

US EPA ARCHIVE DOCUMENT

elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's rule does not create a mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. It only extends an existing temporary exemption of the low-sulfur diesel fuel requirements in the State of Alaska. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

G. Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. EPA has determined that this final rule imposes no new federal requirements, but rather extends an existing temporary exemption of the low-sulfur diesel fuel requirements in the State of Alaska. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

H. Executive Order 13045: Children's Health Protection

"Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is

determined to be "economically significant" as defined under E.O. 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This State of Alaska Petition from Exemption from Diesel Fuel Sulfur Requirements rule is not subject to the Executive Order because it is not economically significant as defined in E.O. 12866, and because in the circumstances present in this rulemaking, the analysis required under section 5-501 of the Order would not have the potential to influence the regulation. The decision to extend the exemption in this rulemaking is based primarily on factors other than health and safety, because those factors will be addressed separately in a related national rulemaking that will address the appropriate level of sulfur in diesel fuel. EPA has issued an Advanced Notice of Proposed Rulemaking (64 FR 26142, May 13, 1999) involving the appropriate level of diesel sulfur nationwide. This national rulemaking will include any analysis that is required under Executive Order 13045.

I. National Technology Transfer and Advancement Act of 1995 (NTTAA)

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Pub L. No. 104-113, section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This action does not involve technical standards. Therefore, EPA did not consider the use of any voluntary consensus standards.

List of Subjects in 40 CFR Part 69

Environmental protection, Air pollution control, Alaska.

Dated: June 18, 1999.

Carol M. Browner,
Administrator.

For the reasons set out in the preamble, title 40 chapter I of the Code of Federal Regulations is amended as follows:

PART 69—SPECIAL EXEMPTIONS FROM REQUIREMENTS OF THE CLEAN AIR ACT

1. The authority citation for part 69 continues to read as follows:

Authority: 42 U.S.C. 7545(1) and (g), 7625-1.

Subpart E—[Amended]

2. Section 69.51 is amended by revising paragraph (c) to read as follows:

§ 69.51 Exemptions.

* * * * *

(c) Beginning January 1, 2004, the exemptions provided in paragraphs (a) and (b) of this section are applicable only to fuel used in those areas of Alaska that are not served by the Federal Aid Highway System.

[FR Doc. 99-16228 Filed 6-24-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 272

[FRL-6364-2]

Idaho: Incorporation by Reference of Approved State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Immediate final rule.

SUMMARY: Under the Resource Conservation and Recovery Act of 1976, as amended (RCRA), the EPA may grant States Final Authorization to operate their hazardous waste management programs in lieu of the Federal program. EPA uses part 272 of Title 40 Code of Federal Regulations (CFR) to provide notice of the authorization status of State programs and to incorporate by reference those provisions of the State statutes and regulations that are part of the authorized State program. The purpose of this action is to codify Idaho's authorized hazardous waste program in 40 CFR part 272. This rule incorporates by reference provisions of Idaho's hazardous waste statutes and regulations and clarifies which of these provisions are authorized and federally enforceable. Unless adverse written comments are received, the EPA's

decision to incorporate by reference Idaho's authorized hazardous waste program will take effect as provided below.

DATES: This incorporation by reference of the approved state hazardous waste management program for Idaho will become effective on August 24, 1999, if EPA receives no adverse comment. Should EPA receive such comments, EPA will withdraw this rule before its effective date by publishing a notice of withdrawal in the FR. Any comments on Idaho's incorporation by reference of the approved state hazardous waste management program must be filed by July 26, 1999.

ADDRESSES: Mail written comments to Jeff Hunt, U.S. EPA, Region 10, 1200 Sixth Avenue, Mail stop WCM-122, Seattle, WA 98101.

FOR FURTHER INFORMATION CONTACT: Jeff Hunt, U.S. EPA, Region 10, 1200 Sixth Avenue, Mail stop WCM-122, Seattle, WA 98101, phone number (206) 553-0256.

SUPPLEMENTARY INFORMATION:

A. Background

Section 3006 of RCRA, 42 U.S.C. 6926 *et seq.*, allows the EPA to authorize State hazardous waste programs to operate in the State in lieu of the Federal hazardous waste program. EPA provides notice of its authorization of State programs in 40 CFR part 272 and incorporates by reference therein the State statutes and regulations that are a part of the authorized State program under RCRA. This effort provides clearer notice to the public of the scope of the authorized programs. The incorporation by reference of State authorized programs in the CFR should substantially enhance the public's ability to discern the current status of the authorized State program and clarify the extent of Federal enforcement authority.

Effective February 4, 1991 (55 FR 50327) and subsequently revised effective August 10, 1992 (57 FR 24757), EPA incorporated by reference Idaho's then authorized hazardous waste program, including all HSWA and non-HSWA Federal requirements promulgated as of June 30, 1990. The purpose of today's **Federal Register** document is to incorporate by reference EPA's authorization of Idaho's subsequent two revisions to that program. This rule incorporates by reference provisions of State hazardous waste statutes and regulations and clarifies which of these provisions are included in the authorized and Federally enforceable program.

B. Idaho Authorized Hazardous Waste Program

Idaho received Final Authorization for its RCRA hazardous waste base program on March 26, 1990, effective April 9, 1990 (55 FR 11015). EPA incorporated by reference the then authorized hazardous waste program in Subpart N of 40 CFR part 272. The State statutes and regulations are incorporated by reference at Sec. 272.651(a), and the Memorandum of Agreement, the Attorney General's Statement and the Program Description are referenced at 40 CFR 272.651(b), 272.651(c) and 272.651(d), respectively.

Since the most recent codification, Idaho has received authorization for revisions to its program on April 12, 1995, effective June 11, 1995 (60 FR 18549) and on October 21, 1998, effective January 19, 1999 (63 FR 56086). In this document EPA is revising the incorporation by reference of Idaho's authorized hazardous waste program in Subpart N of 40 CFR part 272, to include these revisions.

The Agency retains the authority under sections 3007, 3008, 3013 and 7003 of RCRA to undertake enforcement actions in authorized States. With respect to such an enforcement action, the Agency will rely on Federal sanctions, Federal inspection authorities, and the Federal Administrative Procedure Act rather than the authorized State analogues to these requirements. Therefore, the Agency does not intend to incorporate by reference for purposes of enforcement such particular, authorized Idaho enforcement authorities. Section 272.651(a)(1) of 40 CFR lists those enforcement authorities that are part of the authorized program but are not incorporated by reference.

The public also needs to be aware that some provisions of a State's hazardous waste management program are not part of the Federally authorized State program. These nonauthorized provisions include:

(1) Provisions that are not part of the RCRA subtitle C program because they are "broader in scope" than RCRA subtitle C (see 40 CFR 271.1(i));

(2) Federal provisions which the State incorporated into its regulations when the State adopted Federal regulations by reference, but for which the State is not authorized;

(3) Unauthorized amendments to authorized State provisions.

State provisions that are "broader in scope" than the Federal program are not part of the RCRA authorized program and EPA will not enforce them. Therefore, they are not incorporated by

reference in 40 CFR part 272. For reference and clarity, section 272.651(a)(3) of 40 CFR lists the Idaho statutory and regulatory provisions which are "broader in scope" than the Federal program. Although EPA will not enforce these provisions, the State may enforce them under State law.

C. HSWA Provisions

The Agency is not amending 40 CFR part 272 to include HSWA requirements and prohibitions that are implemented by EPA. Section 3006(g) of RCRA provides that any HSWA requirement or prohibition (including implementing regulations) take effect in authorized and not authorized States at the same time. A HSWA requirement or prohibition supersedes any less stringent or inconsistent State provision which may have been previously authorized by EPA (50 FR 28702, July 15, 1985). EPA has the authority to implement HSWA requirements in all States, including authorized States, until the States become authorized for such requirement or prohibition. Authorized States are required to revise their programs to adopt the HSWA requirements and prohibitions, and then to seek authorization for those revisions pursuant to 40 CFR part 271.

Instead of amending the 40 CFR part 272 every time a new HSWA provision takes effect under the authority of RCRA section 3006(g), EPA will wait until the State receives authorization for its analog to the new HSWA provision before amending the State's 40 CFR part 272 incorporation by reference. Until then, persons wanting to know whether a HSWA requirement or prohibition is in effect should refer to 40 CFR 271.1(j), as amended, which lists each such provision.

Some existing State requirements may be similar to the HSWA requirement implemented by EPA. However, until EPA authorizes those State requirements, EPA can only enforce the HSWA requirements and not the State analogs. EPA will not codify those State requirements until the State receives authorization for those requirements.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures to State, local,

and tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The section 202 and 205 requirements do not apply to today's action because it is not a "Federal mandate" and because it does not impose annual costs of \$100 million or more for State, local and/or tribal governments in the aggregate, or the private sector. Today's action contains no Federal mandates for State, local or tribal governments or the private sector because it does not impose new or additional enforceable duties on any State, local or tribal governments or the private sector. This rule merely incorporates by reference existing requirements with which regulated entities must already comply under State and Federal law. For this same reason, this action will not result in annual expenditures of \$100 million or more for State, local, and/or tribal governments in the aggregate, or the private sector because it incorporates by reference an existing State program that EPA previously authorized. Costs to the State, local and/or tribal governments, and to regulated entities already exist under the authorized program. Further, as it applies to the State, this action does not impose a Federal intergovernmental mandate because UMRA does not include duties arising

from participation in a voluntary federal program.

The requirements of section 203 of UMRA also do not apply to today's action because it contains no regulatory requirements that might significantly or uniquely affect small governments. Although small governments may be hazardous waste generators, transporters, or own and/or operate treatment, storage, and disposal facilities, this codification incorporates into the CFR Idaho's requirements which EPA already authorized under 40 CFR part 271. Small governments are not subject to any additional significant or unique requirements by virtue of this action.

Certification Under the Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996), whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions). This analysis is unnecessary, however, if the agency's administrator certifies that the rule will not have a significant economic impact on a substantial number of small entities.

The EPA has determined that this codification will not have a significant economic impact on a substantial number of small entities. Such small entities which are hazardous waste generators, transporters, or which own and/or operate treatment, storage, or disposal facilities are already subject to the State requirements authorized by EPA under 40 CFR part 271. The EPA's codification does not impose any additional burdens on these small entities.

Pursuant to the provision at 5 U.S.C. 605(b), the Agency hereby certifies that this codification will not have a significant economic impact on a substantial number of small entities. This codification incorporates Idaho's requirements which have been authorized by EPA under 40 CFR part 271 into the CFR. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

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. The 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 today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Compliance With Executive Order 12866

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

Compliance With Executive Order 12875

Under Executive Order 12875, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies with consulting, Executive Order 12875 requires EPA to provide to the Office of Management and Budget a description of the extent of EPA's prior consultation with representatives of affected State, local and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

This rule does not create a mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. The State administers its hazardous waste program voluntarily, and any duties on other State, local or tribal governmental entities arise from that program, not from this today's action. This rule merely incorporates by reference existing requirements with which regulated entities must already comply under State and Federal law. Accordingly, the requirements of

Executive Order 12875 do not apply to this rule.

Compliance With Executive Order 13045

Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks," applies to any rule that: (1) The Office of Management and Budget determines is "economically significant" as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045 because it is not an economically significant rule as defined by E.O. 12866, and because it does not involve decisions based on environmental health or safety risks.

Compliance With Executive Order 13084

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies with consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

This rule is not subject to E.O. 13084 because it does not significantly or uniquely affect the communities of Indian tribal governments. Idaho is not authorized to implement the RCRA hazardous waste program in Indian

country. This action has no effect on the hazardous waste program that EPA implements in the Indian country within the State.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Pub L. No. 104-113, § 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This action does not involve technical standards. Therefore, EPA did not consider the use of any voluntary consensus standards.

List of Subjects in 40 CFR Part 272

Environmental Protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Incorporation by reference, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This rule is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: June 9, 1999.

Chuck Findley,

Acting Regional Administrator, U.S. Environmental Protection Agency, Region 10.

For the reasons set forth in the preamble, 40 CFR part 272 is amended as follows:

PART 272—APPROVED STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS

1. The authority citation for part 272 continues to read as follows:

Authority: Sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Subpart N—[Amended]

§ 272.650 [Amended]

2. Section 272.650 is removed and reserved.

3. Section 272.651 is revised to read as follows:

§ 272.651 Idaho State-Administered Program: Final Authorization.

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Idaho has final authorization for the following elements as submitted to EPA in Idaho's base program application for final authorization which was approved by EPA effective on April 9, 1990. Subsequent program revision applications were approved effective on June 5, 1992, August 10, 1992, June 11, 1995, and January 19, 1999.

(b) *State statutes and regulations.* (1) The Idaho statutes and regulations cited in this paragraph are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(i) The EPA Approved Idaho Statutory Requirements Applicable to the Hazardous Waste Management Program, dated April 1999.

(ii) The EPA Approved Idaho Regulatory Requirements Applicable to the Hazardous Waste Management Program, dated April 1999.

(2) The following statutes and regulations concerning State procedures and enforcement, although not incorporated by reference, are part of the authorized State program:

(i) Idaho Code (I.C.) containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 44, "Hazardous Waste Management", published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39-4404; 39-4405 (except 39-4405(8)); 39-4406; 39-4407; 39-4408(4); 39-4409(2) (except first sentence); 39-4409(3); 39-4409(4) (first sentence); 39-4410; 39-4412 through 39-4416; 39-4418; 39-4419; 39-4421; 39-4422; and 39-4423(3) (a)&(b).

(ii) 1996 Cumulative Pocket Supplement to the Idaho Code, Volume 7A, Title 39, Chapter 44, "Hazardous Waste Management", published in 1996

by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39–4411(1); 39–4411(3); and 39–4411(6).

(iii) Idaho Code (I.C.) containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 58, “Hazardous Waste Facility Siting Act”, published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39–5804; 39–5809; 39–5810; 39–5813(2); 39–5814; 39–5816; 39–5817; and 39–5818(1).

(iv) Idaho Code (I.C.) containing the General Laws of Idaho Annotated, Volume 2, Title 9, Chapter 3, “Public Writings”, published in 1990 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 9–337(10); 9–337(11); 9–338; 9–339; and 9–344(2).

(v) 1994 Cumulative Pocket Supplement to the Idaho Code (I.C.), Volume 2, Title 9, Chapter 3, “Public Writing”, published in 1994 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 9–340 and 9–343.

(vi) Idaho Department of Health and Welfare Rules and Regulations, Idaho Administrative Code, IDAPA 16, Title 1, Chapter 5, “Rules and Standards for Hazardous Waste”, as published on July 1, 1997: sections 16.01.05.000; 16.01.05.356.02 through 16.01.05.356.05; 16.01.05.800; 16.01.05.850; 16.01.05.996; 16.01.05.997; and 16.01.05.999.

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not incorporated by reference:

(i) Idaho Code containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 44, “Hazardous Waste Management”, published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39–4428 and 39–4429.

(ii) 1996 Cumulative Pocket Supplement to the Idaho Code, Volume 7A, Title 39, Chapter 44, “Hazardous Waste Management”, published in 1994 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39–4403 (6)&(14) and 39–4427.

(iii) Idaho Code containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 58, “Hazardous Waste Siting Act”, published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: section 39–5813(3).

(iv) Idaho Department of Health and Welfare Rules and Regulations, Idaho Administrative Code, IDAPA 16, Title 1,

Chapter 5, “Rules and Standards for Hazardous Waste”, as published on July 1, 1997: sections 16.01.05.355; and 16.01.05.500.

(4) *Memorandum of Agreement*. The Memorandum of Agreement between EPA Region 10 and the Division of Environmental Quality, signed by the EPA Regional Administrator on October 6, 1998, is referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(5) *Statement of Legal Authority*. “Attorney General’s Statement for Final Authorization”, signed by the Attorney General of Idaho on July 5, 1988 and revisions, supplements and addenda to that Statement dated July 3, 1989, February 13, 1992, December 29, 1994, September 16, 1996, and October 3, 1997 are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(6) *Program Description*. The Program Description and any other materials submitted as part of the original application or as supplements thereto are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

4. Appendix A to part 272, State Requirements, is amended by adding in alphabetical order the listing for “Idaho” to read as follows:

* * * * *

Idaho

The statutory provisions include:

Idaho Code containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 44, “Hazardous Waste Management”, 1993: sections 39–4402; 39–4408 (1)–(3); 39–4409(1) (except fourth and fifth sentences); 39–4409(2) (first sentence); 39–4409(4) (except first sentence); 39–4409(5); 39–4409(6); 39–4409(7); 39–4409(8); 39–4423 (except 39–4423(3)(a)&(b)); and 39–4424.

1996 Cumulative Pocket Supplement to the Idaho Code, Volume 7A, Title 39, Chapter 44, “Hazardous Waste Management”, 1996: sections 39–4403 (except 39–4403 (6)&(14)); 39–4411(2); 39–4411(4); and 39–4411(5).

Idaho Code containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 58, “Hazardous Waste Facility Siting Act”, published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39–5802; 39–5803; 39–5808; 39–5811; 39–5813(1); and 39–5818(2).

Copies of the Idaho statutes that are incorporated by reference are available from Michie Company, Law Publishers,

1 Town Hall Square, Charlottesville, VA 22906–7587.

The regulatory provisions include: Idaho Department of Health and Welfare Rules and Regulations, Idaho Administrative Code, IDAPA 16, Title 1, Chapter 5, “Rules and Standards for Hazardous Waste”, as published on July 1, 1997: sections 16.01.05.001; 16.01.05.002; 16.01.05.003; 16.01.05.004; 16.01.05.005; 16.01.05.006; 16.01.05.007; 16.01.05.008; 16.01.05.009; 16.01.05.010; 16.01.05.011; 16.01.05.012; 16.01.05.013; 16.01.05.014; 16.01.05.015; 16.01.05.016; 16.01.05.356.01; and 16.01.05.998.

Note: The 1997 Idaho Code, section 16.01.05.011, contains a typographical error discovered during codification. The reference to “39–4403(16)” should read “39–4403(17)”. Idaho has subsequently corrected this typographical error in the 1998 Idaho Code and will submit the corrected version in the next authorization package.

* * * * *

[FR Doc. 99–16088 Filed 6–24–99; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 51

[CC Docket No. 98–147]

Deployment of Wireline Services Offering Advanced Telecommunications Capability; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects the announcement of effective date of a final rule relating to local competition published in the **Federal Register** on June 2, 1999.

EFFECTIVE DATE: The amendment to 47 CFR 51.321 (f) and (h) and 51.323 (b) and (i)(3) published at 64 FR 23229 (April 30, 1999) are effective June 1, 1999.

FOR FURTHER INFORMATION CONTACT: Staci Pies, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418–1580 or via the Internet at spies@fcc.gov. Further information may also be obtained by calling the Common Carrier Bureau’s TTY number: 202–418–0484.

SUPPLEMENTARY INFORMATION:

Background

The Commission amended its rules relating to local competition. See 63 FR