

(1) IOCS clerk and mailhandler tallies by mail processing, window service, and all other.

(2) IOCS city delivery carriers in-office.

(3) TRACS for purchased transportation by international, air, railroad, and other.

(4) Outbound volume by international service.

(5) Inbound volume by international service.

(m) The percentage of household and the percentage of non-household mail for each outbound mail service.

(n) The percentage of single-piece mail and bulk mail for each outbound service.

Dated: February 18, 2000.

**Cyril J. Pittack,**

*Acting Secretary.*

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**BILLING CODE 7715-01-U**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[GA51-200011a; FRL-6541-5]

### Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Georgia

**AGENCY:** Environmental Protection Agency.

**ACTION:** Direct final rule.

**SUMMARY:** The United States Environmental Protection Agency (EPA) is approving the section 111(d) Plan submitted by the Georgia Department of Natural Resources (DNR) for the State of Georgia on September 15, 1998, to implement and enforce the Emissions

Guidelines (EG) for existing Hospital/Medical/Infectious Waste Incinerator (HMIWI) units.

**DATES:** This direct final rule is effective on April 25, 2000, without further notice, unless EPA receives adverse comment by March 27, 2000. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** You should address comments on this action to Scott Martin, EPA Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104. Copies of all materials considered in this rulemaking may be examined during normal business hours at the following locations: EPA Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104; and at the Georgia Department of Natural Resources, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.

**FOR FURTHER INFORMATION CONTACT:**

Scott Martin at (404) 562-9036 or Scott Davis at (404) 562-9127.

**SUPPLEMENTARY INFORMATION:**

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#### I. What Action Is Being Taken by EPA Today?

We are approving the Georgia State Plan, as submitted on September 15, 1998, for the control of air emissions from HMIWIs, except for those HMIWIs located in Indian Country. When EPA developed our New Source Performance Standard (NSPS) for HMIWIs, we also developed EG to control air emissions from older HMIWIs. (See 62 FR 48348-48391, September 15, 1997, 40 CFR part 60, subpart Ce (Emission Guidelines and Compliance Times for HMIWIs) and subpart Ec (Standards of Performance for HMIWIs for Which Construction is Commenced After June 20, 1996)). The Georgia DNR developed a State Plan, as required by sections 111(d) and 129 of the Clean Air Act as amended in 1990

(the Act), to adopt the EG into their body of regulations, and we are acting today to approve it.

We are publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in a separate document in this **Federal Register** publication, we are proposing to approve the revision should significant, material, and adverse comments be filed. This action is effective April 25, 2000, unless by March 27, 2000, adverse or critical comments are received. If we receive such comments, this rule will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will be addressed in a subsequent final rule based on the proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, this action is effective April 25, 2000.

## II. The HMIWI State Plan Requirement

### *What Is a HMIWI State Plan?*

A HMIWI State Plan is a plan to control air pollutant emissions from existing incinerators which burn hospital waste or medical/infectious waste. The plan also includes source and emission inventories of these incinerators in the State.

### *Why Are We Requiring Georgia To Submit a HMIWI State Plan?*

States are required under sections 111(d) and 129 of the Act to submit State Plans to control emissions from existing HMIWIs in the State. The State Plan requirement was triggered when EPA published the EG for HMIWIs under 40 CFR part 60, subpart Ce (see 62 FR 48348, September 15, 1997).

Under section 129, EPA is required to promulgate EG for several types of existing solid waste incinerators. These EG establish the Maximum Achievable Control Technology (MACT) standards that States must adopt to comply with the Act. The HMIWI EG also establishes requirements for monitoring, operator training, permits, and a waste management plan that must be included in State Plans.

The intent of the State Plan requirement is to reduce several types of air pollutants associated with waste incineration.

### *Why Do We Need To Regulate Air Emissions From HMIWIs?*

The State Plan establishes control requirements which reduce the

following emissions from HMIWIs: particulate matter; sulfur dioxide; hydrogen chloride; nitrogen oxides; carbon monoxide; lead; cadmium; mercury; and dioxin/furans. These pollutants can cause adverse effects to the public health and the environment. Dioxin, lead, and mercury bioaccumulate through the food web. Serious developmental and adult effects in humans, primarily damage to the nervous system, have been associated with exposures to mercury. Exposure to dioxin and furans can cause skin disorders, cancer, and reproductive effects such as endometriosis. Dioxin and furans can also affect the immune system. Acid gases affect the respiratory tract, as well as contribute to the acid rain that damages lakes and harms forests and buildings. Exposure to particulate matter has been linked with adverse health effects, including aggravation of existing respiratory and cardiovascular disease and increased risk of premature death. Nitrogen oxide emissions contribute to the formation of ground level ozone, which is associated with a number of adverse health and environmental effects.

#### *What Criteria Must a HMIWI State Plan Meet To Be Approved?*

The criteria for approving a HMIWI State Plan include requirements from sections 111(d) and 129 of the Act and 40 CFR part 60, subpart B. Under the requirements of sections 111(d) and 129 of the Act, a State Plan must be at least as protective as the EG regarding applicability, emission limits, compliance schedules, performance testing, monitoring and inspections, operator training and certification, waste management plans, and recordkeeping and reporting. Under section 129(e), State Plans must ensure that affected HMIWI facilities submit Title V permit applications to the State by September 15, 2000. Under the requirements of 40 CFR part 60, subpart B, the criteria for an approvable section 111(d) plan include demonstration of legal authority, enforceable mechanisms, public participation documentation, source and emission inventories, and a State progress report commitment.

#### **III. What Does the Georgia State Plan Contain?**

The Georgia DNR adopted the Federal NSPS and EG for HMIWIs by reference into the Georgia Rule for Air Quality Control, Chapter 391–3–1–.02(2)(iii), and sections 2.117.2, 2.117.3, and 2.117.4 of the Georgia DNR Procedures for Testing and Monitoring Sources of Air Pollutants. The State rules were

effective on June 15, 1998. The Georgia State Plan contains:

1. A demonstration of the State's legal authority to implement the section 111(d) State Plan;
2. State rules, Chapter 391–3–1–.02(2)(iii) and sections 2.117.2, 2.117.3, and 2.117.4, as the enforceable mechanism;
3. An inventory of approximately 138 known designated facilities, along with estimates of their potential air emissions;
4. Emission limits that are as protective as the EG;
5. A compliance date of March 15, 2000;
6. Testing, monitoring, reporting and recordkeeping requirements for the designated facilities;
7. Records from the public hearing on the State Plan; and
8. Provisions for progress reports to EPA.

#### **IV. Is My HMIWI Subject to These Regulations?**

The EG for existing HMIWIs affect any HMIWI built on or before June 20, 1996. If your facility meets this criterion, you are subject to these regulations.

#### **V. What Steps Do I Need To Take?**

You must meet the requirements listed in the Georgia Rule for Air Quality Control, Chapter 391–3–1–.02(2)(iii), and sections 2.117.2, 2.117.3, and 2.117.4 of the Georgia DNR Procedures for Testing and Monitoring Sources of Air Pollutants, summarized as follows:

1. Determine the size of your incinerator by establishing its maximum design capacity.
2. Each size category of HMIWI has certain emission limits established which your incinerator must meet. See Table 1 of 40 CFR part 60, subpart Ce, to determine the specific emission limits which apply to you. The emission limits apply at all times, except during startup, shutdown, or malfunctions, provided that no waste has been charged during these events. (40 CFR 60.33e, as listed at 62 FR 48382, September 15, 1997).
3. There are provisions to address small rural incinerators (40 CFR 60.33e(b), 60.36e, 60.37e(c)(d), and 60.38e(b), as listed at 62 FR 48380, September 15, 1997).
4. You must meet a 10% opacity limit on your discharge, averaged over a six-minute block of time (40 CFR 60.33e(c), as listed at 62 FR 48380, September 15, 1997).
5. You must have a qualified HMIWI operator available to supervise the operation of your incinerator. This

operator must be trained and qualified through a State-approved program, or a training program that meets the requirements listed under 40 CFR 60.53c(c) (40 CFR 60.34e, as listed at 62 FR 48380).

6. Your operator must be certified, as discussed in 5 above, no later than one year after EPA approval of this Georgia State Plan (40 CFR 60.39e(e), as listed at 62 FR 48382).

7. You must develop and submit to Georgia DNR a waste management plan. This plan must be developed under guidance provided by the American Hospital Association publication, *An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities*, 1993, and must be submitted to Georgia DNR no later than one year after EPA approval of this State Plan (40 CFR 60.35e, as listed at 62 FR 48380).

8. You must conduct an initial performance test to determine your incinerator's compliance with these emission limits. This performance test must be completed by March 15, 2000.

9. You must install and maintain devices to monitor the parameters listed under Table 3 to subpart Ec (40 CFR 60.37e(c), as listed at 62 FR 48381).

10. You must document and maintain information concerning pollutant concentrations, opacity measurements, charge rates, and other operational data. This information must be maintained for a period of five years (40 CFR 60.38e, as listed at 62 FR 48381).

11. You must submit an annual report to Georgia DNR containing records of annual equipment inspections, any required maintenance, and unscheduled repairs. This annual report must be signed by the facilities manager (40 CFR 60.38e, as listed at 62 FR 48381).

#### **VI. Why Is the Georgia HMIWI State Plan Approvable?**

EPA compared the Georgia rules (Georgia Rule for Air Quality Control, Chapter 391–3–1–.02(2)(iii), and sections 2.117.2, 2.117.3, and 2.117.4 of the Georgia DNR Procedures for Testing and Monitoring Sources of Air Pollutants), against our HMIWI EG. EPA finds the Georgia rules to be at least as protective as the EG. The Georgia State Plan was reviewed for approval against the following criteria: 40 CFR 60.23 through 60.26, *Subpart B—Adoption and Submittal of State Plans for Designated Facilities*; and, 40 CFR 60, 60.30e through 60.39e, *Subpart Ce—Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators*. The Georgia State Plan satisfies the requirements for an approvable section 111(d) plan under subparts B and Ce of 40 CFR part 60. For

these reasons, we are approving the Georgia HMIWI State Plan.

## VII. Final Action

EPA is approving the aforementioned changes to the SIP because they meet EPA requirements. The EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective April 25, 2000 without further notice unless the Agency receives adverse comments by March 27, 2000.

If the EPA receives such comments, then EPA will publish a document withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on April 25, 2000 and no further action will be taken on the proposed rule.

## VIII. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the 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 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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).

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 April 25, 2000. 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 62

Environmental protection, Administrative practice and procedure, Air pollution control, Hospital/medical/infectious waste incineration, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: February 10, 2000.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

40 CFR part 62 of the Code of Federal Regulations is amended as follows:

## PART 62—[AMENDED]

1. The authority citation for part 62 continues to read as follows:

**Authority:** 42 U.S.C. 7401–7642.

## Subpart L—Georgia

2. Section 62.2600 is amended by adding paragraphs (b)(6) and (c)(5) to read as follows:

### § 62.2600 Identification of plan.

\* \* \* \* \*

(b) \* \* \*

(6) State of Georgia Plan for Implementation of 40 CFR Part 60, Subpart Ce, for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996, submitted on September 15, 1998, by the Georgia Department of Natural Resources.

(c) \* \* \*

(5) Existing hospital/medical/infectious waste incinerators.

3. Subpart L is amended by adding a new § 62.2608 and a new undesignated center heading to read as follows:

### Air Emissions From Hospital/Medical/Infectious Waste Incinerators

#### § 62.2608 Identification of sources.

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before

June 20, 1996, as described in 40 CFR Part 60, Subpart Cc.

[FR Doc. 00-4229 Filed 2-24-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 82

[FRL-6542-6]

RIN 2060-A173

#### Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2000: Allocations for Metered-Dose Inhalers and the Space Shuttle and Titan Rockets

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

**ACTION:** Extension of comment period for interim final rule.

**SUMMARY:** The United States Environmental Protection Agency (EPA) is extending the comment period for the interim final rule published January 6, 2000 (65 FR 716). This interim final rule allocated essential use allowances for ozone depleting substances for calendar year 2000 and was effective on the date of publication. EPA published the allocation as an interim final rule and provided a 30 day comment period because the allocated quantities were lower than those contained in the proposed rule. However, companies who applied for essential use allowances as a part of the International Pharmaceutical Aerosol Consortium (IPAC) were not informed as to the amount of individual allowances they would receive for calendar year 2000 until January 25, 2000, after FDA provided these confidential numbers to EPA. EPA received comment from one of the IPAC companies stating that the original 30 day comment period would not allow sufficient time to formulate comments in response to the allocation of essential use allowances. Therefore, EPA is extending the deadline for submitting written comment on the allocation of essential-use allowances for calendar year 2000 for ozone depleting substances for use in medical devices and for use in the Space Shuttle Rockets and Titan Rockets until March 27, 2000.

**DATES:** The comment period for this interim final rule is extended until March 27, 2000.

**ADDRESSES:** Comments on the interim final rulemaking allocating essential use allowances for metered dose inhalers and the space shuttle and Titan Rockets (65 FR 716) should be submitted in

duplicate (two copies) to: Air Docket No. A-92-13, U.S. Environmental Protection Agency, 401 M Street, SW, Room M-1500, Washington, DC, 20460. Those wishing to notify EPA of their intent to submit adverse comments on this action should contact Erin Birgfeld, U.S. Environmental Protection Agency, Stratospheric Protection Division, Office of Air and Radiation (6205J), Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC, 20460; [birgfeld.erin@epa.gov](mailto:birgfeld.erin@epa.gov); (202) 564-9079 phone and (202) 565-2095 fax.

Materials relevant to this rulemaking are contained in Docket No. A-92-13. The Docket is located in room M-1500, First Floor, Waterside Mall at the address above. The materials may be inspected from 8 a.m. until 4 p.m. Monday through Friday. A reasonable fee may be charged by EPA for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Erin Birgfeld, U.S. Environmental Protection Agency, Stratospheric Protection Division, Office of Air and Radiation (6205J), Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC, 20460; [birgfeld.erin@epa.gov](mailto:birgfeld.erin@epa.gov); (202) 564-9079 phone and (202) 565-2096 fax.

Dated: February 17, 2000.

**Robert Perciasepe,**

*Assistant Administrator, Office of Air and Radiation.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-300958A; FRL-6489-4]

RIN 2070-AB78

#### Emamectin Benzoate; Pesticide Tolerance Technical Correction

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

**ACTION:** Final rule; technical correction.

**SUMMARY:** EPA issued a final rule in the **Federal Register** of January 12, 2000, establishing tolerances for emamectin benzoate. This document is being issued to correct a tolerance for "milk" at 0.002 ppm, which was inadvertently omitted from the table in paragraph (b).

**DATES:** This document is effective February 25, 2000.

**FOR FURTHER INFORMATION CONTACT:** By mail: Andrea Beard, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection

Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-9356; e-mail address: [beard.andrea@epa.gov](mailto:beard.andrea@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Does this Action Apply to Me?

The Agency included in the final rule a list of those who may be potentially affected by this action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

##### II. How Can I Get Additional Information, Including Copies of This Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "**Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-300958A. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

##### III. What Does This Technical Correction Do?

A final rule to establish time-limited tolerances for emamectin benzoate on various commodities was published in the **Federal Register** on January 12,