

governments, or to the private sector, result from this action.

G. 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. 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**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action to fully approve the State of Delaware's 15% plan must be filed in the United States Court of Appeals for the appropriate circuit by December 13, 1999. 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 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone.

Dated: September 23, 1999.

W. Michael McCabe,
Regional Administrator, Region III.

40 CFR Part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart I—Delaware

2. Section 52.426 is added to read as follows:

§ 52.426 Control strategy: ozone.

EPA fully approves, as a revision to the Delaware State Implementation Plan, the 15 Percent Rate of Progress Plan for the Delaware portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment, namely Kent and New Castle Counties, submitted by the Secretary of Delaware Department of Natural Resources and Environmental Control on February 17, 1995.

3. Section 52.424(a) is removed and reserved.

[FR Doc. 99–26195 Filed 10–8–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IN96–2; FRL–6452–6]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: On July 26, 1999, the EPA published a direct final rule approving as amendments to the Indiana State Implementation Plan, temporary revised opacity limits for two processes at ALCOA Warrick Operations, which were submitted by the Indiana Department of Environmental Management on December 8, 1998. The preamble of that direct final rule incorrectly identified some of the subject sources. This action corrects this inadvertent error.

EFFECTIVE DATE: October 12, 1999.

FOR FURTHER INFORMATION CONTACT: David Pohlman, Environmental Scientist, Regulation Development Section, Regulation Development Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–3299.

SUPPLEMENTARY INFORMATION: Throughout this document wherever "we", "us", or "our" are used, we mean EPA. In the July 26, 1999, **Federal Register** document (64 FR 40287) in both the **SUMMARY** in the second column on page 40287 and in section I. What Is the EPA Approving? of the **SUPPLEMENTARY INFORMATION** in the third column on page 40287, we incorrectly identified some of the subject sources.

Specifically, we stated that the revised limits allow for higher opacity emissions during fluxing operations at two furnaces. In fact, the revised limits allow for higher opacity emissions during fluxing operations at two complexes—each of which contains two furnaces. We correctly stated this information in section III. What Are the Provisions of the Temporary Opacity Limits? of the **SUPPLEMENTARY INFORMATION** which begins at the top of the first column on page 40288. We regret any inconvenience this inadvertent error may have caused.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: September 23, 1999.

Francis X. Lyons,

Regional Administrator, Region 5.

[FR Doc. 99–26071 Filed 10–8–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

Approval and Promulgation of State Plans for Designated Facilities and Pollutants

CFR Correction

In Title 40 of the Code of Federal Regulations, parts 61 to 62, revised as of July 1, 1999, page 296, the authority citation for part 62 is correctly revised to read "42 U.S.C. 7401–7671q".

[FR Doc. 99–55534 Filed 10–8–99; 8:45 am]

BILLING CODE 1505–01–D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 201

Noise Emission Standards for Transportation Equipment; Interstate Rail Carriers

CFR Correction

In Title 40 of the Code of Federal Regulations, parts 190 to 259, revised as of July 1, 1999, page 68, § 201.24 is corrected by removing the formula at the end of the section and reinstating Figure 1 in its place as follows:

§ 201.24 Procedures for measurement at a 30 meter (100 feet) distance of the noise from locomotive and rail car operations and locomotive load cell test stands.

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