V. Administrative Requirements

A. Executive Order 12866

Under Executive Order 12866, 58 FR 51735 (October 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Due to potential policy issues this action is considered a significant regulatory action and therefore was reviewed by OMB. Changes made in response to OMB suggestions or recommendations have been documented in the public record.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et. seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any rule on small entities unless the Agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. 5 U.S.C. 603, 604 and 605(b). Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. This advance notice of proposed rulemaking will not have a significant impact on a substantial number of small entities because it will not create any new requirements for any entity. The notice merely presents background information and requests input from the public. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities. Therefore, this advance notice of proposed rulemaking does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Sulfur oxides.

Dated: June 11, 1999.

Carol M. Browner,

Administrator.

[FR Doc. 99–15435 Filed 6–16–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA121–4088b; FRL–6361–6]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; 1990 NOx Base Year Emission Inventory for the Philadelphia Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing approval of a State Implementation Plan (SIP) revision request that the Commonwealth of Pennsylvania submitted on July 31, 1998. The revision concerns the 1990 oxides of nitrogen (NOx) base year inventory for the Pennsylvania portion of the Philadelphia severe ozone nonattainment area. EPA is proposing approval of the Philadelphia area 1990 NOx base year inventory as a revision to Pennsylvania's SIP in accordance with the requirements of the Clean Air Act.

In the ''Rules and Regulations'' section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because we view this as a noncontroversial submittal and anticipates no adverse comments. We set out our rationale for our approval in the direct final rule. If we do not receive adverse comments, we will not take further action on this proposed rule. However, if we receive adverse comments, we will withdraw the direct final rule, and it will not take effect. We will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by July 19, 1999.

ADDRESSES: You should mail written comments to David L. Arnold, Chief, Ozone and Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. You can inspect copies of the documents relevant to this action during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103, and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Cristina Fernandez, (215) 814–2178, at the EPA Region III address above, or via e-mail at fernandez.cristina@epa.gov.

SUPPLEMENTARY INFORMATION: For more information, please see the direct final rule with the same title, pertaining to Pennsylvania's 1990 NOx base year inventory for the Philadelphia area, located in the ''Rules and Regulations'' section of this **Federal Register**.

Dated: June 2, 1999.

Thomas J. Maslany,

Acting Regional Administrator, Region III.

[FR Doc. 99–15268 Filed 6–16–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[IA 070–1070b; FRL–6359–3]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions From Hospital/Medical/Infectious Waste Incinerators; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the state of Iowa's section 111(d) plan for controlling emissions from existing hospital/medical/infectious waste incinerators. The plan was submitted to fulfill the requirements of sections 111 and 129 of the Clean Air Act. The state plan establishes emission limits and controls for sources constructed on or before June 20, 1996.

In the final rules section of the **Federal Register**, EPA is approving the state's submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no relevant adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this rule, no further activity is contemplated, and the direct final rule will become effective. If EPA receives