

determined that this rule does not have implications for federalism under that order.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a state, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

#### Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2–1, paragraph (34)(g), of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. This regulation will have no impact on the environment.

#### List of Subjects

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5;

49 CFR 1.46. Section 165.100 is also issued under authority of Sec. 311, Pub. L. 105–383.

2. Add temporary § 165.T05–016 to read as follows:

*165.T05–013 Safety Zone; Chickahominy River, Virginia.*

(a) *Location.* The following area is a safety zone: All waters of the Chickahominy River, within a 500-foot radius of a shoreline fireworks display in approximate position 37°14.51' N, 076°52.10' W.

(b) *Captain of the Port.* Captain of the Port means the Commanding Officer of the Marine Safety Office Hampton Roads, Norfolk, VA or any Coast Guard commissioned, warrant, or petty officer who has been authorized to act on his behalf.

(c) *Regulations:* (1) All persons are required to comply with the general regulations governing safety zones found in section 165.23 of this part.

(2) Persons or vessels requiring entry into or passage through this safety zone must first request authorization from the Captain of the Port. The Coast Guard representative enforcing the safety zone can be contacted on VHF marine band radio, channels 13 and 16. The Captain of the Port can be contacted at telephone number (757) 484–8192.

(3) The Captain of the Port will notify the public of changes in the status of this safety zone by marine information broadcast on VHF marine band radio, channel 22 (157.1 MHz).

(d) *Effective Date:* This section is in effect from 8 p.m. until 11:30 p.m. on July 4, 2000.

Dated: June 5, 2000.

**J.E. Schinnerer,**

*Captain, U.S. Coast Guard, Captain of the Port Hampton Roads.*

[FR Doc. 00–14858 Filed 6–12–00; 8:45 am]

**BILLING CODE 4910–15–P**

## DEPARTMENT OF EDUCATION

### 34 CFR Part 685

#### William D. Ford Federal Direct Loan Program

**AGENCY:** Department of Education.

**ACTION:** Final regulations; correction.

**SUMMARY:** On November 1, 1999 amendments to regulations governing the William D. Ford Federal Direct Loan Program were published in the **Federal Register** (64 FR 59016). This document corrects the designation of the section amended in item 24 and adds a word inadvertently dropped from § 685.306(a) as amended in item 26 on page 59044. The change made in item 24 should have been made to § 685.216, rather

than to § 685.215, because § 685.215 was previously redesignated as § 685.216 in separate amendments published in the same issue of the **Federal Register** (64 FR 58969).

**DATES:** These regulations, as corrected, are effective July 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Ms. Nicki Meolo, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3045, Regional Office Building 3, Washington, DC 20202–5346. Telephone: (202) 708–8242. If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 99–28315, published in the **Federal Register** on November 1, 1999 (64 FR 59016), in item 24 on page 59044, the reference to “Section 685.215” is corrected to read “Section 685.216” and the number and heading of the amended section are corrected to read “§ 685.216 Consolidation.” In item 26 on page 59044, in the amended text of § 685.306(a), in the third column, first line, add the word “portion” after the word “that” and before the word “of.”

#### Electronic Access to This Document

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**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.access.gpo.gov/nara/index.html>

(Catalog of Federal Domestic Assistance Number: 84.268 William D. Ford Federal Direct Loan Program)

#### List of Subjects in 34 CFR Part 685

Administrative practice and procedure, Colleges and universities, Education, Loan programs—education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: June 7, 2000.

A. Lee Fritschler,

Assistant Secretary, Office of Postsecondary Education.

[FR Doc. 00-14823 Filed 6-12-00; 8:45 am]

BILLING CODE 4000-01-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[WV-6013a; FRL-6714-2]

#### Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; West Virginia; Control of Emissions From Existing Hospital/Medical/Infectious Waste Incinerators

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving the West Virginia hospital/medical/infectious waste incinerator (HMIWI) 111(d)/129 plan (the "plan") submitted on August 18, 1999 by the West Virginia Division of Environmental Protection (WV DEP), and the subsequent plan amendment of April 19, 2000. The plan establishes emission limitations and other requirements for existing HMIWIs, and provides for the implementation and enforcement of those limitations and requirements.

**DATES:** This final rule is effective July 28, 2000 unless by July 13, 2000 adverse or critical comments are received. If adverse comment is received, EPA 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:** Comments may be mailed to Makeba A. Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations: Air Protection Division, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029; and the West Virginia Division of Environmental Protection, Office of Air Quality, 7012 MacCorkle Avenue, South East, Charleston, West Virginia 25304.

**FOR FURTHER INFORMATION CONTACT:** James B. Topsale at (215) 814-2190, or by e-mail at topsale.jim@epa.gov.

**SUPPLEMENTARY INFORMATION:** This document is divided into Sections I through V and answers the questions posed below.

#### I. General Provisions

What is EPA approving?

What is a State/local 111(d)/129 plan?

What pollutant(s) will this action control?

What are the expected environmental and public health benefits from controlling HMIWI emissions?

#### II. Federal Requirements the WV HMIWI 111(d)/129 Plan Must Meet for Approval

What general EPA requirements must the WV DEP meet in order to receive approval of its HMIWI 111(d)/129 plan?

What does the WV plan contain?

Does the WV plan meet all EPA requirements for approval?

#### III. Requirements for Affected HMIWI Owners/Operators

How do I determine if my HMIWI is subject to the WV 111(d)/129 plan?

What general requirements must I meet under the approved EPA 111(d)/129 plan?

What emissions limits must I meet, and in what time frame?

Are there any operational requirements for my HMIWI and air pollution control system?

What are the testing, monitoring, recordkeeping, and reporting requirements for my HMIWI?

Is there a requirement for obtaining a Title V permit?

#### IV. Final EPA Action

#### V. Administrative Requirements

#### I. General Provisions

Q. What is EPA approving?

A. EPA is approving the WV 111(d)/129 plan (the "plan") for the control of air pollution emissions from hospital/medical/infectious waste incinerators (HMIWIs). The plan was developed by the WV DEP. On August 18, 1999 the WV DEP submitted its plan to EPA; and on April 19, 2000 submitted a plan amendment. EPA is publishing this approval action without prior proposal because we view this as a noncontroversial action and anticipate no adverse comments.

Q. What is a State/local 111(d)/129 plan?

A. Section 111(d) of the Clean Air Act (CAA) requires that "designated" pollutants, controlled under standards of performance for new stationary sources by Section 111(b) of the CAA, must also be controlled at existing sources in the same source category to a level stipulated in an emission guidelines (EG) document. Section 129 of the CAA specifically addresses solid waste combustion and emissions controls based on what is commonly referred to as maximum achievable control technology (MACT). Section 129 requires EPA to promulgate a MACT-based EG document, and then requires

states to develop 111(d)/129 plans that implement and enforce the EG requirements. The HMIWI EG at 40 CFR part 60, subpart Ce, establish the MACT requirements under the authority of both Sections 111(d) and 129 of the CAA. These requirements must be incorporated into a State/local 111(d)/129 plan that is "at least as protective" as the EG, and is Federally enforceable upon approval by EPA.

The procedures for adoption and submittal of State 111(d)/129 plans are codified in 40 CFR part 60, subpart B. Additional information on the submittal of State plans is provided in the EPA document, "Hospital/Medical/Infectious Waste Incinerator Emission Guidelines: Summary of the Requirements for Section 111(d)/129 State Plans, EPA-456/R-97-007, November, 1997."

Q. What pollutant(s) will this action control?

A. The September 15, 1997 promulgated EG, Subpart Ce, are applicable to all existing HMIWIs (i.e., the designated facilities) that emit organics (dioxins/furans), carbon monoxide, metals (cadmium, lead, mercury, particulate matter), opacity, and acid gases (hydrogen chloride, sulfur dioxide, and nitrogen oxides). This action establishes emission limitations for each of these pollutants.

Q. What are the expected environmental and public health benefits from controlling HMIWI emissions?

A. HMIWI emissions can have adverse effects on both public health and the environment. Dioxin, lead, and mercury can bioaccumulate in the environment. Exposure to dioxins/furans has been linked to reproductive and developmental effects, changes in hormone levels, and chloracne. Respiratory and other effects are associated with exposure to particulate matter, sulfur dioxide, cadmium, hydrogen chloride, and mercury. Health effects associated with exposure to cadmium, and lead include probable carcinogenic effects. Acid gases contribute to the acid rain that lowers the pH of surface waters and watersheds, harms forests, and damages buildings.

#### II. Federal Requirements the West Virginia HMIWI 111(d)/129 Plan Must Meet for Approval

Q. What general requirements must the WV DEP meet to receive approval of its WV 111(d)/129 plan?

A. The plan must meet the requirements of both 40 CFR part 60, subparts B, and Ce. Subpart B specifies detailed procedures for the adoption and submittal of State plans for